



AGENDA

Extraordinary meeting of the

Planning and Regulatory Committee

**Thursday 23 March 2017
Commencing at 8.45am
Council Chamber
Civic House
110 Trafalgar Street, Nelson**

Membership: Councillor Brian McGurk (Chairperson), Her Worship the Mayor Rachel Reese (Chairperson), Councillors Luke Acland, Ian Barker, Bill Dahlberg, Kate Fulton, Stuart Walker and Ms Glenice Paine

Guidelines for councillors attending the meeting, who are not members of the Committee, as set out in Standing Orders:

- All councillors, whether or not they are members of the Committee, may attend Committee meetings (SO 2.12.2)
- At the discretion of the Chair, councillors who are not Committee members may speak, or ask questions about a matter.
- Only Committee members may vote on any matter before the Committee (SO 3.14.1)

It is good practice for both Committee members and non-Committee members to declare any interests in items on the agenda. They should withdraw from the room for discussion and voting on any of these items.



1. Apologies

Nil

2. Confirmation of Order of Business

3. Interests

3.1 Updates to the Interests Register

3.2 Identify any conflicts of interest in the agenda

4. Public Forum

Nil

POLICY AND PLANNING

5. City Amenity Bylaw

4 - 6

Document number R7364

Recommendation

That the Committee

***Receives the report City Amenity Bylaw (R7364);
and***

***Refers to Council all powers of the Planning and
Regulatory Committee relating to a City Amenity
Bylaw.***



City Amenity Bylaw

1. Purpose of Report

- 1.1 To refer to Council all matters relating to a potential City Amenity Bylaw.

2. Recommendation

That the Committee

Receives the report City Amenity Bylaw (R7364); and

Refers to Council all powers of the Planning and Regulatory Committee relating to a City Amenity Bylaw.

3. Discussion

- 3.1 The Planning and Regulatory Committee has delegated authority to consider matters relating to bylaws.
- 3.2 The matter of a City Amenity Bylaw covers issues of considerable interest to the public of Nelson. It therefore seems appropriate for the full Council to have an active role in the entire process of considering a potential bylaw. To enable this, the Planning and Regulatory Committee can choose to refer to Council all powers relating to a City Amenity Bylaw.
- 3.3 The alternative is for the Planning and Regulatory Committee to consider all parts of the potential bylaw process that are covered by its delegations, before making the appropriate recommendations to Council. This would commence with the Planning and Regulatory Committee on 13 April 2017 making a recommendation to Council on whether to progress a potential bylaw and would mean a delay of six weeks in the commencement of the necessary statutory processes for a bylaw.

4. Options

The Committee can either refer this matter to Council or not:

Option 1: Refer matter to Council	
Advantages	<ul style="list-style-type: none"> • Engagement with entire process by full Council • Allows work on any Bylaw to commence earlier
Risks and Disadvantages	<ul style="list-style-type: none"> • Bylaws have been delegated to the Committee – more governance time required by full Council
Option 2: Do not refer matter to Council	
Advantages	<ul style="list-style-type: none"> • Relevant aspects of a potential bylaw rest with appropriate committee as per delegations register
Risks and Disadvantages	<ul style="list-style-type: none"> • Timing of decisions on any Bylaw will be delayed

Clare Barton

Group Manager Strategy and Environment

Attachments

Nil

Important considerations for decision making

1. Fit with Purpose of Local Government

Not applicable – this is an administrative matter.

2. Consistency with Community Outcomes and Council Policy

This is not inconsistent with Council policy.

3. Risk

Nil

4. Financial impact

Nil

5. Degree of significance and level of engagement

This matter is of low significance as it is an administrative matter and not a substantive decision.

6. Inclusion of Māori in the decision making process

Maori have not been involved in the decision making process.

7. Delegations

The Planning and Regulatory Committee has the responsibility for considering bylaws. The Committee has the power to refer any delegated matter to Council.