

## **Minutes of a meeting of the Nelson City Council - Policy and Planning**

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

**On Thursday 13 December 2012, commencing at 9.00am**

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**Present:** His Worship the Mayor, A Miccio, Councillors I Barker, A Boswijk, G Collingwood, R Copeland, E Davy, K Fulton, P Rainey, R Reese, D Shaw, and M Ward

**In Attendance:** Acting Chief Executive (R Johnson), Executive Manager Strategy and Planning (M Schruer), Executive Manager Network Services (A Louverdis), Acting Executive Manager Regulatory (M Bishop), Acting Executive Manager Community Services (R Ball), Chief Financial Officer (N Harrison), Executive Manager Support Services (H Kettlewell), Manager Community Relations (A Ricker), Manager Parking (K Robinson), Manager Monitoring and Research (M Workman), Planning Adviser (D Bradley), Manager Environmental Inspections Limited (S Lawrence), Policy Adviser (P Harrington), and Administration Adviser (L Canton)

**Apologies:** Councillor A Boswijk for lateness, and Councillor J Rackley

### **Opening Prayer**

Councillor Davy gave the opening prayer.

#### **1. Conflicts of Interest**

There were no updates to the Interests Register and no conflicts of interest were identified.

#### **2. Confirmation of Minutes**

2.1 Council – Policy and Planning – 1 November 2012

Document number 1403703, agenda pages 1-10 refer.

Resolved

**THAT the minutes of a meeting of the Nelson City Council – Policy and Planning, held on 1 November 2012, be confirmed as a true and correct record.**

Davy/Ward

Carried

- 2.2 Council – Policy and Planning – Public Excluded Minutes – 1 November 2012

It was noted that these minutes could be approved in the public meeting as they contained no public excluded information.

Document number 1405057, agenda pages 11-12 refer.

Resolved

**THAT the minutes of a meeting of the Nelson City Council – Policy and Planning, held with the public excluded on 1 November 2012, be confirmed as a true and correct record.**

Davy/Ward

Carried

- 2.3 Council – Consideration of Submissions to the draft Parking Policy and Amendment to Parking and Vehicle control Bylaw 2011 (No 207) – 1 November 2012

Document number 1403708, agenda pages 13-15 refer.

Resolved

**THAT the minutes of a meeting of the Nelson City Council to Consider Submissions to the draft Parking Policy and Amendment to Parking and Vehicle control Bylaw 2011 (No 207), held on 1 November 2012, be confirmed as a true and correct record.**

Collingwood/Shaw

### 3. Mayor's Report

There was no Mayor's Report.

#### 4. Status Report – Policy and Planning

Document number 1034725 v7, agenda pages 16-17 refer.

Resolved

***THAT the Status Report – Policy and Planning (1034725 v7) be received.***

Mayor/Copeland

Carried

#### 5. Portfolio Holder’s Report

Policy and Planning Co-Portfolio Holder, Councillor Fulton, gave an overview of the Sustainable Sydney masterclass she had attended in Wellington. She outlined a presentation by the Chief Executive of the City of Sydney on the renewal of the city centre as a series of integrated networks and policies, and said it was an inspiring presentation on making the city a better space for its people.

Councillor Fulton added that a report would come to Council in early 2013 from the Heritage Working Group, which would outline policy options for the protection of Nelson’s heritage as a whole.

The Acting Chief Executive advised that the Working Group would have to report back to the Council to declare and explain their position, and once the Council had made a decision on the matter, a public announcement could be made.

#### 6. Morrison Street Pedestrian Mall

Document number 1387050, agenda pages 18-31 refer.

