

Response to LGOIMA from [REDACTED]

12 March 2024

Dear [REDACTED]

The Roding Asset Manager Murray Hasler and interim Chief Executive Stephen Parry have considered your questions.

Mr Hasler provides the following responses:

1/ Can you please advise me who made the decision to place these “illegal” carparks, and what discussion was had and by who around that matter leading to the decision to place “illegal” carparks? Please provide minutes of the relevant meetings and all other records pertaining to this matter.

Response: A former staff member, acting erroneously although under delegated authority, made the decision to mark the illegal parks on Broughton Street outside the shop. The markings were not present in the December 2009 iteration of Google Street View, but are present in the January 2013 iteration. Therefore, we can safely assume the markings were installed between these dates. We do not hold any correspondence or meeting minutes regarding the installation of these markings.

An illegal carpark was marked, in error by the marking contractor, on the north side of Pomona Street alongside the Discounter in June 2023. The error was noted soon afterwards by Council roading staff who blacked out the incorrect markings and arranged for the correct markings to be installed. Refer email in Appendix A. There are no meeting minutes on this subject.

2/ When did Council become aware that the carparks in question were “illegal”? How and by who was this “illegality” ascertained? What accountability has there been for the decisions to place “illegal” car parks? Please provide minutes of the relevant meetings and all other records pertaining to this matter.

Response: It appears the Council became aware of the illegal carpark on Broughton Street during investigations in the lead up to the Streets Alive project. Appendix B title ‘Pomona-Broughton Sight Lines diagram’ clearly shows the car park marked between 2009 and 2013 did not meet the sight line requirements contained in the Council Subdivision and Land Development Bylaw (S&LD Bylaw), which is based on NZS 2404. A vehicle parked there significantly obstructs visibility to any vehicles on Broughton Street that are north of Pomona Street and travelling south. The email contained in Appendix C ‘Accident in Gore’ is also likely to have been taken into account when it was decided to to remove the car park.

Our response to question 1 above provides the answer to this question in regard to the Pomona Street car park, marked out by the contractor, within a few days and it was removed at no cost to the Council. There are no meeting minutes on this subject nor information about accountability.

3/ How has removing the “illegal” car parks “improved safety for pedestrians and visibility for drivers”? Please provide the statistical analysis that has led to this conclusion.

Response: The Council does not hold statistical analysis on this issue. Our view is based on compliance with legislation, the NZ Road Code and the professional opinion of staff.

The Council is bound by various legislation aimed at ensuring safety on our roads. As mentioned in our response on 6 September 2023 the former car parks did not comply with national regulations, namely the Land Transport (Road User) Rule 2004 Cl 6.3, which makes it illegal to park within six metres of a kerb tangent point. As mentioned above in our response to question 2 we also needed to comply with the sight distances contained in the Council’s Sub-division and Land Development Bylaw.

Regarding the former park in Broughton Street, in front of the shop, experience has taught us that visibility for someone exiting Pomona Street would be significantly limited by allowing vehicles, which could include large sized delivery vehicles, to park there. Please refer Appendix C.

4/ How has placing a sizeable obstruction in the middle of Broughton St improved visibility for drivers? Please provide the empirical evidence for this claim.

Response: The structure prevents drivers ‘cutting corners’ at this intersection. There had been anecdotal evidence this was happening on a regular basis and staff had witnessed it occurring on several occasions. Refer Appendix C. There is no empirical evidence, apart from the reduction in accidents at this intersection. As we noted in our response on 6 September 2023, there have been no accidents recorded in this area since the traffic island in Broughton Street was installed as part of the Streets Alive initiative.

5/ How, on a straight, wide, level stretch of road having more than ample visibility did these “illegal” car parks 'compromise' visibility in any meaningful way? Please provide the empirical evidence for this claim.

Response: Please refer to our response to Questions 2 and 3. Our view is based on compliance with the law which is anchored around traffic safety. No information in the form of empirical evidence is held.

