

Submissions to the Urban Environment Bylaw 2021

Nelson Urban Environments Bylaw

This Bylaw covers keeping of animals, urban amenity, trading in public places, control of alcohol in public places, reserves, and burial and cremations.



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Submission Summary

Urban Environment Bylaw - Submission #29695

Ms Jenni Komarovsky

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		I support the removal of golf at Neale Park due to health and safety considerations. Fast-flying missile and people enjoying walking and other sports, don't mix well.

Submission Summary

Urban Environment Bylaw - Submission #29698

Mr John-Paul Pochin

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		We should be creating more space for pedestrians and making it easier for people to cycle and walk around our city. Reducing space on footpaths and cluttering with more retail displays is not what a 'smart' progressive city would do. It would be great to have more more spaces to sit etc. but that should be in the space of car parking, not of pedestrians.

Submission Summary

Urban Environment Bylaw - Submission #29699

Mrs Anna Sintenie

Nelson South
Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>1. I oppose the proposal to Change the requirement (related to sandwich boards) of not reducing the width of the footpath available to pedestrians to clear footpath from 2m to 1.5m to align with the more recent provisions in the City Amenity Bylaw 2017.</p> <p>I oppose including a provision enabling Council to change its approach to sandwich boards and retail displays through a resolution so that Council can be more agile when issues arise.</p> <p>This is because when picking young children up from school by bike, and returning home with them, I need then to cycle on the footpath so that they don't get squashed by a car. if we are travelling through town, they are more a risk to themselves and others if signs are in the way. 1.5 is too narrow.</p> <p>2. I support the inclusion of controls on cats. These should be included. there are plenty of precedents (wellington city council, mandatory microchipping; New Plymouth city Council, limiting number of cats at a property to 3; Whanganui, desexing and microchipping required; Hamilton, Selwyn, Southland Auckland councils have also taken measures to address the issue of urban cats). Given that reserves are ubiquitous to Nelson city and it's identity is so closely linked to nearby environmental assets, the lack of controls on cats is a clear oversight, and falls behind other districts. It is particularly concerning that with the Brook Sanctuary near to the city.</p>

Submission Summary

Urban Environment Bylaw - Submission #29701

Ms Vicky Hawkey Kirby

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>I am very pleased to hear that golf practice will be stopped at Neale Park. It hasn't been safe for us to walk there and my husband and I avoid it when people are practicing their golf (they take up a large area of the park too). We also do not feel that we can walk our dogs on their leads at this time, so I welcome this change for safety.</p> <p>I would love to see the cessation of fishing at the back beach in Tahunanui as well. This is unsafe for dogs and also people. There are not many places where you can exercise dogs off lead and this area is designated for dog use. Fish smells and dogs are attracted to it. People can fish in so many places, and the fisher 'people' are often all along Rocks Road already. Fish hooks in peoples feet or in paws or muzzles is also a big safety issue that needs addressing.</p>

Submission Summary

Urban Environment Bylaw - Submission #29711

Ms Lisa Arden

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>We submit to include hospitality businesses along with retail to be able to have a small non permanent table or seat or sandwich board on the footpath without permit or payment provided 1.5m path is clear for footpath use.</p> <p>Thanks Lisa Arden</p>

Submission Summary

Urban Environment Bylaw - Submission #29716

Mrs Yvon Smits
owner Jewel Beetle

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>1. As retailers we would like a bylaw that forbids the use of amplifiers in the cbd for buskers. As a retailer it is sometimes hard to communicate with your customers with the amplified busking music coming in from the street.</p> <p>2.Can you clarify your rules in plain English. For example when you state: "Continue to occupy any place or site on a footpath or in any public place for longer than one hour continuously in any two hour period" what does that mean? Can the busker just move 10 meters up the road and play for another one hour or not?</p>

Submission Summary

Urban Environment Bylaw - Submission #29720

Mr Craig Harford

Atawhai
Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>Having been hit by a golf ball at Neale Park about 3 years ago I am very happy that Golf will finally be removed from Neale Park. I was hit by a golf ball that rebounded off a tree next to properties along North Rd. Had the ball not hit the tree the ball would have gone into the housing area. The golfer wasn't in the correct area hitting from in front of the North Rd Carpark.</p> <p>The park is often unusable as golfers take to the park hitting in all directions from different locations. Many golfers maintain they more entitled than other people by appearing to care little about other's safety.</p> <p>Am very happy for golf to stop as it defies all common sense why it was ever allowed on a public space in the first place.</p>

Submission Summary

Urban Environment Bylaw - Submission #29732

Mr Paul Dowers

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>To whom it may concern</p> <p>As a Rate payer I use the golf practice area and feel privileged to have this facility.</p> <p>I took the time to talk to a coach of the junior soccer teams and he was surprised of your proposal, as he did not see the golf practice area a problem.</p> <p>When the children come to play on the grounds I, and have noticed other golfers stop practicing and leave.</p> <p>From past experience some years ago when I played soccer, we played a game on an old dump site in Dunedin our goal keeper cut his knee. he contracted tetanus spent 18 months in hospital almost died, are these children vaccinated far more important than a golf ball.</p> <p>There are going to be far more injuries from playing physical games on the grounds than any golf ball injury, which in my opinion is not likely to occur. So, are you going to ban sports?</p> <p>Dogs run around unleashed this does not worry me as long as they don't urinate on by golf bag, I hope they don't bite a child!</p> <p>As far as the neighbours are concerned the practice area is a long way from them, they don't even enter the equation.</p> <p>Perhaps you could make the practice area more defined so as to appease the complainants</p> <p>Please do not stop golfers practicing at Neale Park lets share and live in harmony.</p> <p>Yours Sincerely Paul Dowers.</p>

Submission Summary

Urban Environment Bylaw - Submission #29733

Ms Jan Blythe

The Wood
Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>Kia Ora</p> <p>I would like to add a submission about golf players on Neale Park.</p> <p>I live in the back house at 11 North Rd. The property backs onto Neale Park.</p> <p>I regularly take my grandchildren out the back gate into the park.</p> <p>Offtentimes there are golfers practicing on the fields. They do not seem to pay attention to who might be entering the park from these properties.</p> <p>Not infrequently I find golf balls in my back yard and I am quite surprised that a window hasn't been broken. The last one ended up behind my house about halfway up. The force to get it that far would have been considerable.</p> <p>My neighbours also have small children and dogs who are unpredictable. The golfers don't seem to take any notice of them and continue playing. It is very lucky that no one has been hit in the head by a golf ball. My neighbours son had a very close call a couple of months ago.</p> <p>I have nothing against golf as a game, but feel this is a health and safety risk especially for those of us who enter the park from our back gardens. Perhaps it need something like the cricket nets at the Centre of New Zealand park.</p> <p>On occasions the golfers can be quite rude when approached.</p> <p>Thank you for your interest in this matter.</p> <p>Yours faithfully Jan Blythe</p>

Submission Summary

Urban Environment Bylaw - Submission #29739

Ms Karen Wilson

Blind Citizens NZ Nelson Branch

N/A

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>Good morning</p> <p>Please find attached Blind Citizens NZ Nelson branch Submission on the Draft Amended Urban Environments Bylaw.</p> <p>We thank the Nelson City Council for this opportunity to comment on this Bylaw and we wish to speak in support of our submission by addressing Council at the hearing in early 2022.</p> <p>If you have questions or require clarification please contact us.</p> <p>Kind Regards</p> <p>Karen Wilson Blind Citizens NZ Nelson Branch Committee</p>

**Blind Citizens NZ**

Blind Citizens NZ Nelson Branch

Submission to the Draft Amended Urban Environments Bylaw

Blind Citizens NZ Nelson Branch would like to thank the Nelson City Council (NCC) for the opportunity to participate in the Draft Amended Urban Environments Bylaw, from the perspective of the blind and low vision community.

In particular, our submission deals with the need for a 'continuous accessible path of travel' as per the Blind Low Vision NZ Position Statement (Attachment 1 – Clearing Our Way Guide Section 3.2.1) and Part 5 Trading in Public Places of the NCC Draft Amended Urban Environments Bylaw.

Continuous Accessible Path of Travel:

Background:

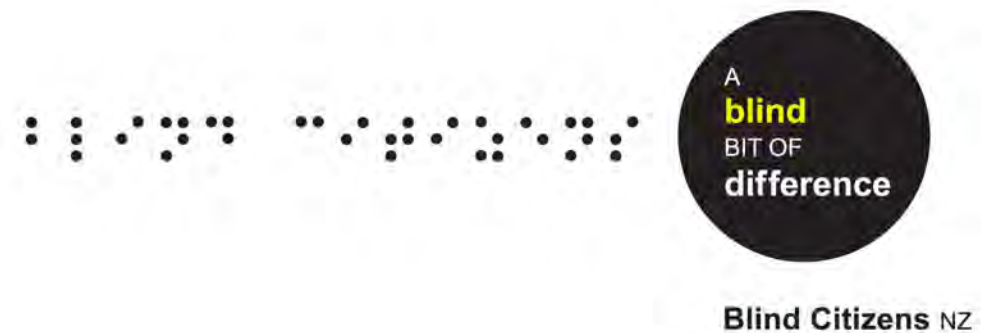
Quoting from Blind Low Vision NZ's position statement 'The continuous accessible path of travel defines the area where the pedestrian route is safe and convenient for everyone, especially people with impaired mobility, and people who are blind or have low vision. It has even surfaces, gentle slopes and is free of permanent and temporary obstacles at all times. The preferred width is 1.8 metres (minimum width 1.5 metres), but wider is beneficial on busy footpaths.'

As an example of how crowded the footpaths in the Nelson Central Business District have become; in a survey undertaken by our organisation on Thursday 19th November 2021 between 10:20a.m. and 12:30p.m. along Trafalgar, Hardy and Bridge Streets; there were 230 signs, 27 flags, 26 groups of café furniture, and 16 cycles locked onto poles, seats and parking meters. (Attachment 2 – Example Photos)

Recommendation:

We request that NCC consider requiring all obstacles, including sandwich boards, be placed adjacent to the kerb and kept clear of the continuous accessible path of travel within the Nelson City environs.

Implementing this request would ensure consistency between Nelson City Council and Tasman District Council which would assist both business owners and pedestrians. Knowing that the footpath close to the shop or building front is free of obstacles gives those with impaired vision more confidence to come into the central business district of the city. At the moment, with sandwich boards and flags placed against the building side of the footpath, it is often difficult for those with impaired vision to find the entrance way. Currently, many of our community find it too difficult to come into the city to access essential needs, and for pleasure and relaxation.



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The need for consistency between the two urban areas has previously been discussed as a safety issue at the Accessibility for All Forum (A4A) (Attachment 3 - Accessibility for All Forum Meeting Minutes 12 March 2021).

Both Wellington City Council and Invercargill City Council follow this practice requiring all signs to be placed on the kerb side of the footpath, thus keeping the building frontages clear. (Attachment 4 – Other Councils’ Rules on Footpath Accessibility)

Flags:

Background:

Many businesses within the urban area use flags as a means of drawing attention to their premises. Currently these flags are placed anywhere on the footpath. While the base of these flags may be stable, the flags themselves are not; they are highly subject to the weather and flap around at about face level and head height. For people with impaired vision, being unexpectedly hit in the face or around the head by these flags is dangerous and at least disconcerting.

Recommendation:

We request that flags be no longer permitted on any footpaths in the Nelson City Council area.

Note that Wellington City Council has banned flags altogether.