Resolved

***THAT the Statement of Proposal – Morrison Street Pedestrian Mall (1384182) be approved and advertised using the Special Consultative Procedure (section 83 of the Local Government Act 2002);***

***AND THAT a Hearing Panel of three Councillors (Councillors Davy, Collingwood, and Copeland) be established to hear submissions in April 2013;***

***AND THAT the Hearing Panel make decisions on submissions and make recommendations on a Pedestrian Mall Declaration for Morrison Street to Council for adoption.***

Davy/Ward

Carried

## 7. Nelson Stock Effluent Disposal Facility

Document number 1409798, agenda pages 32-36 refer.

Councillors noted that the recommendation in the staff report was a good outcome for a matter that had taken some time to resolve.

Resolved

***THAT Council reconfirms its support for the provision of a Stock Effluent Disposal Facility for the Nelson region and informs New Zealand Transport Agency of its support for a site in the Tasman District Council area;***

***AND THAT the Chief Executive be delegated authority to commence discussions with private landowners regarding the construction and operating cost options for establishing the facility and report back to Council.***

Barker/Collingwood

Carried

## 8. Deliberations on the Dog Control Policy and Bylaw 2012

Document number 1404798, agenda pages 37-78 refer.

Attendance: Councillor Collingwood declared a conflict and left the room.

Planning Adviser, Debra Bradley, and Manager Environmental Inspections Limited, Stephen Lawrence, joined the meeting.

The Acting Chief Executive explained that the meeting to deliberate on the Policy and Bylaw had been held as a workshop due to a lack of quorum and this had not allowed any decisions to be made. Accordingly, this part of the meeting formed a part of the consideration portion of the special consultation procedure for the Dog Control Policy and Bylaw 2012.

Attendance: Councillor Reese sat back from the table on the grounds that she had not heard the submissions or attended the deliberations workshop.

The meeting considered the recommendation in the staff report in parts.

### 8.1 Railway Reserve

It was noted that there was strong opinion from all parts of the community, both dog owners and non-dog owners, about whether dogs should be on a lead on shared paths and high-use parts of the City. It was suggested that establishing on lead restrictions during specified hours was therefore an acceptable compromise and the most reasonable approach to ensuring the safety of other users.

It was noted that this would allow owners who preferred to use the Railway Reserve to exercise their dogs to do so with dogs off lead at other times. A view was expressed that this could contribute to a culture of dog owners reinforcing good dog behaviour and maintaining a high awareness of other users.

Councillor Fulton, seconded by Councillor Copeland, moved

*THAT dogs be on a lead between 7.30am and 9.00am, and between 2.30pm and 6.00pm on the Railway Reserve.*

Those speaking for the motion said that the use of commuter links such as cycle tracks needed to be encouraged, and that a self-regulating approach may not be prudent if the City was to grow.

Those speaking against the motion said that specific time restrictions were difficult to enforce, that it was preferable to encourage a culture of reasonable behaviour, cooperation and tolerance among all users, and that many users already avoided using the Railway Reserve during peak times, indicating that a public practice such as that represented by the time restriction had already developed.

The motion was put and was lost.

It was noted that, should there be no on lead restrictions, strong messaging about desired behaviour would be required. Councillor Rainey, seconded by His Worship the Mayor moved a motion to reflect this.

The motion was put and was carried.

***THAT dogs are allowed to be off lead at all times on the Railway Reserve, and that dog owners are encouraged to avoid taking their dogs into the Railway Reserve during commuter hours.***

Rainey/His Worship the Mayor

Carried

Councillor Davy requested that his vote against the motion be recorded.

## 8.2 Atawhai Shared Pathway

A view was expressed that it was in the interests of dog owners to ensure their dogs were under control on the Atawhai Shared Pathway, given its proximity to the State Highway. It was also noted that Council's approach for the Atawhai Shared Pathway should be consistent with that for the Railway Reserve.