I re-ask the latter 3 questions as the responses to them are missing their necessary statistical basis. ‘Extraordinary claims require extraordinary evidence’ (attrib) ~Carl Sagan~

A/ What is the “significant reduction in accidents” officially recorded statistics year on year for the TWO years prior to the installation of the obstruction in the middle of Broughton St

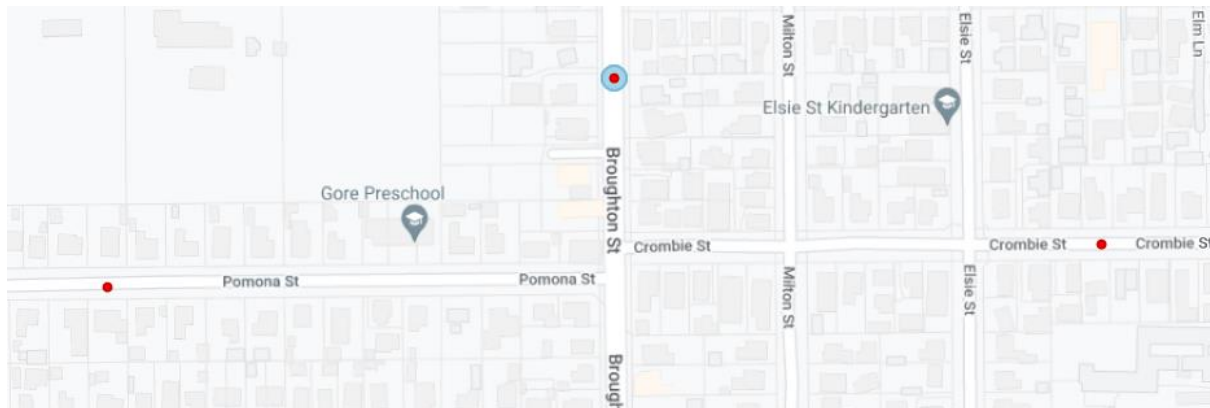
and the TWO years after for the area 20 (twenty) metres in all directions from the apexes of the intersections of Broughton St with Crombie St and Broughton St with Pomona St?

Response: In the two years before the traffic island was installed there were two accidents – September 2020 and May 2018. In addition to the two crashes recorded in CAS, a crash occurred on 10 June 2020 (refer Appendix C). This crash appears to have resulted in at least one injury, but has not been recorded in CAS. Since the island’s installation there have been no accidents.

B/ You state that Broughton/Crombie/Pomona is a busy intersection. Please provide the traffic flow data for the last 5 years for this busy intersection.

Response

Map below shows the closest traffic count sites to the intersection. The counts provided below were recorded in 2020



Traffic count locations

The Average Daily Traffic for each leg of the intersection recorded by traffic counters over a seven day period during the months indicated.

- Broughton Street 4231 vehicles/day November 2020
- Crombie Street 3194 vehicles/day November 2020
- Pomona Street 729 vehicles/day May 2021

These are the only counts on each of these streets found for the five year period requested.

C/ You state that prior to the installation of the obstruction in the middle of Broughton St “many motorists took a short cut diagonally across the intersection without pausing or stopping at the entrance on to Broughton St” and “they treated it like a crossroads”. How many motorists taking a short cut diagonally across the intersection without pausing or stopping were recorded in the five years prior to the installation of the obstruction in the middle of Broughton St and the removal of the carpark outside Broughton St Discounter.

What approaches were made to NZ Police to express Council’s concerns about this cavalier conduct at this busy intersection and seek their advice? What response was forthcoming from NZ Police and what advice did NZ Police give and what policing initiatives did they implement after discussions with Council about this matter? How many of the “many motorists” and “they” received Traffic offence notices in the five years prior to the

installation of the obstruction in the middle of Broughton St and the removal of the carpark outside Broughton St Discounter?

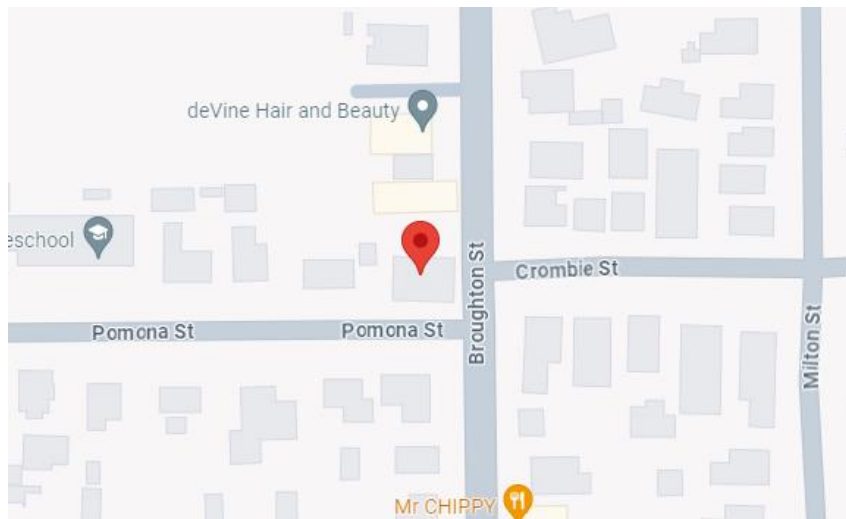
Response: The Council does not hold statistical analysis on this issue. Nor do we hold data on motorists' behaviour in this area for the last five years. We have had reliable anecdotal feedback from staff and the public about motorists behaviour in this area. Our view on the need for visibility improvements is based on compliance with local and national legislation, the NZ Road Code, and the professional opinion of staff. There was a general discussion with NZ Police over the Streets Alive campaign on a town-wide basis and the proposed traffic calming modifications. However, current staff are unaware of specific discussions regarding this intersection.