NCC Proposed Changes to Part 5 Trading in Public Places 5.21 to 5.26

The draft amended bylaw proposes a decrease to the requirement for the footpath available to pedestrians from 2.0metres to 1.5metres.

While this might be consistent with clause 8.3 of the City Amenity Bylaw (No 226) adopted in September 2017, it is not in line with what is happening in other urban areas of New Zealand. For example, Tasman District Council, in the main urban streets, has adopted a 2.0metre width, which has been much appreciated by pedestrians in general, and by those with impaired vision in particular. It would also be a step towards the ‘Streets for People’ as outlined in Te Ara o Whakatu, City Centre Spatial Plan for Nelson.

Wellington City Council also requires 2.0metres of footpath to be maintained as clear walkway.



Page 3

Recommendation:

We request that serious consideration be given to maintaining the current requirement of 2.0metres to be available for pedestrians as a minimum. This would ensure that a continuous accessible path of travel is available for pedestrians at all times.

Recommendation:

We request that NCC takes a more active role in monitoring the placement, size and number of sandwich boards and other obstacles on footpaths.

Support of Proposed Change:

Clause 5.23 states 'The Council may by resolution prohibit sandwich boards from being located on footpaths, or may require changes to the location of sandwich boards.'

Blind Citizens NZ Nelson Branch do support this change, as it would give the NCC flexibility in the way footpaths, signage, and pedestrian access in the urban area are managed in the future.

Conclusion:

Blind Citizens NZ Nelson Branch appreciates the opportunity to participate in the review of the Draft Amended Urban Environments Bylaw. Like other population groups, those who are blind or have low vision who visit the city to access essential needs, spending money at local businesses and shops, and relaxing within the city environs, should be able to do this safely. Footpaths crowded with signs and flags within what should be the continuous accessible path of travel, has resulted in areas within the city that the blind and low vision community avoids.

We realise that in these uncertain times businesses have not had an easy time and we are not trying to make it more difficult for them. In fact, if the 2.0metre width for a continuous accessible path of travel is maintained, it is likely that more blind and low vision, elderly and other disabled people will be attracted back into the city to participate in all aspects of urban life.

**If you would like more information regarding this submission contact
Blind Citizens NZ Nelson Branch Committee Member Karen Wilson
Email karenawilson@xtra.co.nz Phone 0276845640**

The Association of Blind Citizens of New Zealand is a peer-led and member-driven organisation founded in 1945. Our purpose is to give voice to the aspirations and lived experiences of blind, deafblind, vision-impaired and low vision New Zealanders, so we are able to live the life we choose.

Blind Low Vision NZ Clearing our Way Guide

<https://blindlowvision.org.nz/information/clearing-our-way-guide/>

3.2.1 Continuous Accessible Path of Travel

A path of travel is any space in a public facility where people might reasonably be expected to move from one point to another. It is essential to pay attention to the design of paths of travel when considering people who are blind, deafblind or have low vision.

The continuous accessible path of travel defines the area where the pedestrian route is safe and convenient for everyone, especially people with impaired mobility, and people who are blind or have low vision. It has even surfaces, gentle slopes and is free of permanent and temporary obstacles at all times. The preferred width is 1.8 metres (minimum width 1.5 metres), but wider is beneficial on busy footpaths, refer to the [Waka Kotahi Pedestrian Planning and Design Guide](#) 14.2 for specific details on footpath widths.

A continuous accessible path of travel should ideally be straight, with turns as equal to 90 degrees as possible. Ensure the path's surfaces are firm, stable, slip-resistant and free of glare. Avoid using busy and heavily patterned surfaces, which can result in visual confusion and disorientation.

Pedestrian paths of travel should be designed to intersect as close to a right angle as possible, and the intersecting paths should continue in straight lines.

Obstacles such as advertising and regulatory signs, seating, rubbish bins, utility poles, post boxes and bus shelters should be kept clear of

the continuous accessible path of travel at all times. Advertising signs on the footpath should be avoided if possible. Where advertising is permitted, signs shall be located away from the continuous accessible path of travel, i.e., on the kerb edge, and always placed consistently in the same location.

This summary information has been adapted from Section 4.3 in [RTS 14](#). Refer to the full document for further guidance and best practice demonstrative photos.

Section D3.2 in [Access Standard NZS 4121:2001](#) addresses design issues for people with vision loss. For example, people with vision loss using mobility aids need a clear width of up to 1.2m when moving through spaces.



A photo demonstrating a white cane user missing an obstacle due to overhanging signage on the footpath at head height. Photo: Ian Wilson

Dimensional criteria for ensuring that protruding objects and other obstacles are cane detectable.

Avoid placing objects or signs that will protrude into the continuous accessible path of travel (also referred to as a through route). They are potentially hazardous to people who are blind, deafblind or have low vision unless they are located within the detection range of a long cane.

A protrusion is an object projecting into the footpath from the side. Very minor protrusions are acceptable, as long as they are not within the pedestrian through route and comply with the dimensions in Table 14.6 of the [Waka Kotahi Pedestrian Planning and Design Guide](#). Every item protruding into the footpath needs to have an element (which can include any mounting post) within 150 mm of the ground, so that white cane users can detect it.

Photos CBD





**A4A Forum Notes
Accessibility for All
12 March 2021 – 10:00am
Tasman Council Chamber, 189 Queen Street, Richmond**

Present: Chairman Malcolm Saunders (Independent), Derek Aldridge (Stoke Seniors), Pam Coltman (Nelson Grey Power), David Kemp (Independent) Mike Stevens (Blind Citizens), Karen Wilson (Blind Citizens), Rodger Curry (Blind Citizens), Coryn Owen (Blind Citizens), Kate Malcom (NT Community Transport Trust), Kaye Halkett (Independent), Tracey McConnachie (Driving Miss Daisy), Cr Mel Courtney (Nelson City Council), Callum Inns (Nelson City Council) Drew Bryant (Tasman District Council), Megan Bell (Tasman District Council), Clare Scott (Tasman District Council), Dwayne Fletcher (Tasman District Council) Christine Vass (Tasman District Council)

Apologies: Marrit Walstra-Russell, Mitchell Roads, Jane Murray, Rachael Large, John Harwood, Gary Alsop, Marg Parfitt

Chair Person: Malcom Saunders

1. Welcome, introductions and apologies

Malcolm Saunders welcomed everyone to the meeting and asked that they introduce themselves and the organisation they represented. Malcom talked about his recent bike accident on the Great Taste Trail that he was involved in and advised that he is now recovering.

The committee accepted the apologies from Marrit Walstra-Russell, Rachael Large, Mitchell Rhodes, Jane Murray, Gary Alsop, John Harwood and Marg Parfitt.

Mover: Cr Mel Courtney

Second: Pam Coltman

CARRIED

2. Confirmation of minutes from the meeting on 13 November 2020

Mover: Malcolm Saunders

Second: Pam Coltman

CARRIED

3. Confirmation of 2021 A4A dates

12 March, 18 June, 10 September, 17 December 2021

Mover: Malcolm Saunders
Seconder: David Kemp
CARRIED

4. Updating riding instructions on the Great Taste Trail

Malcolm Saunders outlined the specific details of the accident he was involved in which was a head on collision with another cyclist around the back of the Richmond Resource Centre. Malcolm and the other person who lost consciousness were taken by ambulance to hospital and treated for their injuries. This was a situation that could have had fatal consequences. There is a concern about the width of the trail as it is very narrow and he would like to know if potentially it could be widened.

David Kemp said there was also a problem on the railway reserve where cyclists speed past without any indication and are quite rude and arrogant. Megan Bell replied that Tasman District Council are working on a road safety campaign with Nelson City Council called "*Share with Care*" to encourage road etiquette and respect.

Drew Bryant advised that in the Long Term Plan improvements are in the pipeline and we have the budget to make these improvements.

Mike Stevens said he was involved in a meeting yesterday with several Councilors about shared paths and he was very happy with an education strategy coming out about sharing paths.

Malcolm said bikers are quite rude and need to be more accommodating. Cr Mel Courtney as the Nelson City Council representative was keen to learn what the improvements will be and Drew Bryant said widening parts of the trail would be an opportunity and also to improve cycle lanes. Malcolm also noted that the green area alongside the trail can become quite untidy and cyclists may choose not to move over into the green areas. David Kemp said he has taken part in a number of plantings and the intrusion of the greenery if plants are within one meter of the trail and in time they will be overgrown and will need to be cut back. He suggests that greenery should be planted further away.

5. Shop signs/sandwich board placement on footpaths in both Nelson City Council & Tasman District Council retail areas with view to consistency in both areas

Karen Wilson requested that Tasman District Council and Nelson City Council signs be consistent in urban areas and that she has requested this several times and to date no one has responded. It would help shopkeepers and walkers to have a consistent approach with shop signs. Megan Bell explained that the Council is aware and shopkeepers were asked to keep signs on the edge of the footpath creating a clear pathway. Megan also said that Tasman District Council have distributed a new brochure and staff have talked to each shopkeeper asking

nicely if they could keep signs consistent especially for people with access issues. It has been a bit of a battle and we are asking nicely and explaining why and following up but we cannot enforce. Karen said most shopkeepers just put a sign outside their shop and are not aware of it being an encumbrance to some people.

Tracey McConnachie said that signs can be difficult to walk around and why do they need signs on the footpath at all when they have advertising on the shop itself and signs just shouldn't be on the footpath.

Cr Mel Courtney thanked Karen for raising this and he agreed the signs are encroaching more and more and will take this issue back to Nelson City Council for further discussion. He said with the COVID situation at present we might show some leniency but we must also remind shopkeepers of their responsibility.

Rodger Curry said he believes that signs have been banned in Invercargill. Derek Aldridge said the situation in Auckland was worse as tables and chairs are all over the footpath which causes a safety hazard.

Drew Bryant advised this issue was raised with the Tasman District Council Councilors but the direction was not clear. A current planning document which states that shopkeepers had a right to have a sign out has now been rewritten and this will be tabled later this year. Malcom responded and said our committee is quite powerful and we will assist in getting things changed.

Kaye Halkett said as a blind citizen, she wanted to thank Tasman District Council for the upgraded footpath on Queen Street making it wider and was pleased to hear that further progress is being made and she looks forward to Nelson City Council upgrading their footpaths.

David Kemp related an incident in Nelson that he witnessed recently where an older gentleman was walking with the aid of a walking stick trying to find the florist and he could not see out to the side because of his impaired vision and tripped over one of the signs falling onto the footpath. He was 90 years old and frail. People assume that everyone can see signs and he suggested that signs be more obvious and suggested they be painted with high visibility colours.

Tracey McConnachie asked what was the process was and Drew Bryant explained that we have bylaws and an amendment would have to be made to the bylaw but it is not an easy process.

Callum Inns from Nelson City Council said that the signage situation will be reviewed.

6. Nelson Tasman Public Transport Plan & Regional Land Transport Plan Overview

Malcom Saunders said he attended the Active Transport overview which was very well run and said that something does need to be done due to the greater

volume of transport and welcomed hearing from Drew. Drew said these two documents, the Nelson Tasman Public Transport Plan and Regional Land Transport Plan are out for public comment at present and he talked through his power point presentation.

Kate Malcolm asked what has been the response from the Motueka and Mapua communities. Drew Bryant advised that the Mapua community asked about prioritised lanes and Clare Scott advised there is potential for a dedicated express route. Kate said most people when driving would use Whakatu Drive and not Stoke and what would be the reason in not having dedicated lanes on Whakatu Drive as she could not see why people who currently drive into Nelson would want to take the bus. Drew asked Kate to put these issues into her submission.

