



**Appleby Side Road Study  
Consultation Summary and**

**June 2009**



State Highway 60  
Appleby

# Appleby Side Road Study Consultation Summary and Recommendations

May 2009



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## **1. Executive Summary**

The project sought to investigate possible closure of local road connections along Appleby Straight (SH60), Richmond and seek the views of directly affected land owners and occupiers. A locality map is provided in Appendix B.

The Appleby Straight has been identified as a Network Safety Coordination (NSC) site due to the consistently poor crash history for this section of the network. The crash history for the Appleby Straight is worse than comparable sections of the network at other locations within the region. The high number of crashes is directly related to the number of side road connections along this section of the network. Reducing the number of side road connections has a corresponding positive effect in reducing the level of risk to highway users.

A preliminary study was conducted in July 2008 to identify if any of the side road connections could be considered for closure, and if so, what impact this may have on landowner and / or land occupiers situated along these side roads. Several roads were identified as having potential for further investigation, i.e. Swamp Rd, Bartlett Rd, River Rd and Redwood Rd (south). Options include full closure or modification of turning movements from each intersection.

The outcome of this investigation was presented to the NSC stakeholder group. This group includes representatives from the New Zealand Transport Agency, the Tasman District Council, the NZ Police, the Accident Compensation Commission, the Road Transport Association, the Automobile Association of New Zealand, and the Network Management Consultants (Opus). The group provided support for further investigations and the New Zealand Transport Agency subsequently provided approval to proceed with a more detailed study involving consultation with affected land owners and a wider group of stakeholders.

The investigation, including consultation with directly affected landowners and land occupiers was instigated with the aim of achieving the following objectives:

- Reducing the potential for serious crashes.
- Avoiding disruption to the school bus route or access for emergency services.
- Minimising disruption to local residents and landholders whilst achieving improvements in safety and sustainability of the transportation network.
- Gauge the level of support or opposition for the proposed changes and to identify any issues or enhancement opportunities.

The level of response was very good. Only two of the 17 property owners along Swamp Rd couldn't be contacted. Three of the 19 property owners along Bartlett Rd were unable to be contacted. Most landowners / occupiers along River Rd and Redwood Rd were also contacted.

## 2. Methodology

A combination of desktop research and fieldwork was utilised to identify properties adjoining Swamp and Bartlett Roads. Details such as land use, presence or absence of a dwelling, number of access points, estimated volume of traffic per access, property size, registered owner and rural address numbers were recorded. Details for some properties were difficult to obtain as postal addresses were unavailable for unoccupied land and some owners weren't listed in the phone directory. The Tasman District Council (TDC) was enlisted to assist with providing contact details from their records.

A letter outlining the general nature of the study and inviting landowners / occupiers to meet with representatives from NZTA and Opus was either posted or hand delivered to all landowners. This process was broken down into stages. Initial consultation occurred with Swamp and Bartlett Rd residents prior to Christmas. River and Bartlett Rd residents were engaged in February and April respectively. Recipients were provided with two dates when representatives would be available for face-to-face meetings and asked to advise which day and time was suitable. Matt Lord followed up with phone calls where details were available.

Mark Edwards from NZTA and Matt Lord from Opus met with landowners / occupiers on:

- 24<sup>th</sup> and 25<sup>th</sup> of November for Swamp and Bartlett Road;
- 17<sup>th</sup> and 18<sup>th</sup> of February for River Road; and,
- 1<sup>st</sup> and 2<sup>nd</sup> of April fro Redwood Rd South.

These meetings provided an opportunity for residents to express their support or opposition to the proposal and to raise related safety issues. A more detailed consultation letter and a questionnaire were prepared and these were provided to residents at each of the meetings, as was a pre-paid return envelope. Properties where there had been no response were also visited between organised meetings. Where residents weren't home a package containing the consultation letter, the questionnaire and a pre-paid return envelope was left in the letterbox.

Another round of meetings was held on the 12<sup>th</sup> of December to capture Swamp and Redwood Road land owners who were unavailable to meet with project team representatives on the earlier dates. Some landowners / occupiers were also contacted by phone or provided with additional information via email.

The questionnaire responses were recorded in a database and a summary of the responses is provided in this report.

