

## Minutes of a meeting of the Planning and Regulatory Committee

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

On Thursday 18 September 2014, commencing at 9.03am

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Present: Councillor B McGurk (Chairperson), Her Worship the Mayor R Reese, Councillors I Barker, R Copeland, E Davy, M Lawrey, M Ward, and G Paine

In Attendance: Councillors L Acland, P Matheson, and G Noonan, Group Manager Strategy and Environment (C Barton), Group Manager Corporate Services (N Harrison), Manager Operations (S Davies), Senior Strategic Adviser (N McDonald), Kaihautū (G Mullen), Administration Manager (P Langley), and Administration Adviser (G Brown)

Apologies: Councillor K Fulton

### 1. Apologies

Resolved

***THAT an apology be received and accepted from Councillor Fulton.***

McGurk/Davy

Carried

### 2. Confirmation of Order of Business

There was no change to the order of business.

### 3. Interests

No updates were made to the Interests Register and no conflicts with items on the agenda were declared.

### 4. Public Forum

#### 4.1 How Customers make Payments

Mr Graeme O'Brien advised councillors that he had received a parking ticket when dropping his children at Nelson College for Girls.

Attendance: Councillor Skinner joined the meeting at 9.05am

He advised the committee that after enquiring on payment options with the Customer Service Centre he was told that it was Council policy for amounts of under \$150 to be paid in full, which he was upset about. He said that paying by direct debit was not an option.

Mr O'Brien said that after correspondence with the Customer Service Centre, he wrote to the Mayor and it was decided that the fine could be paid off in cash instalments.

He indicated that there was a need for drop off/pick up zones near schools and suggested that there was over enforcement from parking wardens.

In response to further questions, Mr O'Brien advised that he had not spoken with the principals at these schools because he believed this was a Council issue and that on occasions he parked a distance from the school and walked. However, he said he felt that it was too dangerous to cross the roads near schools due to the amount of traffic.

## 5. Confirmation of Minutes

### 5.1 31 July 2014

Document number A1228329, agenda pages 7-12 refer.

It was discussed that the third paragraph in Item 7 Chairperson's report should say 'testing is the responsibility of the landowner and that the final notation on the Land Information Memorandum should be completed by November 2014.'

Resolved

***THAT the minutes of a meeting of the Nelson City Council – Planning and Regulatory Committee, held on 31 July 2014, along with the amendments, be confirmed as a true and correct record.***

Davy/Barker

Carried

## 6. Status Report – Planning and Regulatory Committee 18 September 2014

Document number A1155974, agenda page 17 refers.

Resolved

***THAT the Status Report – Planning and Regulatory Committee 18 September 2014 (9A1155974) be received.***

Lawrey/Ward

Carried

## **7. Chairperson's Report**

The Chairperson spoke about the Maitai River project and advised councillors that funding from community grants had been unsuccessful. He said that the project was to be the theme for the 2014 Ecofest, and that progress on the Maitai River project would be available on the Land Air Water Aotearoa (LAWA) website.

## **POLICY AND PLANNING**

### **8. Nelson Plan Strategic Outcomes**

Document number A1231691, agenda pages 18-38 refer.

Manager Planning, Matt Heale gave a power point the presentation (A1252099).

In response to a question, Mr Heale advised that the report was only in relation to the Nelson Plan, which currently did not include the Air Quality Plan, and any reference to air quality within the Nelson Plan would be at an issue level. How air quality issues are reflected in the Nelson Plan would be determined following consideration of the woodburner issue to the current statement was a holding pattern in the meantime.

In response to further questions, Mr Heale said that there had been a number of meetings with iwi at an operational level to discuss resource management issues. The intention was to discuss the strategic outcomes with iwi and key stakeholders, once direction was given from councillors.

There were discussions that resource management practitioners should be consulted with as they were the main users of the Nelson Resource Management Plan (NRMP).

Group Manager Strategy and Environment, Clare Barton, advised that, at this stage, Council officers needed guidance from councillors to clarify the outcomes that councillors wanted to achieve, and then these could be refined.