Pam Coltman noted that the roads in the new Berryfield subdivision are very narrow and not wide enough making it difficult to get a car up the road and adding that if there is a fire or an emergency then the fire truck or ambulance has a problem accessing this subdivision. Megan Bell said the Council are currently discussing this issue and working on solutions with emergency providers. Pam said that at the transit meetings she has been to the Council and people in this area are frustrated with not getting anything done.

Cr Mel Courtney asked if these programmes could be brought forward. Drew said discussions would take place after submissions had been received to understand the extent of the concern and the path forward. Kate Malcolm asked if their submission could include bringing these plans forward and Drew advised that she could absolutely.

Cr Mel Courtney also asked about the frequency of the services and Clare Scott advised that they would be regular and consistent.

Malcom Saunders asked about a Hill Street and Queen Street roundabout due to the volume of traffic, Dwayne Fletcher advised there was not a project for this at present.

Pam asked about a roundabout further up Lower Queen Street to allow people to turn right out of the Medical Centre, Oakwood Retirement Village, etc, she thought there would be a roundabout at that location. Drew Bryant explained that in the Long Term Plan a proposed new intersection would be at Berryfield Drive.

7. Active Transport, Social Seating & Better Community Health Walking & Socialising in the Public Domain

David Kemp said that walking is important for health and also assists with community social isolation and loneliness. We want people to get out to walk and we want it to be easier for them. After walking for 20 minutes there should be a seat to sit on, this is a concept used in most cities. The importance of casual conversations where there is seating assists with this and builds a richness into

the community and we should have more seating in our parks and reserves. Thorpe's Bush and outside the Richmond Library are good examples.

David also said walking around Saxton Field there was no seating and on the railway reserve there are no toilets and no seating.

David said we need to encourage walking groups and rehabilitation for people who need to have regular seating. Malcolm said some seating was underway in Saxton Field.

Pam thanked David and said what a great idea for a walking train for the elderly and children. Malcom Saunders thanked David for his passion and felt sure that the Council would implement his ideas with the A4A Committee in total agreement.

Kaye Halkett advised that as a blind pedestrian she likes the concept and suggests it could be a door to door concept where it is safe to cross roads and extended just not in parks.

8. Concept for the development of Saxton Field adjacent to Champion Road as a Social Hub

David Kemp said the Champion Road/Raeward roundabout is the center of a lot of shops and businesses and Saxton Field is empty most of the time. There is no socialising seating or shelter between the high school and roundabout.

He suggested the corner area could be used for a children's playground, seating, toilets, etc, to encourage socialisation. Malcom said it would be marvellous to have more interactive areas for people to meet and socialise. David asked if there is any statement from Tasman District Council or Nelson City Council about more areas for socialisation rather than just sports in Saxton Field.

Cr Mel Courtney said David has raised some good points. Saxton Field is evolving and Nelson City Council will be considering David's ideas. Mel said we could do better than having just sporting activities and to include other members of the community for socialisation.

9. Council's Active Transport Strategy

Clare Scott talked through her power point presentation creating safe, pleasant environments for people to choose active travel over private car use and making it easy for people to get around and not always using the private car. The idea is making it easier for people to say YES. We want an urban design structure to encourage people to socialise and be a more pleasant place to live in. School travel planning will be a key aspect of this plan as well.

Cr Mel Courtney thanked Clare for her presentation and said it was very well done particularly the communication that we are not forcing people to do something that they do not want.

Kate also thanked Clare for her presentation. She mentioned the international quote *"A developed country is not a place where the poor have cars. It's where the rich use public transportation"*. This is a huge challenge and we are lucky to have Clare and Drew which give us hope to meet the new challenges.

Malcom liked the idea of reducing speeds along residential roads as cars are currently speeding along Champion Road and other streets.

10. General Business

Pam Coltman had concerns about foliage on the footpaths especially Wensley Road. Megan Bell advised Pam to contact the Council.

Tracey McConnachie asked about the Total Mobility Scheme and if this could include a sliding scale. Drew said the limit would be lifted from \$20 to \$30 in the new plan and he suggested that Tracey put in a submission.

Pam noted that she raised the issue at the last meeting of young people cycling recklessly on footpaths and were continuing to do so. Megan Bell advised that she will be liaising with the Richmond Police who have offered to talk about this at our next meeting and advise what strategies are being put in place to address this situation.

11. Pamphlet – Delivering Barrier Free Business

Christine Vass asked about these pamphlets as we have half a box left. Megan Bell advised that these were given out to shopkeepers for their information.

The Chair Malcom Saunders thanked everyone for their input into the meeting.

Meeting closed at 1210pm

Other Councils' Rules on Footpath Accessibility

Below are the rules from Invercargill City Council (ICC), Tasman District Council (TDC) and Wellington City Council (WCC).

Both ICC and TDC require sandwich boards/signs to be placed on the kerb/carriage side of the footpath.

Invercargill City Council Schedule 10

LICENCE CONDITIONS FOR THE PLACEMENT OF

SIGNAGE BOARDS ON THE PUBLIC ROAD (FOOTPATH)

1. Signage boards will be permitted in the City of Invercargill subject to compliance with the following conditions:
 - (i) All signage boards must be registered with the Council.
 - (ii) A registered sign will be subject to the payment of an annual licensing fee which will be established by Council and reviewed on an annual basis.
 - (iii) A signage board will have the following dimensions:
 - (a) Height - minimum of 0.5m and maximum 1.1m;
 - (b) Width - maximum of 0.6m;
 - (c) Spread - maximum of 0.5m; and
 - (d) Sign base to be within 300mm of the ground.
 - (iv) All signs on roads are to be firmly secured or supported so as not to cause a nuisance.
 - (v) No revolving signs, signs with moving parts or signs with sharp edges or corners will be permitted.
 - (vi) A maximum of two signs per property.
2. Location of signage boards. The location of signage will be subject to the following requirements:
 - (a) Signage boards must be located 100mm back from the carriageway edge and in such a position that there is a minimum two metre clearance of footpath for pedestrian traffic.

- (b) Where the area has a verge or gravel berm then the sign is to be placed on this and not the footpath. Where there are no footpaths, then the sign will be sited on the berm area.
 - (c) Signs must be located immediately adjacent to the business premises and relate to the business occurring on that site.
- 3. Where unique circumstances apply, an application may be made for signage not complying with Clauses 1 and 2 above. Applications are to be made in writing to Council's Roading Manager detailing the unique circumstances of the business. A processing fee for this service may be charged.
- 4. Display of signage boards. Signage boards will only be displayed during the trading hours of the businesses to which the signage boards relate.
- 5. The Licensee shall keep the Invercargill City Council indemnified against any damage or injury that may occur to any person using the road or to the property of any person using the road arising directly or indirectly from a signage board. The Licensee shall enter into public liability insurance of \$1 million to indemnify the Invercargill City Council from any claim against the Invercargill City Council arising directly or indirectly as a result of the Licensee's actions.

Tasman District Council 13

Retail Displays on Footpaths

Unless permission has been applied for and granted from the appropriate Council departments no person, being the operator of a business within a designated commercial area, shall place, erect, or establish on the footpath adjacent to the said business any display, whether or goods sold from the business or not, except in conjunction with, and as part of any general promotion or other like event within the said designated commercial area.

Provided that no person shall establish on the footpath any display which due to its design or location on the footpath constitutes a hazard for pedestrians for which reduces the width of the footpath available for pedestrians to less than 2 metres.

Keep Our streets Accessible For All Flyer

Displays and other street furniture create a hazard for pedestrians, but especially for our that may be mobility or visually impaired.

For these residents their preference is a clear is a clear passage close to the building.

Section 13 of the Councils' Trading in Public Place' bylaw gives further information on these rules.

Wellington City Council

Overview of Wellington City Council's approach to sandwich boards

As requested, here's a big overview of how we manage **sandwich boards** here in Wellington City.

POLICIES AND LEGALITIES

- There are no sandwich-board-specific laws or bylaws
- However, there are two relevant articles from the [Wellington Consolidated Bylaw 2008](#), specifically in [Part 5: Public Places](#):
[9.1](#): " **Written approval** is required for signage in public places. Approval may be subject to Council setting conditions including placement, fees and the duration a sign may be erected."
[22.4\(v\)](#): "**No person may** drive, stop, stand, park or **leave any** vehicle, bulk bin, container or other **object in a public place in such a manner as to obstruct the normal or safe** entry to, or exit from, or **movement of** other vehicles, or **pedestrians within a public place.**"
- The [Local Government Act](#) provides reinforcement for municipal bylaws, in that it sets out the consequences and ramifications of committing a bylaw offence and how these offences may be dealt with.
- At a policy level, sandwich boards are currently covered by our [Footpath Management Policy](#). However, this is expected to be soon replaced by the [Trading and Events in Public Places Policy](#), which is currently in consultation and not yet formalised.

APPROVALS AND LICENSING

- Council grants written approval for sandwich boards in the form of a footpath use licence, which is annual (we renew them every year) and comes with conditions of use.
- The main information on this licensing system can be found in the Sandwich Boards section of our [Signage Rules page](#).
- Our online application form: <https://forms.wellington.govt.nz/s3/Sandwich-Board-application-form>
- When processing and approving applications, we send the applicant:
 1. An approval email, to which we attach a) their PDF invoice to pay and b) site-specific diagram showing where their board must be placed (e.g., kerb-side, to keep building edge clear for pedestrian accessibility), and c) approval conditions
 2. A mailed letter containing their Footpath Use Licence sticker, which they're asked to attach to their board to show that it's licenced. The letter also reiterated the conditions of use.

ENFORCEMENT AND NON-COMPLIANCE

- We go street by street, checking for unlicensed boards.
- When a board does not have Council approval, we do the following:

1. Stick onto the board the attached **yellow** sticker, which prompts them to apply for a licence or remove their board from public footpath
2. Map all of these non-compliant boards in a GIS application, so that we can properly track where these non-compliances and save the photographic proof.
3. Follow up the sticker with an information email explaining why we placed the sticker on their board and giving a whole bunch of background information.
4. If no action is taken and the board is left on footpath without a licence, then we go back and place the attached **orange** notice on the board, warning of confiscation.
5. If 2 weeks go by with still no action taken, then Council will seize the unlicensed board. The owner needs to pay for that removal cost in order to get their board back from us.

FLAG SIGNAGE

- Because of the erratic way they blow around in the city's heavy winds, Council does not give approval for flag signs on public footpath.
- Therefore, all flag signs on public road corridor are considered non-compliant, and we use a similar process the above to address these.

