



Minutes of a meeting of the Nelson City Council

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

On Tuesday 27 August 2019, commencing at 9.03a.m. - to deliberate on submissions to the Declaration of a Pedestrian Mall - Upper Trafalgar Street

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

In Attendance: Chief Executive (P Dougherty), Group Manager Infrastructure (A Louverdis), Group Manager Environmental Management (C Barton), and Governance Adviser (E Stephenson)

Apologies : Deputy Mayor P Matheson

Opening Prayer

Councillor Noonan gave the opening prayer.

1 Apologies

Resolved CL/2019/171

That the Council

Receives and accepts an apology from Deputy Mayor P Matheson.

Her Worship the Mayor/Courtney

Carried

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

There was no public forum.

5. Mayor's Report

There was no Mayor's Report.

6. Confirmation of Minutes

Attendance: Councillor Fulton entered the meeting at 9.05a.m.

Document number R10430, agenda pages 7 - 11 refer.

Note that the minutes that were confirmed were amended slightly from the agenda to show that Her Worship the Mayor was present and the Deputy Mayor was not.

Resolved CL/2019/172

That the Council

- 1. Confirms the minutes of the 6 August 2019 Council meeting as true and correct.***

McGurk/Walker

Carried

7. Upper Trafalgar Street - Pedestrian Mall Declaration - Council Deliberations

Document number R10370, agenda pages 12 - 39 refer.

Team Leader City Development, Lisa Gibellini, highlighted that the majority of submitters were in support of the proposal and that issues raised in submissions could be addressed in the design, which had not been done yet as no decision had been made. Ms Gibellini said that to assist Council to have confidence that those matters could be addressed, a design brief would be bought back to the City Centre Committee, before the final design was implemented. She noted that officers were proposing a light touch for this summer whilst the design work was undertaken.

Membership and future delegations of the City Centre Committee was discussed.

In response to a question regarding the process to gain access for maintenance and building work via the delegation to the Group Manager Infrastructure in recommendation clause 3, Ms Gibellini said that it was envisaged that access requests would be an enquiry through Customer Services that would be forwarded to the Group Manager Infrastructure,

who would approve or not by email, it was not proposed to be a formal process.

A suggestion was made to add the word 'owners' to clause 8 – to read 'businesses, owners and occupiers' and this was incorporated with the agreement of the meeting.

Ms Gibellini answered further questions regarding delegations and indicative design ratio between the private space and the public space, access and flexible access delegations for unforeseen circumstances.

Further discussion took place regarding bikes and e-bikes accessing the space and Ms Gibellini advised that a design response was the preferred option to control cycle speed in the area. Councillor Rutledge foreshadowed an amendment requiring cyclists to dismount and walk through the area.

In response to a question why, taking into account differing views from submitters, officers were recommending creating a performance space rather than considering providing for one, a change was made to clause 4 to change 'provide' to 'consider providing' with the agreement of the meeting.

Ms Gibellini advised that because the consultation had been to exclude motor vehicles and had not included the exclusion of bikes or electric bikes, she felt that the proposed exemption was beyond the scope of what was being considered today and would seek legal advice on this issue during the break. Team Leader Transport Activity Management, Sue McAuley, felt that requiring cyclists to dismount would be impossible to enforce and was better dealt with through good design. Councillor Rutledge clarified that enforcement was not his intention, but rather expectation, social pressure and signage.

City Centre Development Programme Lead, Alan Gray, answered questions and discussion took place regarding the range of activities and experiences, permanent via temporary closures, budgets, a winter trial, charges for business space and consistency throughout the city.

In response to a question, Ms Gibellini confirmed that Council could review the pedestrian mall declaration at any time via a special consultative procedure.

Further discussion took place regarding practicality of access for unforeseen events, encouraging dismounting rather than via rules and promoting behaviour through design and polite reminders, including no smoking signage. Ms Gibellini noted that there was a separate process to develop a no-smoking policy and that this was outside of the consultation and therefore beyond the scope of this matter.

Ms Gibellini and Ms McAuley answered further questions regarding pedestrian walkways, the extent of the mall area, traffic volumes and management and business equity.

Attendance: Councillor Dahlberg left the meeting from 9.53a.m. until 9.56a.m.

Questions were answered about road closures under temporary traffic management during events and the number of complaints regarding cyclists in pedestrian areas during summer closures, winter activation and budget.

In response to a question whether allowing bikes, e-bikes and skateboards through a pedestrian mall would be in contravention of any bylaws, it was reiterated that advice would be obtained regarding vehicle access however, it was noted that the pedestrian mall declaration was very specific.

In response to concerns regarding child safety, officers noted that this factor could be added to the design brief.