In response to a question, Mr Heale indicated that there was potential to establish working groups for the broad areas within the Nelson Plan if this was what councillors wanted. He noted two distinctive areas, the built environment and the natural environment.

In response to a question, Ms Barton said that the intention was to set out a work programme at a Planning and Regulatory Committee meeting, which would include a series of actions and how information would be delivered to the community.

There were discussions that the strategic outcomes did not address the need for a healthy community and the encouragement of housing intensification was a concern, as it was felt that Council should be promoting people having their own gardens and growing their own food, therefore making families self-sufficient.

Ms Barton explained that there were a number of mechanisms that could be used within the Nelson Plan, however the key factors would be the availability of a range of housing choices, and encouraging quality urban design.

It was discussed that an outcomes approach was more suitable than an issues approach and that it would be important to consider the incorporation of the Air Quality Plan, and NPS. It was also noted that the Nelson Plan should align with Tasman District Council (TDC) and Marlborough District Council (MDC) plans as they needed to talk to one another.

There was general support that working groups would be beneficial in the compilation of the Nelson Plan, and it was suggested that external parties such as developers and builders would be valuable to include. There were concerns that working groups would need to have a technical understanding of plan provisions, however it was important to obtain feedback from the community in the first instance.

It was discussed that the goals in Nelson 2060 needed to be considered when compiling the Nelson Plan, and that a vision was required to engage people with words and images to engage the Nelson community to see what was possible in Nelson.

A suggestion was made that timeframes and resources could be restrictive and may be difficult to meet. It was suggested that timeframes should be extended if required, so that the Nelson Plan was robust.

Attendance: Councillor Noonan joined the meeting at 9.58am.

There were discussions that comments needed to be added to the strategic outcomes in relation to encouraging spaces around healthy living, recognising the benefits of the natural coastal environment along with marine industry opportunities, and clean air in relation to human health.

Ms Barton advised councillors that it was intentional to have broad strategic outcomes as some of the specified outcomes could be non-regulatory.

Resolved

***THAT the report Nelson Plan Strategic Outcomes and its attachments (A1221973 and A1221468) be received;***

***AND THAT the Strategic Resource Management outcomes be amended to address healthy living choice, the marine sector and clean air for human health, and guide Nelson Plan development and engagement;***

***AND THAT the approach to engagement outlined in this report is used in the development of the Nelson Plan.***

McGurk/Lawrey

Carried

## **9. National Policy Statement – Freshwater Management**

Document number A1222236, agenda pages 39-80 refer.

Senior Planning Adviser, Sharon Flood gave a power point presentation (A1233925).

In response to a question, Ms Flood advised councillors that the National Policy Statement (NPS) was first published in 2011, however in 2013 central government released a paper setting out their approach for reforming the freshwater management system. The NPS-Freshwater Management was subsequently amended in July 2014.

In response to a further question, Ms Flood said that streams did not need to be brought up to a standard for fishing or swimming, however as illustrated in Nelson 2060, the community wanted to be able to swim and fish in Nelson rivers. Ms Barton advised that the land and water forum had made other recommendations with additional attributes which could be considered by councillors.

In response to a question, Ms Barton said that there was nothing stopping Council from requiring fences on all farmland, however non regulatory measures would be considered. Ms Flood advised that other than fencing, riparian margins could also be considered, and that currently there was a non-regulatory partnership with farmers that was working well.

In response to questions, Ms Flood advised that a study was currently being conducted in relation to groundwater and that the freshwater management plan was part of the NRMP. She also said that the new monitoring regime would mean that all parameters would be measured so the community would be able to focus on specific areas and that past monitoring information would still be useful.

Resolved

**THAT the report National Policy Statement for Freshwater Management 2014 (A1222236) and its attachments (A1218447) and (A1233589) be received.**

McGurk/Copeland

Carried

Recommendation to Council

**THAT the Nelson Resource Management Plan is amended under section 55 of the Resource Management Act 1991 (without using the process in Schedule 1) to reflect the National Policy Statement for Freshwater Management Policy A4.**

McGurk/Paine

Carried

Attendance: The meeting adjourned for morning tea from 10.39am to 10.48am. During this time Councillor Skinner left the meeting.