I hope this provides a good starting point to outline how we manage boards in our city. If you have any questions about the above, please don't hesitate to reach out. Happy to chat on the phone if that's easier

Nāku iti noa, nā,

Seth Bocknek ([he/him](#))

Āpiha mō ngā Ngohe Huarahi | Te Ranga Pakihi mō ngā Waka me te Hanganga | Te Kaunihera o Pōneke

Street Activities Officer | Transport and Infrastructure | Wellington City Council

M 021 516 466

E seth.bocknek@wcc.govt.nz | **E** street.activities@wcc.govt.nz | **W** wellington.govt.nz

Submission Summary

Urban Environment Bylaw - Submission #29743

Mr Stuart Hanchet

Nelson 7011

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>I believe that there should be rules about cats in the local bylaw. The council should consider the following:</p> <ul style="list-style-type: none"> Limit of number of cats per household (this is quite common around the country now) Compulsory microchipping and desexing Rules around the feeding of cats (i.e. establishing cat colonies) Advocating for national legislation pertaining to cats Running education campaigns around responsible cat ownership

Submission Summary

Urban Environment Bylaw - Submission #29744

Mr Jaap Buys

The Wood
Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		The number of stray cats, and wild cats is out of control in New Zealand. This is a serious issue to wild life that should be dealt with, if not at a central government level, at a local government level. I am not sure why section holders have to put up with cats straying though their property. Dogs are controlled so why not cats. It is time that cat owners pay an annual licence, are allowed a certain number of cats that are chipped and neutered. Also that the cats are kept within the owners property boundaries if this is not possible inside.

Submission Summary

Urban Environment Bylaw - Submission #29745

Dr Chris Teo-Sherrell

Executive Council Member Living Streets Aotearoa

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>Hello</p> <p>Please find attached Living Streets Aotearoa's submission on the above-mentioned bylaw.</p> <p>Thank you.</p> <p>--</p> <p>Regards Chris</p> <p>Dr. Chris Teo-Sherrell Executive Council Member Living Streets Aotearoa Please keep footpaths safe by keeping them clear for those who need them</p>



Submission on Nelson City Council's draft Urban Environments Bylaw 2022

Due: 8/12/2021

Send to: submissions@ncc.govt.nz

Referencing:

Statement of Proposal: https://hdp-au-prod-app-nels-shape-files.s3.ap-southeast-2.amazonaws.com/3516/3606/0193/Statement_of_Proposal_-_Amended_Urban_Environments_Bylaw_-_FINAL_APPROVED_4_Nov_2021.pdf

and Draft Amended Bylaw: https://hdp-au-prod-app-nels-shape-files.s3.ap-southeast-2.amazonaws.com/4816/3606/0140/Draft_Amended_Urban_Environments_Bylaw_-_FINAL_APPROVED_4_Nov_2021.pdf

and The existing Urban Environments Bylaw 2015: <http://www.nelson.govt.nz/assets/Our-council/Downloads/bylaws/bylaw-225/Urban-Environments-Bylaw-updated-with-Kerr-St-changes-from-21-March-2019-Council-meeting-A2174442.pdf>

1. This submission relates to Part Five (Trading in Public Places) of the draft Bylaw.
2. We would appreciate being able to speak with councillors regarding our submission on the proposed bylaw.
3. We support clause 5.4.6 which states

'No itinerant trader or operator of a mobile shop shall carry out their commercial activity on any footpath or other public place within the Designated Commercial Areas.'

being one of the conditions of itinerant traders and mobile shop operators obtaining a permit to operate in Nelson.

4. This is because such commercial activity is very likely to hinder pedestrian use of the footpaths in an area where high pedestrian use is expected.

5. We also support clause 5.6 which states

'No person shall use any public place for the purpose of providing a commercial service, without a Council permit.'

but believe that this requirement for a permit should include for erecting signage in a public place.

6. This is because the purpose of signage is to encourage people to enter a commercial premise to purchase goods or services - that is, to 'solicit patronage'. 'Soliciting patronage' is part of the definition of Commercial services given on p6 of the draft bylaw.
7. Furthermore, without a permitting system there will be little to control the use of signage. Permitting enables a set of conditions to be defined and consequences for non-compliance.
8. Such requirement to obtain a permit would help to minimise the commonly-experienced hindrance that such signs create for pedestrians, especially those who are blind or have low vision.
9. It would also help to avoid a proliferation of signs degrading the amenity of the commercial districts.
10. The requirement not to impede the free movement of pedestrians is proposed to be applied to buskers (see clause 5.16.1, which we support) so it is only fair that is also apply to signs.
11. The City Amenity Bylaw (cl.8.4) requires that authorisation is obtained to leave, place, deposit or erect any material or thing on any public place in the city centres. Signs are things and should be covered by this provision.
12. Regardless of whether or not permits must be obtained to display signs in a public place (other than those which are fastened to or otherwise set against and displayed parallel to, the front wall of the business concerned) we support clause 5.21, 5.21.1 and 5.21.2 which state

5.21 'No person shall display or cause to be displayed on the footpath adjacent to any retail or other business premises any sandwich board which does not relate directly to the business or promote or display the products or services specific to the business carried on within such premises; and'

5.21.1 'no person in respect of any business premise within a Designated Commercial Area shall display or cause to be displayed more than one such sandwich board; and'

5.21.2 'where any such business has frontage to more than one street or public place one sandwich board may be displayed at each frontage; and' .

13. However, we do not support clause 5.21.3 which states

'no person shall display or continue to display on any footpath any sandwich board which due to its design or location on the footpath constitutes a hazard for pedestrians or which reduces the width of the footpath available to pedestrians to less than 1.5 metres; and'

because 1.5m is not sufficient space for there to be a clear accessible path of travel (CAPT) on a footpath in a busy commercial area.

14. Pedestrians do not use the outer part of paths (it is known as the shy zone). NZTA's Pedestrian Network Guide (PNG) says this is about 0.15m on each side. Thus, paths of nominal width of 1.5m have an effective width of only 1.2m. This would require individual walking pedestrians to come uncomfortably close to one another or even to rub shoulders when passing and it would mean that two wheelchair users or mobility scooter users would not be able to pass one another at all.

15. 1.5m is not in keeping with the width of the CAPT recommended in the Pedestrian Network Guide for busy retail areas which states that

'The through zone should be a dedicated, continuous and accessible route free of obstruction that can accommodate peak pedestrian demands.'
(underlining added)

16. The NZTA Pedestrian Network Guide table on Minimum Footpath Dimensions (Footpath Width section of the Footpath Design part of the Guide) indicates that in busy areas, such as near major pedestrian generators and main streets in pedestrian districts the clear through route should be at least 2.4m.

17. We request that NCC increases the requirement for maintaining the CAPT to be consistent the Pedestrian Network Guide. At the very least it should not make it any narrower than the current 2m.

18. The reason given for changing it to 1.5m is stated as to make it consistent with the City Amenity Bylaw 2017 but that Bylaw should never have included allowing only 1.5m CAPT. We urge you to amend that Bylaw to ensure there is always a minimum of at least 2m CAPT on footpaths in commercial zones and other areas where high peak pedestrian numbers are expected.

19. We also do not support clause 5.21.4 which states

'any sandwich board displayed shall be located immediately adjacent to the business to which it relates and shall be sited so as to extend no further onto the footpath than 600mm from the frontage of the said business; and '

20. Again this is inconsistent with the Pedestrian Network Guide which states

'In **retail areas** the continuous accessible path of travel is normally located next to the building line, which is likely to be the main orientation cue followed by people who are blind or have low vision. Street furniture such as parking

meters and rubbish bins should be located near the kerb.'

21. Similarly, tables and chairs and displays of merchandise shouldn't be up against the building. If they are, then they should be cordoned off by structures that meet the requirements for blind and low vision pedestrians to detect them without walking into them.
22. Please note that NZ Standard 4121 requires that objects temporarily and permanently positioned adjacent to accessways shall have a feature within 150 mm of the ground that will be detectable by a person using a white cane and be colour-contrasted with its immediate surroundings.
23. We also advocate that any such structures be at least 1000 mm tall, have no moving parts, be collapsible if hit, and have no sharp edges.
24. We request that the bylaw be amended to state that all signs (other than those affixed to the front of buildings and parallel to the footpath), tables and chairs and furniture associated with displaying goods be required to be located in the furniture zone, adjacent to the kerb, leaving at least a 2m clear accessible path of travel adjacent to the building line.
25. We think that clause 5.22 which states

'For the avoidance of doubt the term "sandwich board" does not include any advertising board or flyer or poster holder which is fastened to or otherwise set against and displayed parallel to, the front wall of the business concerned.'

is mostly appropriate. However we believe it should include wording to require that any such signs do not project out from the front wall of the business by more than 25mm. This is to avoid creating danger for pedestrians, both sighted and not, who may easily collide with signs which project out further from the wall.
26. Furthermore, flags and other structures that are used to attract passers-by attention should be covered by the bylaw as these are also able to obstruct and injure pedestrians. Flags, especially, move in the wind and should not be allowed to impinge on the CAPT at any time.
27. We do not support the proposal in clause 5.23 which states

'The Council may by resolution prohibit sandwich boards from being located on footpaths, or may require changes to the location of sandwich boards. '
28. It is not the proper role, or use of time, of Councillors to be making resolutions about where individual sandwich boards can be positioned. That is the role of officers and could be dealt with in a permit approval process.
29. For the same reasons as stated above, we do not support proposed clauses 5.24, 5.25 and 5.26 which state

5.24 'No operator of a business within a Designated Commercial Area shall

place, erect, or establish any display on the footpath adjacent to their business if the design of the retail display, or the location of the retail display on the footpath, is a hazard to pedestrians, or it reduces the width of the footpath available to pedestrians to less than 1.5 metres.

5.25 'Exception: Retail displays will be allowed to leave less than 1.5m clear for pedestrians where the displays are provided in conjunction with, and as part of, any general promotion or other like event within the Designated Commercial Areas. '

5.26 'Council may, by resolution, prohibit retail displays from being located on footpaths, or change the footpath width which is required to be available to pedestrians.'

30. These proposed clauses mean that businesses will be able to display goods on the footpath adjacent to their premises and decrease the footpath width available to pedestrians to 1.5m, and even less on occasions, unless a resolution of Council is passed to prohibit that.
31. Just as for sandwich boards and other advertising structures, we think a permit should be required to commandeer public space to display goods and that the conditions for obtaining the permit should include that the goods be displayed in the furniture zone, not adjacent to the building, and that a 2m CAPT is always maintained for pedestrian use.
32. In addition, when there are retail displays on the footpath, people stop to look at them and handle the merchandise. This results in these people impeding travel of others along the footpath. This needs to be taken into account so that, if any displays are permitted, a CAPT of 2m should be maintained at all times, including when people are inspecting the goods.
33. This would be similar to cl.5.16.1 (3rd point) which we support and which prohibits busking in a public place if it results in

'... the persons forming the audience to obstruct or impede the free movement of pedestrians along the footpath or way or through the public place. '

The shopper inspecting goods on display outdoors is analogous to the person listening to a busker. Both should be taken into account when requiring that a 2m CAPT be maintained on the footpath.
34. Once more, it should be the work of council officers to implement policy concerning external retail displays, not of the elected members to make resolutions about individual displays.
35. We request that the Bylaw require that there always be a 2m wide clear accessible path of travel (CAPT) in the commercial areas which are the subject of this Bylaw.
36. The ability for people to walk along footpaths in commercial zones without coming

into close proximity with others is especially important in a times of highly transmissible diseases such as COVID, times which are likely to be with us for some time. This requires that the CAPT be vigorously maintained.

37. Please make the streets safe and comfortable for all users.

Thank you.

Dr Chris Teo-Sherrell
Executive Committee Member
Living Streets Aotearoa Inc.
chris.teo-sherrell@livingstreets.org.nz

About Living Streets

Living Streets Aotearoa is New Zealand's national walking and pedestrian organisation, providing a positive voice for people on foot and working to promote walking-friendly planning and development around the country.

Our vision is "More people choosing to walk more often and enjoying public places".