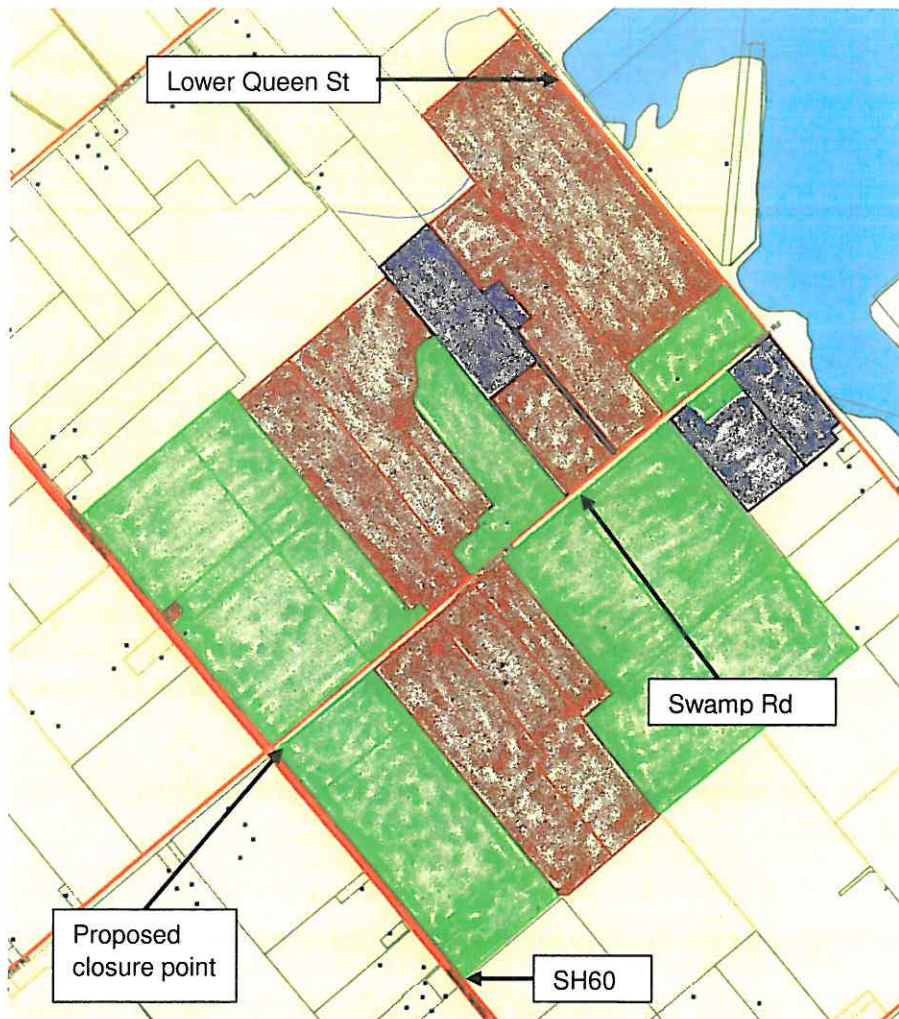
## 3. Views Expressed by Swamp Rd Residents

There are 31 properties that are accessed from Swamp Rd. A number of titles are under the same ownership, so the total number of landowners is 18. Nine of the 18 owners expressed

support for the closure of the Swamp Rd / SH60 Intersection, six expressed opposition, and two couldn't be contacted. Three of these six expressed strong opposition. The reasons for opposition are summarised below.

It was anticipated that opposition would be strongest amongst landowners closest to the intersection as they were likely to experience the greater increase in travel time if travelling in a southerly direction; however, opposition to closure didn't reflect this assumption. The following plan shows support (green), opposition (red) and properties where owners couldn't be contacted prior to the close of consultation (blue).

Landowners / occupiers were provided with the opportunity to comment on closure of both Swamp and Bartlett Roads. Of the 30 questionnaires returned, 16 supported closure of Swamp Rd. Seven Bartlett Rd respondents supported closure of Swamp Rd versus eight in opposition. This possibly reflects a higher level of opposition to the proposal by Bartlett Rd landowners, although some do utilise Swamp Rd to access Lower Queen St on a regular basis.