Ms Gibellini reiterated that officers were advocating a design solution for a smart little city, not trying to design by regulation. In response to a question whether it was within scope to consider a submission that requested no cycles, Ms Gibellini advised that Council would not be able to prohibit cyclists, but it would be within scope to design something to take those submissions into consideration.

Chief Executive, Pat Dougherty advised that if a decision was made today to proceed then officers would proceed with the design using expert advice and suggested that officers then seek the support of the City Centre Committee, currently comprised of the Mayor, Councillor Lawrey and Councillor Noonan and this was incorporated into clause 8 of the recommendation.

The meeting was adjourned at 10.26a.m. and reconvened at 10.45a.m.

After obtaining advice, Ms Gibellini clarified that it was felt that lengthening the vehicle exemptions could put the decision at risk and officers recommended leaving clause 2 of the recommendation as it was.

Group Manager Environmental Management, Clare Barton, suggested an additional clause to request that officers report back, to include looking at whether additional exemptions may be required and this was incorporated into the recommendation.

Mr Dougherty confirmed that it was beyond the scope to prohibit vehicles other than motor vehicles as there was a risk that the rest of the community did not know that this was being considered.

It was clarified that Council does not currently have a smoke-free policy and this was not part of this consultation. Officers recommended waiting for the outcome of the work taking place with the District Health Board as this was a separate issue and would include the whole city.

A proposed amendment regarding smoke free was ruled as not relevant, and it was requested that the following words be recorded in the minutes:

That Council encourages officers to pursue enabling the space to become smoke-free, and to include progress in future reports reviewing the pedestrian mall.

Councillor Lawrey, seconded by Councillor McGurk, moved the following motion, which incorporated the agreed changes.

That the Council

1. *Receives the report Upper Trafalgar Street - Pedestrian Mall Declaration - Council Deliberations (R10370) and its attachment (A2240962); and*
2. *Approves the declaration of Trafalgar Street between Hardy Street and Selwyn Place as a Pedestrian Mall prohibiting motor vehicles 365 days a year with exemptions to enable:*
 - (a) *access by emergency, litter collection, maintenance and street cleaning vehicles at any time;*
 - (b) *access by delivery and service vehicles between the hours of 6am and 8am;*
 - (c) *access by other vehicles required for the purposes of maintenance and building work relating to any property on Upper Trafalgar Street as approved by the Group Manager Infrastructure on a case by case basis; and*
3. *Approves delegation to the Group Manager Infrastructure for the authority to approve vehicle access to Upper Trafalgar Street for the purposes of maintenance and building work relating to any property on Upper Trafalgar Street; and*
4. *Directs officers, through the Upper Trafalgar Street design brief in Attachment 1 (A2240962), to consider providing for a performance area(s) that can be booked via Council's customer service centre; and*
5. *Directs officers, through the city centre programme, to look at ways to achieve public space amenity gains in other areas of the city centre; and*
6. *Directs officers, through the design brief in Attachment 1 (A2240962), to provide alternative mobility parks and*

drop off space and encourage slow speeds for bicycles and other mobility devices; and

7. *Directs officers to use the design brief in Attachment 1 (A2240962) to ensure design outcomes for the Pedestrian Mall address issues raised by submitters; and*
8. *Directs officers to consult with the businesses, owners and occupiers in Upper Trafalgar Street and the City Centre Focus Group during development of the both the light touch design and final design of the Pedestrian Mall and seek the support of the City Centre Committee, currently comprising Her Worship the Mayor, Councillor Lawrey and Councillor Noonan.*
9. *Requests officers to report back by June 2021 on the closure of Upper Trafalgar Street and any issues during the closure including interaction between pedestrians, bicycles and other mobility devices; and any feedback received on specified exemptions; and*
11. *Approves that the Officer Delegations Manual be updated to reflect the above decisions.*

Lawrey/McGurk

Councillor Rutledge, seconded by Councillor Noonan, moved an amendment.

The amendment was debated.

Attendance: Councillor Noonan left the meeting from 11.32a.m. until 11.34a.m.

The meeting was adjourned at 11.35a.m. and reconvened at 11.38a.m.

