



# AGENDA

**Ordinary meeting of the**

**Nelson City Council**

**To hear submissions to  
the Draft City Amenity Bylaw**

**Wednesday 21 June 2017  
Commencing at 9.00am  
Council Chamber  
Civic House  
110 Trafalgar Street, Nelson**

Membership: Her Worship the Mayor Rachel Reese (Chairperson), Councillors Luke Acland, Ian Barker, Mel Courtney, Bill Dahlberg, Kate Fulton, Matt Lawrey, Paul Matheson, Brian McGurk, Gaile Noonan, Mike Rutledge, Tim Skinner and Stuart Walker

**Opening Prayer**

**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. Hearing of Submissions on the Draft City Amenity  
Bylaw**

4.1 Draft Hearing Schedule

Document number A1770825

An updated Hearing Schedule will be tabled at the meeting.

4.2 Index of Submissions – by name

Document number A1770750

This document has been circulated separately.

4.3 Index of Submissions – by submission number

Document number A1770725

This document has been circulated separately.

4.4 Copy of Submissions

Document number A1769515

This document has been circulated separately.

**5. Late Submissions on the Draft City Amenity Bylaw 4 - 14**

Document number R7936

Recommendation

***That the Council***

***Receives the report Late Submissions on the Draft City Amenity Bylaw (R7936) and its attachment (A1771441); and***

***Accepts the five late submissions on the Draft City Amenity Bylaw.***

**Note: Lunch will be provided at 12.30pm.**

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REPORT R7936

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## Late Submissions on the Draft City Amenity Bylaw

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### 1. Purpose of Report

- 1.1 To advise that five submissions were received after the closing date and recommending that the submissions be accepted.

### 2. Recommendation

*That the Council*

*Receives the report Late Submissions on the Draft City Amenity Bylaw (R7936) and its attachment (A1771441); and*

*Accepts the five late submissions on the Draft City Amenity Bylaw.*

### 3. Background

- 3.1 Five submissions were received after the closing date for submissions.
- 3.2 One person has indicated in their submission that they wish to speak in support of their submission.
- 3.3 In order for these submissions to be included in the formal decision-making process, and for the person wishing to speak in support of their late submission, it would be advisable for Council to pass the recommendations above.

Julie McDougall  
Administration Advisers

## Attachments

Attachment 1: A1771441 - Draft City Amenity Bylaw - total late submissions - 15Jun2017 [↓](#)

## Submission Summary

### Draft City Amenity Bylaw - Submission #13374

<b>Name</b>	Mr Vince Manley	<b>Phone</b>	
<b>Organisation</b>		<b>Mobile</b>	
<b>Designation</b>		<b>Email</b>	pandamuppet@gmail.com
<b>Address</b>	13 Peppin Avenue	<b>Status</b>	Accepted
<b>Town</b>	Nelson	<b>Received</b>	5/31/2017 12:00:00 AM
<b>Postcode</b>	7020		

### Subject Summary:

Department	Subject	Opinion	Summary
Other	Bylaw		See attached.

SUBMISSIONS CLOSE 5PM 29 MAY 2017

RECEIVED  
31 MAY 2017 13374-1  
NELSON CITY COUNCIL  
Customer Service

# DRAFT CITY AMENITY BYLAW CONSULTATION SUBMISSION FORM



Name Vinces Mackay Organisation represented (if applicable) PSA  
 Address 13 Poppo Ave Richmond  
 Phone \_\_\_\_\_ Email pendampet@gmail.com

Do you wish to speak at the hearing?  Yes  No *If you do not tick either, we will assume you do not wish to be heard.*

**Public Information:** All submissions (including the names and contact details of submitters) are public information and will be available to the public and media in various reports and formats including on the Nelson City Council website. Personal information will also be used for administration relating to the subject matter of submissions. Submitters have the right to access and correct any personal information included in any reports, information or submissions.

**Submission comments:**

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*Events held under the New Zealand Bill of Rights legislation*

*a/ To minimise disruption to pedestrians and other users, the organiser of any event evoking their rights & freedoms under New Zealand Bill of Rights legislation that is likely to interfere with traffic or pedestrian thoroughfare in a public place shall notify the Council as soon as reasonably practicable prior to the event.*

*b/ After receiving notification, the Council will provide relevant traffic management information to the organiser and/or Police.*

No!

*Please attach additional sheets if needed.*

Submissions can be made: Online at [nelson.govt.nz](http://nelson.govt.nz)

By post to Draft City Amenity Bylaw PO Box 645 Nelson 7010

By dropping off to: Civic House 110 Trafalgar Street Nelson

5. Late Submissions on the Draft City Amenity Bylaw - Attachment 1 - A1771441 - Draft City Amenity Bylaw - total late submissions - 15Jun2017

## Submission Summary

### Draft City Amenity Bylaw - Submission #13375

<b>Name</b>	Ms Amme Hiser	<b>Phone</b>	
<b>Organisation</b>	Nature Works	<b>Mobile</b>	020 411 37511
<b>Designation</b>	Nature Works	<b>Email</b>	amme.hiser@gmail.com
<b>Address</b>	75 Toi Toi Street	<b>Status</b>	Accepted
<b>Town</b>	Nelson	<b>Received</b>	5/31/2017 12:00:00 AM
<b>Postcode</b>	7010		

#### Subject Summary:

Department	Subject	Opinion	Summary
Other	Bylaw		See attached.