The objectives of Living Streets Aotearoa are:

- to promote walking as a healthy, environmentally-friendly and universal means of transport and recreation
- to promote the social and economic benefits of pedestrian-friendly communities
- to work for improved access and conditions for walkers, pedestrians and runners including walking surfaces, traffic flows, speed and safety
- to advocate for greater representation of pedestrian concerns in national, regional and urban land use and transport planning.

For more information about the organisation, please see: www.livingstreets.org.nz or contact: Gay Richards, President, 0211-747-066.

Submission Summary

Urban Environment Bylaw - Submission #29746

Ms Gretchen Holland

Maitai
Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>I STRONGLY object to any proposals to reduce the footpath width from 2m to 1.5m for sandwich board and retail displays on footpaths (or any other reasons).</p> <p>1.5m is not comfortably wide enough for more than one person to walk unobstructed in one direction and pass another person walking in the opposite direction. In the past I have struggled to accompany my elderly, tottering, sometimes walker using, mother down Queen Street in Richmond having to navigate round sandwich boards and/or step behind her for oncoming pedestrians to pass. And because of that I have been impressed that Nelson footpaths were uncluttered with sandwich boards and retail rubbish. This also applies with young children in tow - imagine an adult, a buggy and a toddler walking beside. It's very difficult having to walk single file with either age group.</p> <p>There is no need for sandwich boards - shop windows and frontages have enough signage to inform people where the shop is and good old Google maps shows the exact location.</p> <p>Re retail displays on the footpath - changing the requirement to no permit needed could lead to many retailers having their goods (tacky or otherwise) on display outside every day. Their display might not encroach on the 1.5m allowed but what about anyone who stops and browses at their display? They would encroach on the 1.5m width.</p> <p>NCC is trying to encourage pedestrians in the city and pedestrian friendly spaces. Cluttering up and narrowing the footpaths does not achieve this - it might even deter people coming into the city.</p>

Submission Summary

Urban Environment Bylaw - Submission #29747

Ms Penny Toft

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		See attached.

Kia Ora

Here is my submission to urban environments bylaw.

From the website. Parts I agree with highlighted in yellow. Disagree with highlighted in green. Reasons below.

- Remove the fees and charges provision in Part One and Part Eight of the Bylaw (and in the Reserves part of the Bylaw) as this approach to fee setting does not comply with section 150 of the Local Government Act 2002. Fee setting does not need to be in the Bylaw because this is covered by the legislative rules.
- Remove the 'caravans for residential purposes' provision from the Bylaw to avoid duplication with planning rules.
- Change the requirement (related to sandwich boards) of not reducing the width of the footpath available to pedestrians to clear footpath from 2m to 1.5m to align with the more recent provisions in the City Amenity Bylaw 2017
- Reduce approval complexity for retailers by removing the requirement for retailers to gain a permit before setting up a retail display on the footpath. Instead, state that retail displays cannot be a hazard to pedestrians, or reduce the width of the footpath available to pedestrians to less than 1.5 metres.
- Include a provision enabling Council to change its approach to sandwich boards and retail displays through a resolution so that Council can be more agile when issues arise.

I do not agree with the changes highlighted in green.

I agree with and support the changes highlighted in yellow.

My reasons are:

- Remove the 'caravans for residential purposes' provision from the Bylaw to avoid duplication with planning rules. – *I think a caravan should be allowed as an accessory building.*
-
- Change the requirement (related to sandwich boards) of not reducing the width of the footpath available to pedestrians to clear footpath from 2m to 1.5m to align with the more recent provisions in the City Amenity Bylaw 2017 – *I disagree with this proposal and consider that the City Amenity Bylaw 2017 should be amended to 2m of available footpath. 2m is preferable to allow for social distancing and ease of access for wheelchair and mobility aid users. Footpath obstructions such as sandwich boards and retail displays should not take priority over the needs of people with visual or mobility impairment.*
- Reduce approval complexity for retailers by removing the requirement for retailers to gain a permit before setting up a retail display on the footpath. Instead, state that retail displays cannot be a hazard to pedestrians, or

reduce the width of the footpath available to pedestrians to less than 1.5 metres. – I agree with this proposal to reduce complexity for retailers, but disagree with the 1.5m footpath minimum for the reasons outlined above.

- Include a provision enabling Council to change its approach to sandwich boards and retail displays through a resolution so that Council can be more agile when issues arise. – I agree with this proposal, as this will make it easier to resolve issues such as social distancing measures and access issues quickly as they arise.

Kind regards
Penny Toft

Submission Summary

Urban Environment Bylaw - Submission #29748

Ms Gretchen Holland
Rate payer

Maitai
Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>Following on from my submission sent earlier today - number 29746.</p> <p>In addition to my previously sent arguments I STRONGLY oppose the reduction of the footpath width from 2m to 1.5m because - I understand NCC has recently invited interest from and met with BEAM, an electric scooter company, to put a proposal to council to introduce their scooters to Nelson. If this goes ahead that is even more reason NOT to reduce the footpath width.</p>

Submission Summary

Urban Environment Bylaw - Submission #29752

Ms Gillian Pollock

secretary Nelson Tasman branch, Forest and Bird

Stoke
Nelson 7011

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		Please see attached.



Royal Forest and Bird Protection Society of New Zealand Inc.
email: Nelsontasman.branch@forestandbird.org.nz

4 December 2021

Nelson City Council

Nelson Urban Environments Bylaw

The branch asks the council to formulate a Cat Policy

There are strict controls over every other domestic animal as to where they go and how they are looked after in urban areas but no controls over cats, a top predator and easy breeder which has spread throughout the country to the great detriment of our native wildlife.

We have first-hand experience of many individual owners in several countries who keep their cats contained through various means and this should be the norm here. These contained cats are well looked after and content. Some are taken outside on a harness and lead, others have a purpose built cat garden on the owner's property where they are taken for a period of time.

Building cat gardens would be an interesting and lucrative business.

Another alternative is to enclose a part of the outside area with an entrance into the house which is often done in Australia.

As a matter of course all cats should be neutered and chipped with a limit of two on any one property.

Signed:

Gillian Pollock

Branch secretary

Submission Summary

Urban Environment Bylaw - Submission #29759

Mr Chris Phillips

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>I believe it is time it was mandatory for all cats to have a microchip, be spayed and be registered. There should also be a limit of 3 cats one household can have. Those wanting to breed should have to be registered and there should be closer monitoring.</p> <p>It is also time that we ensured all the cats (or as many as humanly possible) at Tahuna beach should be caught, spayed and released back at the beach. This will slowly reduce the numbers there and stop new colonies from moving in, while we reduce the population of wild cats. More needs to be done to reduce the number of wild cats in the area.</p> <p>I would also like to mention trees. I am fine with largetrees being in the parks around town but I believe that when the trees are close to residential properties they need to be kept to a maximum height of 5m. Council in all their wisdom like to plant oak trees which are a pain in autumn when all the leaves blow into our driveway and section. The ones near us are getting to a height now where they will start to cause considerable shading to our property in winter. I would also like to see council impose new regulations regarding trees on boundaries. You have rules around daylight control for houses and fence heights but anyone can plant large trees right on the boundary. Our neighbours have large oak trees right at the boundary which restricts sun to our property all year round, when we should be able to grow veggies in our garden we can not due to the lack of sunlight. There should be a max height of</p>

			<p>4m for trees within 4m of the boundary, and a max height of 7m within 7m. Currently our neighbours don't have to cut the trees back and we can't do anything except take them to court. We have asked them a few times if they could trim them back and have mentioned that we are happy to chip in for the costs, but they refuse. If I take them to court and win, I would have to pay to have the trees cut and everything taken away, plus my court costs. It is ridiculous that council can restrict the height of fences and houses but refuse to get involved when it comes to trees. This should not be a matter for our over run court system, it can be easily solved by council.</p>
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Submission Summary

Urban Environment Bylaw - Submission #29760

Dr Arnja Dale

Chief Scientific Officer RNZSPCA

Auckland 0640

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		Please see attached.



Submission by the

Royal New Zealand Society for the

Prevention of Cruelty to Animals Inc.

On

Nelson City Council

Urban Environments Bylaw 2021

06 December 2021



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Introduction

The following submission is made on behalf of The Royal New Zealand Society for the Prevention of Cruelty to Animals (trading as SPCA).

SPCA is the preeminent animal welfare and advocacy organisation in New Zealand. The Society has been in existence for over 140 years with a supporter base representing many tens of thousands of New Zealanders across the nation.

The organisation includes 35 Animal Welfare Centres across New Zealand and approximately 60 inspectors appointed under the Animal Welfare Act 1999.

SPCA welcomes the opportunity to make a submission on the Nelson City Council Urban Environments Bylaw 2021.

Submission

SPCA thanks the Nelson City Council for the opportunity to provide comments and suggestions on the proposed Urban Environments Bylaw 2021. Below we offer feedback for the proposed bylaw that we hope are helpful in advancing animal welfare in Nelson City.

Part 3: Keeping of Animals

3.3 Keeping of Animals

SPCA advocates for this section to include a point related to animal welfare as this is an important owner obligation and has implications on how animals are kept, specifically that owners are obligated to meet their animals physical, health, and behavioural needs.

3.4-3.7 Poultry and roosters

SPCA advocates for the following inclusion into these sections:



- A condition specifying poultry should have adequate and appropriate living environments. This includes companionship, shade, and shelter and space for nesting with nesting materials suitable for the species. The poultry house and run must be kept clean and in good condition, and free from any offensive smell, overflow, or vermin.
- The permission to keep roosters within the urban zone on a case-by-case basis. SPCA does not support blanket bans on animal ownership, rather we advocate rooster ownership in urban areas is allowed for responsible owners. We are concerned blanket bans on roosters may create a perverse incentive to abandon them, which is not a positive outcome for the rooster, or for surrounding communities. SPCA regularly receives calls from concerned members of the public about stray roosters. SPCA must manage the intake of the most vulnerable animals into our Centres that need care; therefore, due to limited resources, we do not prioritise taking in healthy adult roosters as a solution for unpermitted roosters. We are concerned that the current ban on roosters places greater pressure on our organisation to manage the perverse outcome of this restriction.

3.8-3.10 Stock

Keeping animals in appropriate conditions is important to avoid causing harm and distress to animals, which is expected and desired by the community. This is also important for keeping the community safe and reducing nuisance. SPCA advocates for the inclusion of conditions for enclosures that incorporate the animals needs including:

- A condition specifying stock should have adequate and appropriate living environment including companionship, space, shade, and shelter. Providing appropriate conditions is important to avoid causing harm and distress to animals.
- A condition prohibiting the permanent tethering of stock. Tethering compromises an animal's welfare because they are unable to behave and move around normally. Permanent tethering can increase fear when it interferes with an animal's instinct to flee when alarmed. Tethered animals may lack sufficient shelter from all conditions or access to appropriate feed and water. Tethered animals can become entangled and



harm themselves leading to painful injuries and are at risk from being harassed or attacked by other animals or people.

Additional considerations

Although the proposed Urban Environments Bylaw 2021 does not consider mandating cat management, we feel it prudent to voice our position on this topic. SPCA advocates for more responsible ownership for companion cats to improve the welfare of these cats, and minimise the challenges with community nuisance and stray cat populations. We understand that regulations alone will not address the problems with cat overpopulation and are in full support of complementary non-regulatory approaches to cat management. However, we urge Nelson City Council to join us in our efforts to prevent problems before people end up dealing with difficult decisions about unwanted cats and cat behaviour in their communities.