That the Council

1. *Receives the report Upper Trafalgar Street - Pedestrian Mall Declaration - Council Deliberations (R10370) and its attachment (A2240962); and*
2. *Approves the declaration of Trafalgar Street between Hardy Street and Selwyn Place as a Pedestrian Mall prohibiting vehicles 365 days a year with exemptions to enable:*
 - (a) *access by emergency, litter collection, maintenance and street cleaning vehicles at any time;*
 - (b) *access by delivery and service vehicles between the hours of 6am and 8am;*

- (c) *access by other vehicles required for the purposes of maintenance and building work relating to any property on Upper Trafalgar Street as approved by the Group Manager Infrastructure on a case by case basis; and*
 - (d) *ability for people to walk their bikes, scooters and other micro-mobility vehicles through the pedestrian area.*
 - (e) *access for medically required mobility scooters*
3. *Approves delegation to the Group Manager Infrastructure for the authority to approve vehicle access to Upper Trafalgar Street for the purposes of maintenance and building work relating to any property on Upper Trafalgar Street; and*
 4. *Directs officers, through the Upper Trafalgar Street design brief in Attachment 1 (A2240962), to consider provision for a performance area(s) that can be booked via Council's customer service centre; and*
 5. *Directs officers, through the city centre programme, to look at ways to achieve public space amenity gains in other areas of the city centre; and*
 6. *Directs officers, through the design brief in Attachment 1 (A2240962), to provide alternative mobility parks and drop off space and encourage walking of bicycles and other micro-mobility devices;*
 7. *Directs officers to use the design brief in Attachment 1 (A2240962) to ensure design outcomes for the Pedestrian Mall address issues raised by submitters; and*
 8. *Directs officers to consult with the businesses and occupiers in Upper Trafalgar Street and the City Centre Focus Group during development of the both the light touch design and final design of the Pedestrian Mall and seek the support of the City Centre Committee, currently comprising Her Worship the Mayor, Councillor Lawrey and Councillor Noonan.*
 9. *Requests officer to report back by June 2021 on the closure of Upper Trafalgar Street and any issues during the closure including pedestrian/cycle interaction; and*
 10. *Approves that the Officer Delegations Manual be updated to reflect the above decisions.*

Rutledge/Noonan

The amendment was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Absent</u>
Cr Barker	Her Worship the Mayor Reese	Cr Matheson
Cr Dahlberg	(Chairperson)	
Cr Noonan	Cr Acland	
Cr Rutledge	Cr Courtney	
Cr Skinner	Cr Fulton	
Cr Walker	Cr Lawrey	
	Cr McGurk	

The amendment was equal 6 - 6. LOST

The substantive motion was put.

Resolved CL/2019/173

That the Council

1. ***Receives the report Upper Trafalgar Street - Pedestrian Mall Declaration - Council Deliberations (R10370) and its attachment (A2240962); and***
2. ***Approves the declaration of Trafalgar Street between Hardy Street and Selwyn Place as a Pedestrian Mall prohibiting motor vehicles 365 days a year with exemptions to enable:***
 - (a) ***access by emergency, litter collection, maintenance and street cleaning vehicles at any time;***
 - (b) ***access by delivery and service vehicles between the hours of 6am and 8am;***
 - (c) ***access by other vehicles required for the purposes of maintenance and building work relating to any property on Upper Trafalgar Street as approved by the Group Manager Infrastructure on a case by case basis; and***
3. ***Approves delegation to the Group Manager Infrastructure for the authority to approve vehicle access to Upper Trafalgar Street for the purposes of maintenance and building work relating to any property on Upper Trafalgar Street; and***

4. **Directs officers, through the Upper Trafalgar Street design brief in Attachment 1 (A2240962), to consider providing for a performance area(s) that can be booked via Council's customer service centre; and**
5. **Directs officers, through the city centre programme, to look at ways to achieve public space amenity gains in other areas of the city centre; and**
6. **Directs officers, through the design brief in Attachment 1 (A2240962), to provide alternative mobility parks and drop off space and encourage slow speeds for bicycles and other mobility devices; and**
8. **Directs officers to use the design brief in Attachment 1 (A2240962) to ensure design outcomes for the Pedestrian Mall address issues raised by submitters; and**
9. **Directs officers to consult with the businesses, owners and occupiers in Upper Trafalgar Street and the City Centre Focus Group during development of the both the light touch design and final design of the Pedestrian Mall and seek the support of the City Centre Committee, currently comprising Her Worship the Mayor, Councillor Lawrey and Councillor Noonan.**
9. **Requests officers to report back by June 2021 on the closure of Upper TRAFALGAR Street and any issues during the closure including interaction between pedestrians, bicycles and other mobility devices; and any feedback received on specified exemptions; and**
11. **Approves that the Officer Delegations Manual be updated to reflect the above decisions.**

The substantive motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Absent</u>
Her Worship the Mayor Reese (Chairperson) Cr Acland	Nil	Cr Matheson

Cr Barker
Cr Courtney
Cr Dahlberg
Cr Fulton
Cr Lawrey
Cr McGurk
Cr Noonan
Cr Rutledge
Cr Skinner
Cr Walker

The substantive motion was carried 12-0

Lawrey/McGurk

Carried

There being no further business the meeting ended at 12.11p.m.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date