## Image 1: Swamp Rd Support / Opposition by Landholding

### 3.1 Adverse Effects

Adverse effects cited by the respondents were as follows:

- Increased travel time when travelling to work (one resident who works in Brightwater).
- Mr Ralph Ching transports heavy earthmoving machinery from his property on Swamp Rd to sites to the south via the SH60 Intersection. Closure would adversely affect his business.
- Increased travel time for business activities, e.g. movement of farm machinery, plant, produce or goods.
- Reduction in property values.
- Impacts on the potential to sell or lease properties in the future.
- Possible reduction in the level of maintenance by council.
- The proposed upgrade to Lower Queen St will make access via this route more difficult and dangerous (based on an assumption that a four line carriageway was to be constructed).
- Freight operators will charge more to deliver or pick up from properties as the route will be longer.

### 3.2 Positive Effects

Whilst the questionnaire didn't make provision for positive feedback or suggestions, positive effects cited by respondents and at meetings with landowners were as follows:

- The project will address road safety concerns.
- Closure of the Swamp Rd intersection with SH60 will prevent traffic crossing the highway from Bartlett Rd, thus eliminating a high risk driving manoeuvre.
- Lower Queen St is utilised for access to Richmond as the intersection with SH60 is dangerous.
- The proposed closure may be a deterrent to 'boy racers' who currently use the road on a regular basis.
- Heavy truck traffic would have to use an alternate route, thus improving local road safety and amenity.
- Swamp Rd is currently used as a 'test circuit' for prospective car buyers and is travelled at high speed. Closure would alleviate this risk.

- Closing Swamp Rd would force truck drivers to stop at the Bartlett Rd / SH60 Intersection. Currently many truck drivers do not come to a complete stop at the stop sign, therefore this would improve safety.
- The road will be safety for children and they will be able to safely walk or cycle on the road, an option that is currently unavailable.
- There will be a reduction in traffic noise and a marked reduction in traffic volumes, including heavy vehicles.

### **3.3 Design Enhancements**

Suggestions to improve safety at the Swamp Rd / SH60 Intersection were as follows:

- Fill in the side road drains and widen the intersection.
- Provide a de-acceleration lane from SH60 into Swamp Rd.
- Make provision along the local road for bus bays and cycle / walkways.
- If a side road connection is physically closed, provision should be made to enable pedestrians and cyclists to access the highway or cross to the adjoining local road network.
- Close the intersection to traffic but retain access for pedestrians and cyclists.
- Lower the speed limit on the local road (suggestions included 30, 50 and 80km/h).
- Cut back overhanging vegetation at the intersection.
- Pipe and fill in roadside drains.
- Improve road marking on SH60.
- Install larger 'Stop Signs' on both intersections.

## **4. Swamp Rd Summary**

The residents along Swamp Rd are generally supportive of the closure with some exceptions. Those who expressed opposition generally operate their properties on a commercial basis and are concerned about potential impact on their businesses from the proposed closure of direct access to SH60. The estimated impact appears to be overstated as the increased travel time to access the highway via McShane Rd or Lansdowne Rd appears to be minor.

Opposition was also expressed by people who lease land in Swamp Rd to support their main operations at other locations. It is difficult to accurately measure the actual economic impact on



these people; however, it could be argued that the social and economic cost of crashes at this intersection will outweigh perceived costs to business.

## 5. Views Expressed by Bartlett Rd Residents

There are 29 properties that are accessed from the section of Bartlett Rd that is most affected by the proposed closure. There are additional properties owned by 'Ranzau Horticulture Ltd' to the south of the Bartlett Rd / Ranzau Rd Intersection with whom consultation has not yet taken place.

A number of titles are under the same ownership, so the total number of landowners is 15. In addition several properties are leased for horticultural production and in some cases both the owner and the lessee returned questionnaires. Five of the 15 owners or occupiers who returned the questionnaire expressed support for the closure of the Bartlett Rd / SH60 Intersection, ten expressed opposition, and four couldn't be contacted. Several expressed strong opposition to the proposed closure. The reasons for opposition are summarised below.

This response appears to reflect the more intensive use of land adjoining Bartlett Rd for horticultural production. There was a strong tendency for residents to acknowledge the safety benefits arising from the proposed closure and to support this initiative, whereas commercial operators were more inclined to focus on the commercial dis-benefits for their operations.

In addition to horticultural production, Bartlett Rd is the site of a commercial quarrying operation and the bulk of truck movements are via the Bartlett Rd / SH60 Intersection. Discussions were held with representatives from the quarrying operation. Whilst they didn't express outright opposition to the proposed road closure, they did indicated that the proposal would affect their operating costs.

