

WAIMAKARIRI DISTRICT COUNCIL

REPORT

FILE NO: RDG-32-07 GOV-01-11 / 070903028165
REPORT TO: Council
DATE OF MEETING: 25 September 2007
FROM: Ken Stevenson, Roading Manager
SUBJECT: Alfred Street Closure, to the west of Victoria Street, Rangiora

SIGNED BY:

**(for Reports to Council
or Committees)**

Department Manager

Chief Executive

1. SUMMARY

The purpose of this report is to obtain Council approval to declare part of Alfred Street a pedestrian mall and to prohibit vehicles, except cycles, at all times.

On 19 June 2007 the Utilities and Roading Committee approved the "Statement of Proposal" for the declaring part of Alfred Street a Pedestrian Mall for notification, and agreed to consult via a Special Consultative Process.

Submissions were sought between 14 July 2007 and 17 August 2007 and 83 written submissions were received on the proposal and two submitters wished to be heard. The hearing was held on 5 September 2007. The Hearing Panel then met on the 7 September 2007 to consider the submissions and made recommendations to the Council as included in this report.

Of the 83 submissions, 59 supported the proposal, 23 disagreed with the proposal and 1 gave conditional support.

The Hearing Panel agreed with the proposal and made the following recommendation:

THAT motor vehicles be prohibited on Alfred Street Rangiora, between Victoria Street and the Farmers service entrance, and that the staff response to submitters, as amended by the Panel, be endorsed.

The Local Government Act 1974, Part 21 s 336 (1) (a) states that "A council may, by using the special consultative procedure, declare a specified road or part of a specified road to be a pedestrian mall; and (b) prohibit or restrict the driving, riding, or parking of any vehicle, or the riding of any animal, on all or any portion of the pedestrian mall either – (i) generally; or (ii) during particular hours."

If Council accepts the Hearing Panel's recommendation it will make a public declaration advising of the decision. Part 21 s 336 (3) of the Local Government Act 1974 states that "Any person may, within 1 month after the making of a declaration, or within such further time as the Environment Court may allow, appeal to the Environment Court against the declaration."

The closure will not take effect until after the time for lodging appeals, and resolving any appeals that may be lodged.

A common theme from the submitters who supported the proposal was support for the enhancement of the closed area for use as an outdoor seating and dining area. It is noted that the proposal did not include the enhancement of the area and there is no funding in the current

Annual Plan or LTCCP for this work. The Hearing Panel considered the appropriate process for dealing with future enhancement work would be for staff to develop a design for the area in conjunction with the Town Centre Working Party and the adjoining businesses before reporting to the Rangiora Ward Advisory Board and Utilities and Roothing Committee to obtain their endorsement of the design and options for implementation. It is most likely funding will need to be a combination of business funding and Council funding and by having an agreed design it is possible work may be able to be staged to tie in with available funding. Requests for Council funding would be made through an Annual Plan or LTCCP process.

A copy of all submissions will be available in the Councillors Lounge.

Attachments:

- i. The Statement of Proposal (Doc no 070531016625)
 - Map of Alfred Street showing proposed area of closure
- ii. Report to Utilities and Roothing Committee (Doc no 060914101777)
 - MWH Traffic Assessment Report, Alfred Street, Rangiora (Doc no 060914101779)
 - MWH Option Assessment Report, Alfred Street, Rangiora (Doc no 060914101782)
- iii. Report to Community Plan Committee (Part of Doc no 070323008527)
- iv. Report to Utilities and Roothing Committee – 19 June 2007 (Doc no 070605016891)
- v. Minutes of the meeting of Alfred St Pedestrian Mall Hearings Panel to hear submissions. (Doc No 070904028450)
- vi. Minutes of Alfred St Pedestrian Mall Hearings Panel to deliberate on the submissions. (Doc No 070904028457).