What approaches were made to New Zealand Transport Agency about this and what was the expert advice they gave to Council?

Response: Staff involved in the Streets Alive project may have discussed this intersection with NZTA project staff. As stated above, current Council roading staff are not aware of such discussions.

D/ You state that "visibility to and from vehicles on the Pomona St leg is already limited by the shop frontage". Just to clarify, are we talking about the same intersection and the same shop?

Response: Yes, our responses related to the intersection of Broughton Street with Crombie Street and Pomona Street. The shop in questions is the Broughton Street Discounter. We have included an image from Google Maps, with the shop marked, for clarity.



E/ I am still waiting for your response to this question:-

The answer to this seems to be a simple, Yes.

In answer to my question asked on 11/08/23 you stated on 13/10/23:- "Waka Kotahi NZTA's Crash Analysis System (CAS) shows 13 accidents have been recorded in the last 10 years in the vicinity of Broughton Street/Pomona Street/Crombie Street intersections. There

were five injury accidents and eight non-injury accidents reported. No fatalities have been recorded.”

I replied:- Clearly I'm not very good at this, as in my own search of the (CAS) data base I can find only 3 minor, non-injury incidents, only two of them involving more than a single vehicle in the relevant area during the 10 year period requested and none involving pedestrians (see attachment).

And asked:- Can you please provide me with the details of the other 10 so that I might form a more accurate picture?

NOTE: I specifically asked about accidents WITHIN 20 METRES of the intersections of Crombie/ Broughton and Pomona Streets in the PAST 10 YEARS only. 1983 & 1985 are just a wee bit outside that range.

Response: Our apologies for exceeding the level of information requested and going as far back as 1983. Based on the table sent to you in our response on 13 October 2023, there are indeed only three accidents recorded in this area.

These are:

Crash ID	Road	Location	Side	CAS ID	Data Source	Crash Day	Date	Time	Group	Movement (A)	Movement	Road W	Injury	Flat/Hil
68196	CROMBIE	495	Left	201838599	CAS System	Sunday	06/05/2018		1	Bend-Lost	Lost Cntl Bend	VEHA DIRI	Wet	Non-injur Flat
68811	BROUGHT	871	Right	2020163812	CAS System	Thursday	10/09/2020		15	Rear end/	Rear End Crash	VEHA DIRI	Wet	Non-injur Flat
69049	BROUGHT	901	Right	201635252	CAS System	Wednesday	23/03/2016		0	Crossing/	Xing Not Turning	VEHA DIRI	Dry	Non-injur Flat

The previously provided information contained details of crashes that had occurred over a slightly expanded section of the three streets. This was to account for potential inaccuracies in the recording of the crash locations and the potential influence of the intersections on the crashes that had occurred relatively close to the intersection. A similar approach was taken to the provision of historical information. The table above provides only information pertaining to the criteria requested.

F/ In your 13/10/23 partial response to my questions you state:- “With regard to accessibility, there is a marked pedestrian crossing south of the Broughton/Pomona Street intersection that provides a safe crossing space for those with restricted mobility.”

If the removal of a carpark directly outside of the Broughton St Discounter has created an insurmountable obstacle for me and others with serious mobility limitations wanting to access the store how, in God’s name, is a pedestrian crossing at least another 40 metres away with the added delight of what you yourself describe as a busy intersection to negotiate supposed to help us access The Broughton St Discounter??? Are we supposed to swing across from sky hooks?! Or are you leaning towards the installation of a funicular along the length of Broughton St that we could just leap on and off of at will?

