

AGENDA

**Meeting of the panel delegated to deliberate on
submissions to the**

Draft Morrison Street Pedestrian Mall Declaration

**Monday 15 April 2013
Commencing at 9.00am
Council Chamber
Civic House
110 Trafalgar Street, Nelson**

Membership:

Councillors Gail Collingwood, Ruth Copeland, and Eric Davy

Apologies

1. Interests

- 1.1 Updates to the Interests Register
- 1.2 Identify any conflicts of interest in the agenda

2. Confirmation of Order of Business

3. Copy of Submissions

3-12

- 3.1 Index of Submissions
Document number 1485843
- 3.2 Copy of Submissions
Document number 1485843

4. Submissions on the Draft Morrison Street Pedestrian Mall Declaration

13-19

- Document number 1469024 v5
- Recommendation

THAT the Hearing Panel consider and deliberate on all submissions received on the Draft Morrison Street Pedestrian Mall Declaration;

AND THAT the Hearing Panel make decisions and give reasons for those decisions on all submissions received on the Draft Morrison Street Pedestrian Mall Declaration;

AND THAT the Draft Morrison Street Pedestrian Mall Declaration (1469117) be amended to reflect the Hearing Panel's decisions on submissions made at this meeting, and be reported back to the Council for adoption.

**Morrison Street
Pedestrian Mall Declaration 2013
Submissions**

Morrison Street Pedestrian Mall Declaration Index

Page Nr	Submission Nr	Name	Organisation	To be heard Y/N
1	1	Stella Kennedy		N
2	2	Eric McPherson		N
3	3	Esther Sassenburg		N
4	4	R A Warwick		N
5	5	Alison Kane	Nelson Local Issues Group - WCWNZ	N
6	6	Maria Jackett	Nelson Provincial Farmers Market Inc.	Y
7	7	Nona Jackson		N
8	8	Rachael Large	Nelson Youth Council	N

1485843

From: [Submissions](#)
To: [Administration Support](#)
Subject: FW: Morrison Street
Date: Thursday, 24 January 2013 10:31:48 a.m.

1

From: Stella Kennedy[SMTP:STELLA@SBANELSON.CO.NZ]
Sent: Thursday, January 24, 2013 10:31:42 AM
To: Submissions
Subject: Morrison Street
Auto forwarded by a Rule

I support option A. The Farmers' Market is a great asset for Nelson City and a boost mid week and it's great to see the Council getting in behind it. There is no reason why Morrison Street can't be limited access for one day a week.

Thanks

Stella Kennedy
E stella@sbanelson.co.nz
P (03) 546 8075
F (03) 548 1529

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NELSON CITY COUNCIL
Customer Service

The Nelson City Council wants your opinion.
Please tell us what you think.

Please type or print clearly. Remember to read the submission writing guidelines (over) before starting.

Office Use Only			
		Submission Number	2 ✓
File Ref		INITIALS	

Name ERIC McPHERSON

Daytime phone 5450252

Address 46 BROOKLANDS ROAD

Organisation represented (if applicable) _____

Do you wish to be heard in support of your submission? YES NO # of pages

_____ If you do not tick a box we will assume you do not wish to be heard.

Public information

Submissions to Council consultation are public information. Your submission will be included in reports, which are available to the public and the media.

The consultation/proposal my submission relates to:

My submission is:

REGARDING MORRISON ST CLOSURE ON WEDNESDAY MARKET DAYS AT FASHION ISLAND 11 AM - 4 PM

I WOULD LIKE TO SEE THE PROPOSED OPTION (A) FOR A PEDESTRIAN MALL DECLARATION IMPLEMENTED.

Date 31/01/13 Signature [Handwritten Signature]

Help with making a submission overleaf...

Nelson City Council Public Consultation Submission form

The Nelson City Council wants your opinion.
Please tell us what you think.

Please type or print clearly. Remember to read the submission writing guidelines (over) before starting.