To complement non-regulatory approaches, SPCA advocates for the inclusion of responsible cat ownership requirements in the 2021 Nelson City Urban Environments Bylaw. The unwanted cat population in New Zealand must be viewed as a public problem, requiring local (and national) policy solutions where the true cost of owning an undesexed and microchipped cat (e.g., costs that shelters and rescues absorb, costs that local councils absorb with managing unwanted cats, costs of increased protection of vulnerable wildlife) is not an undue burden on New Zealand society. SPCA advocates for all cats (except those belonging to registered breeders) be desexed, microchipped, and registered, and for companion cats to be always kept at home. This will increase the welfare benefits for owned companion cats, and further reduce the number of unwanted cats in New Zealand.

Desexing of cats

Desexing cats is a fundamental mechanism to address problems with cat overpopulation and can ensure improved outcomes for the individual animal, other animals, and people (please see Table 1 below).



Table 1: Benefits of desexing cats

Ensures Improved Animal Welfare Outcomes
Reduces relinquishment to shelters and subsequent euthanasia. ³⁻⁹
Decreases reproductive disease, including cancers, infections, and tumours. ^{4,10}
Increases lifespan for both cats. ¹¹
Improves animal behaviour: reduced hyperactivity, increased affectionate behaviour, reduced aggression (fighting), and reduced sexually motivated frustration. ^{10, 12-15}
Reduces problematic sexually motivated behaviours: roaming (risk of hit by car), urine marking, humping, and vocalizing. ^{10, 15-17}
Facilitates access to cattery services. ¹⁸
Ensures Improved Community Outcomes
Reduces the number of unwanted cats in the community. ^{2, 19, 20}
Reduces nuisance behaviours: urine marking, fighting, roaming, and vocalisations. ^{10, 15-17}
Reduces risk of disease transmission to people and other animals (e.g., ringworm, FIV). ^{21, 22}
Ensures Improved Agricultural Outcomes
Reduces risk of toxoplasmosis transmission to farmed animals. ^{23, 24}
Ensures Improved Biodiversity Outcomes
Decreases predation pressure on native wildlife. ^{2, 25-30}
Decreases risk of toxoplasmosis transmission to native wildlife. ²⁴

Examples of mandatory desexing

In July 2017, Local Government New Zealand passed a remit (51% in favour) supporting lobbying Government for a national cat management plan and to allow territorial authorities regulatory



power to protect native wildlife by promoting responsible cat ownership, including desexing.³³

There are a few places in New Zealand where desexing is locally regulated:

- Palmerston North City Council bylaws passed in 2018 mandate desexing for all cats over six months of age, born after the 1st of July 2018 (exemptions are in place for registered breeders).³⁸
- New Plymouth bylaws passed in 2020 allow for the Council to include terms and conditions such as requiring desexing of cats if a person seeks approval to keep more than three cats or kittens over the age of six months on their property.³⁶
- Whanganui District Council bylaws passed in 2020 require any cat over four months of age was required to be desexed unless for breeding purposes and nationally registered; or the owner provides a certificate from a veterinarian indicating desexing will adversely affect the cat's health and/or welfare (vets, SPCA, and cat boarding premises are exempt from this requirement).³⁷

SPCA advocates for pre-pubertal desexing to reduce the likelihood of a cat having kittens prior to the 'traditional' time of de-sexing at six months of age. Desexing at six months allows cats to reach reproductive maturity before they are de-sexed.^{19, 47, 48} Cats may reach reproductive maturity as early as three and a half months of age.^{2, 32} Therefore, delaying the de-sexing of owned cats can result in unwanted litters of kittens which has long-term negative impacts on nuisance in communities, public health, and animal welfare.

Identification

SPCA prefers microchipping for identification because the chip cannot be removed, dislodged, or lost without surgical intervention. Once a cat is microchipped, the 15-digit microchip number, and the animal and owner's details can be registered with a microchip registration database, such as the New Zealand Companion Animal Register.³⁹ There are many benefits of microchipping for both cats and their owners (please see Table 2 below).



Table 2: Benefits of effective microchipping include:

Ensures Improved Animal and Human Welfare Outcomes
A lost or injured cat's owner can be identified and contacted.
Improved tracing and identifying cats in emergencies. During the 2011 Christchurch earthquake, 85% of owners of microchipped animals were contacted within 3 hours by the New Zealand Companion Animal Register, compared to only 25% of non-microchipped animals reunited with their owners within a 7-day period. ⁴⁰
Returning deceased cats to their owners (e.g., because of road traffic accidents).
Ensures Improved Community Outcomes
Identifying, educating, and warning/ penalising owners of a roaming and nuisance-causing cats.
Identification of specific animals such as breeding animals, competition animals.
Ensures Improved Biodiversity Outcomes
Distinguishing owned or managed stray cats from feral cats in pest management plans.

The addition of a collar and tag for companion or managed stray cats can provide a visual indication of a cat's ownership/management status and successfully help reunite lost cats with their owners/carers.⁴¹⁻⁴³

Examples of mandatory identification and registration

Mandatory identification requires cats are microchipped from a specific age, or if the cat is transferred among owners. There are few places in New Zealand where identification and registration are mandatory:

- Wellington City Council bylaws passed in 2016 require all cats over the age of 12 weeks be microchipped and registered on the New Zealand Companion Animal Register.⁴⁴



- Palmerston North City Council bylaws passed in 2018 require all cats over 6 months of age and born after 1st of July 2018 be microchipped and registered on the New Zealand Companion Animal Register.³⁸
- Whanganui District Council bylaws passed in 2020 require any cat over four months of age was required to be microchipped and registered with the New Zealand Companion Animal Register.³⁷
- Selwyn District Council passed bylaws in 2021 that require every person who keeps a cat over the age of four months is required to microchip and register the cat with the New Zealand Companion Animal Register or other approved registry.⁴⁵

Keeping cats at home to reduce nuisance

There are roughly 1.2 million companion cats in 41% of households across New Zealand.¹ Approximately 88% of cat owners in New Zealand desex their animals,¹ which is relatively high, however, there has been a downward trend from previous reports where 93.2%,³¹ and 93%,³⁵ of owners reported desexing their cats. An estimated 31.2% of cats are reported by their owners as microchipped.³¹ Recent studies indicate that most cat owners do not restrict their cats roaming from their property.^{1,31, 49} The likelihood of undesexed companion cats with no identification or registration contributing to the unwanted population of cats is exacerbated by most cat owners allowing their cats to roam freely.

In addition to being at increased risk to welfare harms from disease, injury, vehicle accidents, and becoming lost, roaming cats can have negative impacts on other people and animals in communities. We urge Nelson City Council to consider the public health risks, nuisance, and property damage issues related to owned companion cats freely roaming. SPCA advocates for cat owners to keep their cats at home, and support bylaws that facilitate this owner behaviour.

SPCA is concerned that the true scale of nuisance related to roaming companion cats is not fully communicated to the Nelson City Council. SPCA regularly receives emails and calls from the public related to cat nuisance, e.g., the neighbour's cat is toileting in their garden. We even have



a [website article](#) offering advice and tips for keeping cats out of your garden. However, preventing nuisance is the cat owner's responsibility.

SPCA is also concerned about issues related to the keeping of cats that may be perceived as non-nuisance such as predation on native wildlife. We also receive emails and calls related to the harms that members of the public voice about native wildlife predation, and we argue, this impacts the person and should be considered community nuisance. Cats are the definitive host of toxoplasmosis, and exposure to cat faeces in soil, sandboxes, litter beds, and gardens are risk factors for transmission to people and other animals.²³⁻²⁴ Finally, SPCA urges Nelson City Council to consider the property damage associated with roaming cats, including spraying and defaecating on neighbour properties, and fighting with other cats causing injuries that then require veterinary treatment.

We are happy to support and work with Nelson City Council to provide comprehensive services for cat owners to help ensure more responsible cat ownership. This includes helping overcome the primary barrier to desexing, which is the cost. Desexing companion animals is one of the few humane methods we have for managing stray cats, as it reduces the flow of unwanted cats and kittens from the companion cat populations into the stray cat populations.

Conclusion

SPCA appreciates the opportunity to contribute to the Nelson City Council and would welcome further engagement on this issue. We request a time slot at the hearing for this consultation. If any further information is required, the Society is happy to discuss this matter further.



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Submission Summary

Urban Environment Bylaw - Submission #29761

Mr Wray Barker

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		Please see attached.

Goid morning

Here is my submission to urban environments bylaw.

From the website. Parts I agree with highlighted in yellow. Disagree with highlighted in green. Reasons below.

- Remove the fees and charges provision in Part One and Part Eight of the Bylaw (and in the Reserves part of the Bylaw) as this approach to fee setting does not comply with section 150 of the Local Government Act 2002. Fee setting does not need to be in the Bylaw because this is covered by the legislative rules.
- Remove the 'caravans for residential purposes' provision from the Bylaw to avoid duplication with planning rules.
- Change the requirement (related to sandwich boards) of not reducing the width of the footpath available to pedestrians to clear footpath from 2m to 1.5m to align with the more recent provisions in the City Amenity Bylaw 2017
- Reduce approval complexity for retailers by removing the requirement for retailers to gain a permit before setting up a retail display on the footpath. Instead, state that retail displays cannot be a hazard to pedestrians, or reduce the width of the footpath available to pedestrians to less than 1.5 metres.
- Include a provision enabling Council to change its approach to sandwich boards and retail displays through a resolution so that Council can be more agile when issues arise.

I do not agree with the changes highlighted in green.

I agree with and support the changes highlighted in yellow.

My reasons are:

- Remove the 'caravans for residential purposes' provision from the Bylaw to avoid duplication with planning rules. – *I think a caravan should be allowed as an accessory building.*
-
- Change the requirement (related to sandwich boards) of not reducing the width of the footpath available to pedestrians to clear footpath from 2m to 1.5m to align with the more recent provisions in the City Amenity Bylaw 2017 – *I disagree with this proposal and consider that the City Amenity Bylaw 2017 should be amended to 2m of available footpath. 2m is preferable to allow for social distancing and ease of access for wheelchair and mobility aid users. Footpath obstructions such as sandwich boards and retail displays should not take priority over the needs of people with visual or mobility impairment.*
- Reduce approval complexity for retailers by removing the requirement for retailers to gain a permit before setting up a retail display on the footpath. Instead, state that retail displays cannot be a hazard to pedestrians, or

reduce the width of the footpath available to pedestrians to less than 1.5 metres. – I agree with this proposal to reduce complexity for retailers, but disagree with the 1.5m footpath minimum for the reasons outlined above.

- Include a provision enabling Council to change its approach to sandwich boards and retail displays through a resolution so that Council can be more agile when issues arise. – I agree with this proposal, as this will make it easier to resolve issues such as social distancing measures and access issues quickly as they arise.