Response: The Discounter has an off-street car park to cater for its customers. Ideally, the shop could be allocating one of these parks as a disability park. This would negate the need for disabled customers to cross Broughton Street. Following the removal of the marked carpark on Broughton Street the Council’s Roading Asset Manager and a councillor met with the shop owner. They were told the park would not be reinstated. However, following the

meeting the Council constructed an extension to the vehicle crossing providing access to the off-street car park, at no cost to the shop owner. This improved access to the off-street car park for the customers. Unfortunately, the shop owner has not made corresponding improvements to the car park such as sealing and marking car parks to optimise parking for customers.

Please note that some details have been redacted in Appendix A emails in accordance with the Local Government Official Information and Meetings Act Section 7(2)(a) to protect a person's privacy.

If you are unsatisfied with the response, you are entitled to lodge a complaint with the Office of the Ombudsmen. You can find more information on its website <http://www.ombudsman.parliament.nz>

Kind regards



Sonia Gerken
GM Communications / Customer Support

From: [Hari Pillay](#)
To: [REDACTED]
Cc: [Murray Hasler](#)
Subject: RE: Pomona st marking -
Date: Appendix A
Attachments: Friday, 23 June 2023 3:26:00 PM
[image002.png](#)
[image004.png](#)

H [REDACTED]
Sounds good.

Regards
Hari

From: [REDACTED]
Sent: Friday, June 23, 2023 3:16 PM
To: Hari Pillay <hpillay@goredc.govt.nz>
Cc: Murray Hasler <MHasler@goredc.govt.nz>
Subject: RE: Pomona st marking

Hi Hari

Next time I have a track passing through I will let you know and if it is dry we could possibly do it before then

Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

nk before you print

From: Hari Pillay <hpillay@goredc.govt.nz>
Sent: Friday, June 23, 2023 3:14 PM
To: [REDACTED]
Cc: Murray Hasler <MHasler@goredc.govt.nz>
Subject: RE: Pomona st marking

[External Email] This email was sent from outside the organisation – be cautious, particularly with links and attachments.

Hi [REDACTED]
Your proposal to mark as a priority next season is accepted. In the meantime, I will black out the unwanted marking and extend no stopping. We wouldn't like people to get too used to the marking that's in place now. There have been requests from the locals to remove the park close to the intersection for safety.

Regards
Hari Pillay

Hari Pillay | Roading Officer
T: 03 209 0330 | **DDI:** 03 478 0585 | **M:** 021 050 4214
E: hpillay@goredc.govt.nz | **W:** www.goredc.govt.nz
Gore District Council, 29 Bowler Avenue, PO Box 8, Gore, 9740

Gore DC logo



Let's Talk



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From: [REDACTED]
Sent: Friday, June 23, 2023 11:06 AM
To: Hari Pillay <hpillay@goredc.govt.nz>
Cc: Murray Hasler <MHasler@goredc.govt.nz>
Subject: RE: Pomona st marking

Hi Hari

I see what is indicated in the picture, it is the wording that was not very clear. Speaking to [REDACTED], there were 2 existing faded parallel parks that he has remarked in their original place. It is probably something he should have questioned at the time prior to marking it. Plans need to be clearer

Mentioned in the meeting, we were establishing one more time to pick up the last of the marking we could this side of Winter, this has happened and we are no longer in the area or have work programmed in the area this side of Winter

I will put it at the top of the list to sort out next season

Regards

[REDACTED]

[Redacted]

[Redacted]

[Redacted]

[Redacted] print

From: Hari Pillay <hpillay@goredc.govt.nz>

Sent: Friday, June 23, 2023 10:42 AM

[Redacted]

Cc: Murray Hasler <MHasler@goredc.govt.nz>

Subject: FW: Pomona st marking

[External Email] This email was sent from outside the organisation – be cautious, particularly with links and attachments.

Hi [Redacted]

The no-stopping line doesn't stop at the tangent point but continues past the quadrant/tangent point on Pomona St that gives a good indication of the of the parking bay markings. Please black out and install markings as indicated on the aerial.