## **10. Confirmation of Minutes (Cont)**

10.1 8 May 2014

Document number A1190224, agenda pages 13-16 refer.

The Chair advised that this was a procedural issue and the 8 May 2014 minutes had not been received at the last Planning and Regulatory Committee.

Resolved

**THAT the minutes of a meeting of the Nelson City Council – Planning and Regulatory Committee, held on 8 May 2014, be confirmed as a true and correct record.**

McGurk/Davy

Carried

## **11. Nelson Parking Strategy 2014-2024**

Document number A1246489, agenda pages 81-118 refer.

Senior Asset Engineer, Rhys Palmer joined the meeting and summarised the report.

In response to a question, Mr Palmer said that the reason for not having one map with one boundary was that the study focussed on the CBD and the outer fringe areas. He advised that the yellow lines

illustrated the high demand area with short term spaces, and the outer fringe was where people walked into the CBD.

There was a discussion that there was not enough consideration given to the recent small and medium developments on St Vincent and Vanguard Street in relation to on street parking. It was mentioned that the future needs of this area needed to be considered.

It was further noted that some urgency was needed with the entrance to Strawbridge Square.

Attendance: Councillor Skinner returned to the meeting at 11.10am.

In response to a question, Mr Palmer said that he was surprised by the level of engagement from retailers and landowners, as Council had only received 150 responses.

In response to questions, Mr Palmer advised that a carpark occupancy above 85% would make it difficult for individuals to locate a carpark and would impact on the traffic flow through the CBD. He indicated that there were parking spaces available away from the usual ring routes of the CBD, and that further parking was not required on the city fringe.

It was discussed that the information contained in the parking strategy referred to a high number of private carparks which Council had no control over and this could skew the results. It was also noted that there was no reference to barrier arms which were proposed at the parking workshop.

Mr Palmer explained that the parking strategy did not specify methods for payment as it was a high level document, and that the parking strategy determined there was not a need for a significant increase in parking capacity.

In response to a question, Mr Palmer explained that it was important to note that free parking was available in Nelson at the Countdown and Warehouse carparks and that the issue was with people utilising short term resources for long periods. He said that the only way to limit this was through time limits and parking charges.

There were discussions that the community would not be aware that The Wood area was considered as part of the CBD parking. It was noted that Vanguard Street and Shelbourne Street were in the CBD and these included residential, industrial and commercial activities. It was discussed that the parking study needed to consider the effects on these businesses.

It was suggested that Council officers be mindful of projections for employment in the CBD along with long term parking, and how these integrated with council documents. There was a suggestion that New Zealand did not follow international trends in relation to methods of travel and this needed to be considered along with employment trends.

In response to a question, Mr Palmer advised that private car parks were not well utilised, and that increasing charges for longer term car parking could be considered to encourage individuals to lease car parks, however it would depend on the willingness to pay and ultimately it would mean Council would need to increase enforcement.

It was noted that the legend for District Plan City Centre Zone on Appendix B: Study Areas Maps should be changed to District Plan map to avoid confusion.

Attendance: Her Worship the Mayor and Councillor Barker left the meeting at 11.35am.

In response to a question, Mr Palmer advised that implementing real-time information on parking availability to drivers would be by having sensors embedded in the ground which informed a board on the street. He added that in relation to barrier arms, the carpark would be calibrated each day and the information would be calculated each time the carpark was accessed.

There was general support that carpooling should be encouraged and that the designated areas be high profile, with high visibility for workers.

There were discussions regarding how better to utilise existing parking and that consultation with commuters was required to see how people got to work. It was suggested that more attractive and well managed parking could enhance the experience of shoppers.

It was suggested that the quality of the physical environment was important as people would want to locate their businesses in Nelson. It was noted that it was disappointing that local business employees utilising the parking squares and that carpooling and public transport needed to be marketed better and strategies needed to be aligned. It was discussed that if the CBD became pedestrianised then businesses would do better.

Resolved

***THAT the report Nelson Parking Strategy (A1246489) and its attachments (A1240685 and A1246553) be received.***

McGurk/Lawrey

Carried

**12. Parking and Vehicle Control Bylaw and Parking Policy Amendments**

Document number A1239096, agenda pages 119-133 refer.

