



Statement of Proposal

Pedestrian Mall Declaration

Trafalgar Street – Nelson City



**This document constitutes a
Statement of Proposal under Section 87(1)(a) of the
Local Government Act 2002.**

1. Introduction

- 1.1 Over the last two summers, 2017/18 and 2018/19, Nelson City Council has trialled the temporary closure of the section of Trafalgar Street between Hardy Street and Selwyn Place (Upper Trafalgar Street) to motor vehicle traffic. The temporary closures were in response to community feedback that had been received during consultation for the Long Term Plan and Annual Plan over the previous years.
- 1.2 Having trialled the closure to motor vehicle traffic for two summers, Council believes that the use of the resulting predominantly pedestrian space at Upper Trafalgar Street enhances the vitality of the city centre and contributes to the achievement of Council's priority on CBD Development. The aim for Nelson's central business district is for it to be attractive to business, residents and visitors, with an exceptional mix of events, civic facilities and retail.
- 1.3 The Council seeks the community's views on the proposal to make Upper Trafalgar Street a car free people friendly space by permanently declaring Upper Trafalgar Street to be a pedestrian mall¹ prohibiting motor vehicles 365 days per year, subject to some specified exemptions (under section 336 of the Local Government Act 1974).

2. Background

- 2.1 In response to requests from the community and event organisers during the Annual Plan and Long Term Plan processes over multiple years, the Council trialed the temporary closure of Upper Trafalgar Street to motor vehicle traffic over the summers of 2017/18 and 2018/19. Upper Trafalgar Street was temporarily closed to motor vehicles, businesses extended their outdoor dining areas, and Council provided public tables, chairs, games and shade umbrellas for community use.
- 2.2 The summer closures of Upper Trafalgar Street to motor vehicles have received generally positive public support, and the area was active and well used over the trial periods. Upper Trafalgar Street has become a popular civic space especially when combined with 1903 Square and the Church steps for public events.
- 2.3 Council now wishes to seek the views of the community on the proposal to permanently declare Upper Trafalgar Street to be a pedestrian mall, prohibiting motor vehicles 365 days per year subject to some specified exemptions.
- 2.4 This Statement of Proposal outlines the pedestrian mall proposal and provides the community with an opportunity to provide their feedback on a range of options for the closure of Upper Trafalgar Street to motor vehicle traffic.

¹ A pedestrian mall is the term used in section 336 of the Local Government Act 1974 to describe a car free street providing for pedestrian access only.

3. Proposal

- 3.1 Nelson City Council is consulting on the proposal that the section of Trafalgar Street between Selwyn Place and Hardy Street (Upper Trafalgar Street) be declared a Pedestrian Mall under section 336 of the Local Government Act 1974.
- 3.2 Nelson City Council proposes that under the declaration motor vehicles will be prohibited in Upper Trafalgar Street 365 days per year. The street would provide for pedestrians as a priority. Vehicles not classed as 'motor vehicles' will still be able to access the street (i.e. bicycles, mobility scooters, e-bikes/scooters).
- 3.3 The declaration is proposed to include exemptions for:
 - 3.3.1 Vehicles specifically authorised by Council to enter Upper Trafalgar Street for purposes such as emergency, litter collection, maintenance and street cleaning. This exemption is proposed to apply 24 hours per day; and
 - 3.3.2 Service vehicles associated with deliveries to the businesses fronting Upper Trafalgar Street. This exemption is proposed to apply between the hours of 6am and 8am daily.
- 3.4 Opportunities for public events to be held in the space would be available all year round, and permanent vehicle barriers, signage and street furniture would be installed to enable greater general public use of the space. Parking meters and bollards would be removed. Accessible carparks would be allocated nearby along with a restricted time drop off park and loading space to ensure easy access to the area.
- 3.5 Declaring Upper Trafalgar Street to be a pedestrian mall prohibiting motor vehicles 365 days per year would also provide the option to allow adjoining business owners to extend their outdoor dining areas/leases all year round, whilst being careful to ensure appropriate balance between private and public occupation of the space is maintained.
- 3.6 Once made, the declaration would only be able to be revoked or varied by a further special consultative procedure.

4. Reasons for the Proposal

- 3.5 Public feedback from the trial summer closures has been positive with the majority of feedback received seeking some form of permanent closure of Upper Trafalgar Street to vehicles.
- 3.6 The proposal will assist the Council in achieving its goal for the city centre:

Our aim for Nelson's central business district is for it to be attractive to business, residents and visitors, with an exceptional mix of events, civic facilities and retail. We are working to build an environment that supports commerce, encourages inner city living and is a catalyst for private sector investment. The top of the South, Te Tau Ihu, needs a strong commercial centre to thrive. We want our city centre to enrich and build our local culture – the bustling meeting place for everyone who lives, works and visits here.