Landowners / occupiers were provided with the opportunity to comment on closure of both Bartlett and Swamp Roads. Of the 30 questionnaires returned, 12 supported closure of Bartlett Rd. Seven Swamp Rd respondents supported closure of Bartlett Rd, three didn't state an opinion and five opposed closure. This possibly reflects a higher level of support for closure amongst Swamp Rd landowners.

### 5.1 Adverse Effects

Adverse effects cited by the respondents were as follows:

- Alternate routes are via the Lansdowne Rd / SH60 or Pugh Rd / SH60 Intersections. Both are considered to be dangerous by some respondents.
- Horticultural businesses utilise this road regularly and the proposal will require the use of less direct routes to access their operations, e.g. Easton Orchards truck applies from Bartlett Rd to Mariri, Deans Nursery operate from Lansdowne Road and lease land along Bartlett Rd, Ken Polglase's main dairy operation is on Bartlett Rd and he leases land along Swamp Rd, and Vailima Orchards freight apples to their pack house in Beach Rd via Bartlett / Swamp / Lower Queen St.

- Negative impact on operating costs and profit of businesses.
- Additional travel time / distance to manage property, e.g. check irrigation, undertake maintenance, check meters, etc.
- Local road users will have to negotiate more intersections to reach their destination if the SH60 Intersection is closed.
- Tractors, sprayers and other slow moving horticultural equipment will have to use SH60 in lieu of the present route along local roads.
- Some horticultural staff live to the west and will have to travel further to get to and from work.
- Track traffic would be diverted via Pugh Rd, thus increasing the risk and reducing the amenity of the area for Pugh Rd residents.
- Some trucks and other vehicles may divert via Ranzau Rd, thus increasing the volume of traffic passing the school and the hall and therefore increasing the hazard to users of these facilities.
- More traffic would also be diverted via the Ranzua Rd / SH6 Intersection. This is a difficult intersection to exit due to high traffic volumes, albeit it is in a lower speed environment. It was suggested that this intersection has a higher accident rate than the Bartlett Rd / SH60 Intersection.

## **5.2 Positive Effects**

Whilst the questionnaire didn't make provision for positive feedback or suggestions, positive effects cited by respondents and at meetings with landowners were as follows:

- The project will address road safety concerns.
- The proposed closure may be a deterrent to 'boy racers' who currently use the road on a regular basis.
- Heavy truck traffic would have to use an alternate route, thus improving local road safety and amenity.

## **5.3 Design Enhancements**

Suggestions to improve safety at the Bartlett Rd / SH60 Intersection were as follows:

- Fill in the side road drains and widen the intersection.
- Relocate the power pole on the south-east corner of the intersection.
- Undertake a full intersection upgrade as per the recent McShane / Pugh / SH60 Intersection upgrade.

- Create an alternate route via Blackbyre Rd to Bartlett Road.
- Lower the posted speed limit on SH60 to 80km/h to Cotterals Rd or 'Pea Vine Corner'.
- Make provision along the local road for bus bays and cycle / walkways.
- Close the intersection to traffic but retain access for pedestrians and cyclists.
- Lower the speed limit on the local road.
- Install 'judder bars' on the local roads prior to the intersection to slow traffic.
- Educate the public rather than close the intersection.
- Close the hotels to solve the problem.
- Install a grade separated intersection.
- The alternate route (Ranzau Rd) would require new road markings and signs to remind drivers of the route priority.
- Install signals or a round-about at the Lainsdowne Rd / SH60 Intersection.
- If a side road connection is physically closed, provision should be made to enable pedestrians and cyclists to access the highway or cross to the adjoining local road network.

## **6. Bartlett Rd Summary**

Landowners whose properties were used primarily for residential purposes were generally supportive of the proposal to close access to SH60, whereas commercial operators were strongly opposed to this initiative. Several residents expressed strong support for closure, whilst several opponents expressed disbelief that this option would even be considered.

Most landowners / occupiers acknowledged that the current intersection was less than satisfactory; however, they preferred to see deficiencies corrected rather than closure of the intersection.

## **7. Views Expressed by River Rd Residents**

There are 22 properties along River Rd. Some are in the same ownership and TDC owns much of the land on the eastern side of the road and manages this land for flood protection purposes. There are 13 affected landowners. Meetings were held with 12 of the 13 landowners as one couldn't be contacted.

