
Minutes of a meeting of the Nelson City Council

**Held in the Council Chamber, Civic House, 110 Trafalgar Street,
Nelson**

On Tuesday 5 September 2017, commencing at 11.03am

Present: Her Worship the Mayor R Reese (Chairperson), Councillors I Barker, M Courtney, B Dahlberg, K Fulton, M Lawrey, P Matheson, B McGurk, G Noonan, M Rutledge, T Skinner and S Walker

In Attendance: Acting Chief Executive (D Hammond), Group Manager Community Services (C Ward), Senior Strategic Adviser (N McDonald), Group Manager Infrastructure (A Louverdis), Manager Communications (P Shattock), Property and Facilities Asset Planner (P Harrington), Team Leader Administration (A Gully), and Governance Adviser (E-J Ruthven)

Apologies: Councillor Acland

Opening Prayer

Councillor Dahlberg gave the opening prayer.

1. Apologies

Resolved CL/2017/335

That the Council

Receives and accepts the apology from Councillor Acland.

Her Worship the Mayor/Noonan

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

Attendance: Councillor Lawrey joined the meeting at 11.04am.

3. Interests

There were no updates to the Interests Register, and no interests with items on the agenda were declared.

4. Minutes of the Council meeting held on 9 August 2017 to hear submissions on the Draft Freedom Camping Bylaw

Document number R8308, agenda pages 5 - 13 refer.

Resolved CL/2017/336

That the Council

Receives the Minutes of the Council meeting held on 9 August 2017 to hear submissions on the Draft Freedom Camping Bylaw.

Dahlberg/Barker

Carried

5. Deliberations on the Proposed Freedom Camping Bylaw

Document number R8282, agenda pages 14 - 154 refer.

Attendance: Councillor Skinner joined the meeting at 11.05am.

Acting Chief Executive, David Hammond, and Group Manager Community Services, Chris Ward, presented the report.

Mr Hammond and Mr Ward explained the key differences proposed to the draft Freedom Camping Bylaw as a result of submissions received. They outlined the reasons for moving Centennial Park and Paddys Knob into Schedule One, clarified overnighting hours and enforcement issues and answered questions.

Mr Hammond explained the assessment of the draft bylaw with regards to the New Zealand Bill of Rights Act 1990.

Mr Hammond noted a suggestion to add explanatory notes to clauses six and ten. He explained the proposed explanatory notes and the reasons for adding these into the bylaw.

Attendance: The meeting adjourned from 11.30am to 11.31am.

Mr Hammond answered further questions regarding the interaction between the draft bylaw and future standards that may be set by central Government.

Attendance: Councillor Lawrey left the meeting from 11.44am to 11.48am.

There was discussion regarding the proposed departure time of 7.00am, and officers were asked to consider whether this should be altered to 8.00am or another time.

Attendance: Councillor McGurk left the meeting from 11.59am to 12.01pm.

Officers were also asked to consider whether the commencement date of the bylaw could be brought forward from 1 December 2017.

Attendance: The meeting adjourned from 12.04pm to 12.24pm, during which time Councillor Walker left the meeting.

Attendance: Councillor Walker returned to the meeting at 12.25pm.

Her worship the Mayor, seconded by Councillor Dahlberg, moved the recommendation in the officer report, with the following alterations:

- Amendment of the time 7.00am to 8.00am in clause two, bullet points one and two; and
- Addition of the following at the end of clause two:

- *Inclusion of the following explanatory notes within the draft bylaw:*

- *Prohibited Areas – Explanatory note:*

Council provides the Maitai, Brook, and Tahunanui Campgrounds for non-self-contained vehicles alongside other private accommodation and campground providers

- *Offence and Penalties:*

Any future enforcement policy will include a provision that, where a person is homeless and sleeping in prohibited or restricted areas, Council officers will work with social agencies to try and find solutions for those persons as a first response.

Councillor Matheson, seconded by Councillor McGurk, moved an amendment to change the reference to 8.00am in clause two, bullet points one and two, to 7.00am.

Councillors discussed the amendment and a variety of views were expressed.

The amendment was put and carried, and became the substantive motion.

Resolved CL/2017/337

That the Council

Receives the report Deliberations on the Proposed

Freedom Camping Bylaw (R8282) and its attachments (A1749074, A1729817, A1821493, A1822099); and

Confirms the amendments to the Proposed Freedom Camping Bylaw shown in Attachment 1 (A1749074), noting the following changes:

- **Insert a new definition of night, "Night: means the time period between 10.00pm and 7.00am and**
- **Delete Schedule 2 d) and replace with "Unless subject to area specific restrictions all vehicles being used for freedom camping must depart by 7.00am"; and**
- **Delete Schedule 2 e) and replace with "All vehicles being used for freedom camping must be legally parked and any possessions associated with freedom camping contained within a single, defined carparking space. If undefined, vehicles must park in a courteous manner to allow other vehicles to also park within the signposted area, with all possessions no more than one metre from the vehicle in any direction"; and**
- **Delete Norgate Reserve from Schedule 1 and Wakapuaka Sandflats Carpark from Schedule 2; and**
- **Move Paddys Knob Reserve and Centennial Park from Schedule 2 to Schedule 1 (Prohibited areas for freedom camping); and**
- **Increase the number of certified self-contained overnighting parking spaces on Buxton carpark by three, and on Montgomery carpark by five; and**
- **Inclusion of the following explanatory notes within the draft bylaw:**
 - **Prohibited Areas – Explanatory note:**

Council provides the Maitai, Brook, and Tahunanui Campgrounds for non-self-contained vehicles alongside other private accommodation and campground providers
 - **Offence and Penalties:**

Any future enforcement policy will include a provision that, where a person is homeless and sleeping in prohibited or restricted areas, Council officers will work with social agencies to try and find solutions for those persons as a first response.

Agrees the amendments are consistent with the New Zealand Bill of Rights Act 1990 and the amended Freedom Camping Bylaw is the most appropriate form of Bylaw; and

Adopts the Nelson City Freedom Camping Bylaw as amended and appended to this report as Attachment 1 (A1749074): and

Determines the date that the Freedom Camping Bylaw will commence as being 1 December 2017.

Her Worship the Mayor/Dahlberg

Carried

There being no further business the meeting ended at 12.48pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date