Regards
Hari

Hari Pillay | Roading Officer

T: 03 209 0330 | **DDI:** 03 478 0585 | **M:** 021 050 4214

E: hpillay@goredc.govt.nz | **W:** www.goredc.govt.nz

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From: Hari Pillay

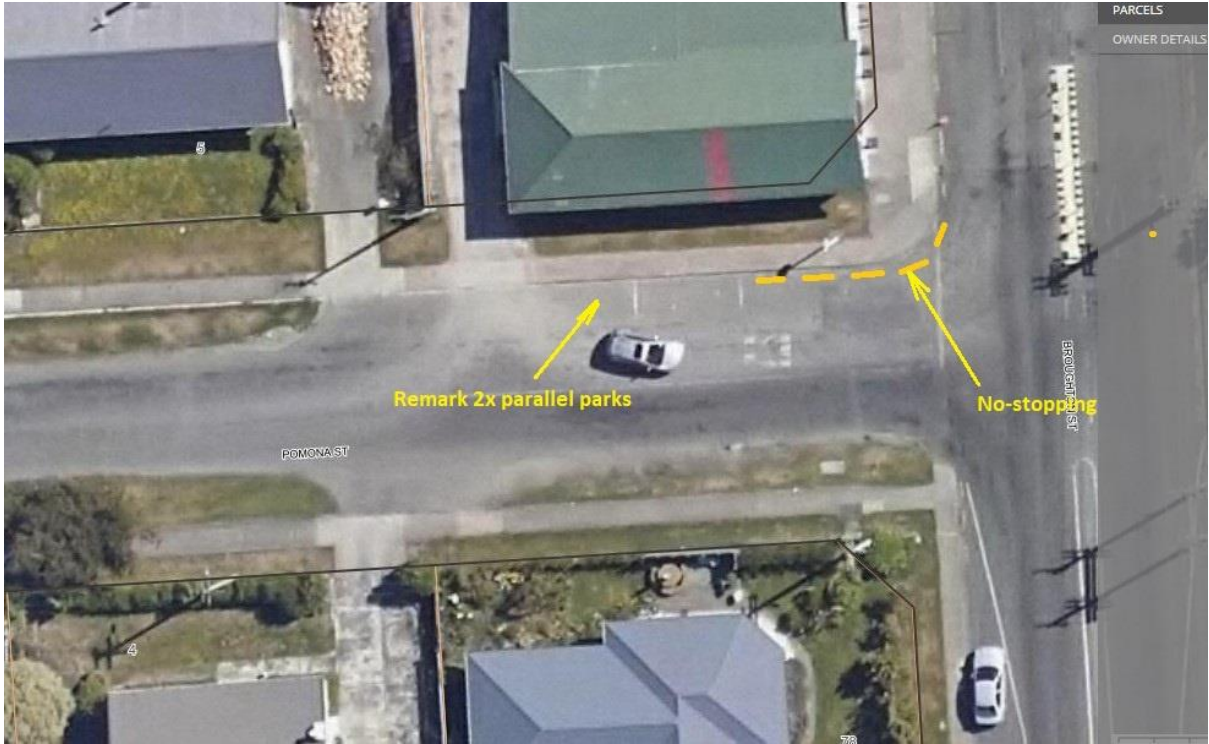
Sent: Friday, June 23, 2023 9:37 AM

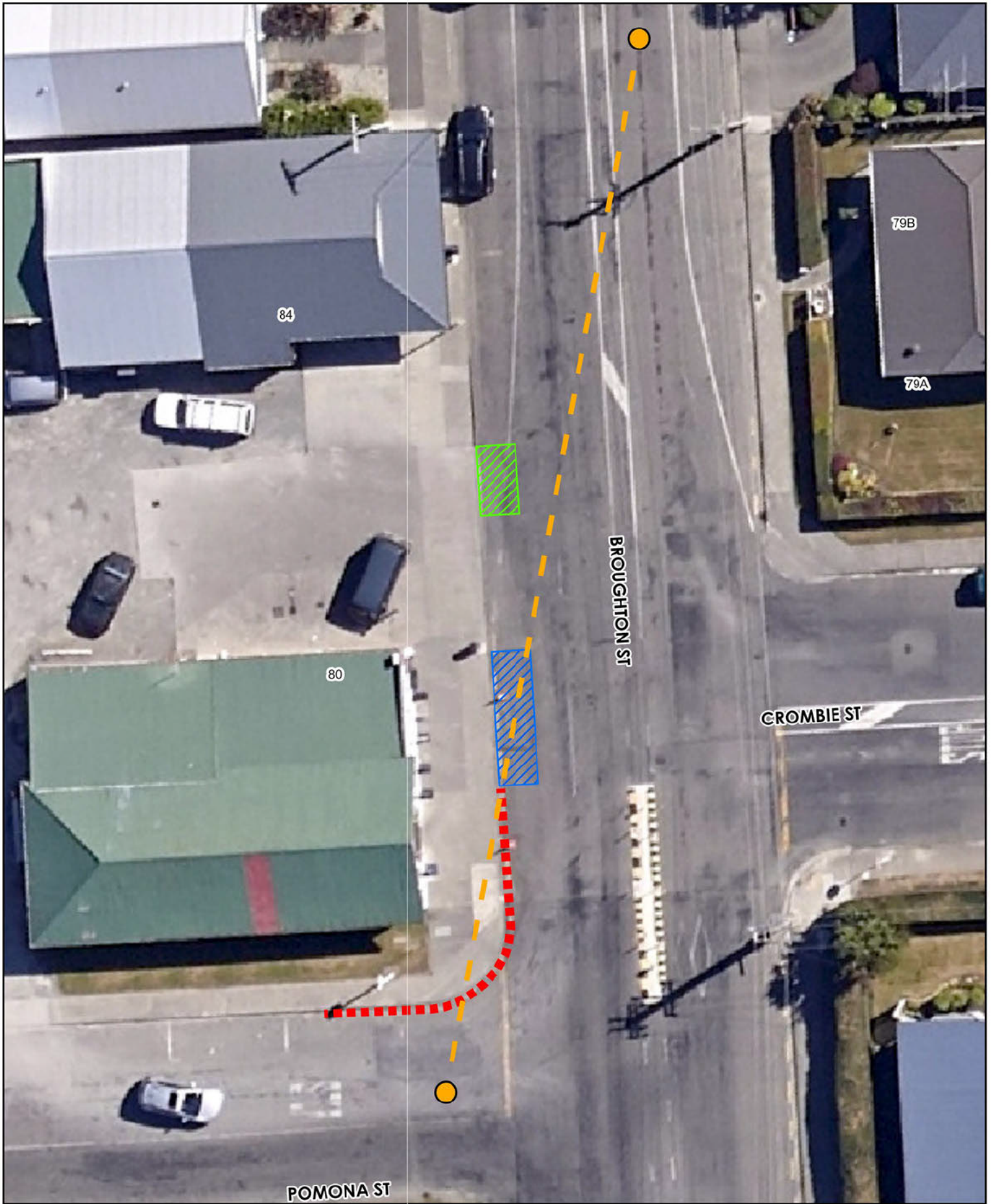
To: [Redacted]

Subject: Pomona st marking









Legend

-  Minimum sight distance
-  Sight line
-  Parking prohibited (proximity to intersection)
-  Extension of vehicle crossing into off street carpark
-  Carpark removed (obstructing sightline)

**Parking at Intersection of
Pomona/Broughton/Crombie Streets
Appendix B**

Date Printed: 07/03/2024
User: shewlett



Subject: re: accident in Gore **Appendix C**
Date: 10/06/2020 8:08 AM
From: "Sonia Gerken" <SGerken@goredc.govt.nz>
To: "Peter Standing" <PStanding@goredc.govt.nz>, "Murray Hasler" <MHasler@goredc.govt.nz>
Cc: "Gillian Small" <GSmall@goredc.govt.nz>

Morning

This appeared on our Facebook page last night and as you see, I had to respond as it's got a lot of traction. It looks like we should have also got an email. If there anything about this area you can tell me about – are we aware of the issues

Gillian – can you load this as a CRM

c

c

z

.

Special Thanks to C. de P.ise <https://www.facebook.com/...>
id=...