Manager Operations, Shane Davies joined the meeting and presented the report.

Mr Davies explained that the locations of the disability carparks were primarily due to the design criteria set by the New Zealand Transport Authority (NZTA) for disability spaces. He said that the current disability spaces dropped into the live cycle lane and were currently non compliant with NZTA standards.

There were concerns that the two disability parks on Main Road Stoke were well used and that some disabled people were passengers. Mr Davies indicated that the disability areas were only being transferred not removed. It was suggested that the Parking and Vehicle Control Bylaw 2011 needed a full review.

In response to questions, Mr Davies clarified that the no stopping markings were already present and that the reason for amending the bylaw was so that it could be enforced.

Attendance: Councillor Noonan left the meeting at 12.07pm.

Resolved

**THAT the report Parking Vehicle Control Bylaw (2011), No. 207 Amendments to Schedules and its attachments (A1240637, A1240641, A1240647, A1240649, A1240651 and A1240653) be received;**

**AND THAT the following alterations to the Schedules of Bylaw No 207, Parking and Vehicle Control (2011) be approved:**

- **Schedule 4: Special Parking Areas;**
- **Schedule 9: No Stopping;**
- **Schedule 14: Give Way Signs;**

**AND THAT the minor amendments to the Parking Policy, and attachment (A260561) be approved.**

McGurk/Ward

Carried

## REGULATORY

### 13. Dog Control and District Licensing Committee Annual Reports 2013/2014

Document number A1230173, agenda pages 134-148 refer.

Manager Consents and Compliance, Mandy Bishop joined the meeting.

In response to a question, Ms Bishop said that the Dog Control Activity statistics were similar to previous years, and that they were from a variety of owners and repeat offenders, however she was not aware of the locations of these activities.

In response to a further question, Ms Bishop advised that prosecutions took place when Council had a reasonable case and evidence, as it was a costly process. She said that prosecutions were approved by the Group Manager Strategy and Environment.

Ms Bishop said that dog ownership was increasing and that the dog registrations were done in June.

Resolved

**THAT the report Dog Control and District Licensing Committee Annual Report 2013/2014 (A1230173) and its attachments (A1235542 and A1232001) be received;**

**AND THAT the Planning and Regulatory Committee adopt the Nelson City Council Dog Control Activity Report 2013/2014 (A1235542);**

**AND THAT the Planning and Regulatory Committee adopt the Nelson District Licensing Committee Report 2013/2014 (A1232001).**

McGurk/Ward

Carried

#### **14. Using Discretion to Reduce Alcohol Licensing Fees**

Document number A1235259, agenda pages 149-191 refer.

Licensing Inspector, Sarah Yarrow joined the meeting.

In response to a question, Ms Yarrow advised that alcohol licensing fees could only be reduced by one category as stated in the Sale and Supply of Alcohol Act regulations.

There was general support for using discretion to reduce alcohol licensing fees.

Resolved

***THAT the report Using Discretion to Reduce Alcohol Licensing Fees (A1235259) and its attachments (A1235255 and A1235257) be received.***

McGurk/Copeland

Carried

Recommendation to Council

***THAT the use of discretion in the Sale and Supply of Alcohol (Fees) Regulations 2013, to reduce alcohol licensing fees is delegated to the Licensing Inspector and Chief Licensing Inspector in the "particular circumstances" outlined in clauses a), b), c) and d) of section 5.7 and clauses e), f) and g) of section 5.15 of this report;***

***AND THAT outside of those "particular circumstances", discretion to reduce alcohol licensing fees in accordance with the Sale and Supply of Alcohol (Fees) Regulations 2013 is delegated to the Chief Executive and Group Manager, Strategy and Environment;***

***AND THAT fee category reductions as a result of "particular circumstances" be applied retrospectively to on licences, off licences and club licences since the Sale and Supply of Alcohol (Fees) Regulations 2013 were introduced.***

McGurk/Ward

Carried

There being no further business the meeting ended at 12.31pm.

Confirmed as a correct record of proceedings:

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

Planning and Regulatory Committee  
18 September 2014