.
Kind regards
Wray Barker

Submission Summary

Urban Environment Bylaw - Submission #29764

Mr Bevan Woodward

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>I am very opposed to change the requirement (related to sandwich boards) relating to the width of the footpath which needs to be available to pedestrians from 2m to 1.5m.</p> <p>NZTA's Pedestrian Guide requires the through route to be 2.4m - 3m+. See table here: https://www.nzta.govt.nz/walking-cycling-and-public-transport/walking/walking-standards-and-guidelines/pedestrian-network-guidance/design/paths/footpath-design-geometry/footpath-width/</p>

Submission Summary

Urban Environment Bylaw - Submission #29766

Mrs katharine malcolm

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>After listening to the difficulties faced by blind or near-blind people on city footpaths, I submit that no sandwich boards should be permitted on the footpath unless they are against the curb and allowing 2 metres of clearance from the buildings on the other side, so that blind people can tap their way along the building edges.</p> <p>I also submit that no advertising should be allowed on parked vehicles on the side of any road, including cars for sale or any other items for sale, and including promotion of candidates for local or national elections.</p>

Submission Summary

Urban Environment Bylaw - Submission #29767

Elizabeth Dooley

Maitai
Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		Could we please keep the pavements 2m wide and remove sandwich boards. Its very difficult for the vision-challenged to negotiate 'unpredictable' barriers. Also mobility scooters have become larger and it is painful to see someone trying to negotiate their way around the various barriers.

Submission Summary

Urban Environment Bylaw - Submission #29768

Mr Rupert MacLachlan

Nelson 7011

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>I would like to see the local bylaws around cat ownership updated to reflect what is becoming normal nationwide and to help protect the local birdlife and wildlife that NCC and other local organizations commit a large amount of time and funding towards each year.</p> <p>Some measures include:</p> <ul style="list-style-type: none"> - Limit of number of cats per household (this is quite common around the country now) - Compulsory microchipping and desexing - Rules around the feeding of cats (i.e. establishing cat colonies) - Advocating for national legislation pertaining to cats - Running education campaigns around responsible cat ownership

Submission Summary

Urban Environment Bylaw - Submission #29770

Ms Erinna Sygrove

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>To whom it may concern,</p> <p>I am writing AGAINST golfing in Neale park. We are a family with young children that live in the area and have had two scary near misses. There probably would be more if we had not learnt from that and are now vilagent to the point of paranoia. We have golf balls lined up on the fence at our back gate.</p> <p>Thus aside the golfers seem oblivious when people enter the park and carry on regardless. I feel like it's not a case of if, but when someone gets seriously injured.</p> <p>Maybe it was not as bad when the area was not so busy? But now with the skate park, bicycle paths and a general increase of population. It feels like an accident waiting to happen.</p> <p>Feel free to contact me if you require any more information. But please do not print my name or details. As I find the golfers quite arrogant and confrontational.</p> <p>Kind regards Erinna Sygrove</p>

Submission Summary

Urban Environment Bylaw - Submission #29771

Mrs Elaine Asquith

Regional Community Predator Control Coordinator Tasman Environmental Trust

Richmond 7020

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>Kia ora</p> <p>Many thanks for the opportunity to submit on the Nelson City Council Urban Environments Bylaw (No. 225) attached.</p> <p>Ngā mihi nui Elaine Asquith Tasman Environmental Trust</p>

Nelson City Council Urban Environments Bylaw (No. 225)

Submission by Elaine Asquith on behalf of the Tasman Environmental Trust,

[REDACTED]

[REDACTED],

Richmond.

E-mail: [REDACTED]

We wish to speak to our submission.

Thank you to the Nelson City Council on the work staff have done around the Nelson City Council Urban Environments Bylaw (No. 225). We would like to see the addition of recognition that cats are an emerging issue in Nelson. We think the council needs to be clear in its expectations and measures around cat management included in Part 3 Keeping of animals, and Part 7 Reserves. Our view is that a bylaw can set a level of expectation of behaviour and allows council to act in the event issues arise, it does not mean councils have to proactively police the rules in the bylaw. Nelson Nature, Brook Sanctuary, community groups and others are undertaking a lot of work to control introduced predators across Nelson so that native wildlife can flourish. Cats (owned or unowned) can undermine the effort and funding going into conservation projects. Cats are highly skilled hunters and hunt regardless of hunger, all cats hunt whether they are owned or not. Cats are apex predators in New Zealand and it is up to us to minimise the impacts they have on our native biodiversity. Reducing unwanted kittens through desexing and enabling clear identification between owned and unowned will help control cats in ecologically sensitive areas. Public awareness of the impact of wandering cats is increasing and there is a growing demand from New Zealanders to minimise the impact that wandering cats have on our native biodiversity. The 2019 Public Perceptions Survey by Lincoln University states 70% of people agree that unowned cats are a significant threat to native biodiversity and 50% agree that domestic cats are a significant threat. This is a growing area of concern and NCC needs to ensure they use this bylaw review as an opportunity to ensure measures are in place to reduce the nuisance that cats cause. Work by Brook Sanctuary, Nelson Nature, many community groups, and goals like Predator Free 2050 have increased people's awareness of the impact of introduced predators and in the absence of national legislation it is up to local councils to introduce sufficient measures in their bylaws. At least 25 councils in New Zealand have bylaws that include some measures around cat ownership.

The majority of these include a limit around the number of cats (most commonly fewer than 3). We strongly recommend that you include a limit on the number of cats in your bylaw. This sets a clear expectation of what is expected and gives council the legislative weight to intervene in instances where this becomes a problem. Property owners have no way to stop cats from entering their property to spread disease, kill native wildlife and defecate in gardens. Limiting the number of cats per property can significantly reduce the annoyance to neighbouring properties. It is worth noting that in the WCC bylaw they received a huge number of submissions and most submissions were in favour of limiting the number of cats per property with the most popular option to impose a limit of one cat per household.

We also recommend that you include compulsory microchipping and desexing of owned cats in your bylaw, this is becoming increasingly common when councils review their animal bylaws. Including

microchipping and desexing in the bylaw would be welcomed by the majority of cat owners. Microchipping enables clear identification between owned and unowned cats and will help enable control of feral cats in ecologically sensitive areas. Tasman Environmental Trust (in partnership with TDC, DOC, SPCA and local vets) Live & Let Live Programme undertakes community engagement including cat owner education and free microchipping of domestic cats prior to feral cat control on the Waimea Inlet. This is in line with the special protection measures in place for Neiman Creek and Peral Creek area within the Nelson Tasman Region Pest Management Plan. This receives very high community support from cat owners and non-cat owners alike.

Desexing of owned cats will reduce the number of unwanted kittens. Which in turn reduces the stress on cat protection groups and reduces the number of dumped cats. It should be acknowledged that cats are the primary vector for the spread of Toxoplasmosis which is a disease particularly harmful to pregnant women. But Toxoplasmosis is also a problem for sheep farmers affecting pregnant ewes and resulting in the early termination of their foetuses. Many farmers immunise against Toxoplasmosis but the vaccine is not 100% effective and can still affect herds. Toxoplasmosis also affects the critically endangered Maui and Hector's dolphins. Managing the number of wandering cats, especially feral cats, will help reduce the spread of Toxoplasmosis.

We recommend adding a statement which prohibits the feeding of stray cats, especially on Council land. Stray cat colonies are an increasing problem and can be devastating for native wildlife, especially near ecologically sensitive sites. Cats in these colonies are also often sick and malnourished and live miserable lives. These cats spread diseases to owned domestic cats and cause injury due to fighting. In the Nelson Tasman Regional Pest Management Plan feral cats are included as a pest species. Neiman Creek and Pearl Creek on Waimeha Inlet are included as areas where feral cats are to be controlled (while not in the Tasman District, pests know no boundaries). It is important that the NCC bylaw supports these efforts by ensuring adequate controls around domestic and stray cats.

The Tasman Environmental Trust would also encourage the NCC to actively provide and promote more information and education about responsible cat ownership. However, this alone would be insufficient to deal with any issues cats cause and we strongly encourage the council to include stronger measures in its bylaw. NCC should also be aware that SPCA, NZ Vets Association, Wellington City Council and Auckland Council have been working on educational materials for responsible cat owners. I'm sure they'd be happy to share this with your staff to ensure good messaging and advice.

We would also like to see the NCC advocate strongly for a national cat legislation.

[In summary our recommendations are:](#)

- Include a limit on the number of cats per household.
- Compulsory microchipping and desexing of owned cats.
- Adding a statement which prohibits the feeding of stray cats, especially on Council land.
- Actively provide and promote more information and education about responsible cat ownership.
- Advocate strongly for national cat legislation.

Submission Summary

Urban Environment Bylaw - Submission #29779

Mr Bruce Evans

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>Nelson City Council.</p> <p>What a real privilege we have in the almost free use of the wide open spaces that Neale Park offers. The Park is well used by many sports lovers, walkers, golfers, and those who exercise dogs with or without a leash. There is a generally well ordered set of controls which most people have utilized for many years. The Council has established a modest level of control and erected signage which most people use.</p> <p>Currently dog users are being asked by Parks and Reserves to clean up after doggy poos, as required by Council By Laws; \$300 fines being proposed to help achieve control.</p> <p>The majority of park users walk around the perimeter of the park leaving the central area to golfers who are supposed to use only the restricted area marked by four yellow pipes. They are also expected to tee-off from a relatively small zone between the No.1 and No. 2 Rugby fields near the Toilet Block.</p> <p>As the park dries out over the summer months, golf balls can bounce further than expected and some balls may endanger dogs and the public.</p>

			<p>Thus golfers need to use smaller clubs in the summer period and confine their target to the yellow pipe zone.</p> <p>I believe that the current controls and new signage coupled with good will and good sense should see golf balls landing in the appropriately marked zone.</p> <p>I have observed golfers hitting off from a scatter of areas all round the park.</p> <p>Neale Park walkers need to be aware of the golf zone before they walk directly across the golf zone.</p> <p>Also, golfers need to watch out for walkers and uncontrolled dogs in front of them.</p> <p>The Park is big enough and with appropriate controls the various groups should be able to maintain good relationships.</p> <p>Bruce Evans</p>
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Submission Summary

Urban Environment Bylaw - Submission #29780

Ms Morgan Brown-Sharpe
Blind Low Vision NZ

Auckland 1052

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>Kia ora,</p> <p>Please find attached Blind Low Vision NZ's submission on the proposed changes put forth by the Nelson City Council Urban Environment's Bylaw Review.</p> <p>Our key contact is General Manager of Policy and Advocacy, Dianne Rogers: drogers@blindlowvision.org.nz</p> <p>We appreciate the opportunity to provide this feedback on the Urban Environment's Bylaw Review.</p> <p>Ngā mihi nui,</p> <p>Morgan Brown-Sharpe Blind Low Vision NZ Kāpō, Matarehu Aotearoa</p>



8 December 2021

Urban Environment's Bylaw Review

Nelson City Council

Blind Low Vision NZ (formally known as the Blind Foundation) welcomes the opportunity to provide feedback on the Urban Environments Bylaw Review.

Blind Low Vision NZ is the operating name of the Royal New Zealand Foundation of the Blind, an incorporated charitable society under the Incorporated Societies Act 1908.

Blind Low Vision NZ's purpose is to enable approximately 14,500 clients and members who are blind or have low vision to be self-reliant and live the life they choose.

Our vision is a life without limits. We are committed to ensuring that New Zealanders who are blind, deafblind or have low vision are able to enjoy life, and participate fully in society. This includes through advocating for accessible transport options, and pedestrian spaces suitable for people with special mobility needs.

Summary

- We oppose proposed change 3. We recommend that the clear footpath should be minimum 1.8metres, and ideally remain at 2metres.
- Proposed change 5 should include strong compliance monitoring.
- We strongly oppose proposed change 6.

Feedback

1. Proposed change 3 – Trading in Public Places

We strongly oppose proposed change 3 – which reduces the required width of clear footpath (related to sandwich board placement) from 2metres, to 1.5metres. We recommend that the required width remains at 2metres.