Office Use Only	
Submission Number	3✓
File Ref	INITIALS

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07 FEB 2013
NELSON CITY COUNCIL
Customer Service

Name Esther Sassenburg
Daytime phone (03) 545 0252
Address 46 Brodlands Rd Nelson
Organisation represented (if applicable) /

Do you wish to be heard in support of your submission? YES NO # of pages

 If you do not tick a box we will assume you do not wish to be heard.

Public information

Submissions to Council consultation are public information. Your submission will be included in reports, which are available to the public and the media.

The consultation/proposal my submission relates to:

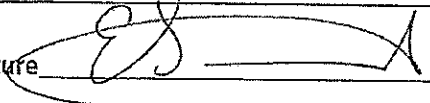
Nelson Farmers Market pedestrian mall declaration

My submission is:

I fully support option A

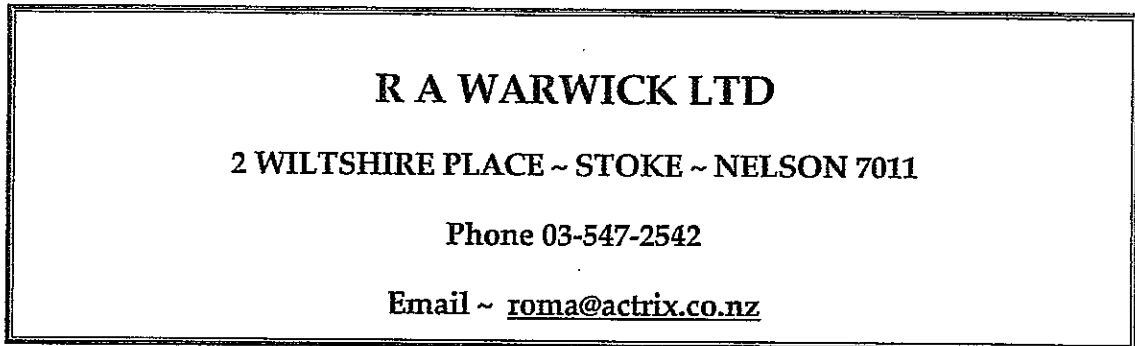
The Pedestrian mall declaration

(I never think that the whole of Easton Island should be closed for vehicles during the Farmers Market apart from permit holders for market stands)

Date 3 Feb 2013 Signature 

Help with making a submission overleaf...





Nelson City Council
P O Box 645
Nelson

5th February 2013

Dear Sirs

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11 FEB 2013

NELSON CITY COUNCIL
Records

Re Morrison Street pedestrian mall

With reference to the proposed closing of Morrison St every Wednesday throughout the year, we would bring your attention to the Morrison St loading bay and side access to our building at 254 Hardy Street.

This is the access door to the upper floor which is in regular use by our tenants. They are working around the times of the current constraints and have no objections to the proposal.

However, we would like written confirmation that if necessary, they be allowed access to the side entrance to enable them to sell a piece of furniture that cannot be taken through the front door. This happens sometimes if people from outlying areas wish to buy a piece of furniture to take away with them.

It should be noted that photographic evidence indicates that the side entrance has been used as a loading bay for approximately 100 years.

Yours faithfully



R A Warwick Ltd.

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Bev McShea

From: Submissions
Sent: Wednesday, 20 February 2013 11:37 a.m.
To: Administration Support
Subject: FW: Morrison Street Pedestrian Mall Declaration

Categories: Blue Category

From: Kane[SMTP:GAHKANE@XTRA.CO.NZ]
Sent: Wednesday, February 20, 2013 11:36:58 AM
To: Submissions
Subject: Morrison Street Pedestrian Mall Declaration
Auto forwarded by a Rule

160 Songer Street
 Stoke, Nelson 7011

Phone (03) 5472604

20 February, 2013

MORRISON STREET PEDESTRIAN MALL DECLARATION

Dear Sir,

This submission has been prepared by the Nelson Local Issues Group, Nelson Branch National Council of Women (NCWNZ). A group of women within the Nelson Branch who are particularly interested in issues concerning Nelson.