5. Options

5.1 In evaluating the options for Upper Trafalgar Street, Council has considered that there are four reasonably practicable options, including the proposal. They are:

Option 1: Declare a Pedestrian Mall prohibiting motor vehicles for each summer Declare a Pedestrian Mall prohibiting motor vehicles for the period 18 October to 31 April (summer) every year with specified exemptions for emergency, authorised and service delivery vehicles.

Option 2: Declare a Pedestrian Mall prohibiting motor vehicles 365 days per year Declare a Pedestrian Mall prohibiting motor vehicles for 365 days a year with specified exemptions for emergency, authorised and service delivery vehicles as described in section 3 above.

Option 3: Stop the road Seek to permanently stop Upper Trafalgar Street under Schedule 10 of the Local Government Act 1974.

Option 4: Status Quo Do nothing and leave the road open to motor vehicles. Under this option Council retains the ability to close the road temporarily for a total of 31 days per year for specified purposes under Schedule 10, clause 11(e) of the Local Government Act 1974.

5.2 Option 2 is the Council’s proposal that it is being consulted on. The advantages and disadvantages of all of the options are assessed as follows:

Option 1: Declare a Pedestrian Mall prohibiting motor vehicles for the period 18 October to 31 April (summer) every year with specified exemptions for emergency, authorised and service delivery vehicles.	
Advantages	<p>Provides a public space in the city centre for community events and gatherings during the summer.</p> <p>Attracts people to the city centre and encourages them to linger longer and explore the city supporting local businesses.</p> <p>Aligns with the beginning of the Arts Festival.</p> <p>Assists to implement Nelsons Smart Little City aspirations by recognising Upper Trafalgar Streets role as a people focused space.</p> <p>Can be revoked or varied by a subsequent declaration following a further special consultative procedure.</p>

Option 1: Declare a Pedestrian Mall prohibiting motor vehicles for the period 18 October to 31 April (summer) every year with specified exemptions for emergency, authorised and service delivery vehicles.	
Disadvantages	<p>There are significant costs to Council in staff and contractor time involved in processing the summer closure, and physically setting up and removing the closure each year.</p> <p>There is currently no budget allocated for summer closure 2019/20 or thereafter in the Long Term Plan.</p> <p>Summer closure doesn't allow Council to invest in permanent robust and more efficient street furniture and closure barriers. New planter boxes are required for any additional summer closures as the current ones have reached their end of their lifecycle.</p> <p>Doesn't respond to the significant public support for the permanent closure of Upper Trafalgar Street to motor vehicle traffic 365 days per year.</p> <p>Doesn't provide a public space available for winter activation in the city centre or for the community, Uniquely Nelson or Museum groups to hold events without going through a temporary road closure process and its associated 10 week lead in and administration costs.</p> <p>Doesn't provide an opportunity to improve the quality of the public space through permanent investment (i.e accessible parks, removal of bollards and parking meters, better crossing points to the Church steps, lighting investment).</p> <p>May draw hospitality customers away from other areas in the city centre every summer as the area becomes a summer novelty rather than permanent public space.</p>

Option 2: Declare a Pedestrian Mall prohibiting motor vehicles for 365 days a year with specified exemptions for emergency, authorised and service delivery vehicles as described in section 3.	
Advantages	<p>Provides a public space in the city centre for community events, festivals and gatherings all year round.</p> <p>Attracts people to the city centre and encourages them to linger longer and explore the city supporting local businesses.</p> <p>Assists to implement Nelsons Smart Little City aspirations by recognising Upper Trafalgar Streets role as a people focused space.</p> <p>Responds to the public feedback to date supporting the trials and seeking that the area be pedestrianised all year round.</p>

<p>Option 2: Declare a Pedestrian Mall prohibiting motor vehicles for 365 days a year with specified exemptions for emergency, authorised and service delivery vehicles as described in section 3.</p>	
	<p>Provides for Council to make a one off investment in upgrading the space for pedestrian use, to make it more user friendly and inviting.</p> <p>Enables investment in more permanent accessible parking, signage, street furniture, shading and heating, other urban elements and storage equipment thereby making them more robust and reducing ongoing costs associated with a summer only trial.</p> <p>Reduces officer time and contractor costs associated with establishing and disestablishing the closure each summer.</p> <p>Reduces uncertainty to regular motor vehicle users in the city centre and allows for vehicle behaviour to adjust permanently.</p> <p>Provides future opportunities to improve the crossings and relationship between the Church steps and Upper Trafalgar Street active space.</p> <p>Provides for the opportunity for hospitality business to extend their outdoor dining areas and associate leases more permanently, enabling them certainty to invest in more robust furniture/ dining experience.</p> <p>All year round closure to motor vehicles may make the area seem less of a novelty offer creating less of a pull away from other hospitality offers in the city centre.</p> <p>Enables investment decisions in properties in and around Upper Trafalgar Street to be made with certainty over how the space will be used.</p> <p>Can be revoked or varied by a subsequent declaration following a further special consultative procedure.</p>
Disadvantages	<p>There is currently no budget for the works required to prohibit motor vehicle access to Upper Trafalgar Street with specified exemptions in the Long Term Plan.</p> <p>There may be additional work required by Council officers/contractors and budget to ensure that the space is activated during the winter months.</p> <p>There will be a loss of 12 carparks.</p> <p>A small number of businesses would have to make use of the short term parking in Selwyn Place or other parking spaces, drop off and loading zones nearby for out of hour access and deliveries.</p>

