



---

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

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

**On Thursday 23 August 2018, commencing at 9.00a.m.**

---

Present: Councillor B McGurk (Chairperson), Councillors L Acland, I Barker, B Dahlberg, K Fulton, S Walker and Ms G Paine

In Attendance: Group Manager Environmental Management (C Barton), Group Manager Strategy and Communications (N McDonald) and Governance Adviser (J Brandt) and Youth Councillor (C Rollo)

Leave of absence: Her Worship the Mayor R Reese on Council business

Apologies: Councillor K Fulton for lateness

### **1. Apologies**

An apology for lateness was tendered by Councillor K Fulton.

### **2. Confirmation of Order of Business**

There was no change to the order of business.

### **3. Interests**

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

### **4. Public Forum**

#### **4.1 Jane Murray - Nelson Marlborough Health - Gambling Policy Review**

Ms Murray spoke about the health and social impacts on families and deprived communities associated with gambling machines. She further noted that Nelson Marlborough Health was in support of Council consulting with the community about this policy and would like to make a submission.

Attendance: Councillor Fulton joined the meeting at 9.06a.m.

## 5. Confirmation of Minutes

5.1 5 July 2018

Document number M3610, agenda pages 6 - 10 refer.

Resolved PR/2018/046

***That the Planning and Regulatory Committee***

***Confirms the minutes of the meeting of the Planning and Regulatory Committee, held on 5 July 2018, as a true and correct record.***

McGurk/Walker

Carried

## 6. Chairperson's Report

There was no Chairperson's report.

## 7. Implementation of the Freedom Camping Bylaw

Document number R9512, agenda pages 11 - 34 refer.

Executive Officer, Michelle Joubert presented the report.

Brent Edwards, Manager Environmental Inspections (EIL) answered questions about enforcement of the Freedom Camping bylaw, i.e. the issue with the recovery of fines from non-NZ residents in cases of non-payment; interactions with homeless people, and challenges to EIL staff through abusive behaviour.

Resolved PR/2018/047

***That the Planning and Regulatory Committee***

***Receives the report Implementation of the Freedom Camping Bylaw (R9512) and its attachment (A1845805); and***

***Agrees that any potential review of the Freedom Camping Bylaw 2017 will commence after the findings of the Government's Freedom Camping Working Group have been published.***

Acland/Dahlberg

Carried

## 8. Review of Council's Gambling Policy

Document number R9358, agenda pages 35 - 87 refer.

Policy Adviser, Gabrielle Thorpe presented the report and supporting Powerpoint slides (attached A2035602).

Discussion took place whether a more open consultation process could be facilitated.

Group Manager Strategy and Communications, Nicky McDonald noted that Council was required to use the special consultative procedure (SCP) as described under the Local Government Act 2002 (83) and that the SCP required Council to prepare a Statement of Proposal which identified a preferred option.

The meeting was adjourned from 10.21a.m. to 10.34a.m.

Councillor Dahlberg moved the officer's recommendation, seconded by Ms Paine.

### Recommendation

*That the Planning and Regulatory Committee*

*Receives the report Review of Council's Gambling Policy (R9358) and its attachments (A1971833 and A2008367); and*

*Notes that a review of the Council's Gambling Policy, which is required under the Gambling Act 2003 and Racing Act 2003, has been undertaken and is outlined in this report.*

### Recommendation to Council

*That the Council*

*Approves the Statement of Proposal to Amend the Gambling Policy (A2008367) for public consultation; and*

*Agrees that a summary of the Statement of Proposal Gambling Policy Review is not required; and*

*Approves the proposed process and timeframes for consultation set out in the report Review of Council's Gambling Policy (R9358).*

Discussion took place regarding option 2 of the report, i.e. the introduction of a sinking lid, which would result in no new gaming venues to be established, supporting harm minimisation.

Ms McDonald noted that the sinking lid had been proposed in the 2012 Gambling Policy review, and that this had not been favoured, with 52 submissions received against the sinking lid approach.

Councillor Acland, seconded by Councillor Fulton, moved an amendment to the motion.

Recommendation

*That the Planning and Regulatory Committee*

*Receives the report Review of Council's Gambling Policy (R9358) and its attachments (A1971833 and A2008367); and*

*Notes that a review of the Council's Gambling Policy, which is required under the Gambling Act 2003 and Racing Act 2003, has been undertaken and is outlined in this report; and*

*Amends the draft Statement of Proposal to reflect the Committee's preferred option 2.*

Recommendation to Council

*That the Council*

*Approves the amended Statement of Proposal to Amend the Gambling Policy (A2008367) for public consultation; and*

*Agrees that a summary of the Statement of Proposal Gambling Policy Review is not required; and*

*Approves the proposed process and timeframes for consultation set out in the report Review of Council's Gambling Policy (R9358).*

The motion was put and lost.

