
**Minutes of a meeting of the Planning and Regulatory Committee
– to hear submissions to the draft Reserves Bylaw**

**Held in the Council Chamber, Civic House, Trafalgar Street,
Nelson**

On Thursday 20 March 2014, commencing at 1.02pm

- Present: Councillor B McGurk (Chairperson), Councillors I Barker, R Copeland, K Fulton, M Lawrey and M Ward
- In Attendance: Councillor T Skinner, Manager Environmental Programmes (C Ward), Kaihautū/Acting Manager Community Partnerships (G Mullen), Planning Adviser (D Bradley), Manager Communications (A Ricker), Manager Administration (P Langley), and Administration Adviser (E-J Ruthven)
- Apology: Councillor E Davy

1. Apologies

Resolved

***THAT apologies be received and accepted from
Councillor Davy.***

McGurk/Lawrey

Carried

2. Interests

There were no updates to the Interests Register, and no conflicts of interest with any agenda items were declared.

3. Confirmation of Order of Business

There was no change to the order of business.

4. Hearing of Submitters

4.1 Transpower NZ

Submission number 9, pages 12-17 refer.

Mike Hurley tabled a copy of his presentation (A1161233). He noted his concerns that draft Bylaw inadvertently captured Transpower's

activities, which were governed by National Environmental Standards. He said that it was his belief that the Resource Management Act did not allow bylaws to be more stringent than National Environmental Standards.

He suggested that an exemption for Transpower's activities should be included within clause 11 of the draft Bylaw so as not to prevent the operation, maintenance, development and upgrading of the National Grid, and suggested that this exemption be extended to other utility operators as appropriate.

4.2 Helen Black

Submission number 8, page 11 refers.

Helen Black spoke to her submission, and provided a copy of her presentation (A1161241).

She spoke about her experiences of walking her dog on local tracks, and the interactions she had had with mountain bikers moving at speed on such tracks. She emphasised that tracks within parks and reserves should be able to be safely enjoyed by all users, including walkers. She outlined her concerns that downhill mountain biking was not included within the bylaw, and she suggested that bikers moving at speed should be subject to restrictions.

Ms Black suggested that regulations relating to behavioural expectations within parks and reserves should be included within the bylaw. She added that she would like to see a Council-led forum established for the various users of different parks and reserves to be able to discuss issues and encourage good behaviours.

In response to questions, Ms Black suggested that rules should be provided for users of reserves, and that such rules could be enforced by having officers present on trails. She added that tracks could be classified as for walkers only during particular time periods.

4.3 The Friends of Nelson Haven and Tasman Bay

Submission number 5, pages 6-8 refer.

Helen Campbell spoke to the submission, and explained the additions and deletions to the draft Bylaw proposed by the Friends of Nelson Haven and Tasman Bay.

She suggested that particular activities in reserves should be publicly notified, especially those relating to the mineral belt in reserves near to the city, and those involving the use of firearms, traps, toxins, the planting and removal of vegetation, and the erection of memorials and plaques.

She also noted her concerns that river and riparian plantings located adjacent to shared pathways should not be impacted by any users of such pathways.

In response to a question, Ms Campbell suggested that different activities within reserves should attract varying levels of public notification, from consultation to published public notices, depending on the level of public interest in the activities.

4.4 Jackie McGrath

Submission number 1, page 2 refers.

Jackie McGrath spoke to her submission. She noted the definition of motor vehicles provided in the draft bylaw, queried whether it applied to scooters, mobility scooters and electric bikes which she had encountered on the Railway Reserve.

Ms McGrath spoke about issues she encountered as a beach warden at Tahuna Beach, including camping overnight, dumping of rubbish and vehicles driving on the beach. She noted her concerns regarding clauses 7.1, 9.1 and 13.1 of the draft Bylaw, and queried how these provisions would be enforced with regards to the issues she saw at Tahuna Beach.

In response to questions, Ms McGrath said that high transfer station fees may be linked to the amount of rubbish dumped at reserves. She suggested that taking green waste for lower fees to turn into compost, and providing free rubbish bags from the Council could assist with lessening the amount of rubbish dumped at reserves.

4.5 Brook Valley Community Group

Submission number 6, agenda page 9 refers.

Christopher St Johanser spoke to the submission. He said that activities of downhill mountain bikers in The Brook area were causing concern to The Brook community, that walkers were intimidated by mountain bikers, and consequently were deterred from using tracks. He said that Codgers Track was of particular concern.

He suggested that mountain biking should be a controlled activity within the Parks and Reserves Bylaw, and that Council should regulate and enforce the activities of mountain bikers.

Mr St Johanser outlined his concerns at the development of further mountain biking tracks in The Brook area, and suggested that increased use of mountain bikes had deteriorated the track surfaces, so that it became difficult for walkers to navigate, especially in bad weather.

In response to a question, Mr St Johanser explained his preference for tracks to be delegated for use by walkers or mountain bikers only, rather than for shared use. He emphasised his opinion that Codgers Track should be reserved for walkers.

5. Next Steps

Manager Environmental Programmes, Chris Ward, reminded councillors that there currently was no bylaw in place, and therefore no provisions were able to be enforced.

Attendance: Her Worship the Mayor joined the meeting at 2.31pm.

Councillors indicated that they would like to receive further information on the following issues:

- The development of walking and cycling tracks, and how these were approved, and widened;
- Practices in other cities, particularly with regards to conflict between users of shared pathways;
- Options for signage, including whether it was possible to mark particular parts of tracks as "slow zones".

There being no further business the meeting ended at 2.36pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date