Most landowners conceded that turning right into River Rd was a hazardous manoeuvre. Two residents provided full support for the closure, a further two provided conditional support, and eight opposed closure of access from SH60.

### **7.1 Adverse Effects**

Adverse effects cited by the respondents were as follows:

- The alternate route to access SH60 would require residents to travel via the River Rd / Waimea West Rd Intersection, the Waimea West Rd / Moutere Hwy Intersection and the Moutere Hwy / SH60 Intersection, all of which are considered to be dangerous by some respondents.
- The alternate route would increase the volume of traffic passing the Appleby School. This was considered to increase the risk to the school community.
- Two landowners rely on passing trade from SH60 for the commercial viability of their seasonal operations, i.e. a berry farm and a Christmas tree farm.
- Concern that the closure may affect mail delivery, recycling service and access for emergency services.
- Concern regarding extra travel time and associated fuel costs.

### **7.2 Positive Effects**

- Elimination of most heavy vehicle traffic and 'boy racers'.
- Removal of a significant amount of traffic, i.e. through traffic that uses this route as a shortcut.
- The local road would become safer for local traffic, pedestrians and cyclists.

### **7.3 Design Enhancements**

- It was suggested that the River Rd / Waimea West Rd Intersection could be closed, thus reducing the number of turning movements at the River Rd / SH60 Intersection. One disadvantage suggested by other residents is that they prefer to enter River Rd via the Moutere Valley Hwy / Waimea West Rd / River Rd route when approaching from the west as it is too dangerous to remain stationary on SH60 waiting for a right turn opportunity.
- Converting River Rd to a one-way flow was suggested.
- Improvements to the existing River Rd / SH60 Intersection were suggested, e.g. lower the posted speed environment, remove the power poles, provide a left turn lane, provide a right turn bay, provide a turning lane for the play centre, etc.

## 8. River Rd Summary

The main landowner adjoining River Road is TDC. Jim Frater (TDC Property Manager) didn't raise any objections to the proposed closure and indicated that TDC were investigating provision of alternate access to the river reserve area may be provided via Chalias Road in the future.

Landowners generally acknowledged the need to address highway safety issues; however, there were two main issues which influenced their view on the possible closure of the SH60 / River Rd Intersection. One was the impact on the seasonal commercial operators, i.e. the berry farm and the Christmas tree farm. The other was the possible safety implications associated with the alternate route, including increased traffic flows past the Appleby School.

Support expressed for the proposal at individual meetings was not reflected in the formal response to the consultation process, i.e. some supporters of the closure did not provide a formal response. The circulation of a petition in opposition to the closure ensured registration of a high degree of opposition.

NZTA acknowledged the majority view of landowners via a letter dated 23<sup>rd</sup> of March advising that further investigations into the proposed road closure would not proceed.

## 9. Views Expressed by Redwood Rd (south) Residents

There are 20 properties with frontage to Redwood Rd (south), with a total of 12 owners. Only one owner couldn't be contacted. Meetings were held with landowners on the 1<sup>st</sup> and 2<sup>nd</sup> of April. A number of people expressed support for the proposed closure during the initial meeting; however, the response to the questionnaire resulted in six landowners stating opposition to the proposed closure and only one in support.

As with the other roads, the consultation process was very constructive in identifying local issues and concerns which weren't apparent in the desktop study.

### 9.1 Adverse Effects

- Increase in travel time and associated expense.
- Landowners who operate numerous orchards or vineyards require direct access between their operations.
- One person expressed concern that the additional travel time would not allow her to fulfil her on-call obligations as a midwife.
- Several people indicated that the additional travel time would affect their response time as volunteer fire-fighters.
- Concern was expressed about directing heavy traffic over the one lane bridge on Redwood Rd.

- The owner of a historic building and stables was concerned that the response time for fire services would be increased if the intersection was closed.
- Concern about the alternate route via 'Pea Viner Corner' (Moutere Hwy / SH60 Intersection) as this intersection is considered to be unsafe and congested.
- Persons towing horse floats to the Rabbit Island equestrian facility from the Moutere or Brightwater / Wakefield area prefer to cross directly from Redwood Rd (south) to Redwood Rd (north), rather attempting a turning movement from SH60. Closure of the intersection would remove this option.
- A diary farmer collects grape processing by-product from the winery and transports it to his farm via a tractor and trailer. The current route is via the local road network, however, he would have to use SH60 if the intersection was closed.
- Concern about additional traffic being directed past the Appleby School.