Further discussion took place regarding the number of gaming machines per new venue. It was suggested that option 3 of the report be considered along with options 1 and 4 in the Statement of Proposal, to help change the atmosphere of venues and make gaming less dominant.

Councillor Fulton, seconded by Councillor Acland, moved an amendment to the motion.

Recommendation

*That the Planning and Regulatory Committee*

*Receives the report Review of Council's Gambling Policy (R9358) and its attachments (A1971833 and A2008367); and*

*Notes that a review of the Council's Gambling Policy, which is required under the Gambling Act 2003 and Racing Act 2003, has been undertaken and is outlined in this report; and*

*Amends the draft Statement of Proposal to also include option 3, changing the number of gaming machines from nine to five for new venue applications within clause 1.2.2.*

Recommendation to Council

*That the Council*

*Approves the amended Statement of Proposal to Amend the Gambling Policy (A2008367) for public consultation; and*

*Agrees that a summary of the Statement of Proposal Gambling Policy Review is not required; and*

*Approves the proposed process and timeframes for consultation set out in the report Review of Council's Gambling Policy (R9358).*

The amendment was carried and became the substantive motion.

The substantive motion was put.

Resolved PR/2018/048

***That the Planning and Regulatory Committee***

***Receives the report Review of Council's Gambling Policy (R9358) and its attachments (A1971833 and A2008367); and***

***Notes that a review of the Council's Gambling Policy, which is required under the Gambling Act 2003 and Racing Act 2003, has been undertaken and is outlined in this report; and***

***Amends the draft Statement of Proposal to also include option 3, changing the number of gaming machines from nine to five for new venue applications within clause 1.2.2.***

Fulton/Acland

Carried

Recommendation to Council PR/2018/049

***That the Council***

***Approves the amended Statement of Proposal to Amend the Gambling Policy (A2008367) for public consultation; and***

***Agrees that a summary of the Statement of Proposal Gambling Policy Review is not required; and***

***Approves the proposed process and timeframes for consultation set out in the report Review of Council's Gambling Policy (R9358).***

Fulton/Acland

Carried

**Attachments**

1 A2035602 - Survey Results - Powerpoint presentation

**9. National Policy Statement on Urban Development Capacity - Quarterly Monitoring Report to March 2018**

Document number R9571, agenda pages 88 - 110 refer.

Team Leader City Development, Lisa Gibellini presented the report.

Resolved PR/2018/050

***That the Planning and Regulatory Committee:***

***Receives the report National Policy Statement on Urban Development Capacity - Quarterly Monitoring Report to March 2018 (R9571) and its attachment (A2019000); and***

***Agrees to the report being circulated to the Ministry of Business, Innovation and Employment and placed on Council's website.***

Dahlberg/Walker

Carried

**10. Environmental Management Report for 1 April - 30 June 2018**

Document number R9348, agenda pages 111 - 151 refer.

Manager Consents and Compliance, Mandy Bishop, Manager Environment, Matt Heale, Manager Building, Martin Brown, Team Leader City Development, Lisa Gibellini and Team Leader Science and Environment, Jo Martin presented the report.

A correction to agenda page 123, item 8.13, was noted. The adoption of the Environment Activity Management Plan 2018-2028 would be included in a future Planning and Regulatory Committee agenda, not the current one as stated.

A verbal update on legal proceedings was provided.

It was noted that the format of the Nelson District Licensing Committee annual report would change in future.

Resolved PR/2018/051

***That the Planning and Regulatory Committee:***

***Receives the Environmental Management Report for 1 April - 30 June 2018 (R9348) and its attachments (A1985228, A2002980, A2002680, A1786147 and A2002639); and***

***Approves the Nelson City Council Dog Control Activity Report 2017-2018 in Attachment 2 to Report R9348 (A2002980); and***

***Approves the Nelson District Licensing Committee Annual Report 2017-2018 in Attachments 3 to 5 to Report R9348 (A2002680, A1786147 and A2002639).***

Barker/Fulton

Carried

There being no further business the meeting ended at 11.11a.m.

Confirmed as a correct record of proceedings:

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