At our last meeting we discussed the Morrison Street Pedestrian Mall Declaration. We unanimously support the Council's preferred option (Option A) to "establish a pedestrian mall, to allow street closure every Wednesday of the year, from 10 a.m. to 5 p.m.

Yours faithfully,

Alison Kane,
 Nelson Local Issues Group
 Nelson NCW.

From: Maria Jackett, Chairperson of Nelson Provincial Farmers Market Inc.

Daytime Contact Details: Ph 0274946843, Em Chairperson@nelsonfarmersmarket.org.nz

Mailing address: PO Box 1178 Nelson 7040.

I am willing to present my submission in person.

My proposal relates to Morrison Street Pedestrian Mall Declaration currently under review.

My submission is as follows:

The Nelson Farmers Market is pleased that you are addressing the need to provide long term closure of the Morrison Street in favour of the Farmers Market on Wednesdays all year round.

Your plan, under current wording, states "the driving, riding, or parking of any vehicle will be prohibited from 10am to 5pm every Wednesday of the year."

You acknowledge the Market functions between 11am and 4pm. This is correct. Thank you.

But our concern is that: You are making it illegal for stallholders to access the market between 10 and 11am to set up their stalls, and between 4 and 5pm to pack up their stalls.

You state parking of any vehicle will be prohibited. Currently our stallholders have free parking along Morrison Street. At times this allows about 14 stallholders to park close to their stalls, and allows them freedom of fear of leaving their stalls unattended to attend to avoiding parking infringement notices. The majority of stallholders are sole traders at the market.

Also a few of the stalls trade from their vehicles, which need to be parked within the market place.

You state that riding or parking of any vehicle will be prohibited. A number of our customers bring their bicycles into the market place. They would be very reluctant to have to leave their bikes on the main streets, Hardy Street or Selwyn Street.

I again thank you for acknowledging the road closure benefits and security to the Wednesday Farmers Market but ask that you adjust your statements to consider the needs of the stallholders and their customers for market access.

Dated: 25th February 2013

Signed:

Maria Jackett



Debra Bradley
Planning Advisor
Nelson City Council

26th February 2013

Re: Morrison Street Pedestrian Mall Declaration – under review

Dear Debra

Further to the above, I would like to make the following submission on behalf of Fashion Island and in support of our tenant the Nelson Provincial Farmers Market Inc. We would like Council to make provision for the following:

1. Farmers Market stallholder vehicles to be able to access the site via Morrison Street outside of the hours currently proposed for closure: ie between 10am – 11am and again between 4pm-5pm.
2. Access be granted for Farmers Market stallholders ONLY to park their vehicles in Morrison Street free of charge between the hours of 10am-5pm on days which the market operates also noting that some of the stallholders operate their stalls from their vehicle.
3. Access be granted for bicycles to be wheeled into the site via Morrison Street and parked in Fashion Island throughout the duration of the market.

I trust that the above is adequate in reinforcing the submission made by Maria Jakkett, Chairperson of the Nelson Provincial Framers Market Inc.

Regards

A handwritten signature in black ink, appearing to read "Nona Jackson", written in a cursive style.

