
From: [REDACTED] official information
Sent: Monday, 24 May 2021 16:13
To: [REDACTED]
Cc: [REDACTED] official information;
Subject: RESPONSE: LGOIMA 21144 - [REDACTED] - Objection to Proposed Road Closure at Ruffell Road and Onion Road, Hamilton

24 May 2021

[REDACTED]

Sent by email

For: [REDACTED]

TEMPORARY CLOSURE OF PART OF RUFFELL ROAD AT THE RUFFELL ROAD/ONION ROAD INTERSECTION

Thank you for your letter dated 23 April 2021.

Information request

Please see the following link to all relevant documents relating to your request for information under the Local Government Official Information and Meetings Act 1987 (**LGOIMA**). This includes AECOM's Level Crossing Safety Impact Assessment dated 23 March 2021 (**AECOM report**) and relevant email correspondence.  [LGOIMA 21144](#)
Please be aware, this link will expire on 24 June 2021. Please download all documents beforehand.

Note that the personal details of external individuals have been withheld under s 7(2)(a) of LGOIMA.

Temporary closure

We also take note of your client's views on the temporary closure of part of Ruffell Road.

The decision to close part of Ruffell Road is made pursuant to clause 11(d) of Schedule 10 to the Local Government Act 1977 (**LGA 77**). Under clause 11(d), Hamilton City Council (**Council**) is entitled to close any road on a temporary basis "when for any reason, it is considered desirable that traffic should be temporarily diverted to other roads".

As explained in a letter from Jason Harrison dated 20 April 2021, Council staff made the recommendation to Council's Infrastructure Operations Committee that it approve implementation of the temporary road closure, following discussions with KiwiRail and after careful consideration of expert advice on the options that will address the safety concerns that have been identified in relation to the Ruffell Road/Onion Road intersection. In particular, the safety risk presented by the level rail crossing which has been assessed in the enclosed AECOM report as being dangerous, presenting a medium-high risk of death or serious injury to users crossing the railway line. Previous works aimed at addressing the safety issues at the intersection have not resulted in a reduction of the safety risk to an acceptable level.

As set out in the letter from Jason Harrison dated 4 May 2021, the Infrastructure Operations Committee determined on 27 April 2021, that the temporary road closure will proceed. Fundamentally, Council has determined that the temporary closure of part of Ruffell Road is necessary to prevent use of a dangerous rail level crossing while medium and long-term solutions are implemented that will reduce the safety risk.

We note also that, unlike a road stopping process which is governed by clauses 1-10 of Schedule 10, there is no ability to object to Council's decision to implement a temporary road closure under clause 11(d), nor is there a legal requirement that Council must consult with any party, other than Waka Kotahi NZ Transport Agency and the New Zealand Police. Nevertheless, Council has actively engaged with the key stakeholders affected by the closure in order to keep them informed of Council's plans for this part of the road network and it will continue to do so.

Next steps

The Arthur Porter Drive/Te Kowhai Road intersection is currently being upgraded to accommodate the traffic diverted by the temporary closure of Ruffell Road. It is anticipated that the upgrade work will be completed in early June.

Once the intersection upgrade is complete, the temporary closure of Ruffell Road will be implemented in accordance with clause 11(d) of Schedule 10 to the LGA 77. The temporary road closure will be in place until KiwiRail completes the process for temporarily closing the Ruffell Road level rail crossing. It is intended that the level rail crossing will be closed until the completion of the re-alignment of Onion Road to connect at the Arthur Porter Drive/Ruffell Road roundabout. Deliberations on the funding and timing of the project are underway as part of the 2021-31 Long-Term Plan decision-making process.

Jason Harrison is happy to meet with your client to discuss these matters further. As you have requested, he will contact [REDACTED] directly to make the arrangements.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Kind Regards,

Tatiyana | Official Information & Legal Support Advisor
Legal Services & Risk | People and Organisational Performance
Email: officialinformation@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

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