### **9.2 Positive Effects**

- A reduction in traffic, which includes commuters using this road as a 'rat run' when they experience a queue of vehicles on the Moutere Hwy.

### **9.3 Design Enhancements**

- Upgrade the existing intersection in preference to closure, i.e. remove vegetation, remove power poles, infill ditches, provide turning lanes, etc.

## **10. Redwood Rd Summary**

Individual meetings with landowners provided a generally favourable response; however, this was not reflected in the formal responses. Some landowners appear to have changed their views having reflected on the possible implications. The reasons put forward for retaining access to SH60 were generally of a personal nature, e.g. possible delays in attending fire call-outs or critical work commitments. These concerns are likely to change over time as new residents move into the area.

Some concern was also expressed regarding the standard of the Moutere Hwy / Cotterell Rd / SH60 Intersection. If this intersection is upgraded to contemporary standards it may be possible to re-visit closure of the Redwood Rd / SH60 Intersection.

NZTA propose to acknowledged the majority view of landowners via a letter advising that further investigations into the proposed road closure would not proceed.

## 11. Closure Mechanisms

Some residents suggested that they would support a trial road closure. This could be achieved via placement of an earth mound, guard-rail or an alternate physical barrier. These options need to be explored further.

The statutory processes for road closures are explored below.

### 11.1 Temporary Road Closure on Road Vested in Council

Assuming the physical impediment to the access were placed on Swamp Rd itself, being road vested in Council, then Section 319 of the Local Government Act 1974 gives Council wide general powers in relation to roads. Section 319(f) provides that Council can determine which part of the road is the carriageway, footpath or cycle track. Section 319(h) specifically provides for stopping or closing of roads as set out in Section 342 of the Act. The statutory process for a road controlling authority to temporarily close a road is set out in Section 342 and the Tenth Schedule of the Local Government Act 1974 (for closure by a local authority) and the Transport (Vehicular Traffic Road Closure) Regulations 1965.

The Tenth Schedule of the Local Government Act 1974 permits Council, subject to conditions that it thinks fit, and after consultation with the Police and the Minister of Transport, to close any road or part of a road to traffic, or any specific type of traffic, including pedestrian traffic.

Clause 11(d) 'when for any reason it is considered desirable that traffic should be temporarily diverted to other roads'.

These provisions would apply in the case of the subject temporary closure. There is no requirement for public consultation to temporarily close a road.

The Transport (Vehicular Traffic Road Closure) Regulations 1965 are more prescriptive in that it specifies activities for which a road can be closed temporarily (event type activities), and makes provision for public objection to the proposal. These regulations are considered to be inappropriate in this instance.

If the Local Government Act were used, although public consultation is not necessary as stated above, Opus recommends that public notification occurs. This view is supported by relevant case law, e.g. 'Christchurch City Council (Kellys Road) Planning Tribunal decision CO43/88' and 'Roy v Waktaki District Council – Environment Court CO86/07'.

### 11.2 Local Road Closure Involving State Highway

Assuming the physical impediment to the access were to be placed on the state highway itself, being road vested in the Crown and administered by the New Zealand Transport Agency (NZTA), then there are wide provisions under Section 48 of the Government Roading Powers Act 1989 for the Minister to:

- (a) Alter the line of any road;
- (b) Increase or diminish the width of any road;

- (c) Determine what part of a road shall be a carriageway and what part a cycle track or footpath only;
- (d) To construct, erect, dig, or grow on any road, or remove from it, such barriers, dividing strips, guide or sign posts, pillars or other markers, trees, hedges, lawns, gardens, and other devices, as may in the opinion of the Minister be necessary or desirable;
- (e) To place or construct temporarily or permanently on any carriageway any reasonable device or thing for the purpose of controlling vehicle speeds, if it is desirable for the safety of road workers, or users of the road or members of the public, or to protect any part of the road; or,
- (f) To stop, divert, or otherwise control the traffic upon any road temporarily while any work or investigation is being undertaken or for the structural protection of any part of a road.

Section 61 of the Government Roading Powers Act 1989 (GRPA) sets out the powers and duties of NZTA in relation to state highways, and reiterates a lot of those provisions in Section 48 relating to roads.

