



Minutes of a meeting of the

Nelson City Council

Te Kaunihera o Whakatū

Held in the Council Chamber, Floor 2A, Civic House, 110 Trafalgar Street, Nelson on Thursday 17 August 2023, commencing at 9.01a.m.

Present: His Worship the Mayor N Smith (Chairperson), Councillors M Anderson, M Benge, T Brand, M Courtney, J Hodgson, K Paki Paki, P Rainey, C Rollo, R Sanson, T Skinner and A Stallard

In Attendance: Chief Executive (N Philpott), Group Manager Infrastructure (A Louverdis), Governance Adviser (K Libeau) and Assistant Governance Adviser (A Bryce)

Apology: An apology has been received from Councillor R O'Neill-Stevens

Karakia and Mihi Timatanga

1. Apologies

Resolved CL/2023/190

That the Council

- 1. Receives and accepts an apology from Councillor R O'Neill-Stevens.***

His Worship the Mayor/Rainey

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. **Confirmation of Minutes - 23 June 2023**

Document number R27887, late items agenda pages 2 - 4 refer.

Resolved CL/2023/191

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 23 June 2023, as a true and correct record.***

His Worship the Mayor/Courtney

Carried

6. **Draft Traffic and Parking Bylaw - Deliberations Report**

Document number R27450, agenda pages 4 - 76 refer.

Group Manager Infrastructure, Alec Louverdis, and Team Leader Transport Activity Management, Drew Bryant, took the report as read. They outlined that the majority of submissions received were in regards to the long term parking of motorhomes and the ability to park on berms. They confirmed the officers' recommendation included the removal of clause 39 to allow for long term parking of motorhomes.

During discussion about long term parking of motorhomes Mr Louverdis and Mr Bryant answered questions on the availability of alternate measures to manage motorhome parking in the Traffic and Parking Bylaw where there was a safety hazard, whether the provisions of the Land Transport Act had previously successfully been applied to move vehicles, whether the motorhomes to be regulated under the initial clause 39 were inhabited or uninhabited, whether a night light was required when parked on the road overnight, the efficacy of traffic and parking bylaws used around New Zealand and the bylaw review requirements.

In response to questions Mr Bryant advised that contrary to the current bylaw provisions, the proposed bylaw would prohibit parking on berms unless a specific area was exempted. He also clarified that certain wheeled recreational vehicles with a wheel diameter below the threshold could be used on footpaths, subject to bylaw restrictions. It was noted that this clause should only apply to urban areas and clause 37.1 was amended to reflect this.

The meeting adjourned from 10:25a.m. until 10:33a.m.

During discussion on clause 38 which would prohibit parking a vehicle for the purpose of advertising a good or service; promoting a candidate for election; or advertising, offering or displaying the vehicle for sale, the difficulty for enforcement officers to differentiate between a situation

where a vehicle was parked on the side of the road for the purpose of advertising or a situation where the vehicle was parked on the side of the road for another reason and due to having advertising on the vehicle would be caught by the bylaw. It was agreed that this clause be removed from the proposed bylaw.

His Worship the Mayor Hon Dr Smith moved the amended officer's motion, seconded by Councillor Rainey.

That the Council

1. Receives the report Draft Traffic and Parking Bylaw - Deliberations Report (R27450) and its attachments (1862260321-57986 and 1862260321-57989); and
2. Approves amendments to the Draft Traffic and Parking Bylaw 2023 (1862260321-57989) including:

the addition of the words "in an urban area" to clause 37.1(a); and
3. Approves amendments to the Draft Traffic and Parking Bylaw 2023 (1862260321-57989) including:

removal of Clause 38; and
4. Delegates authority to make any minor changes to the Draft Traffic and Parking Bylaw 2023 (1862260321-57989) to the Chief Executive; and
5. Adopts the Traffic and Parking Bylaw 2023 (1862260321-57989) effective from 3 November 2023; and
6. Updates the Officer Delegations Register to reflect the provisions under Clause 28 (temporary discontinuance or restriction of parking spaces).

The implications of including the powers Waka Kotahi had delegated to Council to manage a section of State Highway between Peace Grove Car Park and the Annesbrook roundabout were discussed and it was proposed to delete clauses 5.1(b) and 5.2 from the bylaw.

Councillor Rollo, seconded by Councillor Benge proposed an amendment to reflect removing the delegated Waka Kotahi powers. The amendment was put, and a division was called.

The meeting adjourned from 12:05p.m. until 12:20p.m.

Amendment

That the Council

1. Receives the report Draft Traffic and Parking Bylaw - Deliberations Report (R27450) and its attachments (1862260321-57986 and 1862260321-57989); and
2. Approves amendments to the Draft Traffic and Parking Bylaw 2023 (1862260321-57989) including:

the addition of the words "in an urban area" to clause 37.1(a); and
3. Approves amendments to the Draft Traffic and Parking Bylaw 2023 (1862260321-57989) including:

removal of Clause 38; and
4. Approves a further amendment to the Draft Traffic and Parking Bylaw 2023 (1862260321-57989) to remove clause 5.1(b) and 5.2; and
5. Delegates authority to make any minor changes to the Draft Traffic and Parking Bylaw 2023 (1862260321-57989) to the Chief Executive; and
6. Adopts the Traffic and Parking Bylaw 2023 (1862260321-57989) effective from 3 November 2023; and
7. Updates the Officer Delegations Register to reflect the provisions under Clause 28 (temporary discontinuance or restriction of parking spaces).

The amendment was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained/Interest</u>
Cr Benge	Cr Smith	
Cr Brand	(Chairperson)	
Cr Courtney	Cr Anderson	
Cr Paki Paki	Cr Hodgson	
Cr Rollo	Cr Rainey	
Cr Skinner	Cr Sanson	
	Cr Stallard	

The amendment was equal 6 – 6, therefore the motion was lost.

Rollo/Benge

Lost

The original motion remained the substantive motion. The motion was put in parts and a division was called.

Resolved CL/2023/192

That the Council

- 1. Receives the report Draft Traffic and Parking Bylaw - Deliberations Report (R27450) and its attachments (1862260321-57986 and 1862260321-57989); and***
- 2. Approves amendments to the Draft Traffic and Parking Bylaw 2023 (1862260321-57989) including:

the addition of the words "in an urban area" to clause 37.1(a); and***

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained/Interest</u>
Cr Smith (Chairperson)	Cr Benge	
Cr Anderson	Cr Brand	
Cr Courtney	Cr Skinner	
Cr Hodgson		
Cr Paki Paki		
Cr Rainey		
Cr Rollo		
Cr Sanson		
Cr Stallard		

The motion was carried 10-3.

- 3. Approves amendments to the Draft Traffic and Parking Bylaw 2023 (1862260321-57989) including:

removal of Clause 38; and***
- 4. Delegates authority to make any minor changes to the Draft Traffic and Parking Bylaw 2023 (1862260321-57989) to the Chief Executive; and***
- 5. Adopts the Traffic and Parking Bylaw 2023 (1862260321-57989) effective from 3 November 2023; and***
- 6. Updates the Officer Delegations Register to reflect the provisions under Clause 28 (temporary discontinuance or restriction of parking spaces).***

His Worship the Mayor/Rainey

Carried

Karakia Whakamutanga

There being no further business the meeting ended at 12:43p.m.

Confirmed as a correct record of proceedings by resolution on 14 September 2023.

Resolved

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 17 August 2023, as a true and correct record.***