Resolved

**THAT dogs are allowed to be off lead at all times on the Atawhai Shared Pathway, and that dog owners are encouraged to avoid taking their dogs onto the Atawhai Shared Pathway during commuter hours.**

Rainey/Fulton

Carried

### 8.3 Maitai Walkway

In response to a question, Ms Bradley explained that the proposal for the Maitai walkway was for dogs to be on a lead between the river mouth and the Nile Street bridge from 8am until 6pm on weekdays. She said that this proposal arose from 13 submissions asking that dogs be on a lead close to central business district, because it was a relatively busy pedestrian area, including for children travelling to and from school.

Councillors discussed the proposal. A view was expressed that Council plans to develop the area between the sea and the Collingwood Street Bridge meant it would be a shared space of high use by both dog owners and other users, and it should therefore be considered to be the same as a horticultural park or sports field. It was noted that submissions had indicated a strong desire from other users for dogs to be on a lead during peak use times.

Another view was expressed that as a high use space, it may be better to let dogs be off lead at all times in this area, and that it was important to be consistent with the approach for the Railway Reserve and the Atawhai Shared Path.

Attendance: Councillor Davy left the meeting at 10.15pm.

In response to a question, Mr Lawrence advised that consistency and simplicity of rules was important to enable enforcement.

A compromise was suggested that dogs be on lead on the walkway from the river mouth to the Collingwood Street Bridge, and off lead from that bridge to Nile Street, but with clear signage encouraging members of the public to have their dogs on a lead.

Councillor Rainey, seconded by His Worship the Mayor, moved a motion incorporating these points. The motion was put and was carried.

Resolved

**THAT dogs on the Maitai Walkway be on a lead at all times between the sea and the Collingwood Street bridge;**

**AND THAT dog owners are encouraged to have their dogs on a lead on the Maitai Walkway between the Collingwood Street bridge and Nile Street.**

Rainey/His Worship the Mayor

Carried

Attendance: The meeting adjourned for morning tea from 10.35am to 10.50am. During morning tea, Councillors Boswijk, Reese and Davy joined the meeting.

#### 8.4 IseI Park

Ms Bradley tabled a map of IseI Park (1431481).

A view was expressed that the ability for dog owners to run their dogs off lead in IseI Park was highly valued. It was suggested that the current allowance in the draft Policy for dogs to be off lead from the park entrance on Main Road Stoke to the park gateway be extended to the south side of the access road running along the entire southern edge of IseI Park. There was agreement that the other provisions of the draft decision remain the same.

Councillor Barker, seconded by Councillor Fulton moved a motion to reflect the extended off lead area.

The motion was put and was carried.

Resolved

**THAT dogs are allowed to be off lead in IseI Park, between Main Road Stoke and the IseI Park entrance gate, and along the south side of the access road running along the southern edge of the Park, except when there are events being held in the Park.**

Barker/Fulton

Carried

Councillor Davy asked that his abstention be recorded.

#### 8.5 Adoption of the draft decisions and reasons

Resolved

**THAT the draft decisions and reasons outlined in this report (1404798) are adopted with amendments noted.**

His Worship the Mayor/Fulton

Carried

**9. Adoption of the Parking Policy and Amendment to the Parking and Vehicle Control Bylaw 2011 (No 207)**

Document number 1396154, agenda pages 79-94 refer.

Policy Adviser, Paul Harrington, joined the meeting.

In response to questions, Mr Harrington explained that the inner city exclusion zone map had been amended as requested through submissions. He said that the amendment comprised a minor boundary correction to clarify that the southern footpath on Nile Street West remained excluded. Mr Harrington added that under the pre-existing Bylaw, skate boards, in-line skates, roller skates and similar devices were excluded from that part of Nile Street. He explained that this consultation had referred to the Rutherford and Collingwood Street boundaries only.