2. **RECOMMENDATION**

THAT the Council:

- a) **Receives** this report N^o 070903028165
- b) **Accepts** the Alfred Street Pedestrian Mall Hearing Panel recommendation, **THAT** motor vehicles be prohibited on Alfred Street Rangiora, between Victoria Street and the Farmers service entrance, and that the staff response to submitters, as amended by the Panel, be endorsed, and;
- c) **Declares** part of Alfred Street, to the west of Victoria Street, (as shown on the map in Attachment i) a pedestrian mall, and to prohibit vehicles, except cycles, at all times.
- d) **Notes** that the proposal maintains the existing access to Sportsworld and Resene Paints from Victoria Street and Alfred Street, and that staff will work with these businesses to ensure they are satisfied with the final location of the closed area.
- e) **Request** staff to consult with adjoining businesses and the Town Centre Working Party to develop a design to enhance the closed area, and this design be reported to the Rangiora Ward Advisory Board and Utilities and Roothing Committee for their endorsement and approval of implementation options.
- f) **Request** staff to meet with adjoining businesses to discuss the specific issues raised in their submissions.
- g) **Notes** that staff will monitor the traffic flows in the vicinity of Alfred Street following the closure to identify safety issues and if the car park is being used as an alternative route between Victoria Street and Percival Street
- h) **Notes** that staff will include in the public declaration and decision letters to submitters, a notice regarding the right of appeal.

3. BACKGROUND

- 3.1. In September 2006 the Utilities and Roading Committee considered a report (copy attached) on Alfred Street traffic issues and agreed to a proposal to close Alfred Street west of Victoria Street to through traffic and to create a pedestrian only area. This was subject to a Special Consultative Procedure being followed and adequate access to the frontages of Sportsworld and Resene Paints being provided.
- 3.2. The Committee also authorised staff to negotiate with the adjoining businesses to fund enhancement work in return for a concession for them to use the area.
- 3.3. Staff had discussions with the businesses about enhancing the area and their willingness to fund the work. Unfortunately only partial funding was negotiated.
- 3.4. As a result of those discussions a request was made to the Community Plan Committee in May 2007 for the Council to fund the balance of the cost to enhance the area. The Community Plan Committee did not support the request for Council funding but recommended to Council it proceeds with the Special Consultative Procedure to declare a pedestrian mall and to prohibit vehicles.
- 3.5. The Council adopted the recommendation as put forward, and on 19 June 2007 the Utilities and Roading Committee approved the "Statement of Proposal" for the declaring part of Alfred Street a Pedestrian Mall for notification, and agreed to consult via a Special Consultative Process.
- 3.6. Submissions were sought between 14 July 2007 and 17 August 2007 and 83 written submissions were received on the proposal and two submitters wished to be heard. The hearing was held on 5 September 2007. The Hearing Panel then met on the 7 September 2007 to consider the submissions and made recommendations to the Council as included in this report.
- 3.7. Of the 83 submissions, 59 supported the proposal, 23 disagreed with the proposal and 1 gave conditional support.
- 3.8. Those who supported the proposal cited safety and amenity benefits as the reasons for their support. A high proportion of those who supported the proposal said they liked the idea of an outdoor seating and dining area being created and thought this would be of benefit to Rangiora.
- 3.9. The issues raised by those who opposed the proposal included
 - Increased traffic on Queen Street,
 - Disadvantaging those travelling from east of Rangiora, including Woodend, to the Library and Service Centre,
 - The closed off area attracting undesirable and anti social behaviour,
 - Access to the rear of the High Street commercial buildings being restricted.
 - The car park being used as a through route from Victoria Street to Percival Street.
- 3.10. After consideration of the submissions the Hearing Panel agreed with the proposal and made the following recommendation:

THAT motor vehicles be prohibited on Alfred Street Rangiora, between Victoria Street and the Farmers service entrance, and that the staff response to submitters, as amended by the Panel, be endorsed