RECEIVED

31 MAY 2017

NELSON CITY COUNCIL  
Customer Services

SUBMISSIONS CLOSE 5PM 29 MAY 2017

# DRAFT CITY AMENITY BYLAW CONSULTATION SUBMISSION FORM



Name Amme Hise Organisation represented (if applicable) Nature Works  
 Address 75 Toitahi St.  
 Phone 02041137511 Email amme.hiser@gmail.com

Do you wish to speak at the hearing?  Yes  No *If you do not tick either, we will assume you do not wish to be heard.*

**Public Information:** All submissions (including the names and contact details of submitters) are public information and will be available to the public and media in various reports and formats including on the Nelson City Council website. Personal information will also be used for administration relating to the subject matter of submissions. Submitters have the right to access and correct any personal information included in any reports, information or submissions.

### Submission comments:

\_\_\_\_\_

\_\_\_\_\_

*Events held under the New Zealand Bill of Rights legislation*

~~a/ To minimise disruption to pedestrians and other users, the organiser of any event evoking their rights & freedoms under New Zealand Bill of Rights legislation that is likely to interfere with traffic or pedestrian thoroughfare in a public place shall notify the Council as soon as reasonably practicable prior to the event.~~

~~b/ After receiving notification, the Council will provide relevant traffic management information to the organiser and/or Police.~~

- Protest is a public right. It should not be regulated by the organisation potentially ~~at~~ creating the problem or issue!!

Done

*Please attach additional sheets if needed.*



Submissions can be made: Online at [nelson.govt.nz](http://nelson.govt.nz)



By post to Draft City Amenity Bylaw PO Box 645 Nelson 7010



By dropping off to: Civic House 110 Trafalgar Street Nelson

5. Late Submissions on the Draft City Amenity Bylaw - Attachment 1 - A1771441 - Draft City Amenity Bylaw - total late submissions - 15Jun2017

## Submission Summary

### Draft City Amenity Bylaw - Submission #13376

<b>Name</b>	Mr Pat Morrisey	<b>Phone</b>	
<b>Organisation</b>		<b>Mobile</b>	
<b>Designation</b>		<b>Email</b>	
<b>Address</b>	4 Pettit Place	<b>Status</b>	Accepted
<b>Town</b>	Nelson	<b>Received</b>	5/31/2017 12:00:00 AM
<b>Postcode</b>	7010		

#### Subject Summary:

Department	Subject	Opinion	Summary
Other	Bylaw		Please see attached.

4, PETTIT PLACE  
NELSON 2010

27.05.2017.

Dear Councillors,

I am concerned about the proposed new Bye Law curtailing peaceful (among other) protests. As a Quaker my right to peaceful protest is precious.

I ask you all to think again about the details of this Bye-Law.

Yours faithfully

H. Pat Mornisey

N.C.C. Councillors  
Civic Office,  
Nelson.

RECEIVED

31 MAY 2017

NELSON CITY COUNCIL



A SUGGESTION

## PROPOSED CITY AMENITY BYLAW

RECEIVED  
06 JUN 2017  
NELSON CITY COUNCIL

Please forgive my tardiness. I know the deadline for submissions has passed. I also know the Council could save themselves some hassle with a few measures.

1/ Section 13: "Sleeping in the City Centre". It is hard to define sleeping. It could cost the Council some money in legal fees. Better to say "sleeping or residing overnight on a footpath etc". Alternatively, "sleeping or dwelling" maybe.

2/ The protestors last Saturday 27/5/17 considered the power of the Council too arbitrary in the issuing of permits. Why not incorporate a simple review process? A Justice of the Peace might hear this, and make recommendations to the Council. This also protects the Council should it end up in court. (Then again, it might work against the NCC, and be the source of further argument.)

3/ The by-law has been criticised (by an eminent jurist) as being too vague or widely-written. Yet a wider drafting of a statute can facilitate the development of case law, which over time refines meaning and avoids contradictions. Human rights need room to evolve. In fact, the protest referred to above could be seen as an example of this.

4/ The protestors rail about the Bill of Rights. The Council has adequately addressed this. Somebody should point out to those concerned there is no such thing as an absolute freedom, in the Bill of Rights or anywhere else. Everything is relative. The CBD is a place of trade, and businesses as ratepayers and employers are entitled to consideration.

The Council has not caused this dismal squabble. It is also being whipped-up by a few locals - and possibly the media.

## Submission Summary

### Draft City Amenity Bylaw - Submission #13418

<b>Name</b>	Mr Gaire Thompson	<b>Phone</b>	027 2287 219
<b>Organisation</b>		<b>Mobile</b>	
<b>Designation</b>		<b>Email</b>	office@tpg1.co.nz
<b>Address</b>	1 Boulder Bank Drive	<b>Status</b>	Accepted
<b>Town</b>	Nelson	<b>Received</b>	6/15/2017 12:00:00 AM
<b>Postcode</b>			

#### Subject Summary:

Department	Subject	Opinion	Summary
Other	Bylaw		<p>Dear Sir/Madam</p> <p>Like many others I am very concerned at the Nelson Council's proposed by-law to control protests.</p> <p>When I first asked the Council to introduce a bylaw to limit the length of any protest I only suggested that this could be limited to approx 7 days over a 12 month period. This would be either as one block or over separate days.</p> <p>Together with others I am totally opposed to any involvement of Council staff issuing permits.</p> <p>This is over the top and an unnecessary cost to the ratepayer.</p> <p>From my experience this is another opportunity for the Council to assert their perceived power and influence while taking an excessively long time to do so. Let common sense prevail.</p> <p>Kind regards Gaire Thompson</p>