Resolved

***THAT Council adopts the amended Inner City Zone Prohibited Area map (1335106) for Schedule 2 of the Parking and Vehicle Control Bylaw 2011 (No 207) and revokes the existing Inner City Zone Prohibited Area map;***

***AND THAT Council adopts the Nelson City Council Parking Policy (1079202);***

***AND THAT Council reserves, under Clause 7.1 of the Parking and Vehicle Control Bylaw 2011 (No 207), provision (by application) for all day parking for Mobility Permit holders who work in the City.***

Reese/Davy

Carried

**REPORTS FROM COMMITTEES**

**10. Framing our Future Committee – 26 October 2012**

Document number 1395964, agenda pages 95-97 refer.

Resolved

***THAT the minutes of a meeting of the Framing our Future committee, held on 26 October 2012, be received.***

Shaw/Ward

Carried



## 11. Retirement

His Worship the Mayor said that Velma Blocksage was retiring after 17 years as Service Assistant. Councillors said that Velma would be missed, as she had always done what was asked of her without complaint, and had always been very pleasant to work with.

His Worship the Mayor, seconded by Councillor Collingwood, moved a motion of thanks.

Resolved

***THAT the Council expresses its thanks to Velma Blocksage for 17 years of service in managing the service to the Chamber and meeting rooms for the Council.***

His Worship the Mayor/Collingwood

Carried

## 12. Acting Chief Executive

On behalf of Council, His Worship the Mayor paid tribute to Acting Chief Executive, Richard Johnson, for his work during his time in the role.

He noted that during Mr Johnson's time as Acting Chief Executive, Nelson City Council had received recognition in a number of areas, including the New Zealand Planning Institute Best Practice Award for the Port Nelson Noise project, as runner up in the Association of Local Government Information Management Ultimate Local Government Customer Service Centre, two Ministry for the Environment Green Ribbon awards for improving air quality, and as a finalist in the Kenexa Best Workplaces Award 2012.

Councillors added that Mr Johnson had stepped up to the challenge of the Acting Chief Executive role without hesitation, and had created positive changes.

Resolved

***THAT the Council expresses its thanks to Richard Johnson for his contribution, and notes its appreciation for the excellent support and advice he has provided the Council in the role of Acting Chief Executive.***

His Worship the Mayor/Fulton

Carried

His Worship the Mayor declared that the resolution had been passed unanimously.

In reply, Mr Johnson thanked the Council for the opportunity to serve the City and the Council as Acting Chief Executive. He said he had enjoyed

his time in the role as it had given him a chance to offer leadership during an unsettling period, and to develop his senior management skills. Mr Johnson thanked the Executive Team for their contribution, and said he was confident that the incoming Chief Executive would receive excellent support from the Executive Team and would inherit a loyal staff group who were highly committed to making Nelson a better place.

### 13. Exclusion of the Public

Recommendation

***THAT the public be excluded from the following parts of the proceedings of this meeting.***

***The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:***

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Public Excluded Status Report – Policy and Planning – 13 December 2012  This report contains information regarding:	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary:
	Negotiations with a landowner to secure long-term public access along the Maitai Walkway.		<ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons</li> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Negotiations for the purchase of a strategic piece of land.		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	A decision to withdraw and re-draft a Statement		<ul style="list-style-type: none"> <li>Section 7(2)(g) To maintain legal professional</li> </ul>

	of Proposal		privilege
2	Historic Heritage Review  This report contains information about the classifications of certain heritage precincts, including references to specific addresses.	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons</li> </ul>
3	Tahunanui Fun Park Lease  This report contains the details of a proposal for a lease on Council land	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person</li> <li>Section 7(2)(i) To carry out negotiations</li> <li>Section 7(2)(j) To prevent improper gain or advantage</li> </ul>

His Worship the Mayor/Collingwood

Carried

The meeting went into public excluded session at 11.22am and resumed in public session at 12.24pm.

#### 14. Re-admittance of the Public

Resolved

**THAT the public be re-admitted to the meeting.**

Davy/Boswijk

Carried

There being no further business the meeting ended at 12.25pm.

Confirmed as a correct record of proceedings:

\_\_\_\_\_ Chairperson \_\_\_\_\_ Date