Nona Jackson
Centre Manager Fashion Island
On behalf of Oyster Management and ACC

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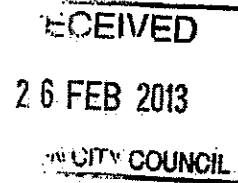
8 ✓

PO Box 645 Nelson 7040
P 03 546 0200
F 03 546 0239

Rachael Large
545 8746
rachael.large@ncc.govt.nz
www.nelsoncitycouncil.co.nz

25 February 2013

Morrison Street Mall Pedestrian Declaration
Nelson City Council
P O Box 645
Nelson



To The Mayor and Councillors

MORRISON STREET MALL PEDESTRIAN DECLARATION

The Nelson Youth Council wishes to submit to the Nelson City Council in support of the proposed approach; Option A to the pedestrian mall declaration. As a Youth Council we feel that:

- Fuel-free transport methods should be more widely accessible and encouraged
- Local farming, goods, baking and business are positive for the area
- The road closures allow a nicer experience through town for youth - especially young children, tourists and everyone wanting to go to The Farmers' Market

We feel that The Farmers' Market and even the stores around it in Fashion Island are positively influenced by the road closure. The slower pace of walking makes people engage more and may make people more likely to spend money.

We do not wish to speak to our submission. Thank you for your consideration.

Yours sincerely

On behalf of youth Council

- Samantha Stephens - Nelson College for Girls representative
- Kaimana Gallop - Rangatahi Maori Advocate
- Harry Tod-Smith - Nelson College representative
- Carla Lindley - Nayland College representative
- Cambria Doyle - Waimea College representative
- Bharat Timsina - Community representative: Bhutanese Society of Nelson Inc
- Moorea Smithline - Nelson College for Girls representative
- Chloe Rumsey - Nelson College for Girls representative
- Mathew Buckingham - Tertiary representative: NMIT
- Alex Doggett - Community representative: Nelson Youth Theatre
- Kassi Barrett-Hemi - Tertiary representative: NMIT
- Paddy Ferris - Garin College representative

Nelson Youth Councillors

Submissions on the Draft Morrison Street Pedestrian Mall Declaration

1. Purpose of Report

- 1.1 To consider, deliberate and make decisions on submissions on the January 2013 Statement of Proposal - Morrison Street Pedestrian Mall Declaration.

2. Recommendations

THAT the Hearing Panel consider and deliberate on all submissions received on the Draft Morrison Street Pedestrian Mall Declaration;

AND THAT the Hearing Panel make decisions and give reasons for those decisions on all submissions received on the Draft Morrison Street Pedestrian Mall Declaration;

AND THAT the Draft Morrison Street Pedestrian Mall Declaration (1469117) be amended to reflect the Hearing Panel's decisions on submissions made at this meeting, and be reported back to the Council for adoption.

3. Background

- 3.1 A statement of proposal was advertised in January 2013, seeking feedback on a Draft Pedestrian Mall Declaration for Morrison Street (shown in Attachment One). The Draft Declaration enables closure of Morrison Street from 10am to 5pm every Wednesday. It was developed to ensure the Nelson Farmers' Market could continue to occur in the Fashion Island parking area on a permanent basis.
- 3.2 Submissions closed on 26 February 2013 and eight submissions were received. These are summarised in the table in Section 5.
- 3.3 A hearing is not required because none of the submitters wish to speak to their submissions.
- 3.4 The Hearing Panel still needs to consider the submissions and make decisions on them, and provide direction to staff on changes to the draft declaration. Council can then adopt a final Morrison Street Pedestrian Mall Declaration at a subsequent meeting.

4. Discussion

Summary of Submissions

- 4.1 Five submissions supported the proposed declaration and did not seek any changes to it.
- 4.2 Two submissions, one from the Nelson Farmers' Market (submission 6) and the other one from the Fashion Island Centre manager (submission 7) supported the proposed declaration, but sought some changes to the proposed declaration.
- 4.3 A letter from R A Warwick (submission 4) did not support or oppose the declaration, but sought confirmation that existing access arrangements would be able to continue for a nearby building, at 254 Hardy Street.