Section 91 of the GRPA pertains to the restriction of movement to or from a Limited Access Road except 'at a motorway, road or service lane from which vehicles access to the LAR has been authorised by NZTA and subject to such conditions as it may approve'. The implication being that NZTA can deem certain roads to be 'unauthorised' access. The section of SH60 adjoining Swamp Rd is Limited Access Road.

### **11.3 Stopping a Portion of Road and Creating an Access Way or Pedestrian Mall**

It will be necessary to establish whether the portion of road affected is vested in Council or the Crown, or both, and the status of any part of the road as state highway to ensure that the most appropriate statutory process is adopted.

Options for prohibiting vehicular access from the highway include:

- Stopping a portion of the road and creating an access way. This could be carried out by the territorial authority either under Section 342 and Schedule 10 of the Local Government Act or under Section 116 and 114 of the Public Works Act (though the Minister of Lands will only agree to sign a Gazette Notice effecting a road stopping by Council if they are certain it is not contentious. LINZ prefers Councils to use the 10<sup>th</sup> Schedule to effect road closures).
- There is also, under Section 58 of the Public Works Act, provisions for the Minister to, in accordance with Part 21 of the Local Government Act 1974, lay out and construct access ways on land belonging to the Crown. This course of action is not recommended.
- Section 336 of the Local Government Act 1974 authorises a Council to declare a road or part of a road to be a pedestrian mall. A bylaw to create a pedestrian mall, which restricts traffic access to pedestrians and cyclists, has been used elsewhere; however, this is more appropriate in a situation where a pedestrian mall is created in a commercial location.



## 12. Conclusion

The proposed closure of the Bartlett Rd / SH60 Intersection is not supported by the majority of those landowners / occupiers who returned questionnaires and it is likely that any move to implement this initiative would be strongly opposed.

The proposal to close the Swamp Rd / SH60 Intersection received a higher level of support from the residents who would be affected by this closure. Opposition is primarily from people who utilise their land for commercial gain.

The majority of residents and land owners on both River Road and Redwood Road (south) expressed opposition to the proposed closure.

Options	Swamp Rd		Bartlett Rd	
	Close	Retain	Close	Retain
Swamp Rd Owners / Occupiers	9	6	7	5
Bartlett Rd Owners / Occupiers	7	8	5	10
<b>Total</b>	16	14	12	15

Options	Close	Retain
River Rd Owners / Occupiers	5	8
Bartlett Rd Owners / Occupiers	1	6
<b>Total</b>	6	14

## 13. Recommendation

Further investigation into the possible closure of the SH60 / Bartlett Rd Intersection, the SH60 / River Rd Intersection and the SH60 / Redwood Rd (south) intersections is not recommended due to the level of opposition to this proposal. It is possible that these options could be re-visited if improvements were made to the alternate routes, including upgrading of intersections with SH60 via which additional traffic flows would be directed, e.g. the SH60 / Moutere Hwy Intersection.

Investigations into the closure of the Swamp Rd / SH60 Intersection should proceed provided this option is supported by Council.

Options to undertake the actual physical closure need to be explored. As an example, physical obstruction using a non-permanent option such as an earth mound and supporting signage could be implemented. This would provide the option of trialling the closure for a period of perhaps 12 months. If consensus at the end of the trial was that dis-benefits arising from the closure outweighed the benefits then the closure could be reversed at little cost.

Section 342 of the Local Government Act 1974 (10<sup>th</sup> Schedule, Clauses 11(b) and (d)) permit Councils, in consultation with the Police and the Ministry of Transport, to temporarily close roads for no specific time limit and without the need for public consultation.

However, as some land owners have stated their objection to the closure of Swamp Rd, then Council may be required to show that public benefit outweighs private benefit and this would take into account the economic factors of keeping the road maintained if it was not viable to do so, together with the known injury and fatality rates on this section of the state highway and the cause of those incidents relative to Swamp Rd.

Any objector would have recourse to the Ombudsman or the District Court for a review of the decision.

Opus recommends that the benefits of the proposed closure of the Swamp Rd / SH60 Intersection be presented to Council's Engineering Services Committee, along with a recommendation to trial the closure of this intersection on a temporary basis. This recommendation will need to be substantiated with details of the benefits based on crash records and identified safety deficiencies.



