
**Minutes of a meeting of the Planning and Regulatory to
deliberate on submissions to the draft Reserves Bylaw**

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

On Thursday 8 May 2014, commencing at 9.02am

Present: Councillor B McGurk (Chairperson), Her Worship the Mayor
(R Reese), Councillors R Copeland, E Davy, K Fulton (Deputy
Chairperson), M Lawrey and M Ward

In Attendance: Councillors L Acland, P Matheson and G Noonan, Manager
Environmental Programmes (C Ward), Kaihautū/Acting
Manager Community Partnerships (G Mullen), Manager
Communications (A Ricker), Manager Administration (P
Langley), and Administration Adviser (E-J Ruthven)

Apology: Councillor I Barker, and Councillor K Fulton for lateness

1. Apologies

Resolved

***THAT apologies be received and accepted from
Councillors Barker, and Councillor Fulton for
lateness.***

McGurk/Davy

Carried

2. Interests

There were no updates to the interests register, and no conflicts of
interest with agenda items were declared.

3. Confirmation of Order of Business

There was no change to the order of business.

4. Confirmation of Minutes – 20 March 2014

Document number A1161166, agenda pages 5-8 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council – Planning and Regulatory Committee, to hear submissions to the draft Reserves Bylaw, held on 20 March 2014, be confirmed as a true and correct record.

Davy/Ward

Carried

Attendance: Councillor Fulton joined the meeting at 9.04am.

5. Deliberations on the draft Reserves Bylaw

Document number A1151054, agenda pages 9-35 refer.

Manager Environmental Programmes, Chris Ward, presented the report.

5.1 Use of Tracks in Reserves

Councillors discussed issues of shared track usage raised by submitters, and whether it was appropriate to include within the bylaw guidelines for appropriate signage on tracks, and a schedule of 'shared tracks' and tracks for 'walking only'.

In response to a question, Mr Ward explained that the intent of the draft bylaw was to address issues that were most suitable to be addressed through a bylaw. He said that it was open to the committee to include provisions within the bylaw addressing issues such as signage, and managing shared use of tracks by walkers and cyclists.

However, he added that matters should only be placed within a bylaw if Council was prepared to be able to enforce them. He said that there were a number of non-regulatory ways in which issues could be appropriately addressed, for example through signage, track design and education and messaging about respect for other users of tracks.

With regards to the potential for a schedule of 'shared tracks' and 'walking only' tracks, Mr Ward advised that these issues had not been considered through the consultation process, and it would be appropriate to take legal advice regarding whether a change of this nature would require the consultation process to be re-opened.

Committee members discussed whether any further information should be placed in the draft bylaw regarding signage and specifying tracks as 'shared tracks' or 'walking only'. Several committee members expressed support for identifying specific tracks as 'shared tracks' or 'walking only', whereas other committee members expressed a preference for the bylaw to be silent on this matter, and to encourage education regarding the need to have respect for all users.

Planning and Regulatory Committee – to deliberate on submissions to the draft Reserves Bylaw – 8 May 2014

It was agreed that it would be useful to prepare:

- a draft schedule of tracks that could potentially be classed as 'shared tracks' and those that could be classified as 'walking only' ;
- advice regarding whether consultation would need to be re-opened if the committee were of a mind to include such a schedule in the draft bylaw; and
- further information regarding non-regulatory methods of encouraging and monitoring appropriate behaviour by all users of tracks.

Suggestions for how to increase safety on shared tracks outside of the scope of the bylaw included encouraging cyclists to install and use bells on their bikes, increased signage and clearly marked 'slow zones'. In response to a question, Mr Ward confirmed that it was also possible to utilise track design to alter the behaviour of cyclists, for example by using chicanes to slow speeds, and to encourage clear visual sight lines.

5.2 Other Issues in the Draft Bylaw

Councillors discussed the draft bylaw provision regarding playing golf in reserves. In response to a question, Mr Ward explained that the original draft proposal had included a provision regarding playing golf in reserves, but that this had been removed at the Planning and Regulatory Committee's request prior to the statement of proposal being released for consultation. He added that consultation had revealed community concerns regarding golf being practised in reserves, and as a result, it was suggested that this provision be put back into the draft bylaw.

There was a further discussion regarding placing or erecting memorials in reserves. In response to questions, Mr Ward noted that this had been suggested through the submission made by the Friends of Nelson Haven. He said that he was not aware of any requirement for written permission to be obtained prior to placing memorials in the city outside of reserves, and said that the provisions relating to the granting of such permission would need to be developed.

A suggestion was made that the words in the 'Activities Requiring Permission' section of the draft bylaw be expanded to clarify that in appropriate circumstances, there may be an obligation to publicly consult.

Resolved

THAT the deliberations on the draft Reserves Bylaw be adjourned;

AND THAT Councillors McGurk and Fulton meet with relevant officers to formulate appropriate amendments to the draft Reserves Bylaw following on from deliberations at the Planning and Regulatory Committee meeting of 8 May 2014;

AND THAT an updated draft Reserves Bylaw be brought back to the next Planning and Regulatory Committee meeting.

Fulton/McGurk

Carried

There being no further business the meeting ended at 10.03am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Planning and Regulatory Committee – to deliberate on submissions to the draft Reserves Bylaw – 8 May 2014