Farmers' Market and Fashion Island Submissions

- 4.4 Both the Farmers' Market and Fashion Island submissions requested that the declaration provide for access for stall holders, who currently have free parking alongside Morrison Street during the road closure. This allows about 14 stall holders to park close to their stalls. In addition, a few of the stalls trade from their vehicles, which need to be parked within the market place.
- 4.5 This concern could be addressed by adding the following condition to the draft declaration: "Stall holders may drive on, and park in, Morrison Street during the road closure".
- 4.6 Both submissions also requested provision for bicycles to be brought into the market, and parked on site.
- 4.7 This concern could be addressed by adding the following condition: "Bicycles may be wheeled into the Farmers' Market site via Morrison Street and parked in Fashion Island for the duration of the road closure."

RA Warwick's Submission

- 4.8 Mr Warwick requested confirmation that his tenants would be able to continue to access the loading bay and side entrance to 254 Hardy Street, to enable them to sell any pieces of furniture that cannot be taken through the front door.
- 4.9 This matter has been raised with Maria Jackett, Chairperson of the Farmers' Market, who has resolved it. The tenant tries to get most of his deliveries made outside of Wednesday market times. On the rare occasion when a delivery needs to be made during the road closure period, Ms Jackett encouraged him to approach the market manager to request the vehicle owner to move their vehicle. She provided the tenant with the manager's contact details. Ms Jackett has advised that he was happy with this approach and a letter is being prepared to confirm this arrangement.

5. Submissions table

Sub No	Name/Organisation	Submission points	Staff advice/recommendation
1	Stella Kennedy	Supports the proposed declaration	Accept
2	Eric McPherson	Supports the proposed declaration	Accept
3	Esther Sassenburg	Supports the proposed declaration	Accept
4	R A Warwick Ltd	Seeks confirmation of ongoing access for 254 Hardy Street during the road closures.	Accept, and recognise that this issue can be resolved without amending the draft declaration.
5	Alison Kane (Nelson Local Issues Group, National Council of Women)	Supports the proposed declaration	Accept
6	Maria Jackett (Chairperson of Nelson Provincial Farmers Market)	Supports long term road closure Requests provision for stall holders to drive on Morrison St during road closure Requests provision for the riding and parking of bikes during the road closure.	Accept. Amend draft declaration to state that: stall holders may drive on, and park in, Morrison Street during the road closure; and that bicycles may be wheeled into the Farmers' Market site via Morrison Street and parked on the Fashion Island car park for the duration of the road closure.
7	Nona Jackson (Centre Manager Fashion Island)	Requests provision for stall holder vehicles to access the market site via Morrison St from 10-11am and from 4-5pm. Only allow Farmers' Market stallholders to park in Morrison Street free of charge from 10am to 5pm on Wednesdays. Allow bicycles to be wheeled into the site via Morrison Street and parked in Fashion Island for the duration of the market.	Accept. Amend draft declaration to state that: stall holders may drive on, and park in, Morrison Street during the road closure; and that bicycles may be wheeled into the Farmers' Market site via Morrison Street and parked on the Fashion Island car park for the duration of the road closure.
8	Nelson Youth Council	Supports the proposed declaration	Accept

6. Conclusion

- 6.1 Decisions (and reasons for those decisions) on the January 2013 Statement of Proposal will enable an amended pedestrian declaration to be considered by the Infrastructure Council meeting on 14 May 2013.

Debra Bradley
Planning Adviser

Attachments

Attachment 1: Draft Pedestrian Mall Declaration - [1469117](#)

Supporting information follows.

Supporting Information

1. Fit with Purpose of Local Government

This project fits the purpose because it relates to the performance of regulatory functions.

A pedestrian mall declaration is considered the most cost-effective option to manage the weekly closure of Morrison Street for the Farmers' Market because it entails less administrative time and costs than would be required for ongoing consideration of temporary road closure applications.

2. Fit with Community Outcomes and Council Priorities

Formalising the weekly closure of Morrison Street provides certainty that the Farmers' Market can continue in this area over the long term. This contributes to the achievement of all of the following Community Outcomes:

- People-friendly places;
- A strong economy;
- Kind, healthy people; and
- A fun, creative culture.