- 3.11. Following the decision to create the pedestrian mall and prohibit vehicles signs will be put up advising motorists of the change in advance of the closure, and the road will be closed at each end with bollards and the balance of the area will be left as it is. This work will be funded from existing budgets. It is likely that Monteiths will wish to utilise the area adjacent to their business and will want to carry out enhancement work in this area. This will require Council approval and the proposed process is outlined below.
- 3.12. A common theme from the submitters who supported the proposal was support for the enhancement of the closed area for use as an outdoor seating and dining area. It is noted that the proposal did not include the enhancement of the area and there is no funding in the current Annual Plan or LTCCP for this work.
- 3.13. The Hearing Panel considered the appropriate process for dealing with future enhancement work would be for staff to develop a design for the area in conjunction with the Town Centre Working Party and the adjoining businesses before reporting to the Rangiora Ward Advisory Board and Utilities and Roading Committee to obtain their endorsement of the design and options for implementation. It is most likely funding will need to be a combination of business funding and Council funding and by having an agreed design it is possible work may be able to be staged to tie in with available funding. Requests for Council funding would be made through an Annual Plan or LTCCP process.

4. LINKS TO COMMUNITY OUTCOMES

- 4.1. The distinctive character of our towns, villages and rural areas is maintained.
 - The centres of our main towns are safe, convenient and attractive places to visit and do business
- 4.2. Transport is accessible, convenient, reliable, affordable and sustainable
 - The standard of our District's roads is keeping pace with increasing traffic numbers
- 4.3. There is a safe environment for all
 - Harm to people from natural and manmade hazards is minimised
 - Crime, injury and road accidents are minimised

5. VIEWS OF AFFECTED PERSONS

5.1. Maori

There has been no specific consultation with Maori on the proposal as the Council considers that the public notification and submission process that was carried out provided adequate opportunity for public response, including Maori.

5.2. External

The formal public notification and submission process, as required by the Special Consultative Procedure, which was carried out in July and August 2007, provided adequate opportunity for all parties to present their views and have them heard.

The Councils Hearing Panel heard the submissions.

5.3. **Internal**

- Staff from the Roading Department, and the Policy & Strategy Unit worked together to complete this report and the supporting documentation.
- The Management Team was consulted during the preparation of this report.

6. **OPTIONS**

The Council can either adopt the recommendations as proposed, decline to adopt them or refer the matter back to the Hearings Panel to consider changes to the proposal.

7. **STATUTE**

The Local Government Act 1974, section 336 (1) (a) states that “A council may, by using the special consultative procedure, declare a specified road or part of a specified road to be a pedestrian mall; and (b) prohibit or restrict the driving, riding, or parking of any vehicle, or the riding of any animal, on all or any portion of the pedestrian mall either – (i) generally; or (ii) during particular hours.

(2) A declaration (a) may include exemptions and conditions; and (b) does not take effect until- (i) the time for appealing under subsection (3) has expired; and (ii) any appeals have been determined under subsection (4).

(3) Any person may, within 1 month after the making of a declaration, or within such further time as the Environment Court may allow, appeal to the Environment Court against the declaration.

(4) The appeal must be made and determined by the Environment Court in accordance with the Resource Management Act 1991 and any regulations made under that Act and the Court may quash or affirm the declaration, or affirm the declaration with modification.

(5) The decision of the Environment Court under subsection (4) is final.”

8. **FINANCIAL**

The cost of closing Alfred Street to vehicles by placing bollards at each end, installing signage and carrying out other minor work is \$5,000 and can be met from existing budgets. This does not include any amenity improvements of the area. The cost of amenity improvements of the area is estimated to be \$70,000. No Council funding is available for this. Some adjoining businesses have expressed an interest in enhancing part of the area at their cost. This will be progressed when the area is closed.

9. **RISK**

9.1. A risk of not proceeding with the closure is that traffic volumes in Alfred St will reach the point where road safety is compromised.

9.2. A risk of proceeding with the closure and not carrying out enhancement work is that the area could become unsightly and the community dissatisfied.

10. **POLICY/DELEGATION REFERENCE**

The Utilities and Roading Committee can initiate the process to create a pedestrian area and prohibit vehicles, but the formal decisions are made by the Council.

A handwritten signature in black ink, appearing to read 'Ken Stevenson', written in a cursive style.

Ken Stevenson
Roading Manager