directing traffic this morning at corner Pomona /Broughton/ Crombie street corners due to an incident with a member of the public at approximately 8.35am. This particular corner is a very bad crash waiting to happen. The congestion in traffic and illegal parking has become atrocious everyday since Discounter shop took over from Binn Inn. Around school times it is very dangerous for all. Hopefully Gore District Council will look seriously at this.

Gore District Council <https://www.facebook.com/GoreDC/?...>

... thanks for bringing this to our attention. Can you please message us some details about what happened so we can pass it on to our roading guys. Have a good evening.

... District Council <https://www.facebook.com/GoreDC/?hc_location=ufi> I have also sent email to Roading Manager. Just happened to come across incident this morning with cars everywhere and patient lying on edge road/footpath. ... <https://www...> hc_location=ufi> was in middle of Broughton st directing traffic. Great job he did in very necae spot

... District Council <https://www.facebook.com/GoreDC/?hc_location=ufi> people always park on the yellow lines outside the shop which blocks your vision when your at the Stop sign on Pomona Street. Also find alot of people park on the wrong side of the road outside the shop.

... <https://...> definitely needs attention, with the schools close by and preschool now in that street plus the discounter traffic has hugely increased and the fact that the opposite streets aren't directly opposing each other means cars are often sitting in the middle. Maybe it needs to become a roundabout.