Option 2: Declare a Pedestrian Mall prohibiting motor vehicles for 365 days a year with specified exemptions for emergency, authorised and service delivery vehicles as described in section 3.	
	<p>There may be some tension between users of Park Street until driver behaviour is self-moderated.</p> <p>May lead to the need for Council to review the function and restrictions on Park Street in the future (i.e. may require reclassification as loading area, one way or special access lane).</p>

Option 3: Seek to permanently stop Upper Trafalgar Street under Schedule 10 of the Local Government Act 1974.	
Advantages	Largely the same as option 2 advantages
Disadvantages	<p>Is a permanent closure and limits flexibility of use. Once the road is stopped then it is very difficult to allow any kind of service, emergency or other vehicles access at any time of the year.</p> <p>The land would cease to be legal road, a new regime of leases and licenses, and consents for the occupation of public space by the outdoor dining areas and events would need to be created, administered and applied for.</p>

Option 4: Do nothing and leave the road open to motor vehicles.	
Advantages	<p>Access is maintained for all road users.</p> <p>No costs are incurred to Council.</p>
Disadvantages	<p>Is contrary to public feedback following the two trials.</p> <p>Does not assist in achieving Council's Smart Little City and City Centre activation goals and send the signal that cars are more important to dedicate public space to than people.</p> <p>Limits the use of Upper Trafalgar Street for events and public gatherings to a total of 31 days per year for specified purposes.</p> <p>Only enables temporary road closures which are high in administration, lead in time and administration costs.</p> <p>Greater uncertainty for motor vehicle users with unpredictable road closures dates each year.</p>

6. Other Considerations

- 6.1 If, following consideration of submissions, Council decides to make the pedestrian mall declaration, any person may within one month, or such further time as the Environment Court allows, appeal the Council's decision to the Environment Court.

7. Submissions

- 7.1 A submission form is included at the end of this document. Anyone may make a submission about any aspect of Council's proposal and the alternatives and issues that have been considered. Council, in making its final decision, will take account of all matters raised in submissions and may, as a result, decide to pursue one of the alternatives above instead of its proposal.
- 7.2 All submissions, including the name and contact details of the submitter, will be made available to the public and media on Council's website, unless you specifically request that your contact details be kept private and explain why it is necessary to protect your privacy. Council will not accept any anonymous submissions.
- 7.3 Submissions can be made:
- Online at nelson.govt.nz
 - By post to Pedestrian Mall Declaration, PO Box 645, Nelson 7010
 - By dropping off to Civic House, 110 Trafalgar Street, Nelson
- 7.4 Submissions must be received no later than 4pm **24 July 2019**.
- 7.5 Any person who wishes to speak to the Council in support of their submission will be given the opportunity to address the Council at hearings on 6 August 2019.



**Submission Form
Pedestrian Mall Declaration
Upper Trafalgar Street – Nelson City**

Name:

Organisation represented: (if applicable).....

Address:

Email:**Tel:**

Do you wish to speak at the hearing? Yes / No.

Submissions must be received no later than 4pm 24 July 2019.

Hearings are scheduled for 6 August 2019. *If you do not circle either, we will assume you do not wish to be heard. If you wish to present your submission at the hearing in Te Reo Māori or New Zealand sign language please include this information in your submission.*

Public Information: *All submissions (including the names and contact details of submitters) are public information and will be available to the public and media in various reports and formats including on the Nelson City Council website. Personal information will also be used for administration relating to the subject matter of submissions. Submitters have the right to access and correct any personal information included in any reports, information or submissions.*

Submission comments:

Please attach additional sheets if needed.

Submissions can be made:

- ✓ Online at **nelson.govt.nz**
- ✓ By post to: **Pedestrian Mall Declaration, Upper Trafalgar Street– Nelson City, PO Box 645, Nelson 7010**
- By dropping off to **Civic House, 110 Trafalgar Street, Nelson**