It also contributes to the Council priorities of:

- A rich diverse community (a place where old and young, and people with diverse interests and diverse backgrounds have opportunities to interact with each other); and
- Developing community hubs (physical spaces where people can gather and engage with each other).

3. Fit with Strategic Documents

A Pedestrian Mall Declaration for Morrison Street would enable the Council to close the street for the Farmers' Market on a weekly basis. This will ensure the Council is fully compliant with the Local Government Act 1974. Statutory compliance is a key performance indicator for Nelson City Council.

The Farmers' Market provides an opportunity for local food producers to sell directly to consumers. This approach supports one of the priority goals for the draft Framing Our Future Strategy, related to more of our food requirements being produced locally.

4. Sustainability

Ensuring the Farmers' market continues to operate on a weekly basis supports economic and social sustainability. It also provides access to local sources of food.

5. Consistency with other Council policies

A Pedestrian Mall Declaration would be consistent with the following objectives and policies in the Nelson Resource Management Plan:

- **Objective IC1** - A compact and convenient pedestrian oriented

environment within the City Centre, which is supported and complemented by a predominantly vehicle oriented City Fringe of self-contained sites.

- **Objective IC2** - Streets and public areas which are pleasant and attractive for people to visit and use.
- **Policy IC4.3** - The Inner City, and sites used for residential activity, should provide a reasonable standard of residential amenity, but recognising that the fundamental character of the area is non-residential.

A Pedestrian Mall Declaration would also be consistent with the vision in the Nelson City Council Pedestrian Strategy 2005, which is "to increase walking in Nelson".

6. Long Term Plan/Annual Plan reference and financial impact

Not applicable.

7. Decision-making significance

This is not a significant decision in terms of the Council's Significance Policy.

8. Consultation

Public consultation has been carried out in accordance with the special consultative procedure. This included a month long submission period, publicised through a public notice, an article in Live Nelson, and letters/emails delivered to: Morrison Street and Fashion Island businesses, Fashion Island Centre Manager, Farmers' Market Chairperson, courier companies and the Nelson Police.

9. Inclusion of Māori in the decision making process

Māori have not been specifically consulted during the development of this report due to its lack of particular relevance to Māori.

10. Delegation register reference

By Council Resolution, 12 December, 2012, resolved:

"THAT a Hearing Panel of three Councillors (Councillors Davy, Collingwood, and Copeland) be established to hear submissions in April 2013;

AND THAT the Hearing Panel make decisions on submissions and make recommendations on a Pedestrian Mall Declaration for Morrison Street to Council for adoption."

Draft Morrison Street Pedestrian Mall Declaration

Pursuant to section 336 of the Local Government Act 1974, Nelson City Council declares that Morrison Street is a pedestrian mall between 10am to 5pm on every Wednesday of the year.

Description of activity: Full road closure of Morrison Street, from Hardy Street to Selwyn Place. Pedestrians may use the road.

Period of closure: Every Wednesday.

Proposed/restricted hours: Road closes 10am, road opens 5pm.

Road closure conditions:

1. An approved Traffic Management Plan must be in place at all times. The Traffic Management Plan for this road closure must be submitted to the Council for approval on an annual basis.
2. Nelson Farmers' Market must provide proof to the Council on an annual basis that it has adequate Public Liability Insurance to cover any risks of damage from or associated with the road closure.
3. Morrison Street must be useable for emergency service vehicles at all times.
4. Full provision must be made for public safety throughout the event.
5. Any damage or cleaning required following the road closure will be charged to the Nelson Farmers' Market. The Nelson Farmers' Market is responsible for ensuring the area is left in a clean and tidy condition, and for providing litter bins where appropriate.
6. Any noise associated with the Nelson Farmers' Market must be within the limits specified in the Nelson Resource Management Plan.
7. Council reserves the right to close down any activity where there is or could be a threat to public safety or property, or where Council's property may be damaged.