The continuous accessible path of travel defines the area where the pedestrian route is safe and convenient for everyone, especially people with impaired mobility, and people

Blind Low Vision NZ

Phone 0800 24 33 33 **Web** blindlowvision.org.nz

who are blind or have low vision. Waka Kotahi and other regional bylaws (Auckland for instance) generally recognise that the width of the continuous accessible path of travel, should ideally be 1.8metres and 1.5 metres as an absolute minimum. However, on busy footpaths in city centres, wider is beneficial. Refer to the Waka Kotahi Pedestrian Planning and Design Guide 14.2 for specific details on footpath widths.

The continuous accessible path of travel should enable pedestrians to pass one another. For instance, if a person who is blind or low vision is passing someone in a wheelchair, or a Mum or Dad with a pram, 1.8metres is required (900mm each) and 2 metres is preferable.

2. Proposed Change 4 – Trading in Public Places

We acknowledge that no permits have been applied for before setting up a retail display on the footpath in the last five years.

We wish to emphasise that obstacles such as advertising and regulatory signs should be kept clear of the continuous accessible path of travel at all times. Advertising signs on the footpath should be avoided if possible. Where advertising is permitted, these signs shall be located away from the continuous accessible path of travel, i.e., on the kerb edge, and always placed consistently in the same location.

Therefore, in place of permits there should be compliance officers ensuring that there is strict compliance to the bylaw. The bylaw should state that retail displays cannot be a hazard to pedestrians, or reduce the width of the footpath available to pedestrians by less than 1.8metres, rather than 1.5metres.

3. Proposed Change 5 – Trading in Public Places

We strongly oppose proposed change 5, because it goes against true democratic process. Ratepayers should be consulted on issues that concern their ability to move around safely and confidently in public spaces.

Please feel free to utilise Blind Low Vision's resource: Clearing Our Way, a guide to designing accessible built and digital environments.

Thank you for the opportunity to provide feedback on the Urban Environments Bylaw Review.

Submission Summary

Urban Environment Bylaw - Submission #29781

Ms Jeanette Ware

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		Please see attached.

Tuesday 7 December 2021

I fully support changes to the Urban Environments Bylaw, to remove permission to play or practise golf in Neale Park and that Neale Park is no longer designated as an area where golf is allowed.

I live in North Road and my property backs onto Neale Park near the Weka Street entrance. I go onto the park almost every day. I believe my safety, the safety of my family and the public is severely at risk with golfers using Neale Park. This is an ongoing health and safety concern and needs to be stopped. If allowed to continue, it is only a matter of time before someone is severely injured or worse, killed.

Current golfing guidelines were established prior to the building of the skate park and development of the cycle way and with the growth in population, do not take into account the current changes in public use of Neale Park.

It amazes me that the current bylaw, as it is, allows the dangerous practice of golf in a public, multi-use recreational park and sports field. There is a potential for golf balls to travel a long way at speed and often in an unpredictable direction. Though signage is helpful, it is not enough to be sure the golf balls will stay in the designated areas and not cause damage to property and possibly people.

When I talk to golfers, with the intention of being non-confrontational, I ask if they have read the signage at the Weka Street entrance to the park. Usually they say they are not aware it even exists. Some do know about the yellow posts but, if they are hitting golf balls in the area of Neale Park outside my back gate, then they are not within the designated area. Some golfers are considerate and say they will read the bylaw signage and comply. Others are rude, entitled and belligerent and refuse to consider that they might be putting others at risk. I have had one aggressive golfer follow me to my back gate, yelling abuse and photographing me in attempt to intimidate, because I had asked him to stop hitting golf balls across the Weka Street entrance to Neale park on the day of the annual Kite Festival, as kites were being launched and people were arriving, some riding pushbikes.

When approached, golfers will often justify they know what they are doing, but I and my neighbours often find golf balls in our gardens and my next door neighbour has a glass house with several broken panes from wayward golf balls. Another neighbour told me recently she had tidied the garden at the side of her house and the next day found a golf ball there - which could only have come from the park!

When I go out my back gate, I have to remember to look in the distance to see if there is a golfer who is assuming there is no-one on the park. Golfer's are often a long way from where their golf balls are landing and once the ball is in the air, there is no control where it will land! Sometimes there are up to four golfers on the park at the same time. I have had several incidences, when walking across the park, with balls landing close by and then noticing a golfer in the distance. One time, I had two of my pre-school grandchildren with me and we were walking across the park to my back gate and had not realised there was a golfer in the park. As we walked, golf balls landed around us and I was waving and calling out to the golfer, who was over by the toilet block, to wait so we could get past! He acted like he thought we were in his way and didn't stop.

My four year old grandson was on Neale Park earlier this year, with his parents, when a golf ball landed less than a metre in front of him. Luckily, he was wearing a bike helmet! The incident was caused by a couple of teenagers hitting aimlessly - out of control and absolutely too close!!

A few years ago, my daughter was walking across Neale park with her two small children and her tiny, prematurely born baby in a front pack, enjoying a walk outside. Half way across the park she was terrified when with no apparent warning, a golf ball went by close enough to scare the hell out of her. If the golf ball had hit her tiny baby, or her small children, it would have caused severe damage or more likely, could have been fatal! She was reluctant to take her children onto the park for some time after this incident.

This article from ABC News Australia, dated 4 Apr 2021, tragically shows that being struck by a golf ball can be fatal.

Key points:

A man has died after being hit with a golf ball at the Portarlington Golf Club on Victoria's Bellarine Peninsula.

- The 69-year-old was playing in a competition on Tuesday when he was struck with a ball
- He went home after being treated at the scene, but was later taken to Geelong hospital
- The man died on Saturday afternoon in a Melbourne hospital

<https://www.abc.net.au/news/2021-04-04/man-dies-after-being-struck-with-golf-ball/100048104>

I trust this will be the end of the dangerous practise of golfing on the public, urban, recreational, multi-use, open space of Neale Park.

Please contact me if you would like any further information.

Yours truly

Jeanette Ware

Submission Summary

Urban Environment Bylaw - Submission #29784

Scott Stocker

20

Nelson 7011

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>I would like to submit that the NCC creates a by-law on cat ownership. Cats can have a significant impact on our native biodiversity, including birds and native reptiles. There is also the issue of the impact of Toxoplasma Gondii and its impact on the marine environment.</p> <p>Therefore, I submit:</p> <ul style="list-style-type: none"> • A limit on the number of cats per household (this is quite common around the country now) • Compulsory microchipping and desexing (also common in other districts and in Australia) • Rules around the feeding of cats (i.e. establishing cat colonies) <p>Scott Stocker</p>

Submission Summary

Urban Environment Bylaw - Submission #29785

Mr Kevin Bolitho

Nelson 7011

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>I am strongly in support of further controls on cat ownership and control. I wish to see the following changes implemented ASAP.</p> <ul style="list-style-type: none"> * Limit of number of cats per household (this is quite common around the country now) * Compulsory microchipping and desexing * Rules around the feeding of cats (i.e. establishing cat colonies) * Advocating for national legislation pertaining to cats * Running education campaigns around responsible cat ownership * Measures taken to eliminate feral cat population

Submission Summary

Urban Environment Bylaw - Submission #29786

Ms Neroli Amyes

Nelson 7011

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>I am strongly in support of further controls on cat ownership and control. I wish to see the following changes implemented ASAP.</p> <ul style="list-style-type: none"> * Limit of number of cats per household (this is quite common around the country now) * Compulsory microchipping and desexing * Rules around the feeding of cats (i.e. establishing cat colonies) * Advocating for national legislation pertaining to cats * Running education campaigns around responsible cat ownership * Measures taken to eliminate feral cat population

Submission Summary

Urban Environment Bylaw - Submission #29788

Ms Chris Allison
Health Action Trust

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		Please see attached.



7 December 2021

Submission on Nelson City Council's draft **Urban Environments Bylaw 2022**

Referencing:

Statement of Proposal: https://hdp-au-prod-app-nels-shape-files.s3.ap-southeast-2.amazonaws.com/3516/3606/0193/Statement_of_Proposal_-_Amended_Urban_Environments_Bylaw_-_FINAL_APPROVED_4_Nov_2021.pdf

and Draft Amended Bylaw: https://hdp-au-prod-app-nels-shape-files.s3.ap-southeast-2.amazonaws.com/4816/3606/0140/Draft_Amended_Urban_Environments_Bylaw_-_FINAL_APPROVED_4_Nov_2021.pdf

and The existing Urban Environments Bylaw 2015: <http://www.nelson.govt.nz/assets/Our-council/Downloads/bylaws/bylaw-225/Urban-Environments-Bylaw-updated-with-Kerr-St-changes-from-21-March-2019-Council-meeting-A2174442.pdf>

1. This submission relates to Part Five (Trading in Public Places) of the draft Bylaw.
2. This submission supports in its entirety the submission on the draft Urban Environments Bylaw 2022 made by Living Streets Aotearoa (LSA) presented separately by Dr Chris Teo-Sherrell on behalf of that organisation. As such the points made in the LSA submission regarding specific elements of the draft will not be repeated here.
3. People's mobility is a critical element in both community and individual health; communities where mobility is constrained or restricted in some way, and where people are deterred from moving around freely as a result, tend to have less community connectedness and liveliness, more issues with crime and, importantly in the case of this aspect of the bylaw, less commercial activity.
4. All of these outcomes are in opposition to the goals which Council is pursuing with a number of its current strategies and projects, especially the City Centre Spatial Plan, City Centre Projects, and City for All Ages Strategy.
5. On an individual level, actions that result in inhibiting movement will impact on a person's inclusion in what should be the normal activities of shopping, exploring and social connection. This is especially damaging when it affects older people, whose confidence in their physical functioning, and concerns about falls and the repercussions

of falls (roughly one in three older people in NZ who break a hip will die within the following year), leads then to withdraw from accessing and moving around within a key part of their community.

6. The proposals within the bylaw that are disputed in the LSA submission reflect a wider appropriation of public space for other purposes, which then creates difficulties for many urban councils and communities via the 'law of unforeseen consequences'. The obvious example being the past transfer of what was once the multiple-user space of roadways into being the primary preserve of vehicles, marginalising foot and cycle traffic. The costs of that shift are increasingly confronting both local and central governments in much of the developed world as both attempt to counter congestion, the (now embedded) barriers to active transport, and the loss of foot traffic in commercial areas.
7. We have also seen a related push to allocate what has been the residual preserve of people on foot (footpaths) to other mobility users like cyclists, who are considered to be increasingly unsafe on the street. With the growth of micro-mobility the trend is also to shift this (often commercialised) activity onto footpaths.
8. It is important then that Council be aware that with the proposals in the Amended Urban Environments Bylaw it is effectively replicating this same process, with the same negative consequences, by exacerbating the already compromised function of footpaths as public spaces. It would therefore be an investment for Nelson's future for Council to go beyond not proceeding with the proposed steps that inhibit pedestrian mobility, but to take this opportunity to look closely at any commercial or other activities which currently restrict movement on footpaths, and to address these.
9. We are not needing to speak with councillors regarding our submission on the proposed bylaw.

Thank you.

Chris Allison

Mental Health Promoter
Clinical Psychologist (non-practicing)
(On behalf of)
Health Action Trust
[REDACTED], Nelson
(Cnr Selwyn Pl & Sussex St)
Web: www.healthaction.org.nz

Submission Summary

Urban Environment Bylaw - Submission #29789

Mr Waihaere Mason

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		Please see attached.

P Doherty
Chief Executive Officer
Nelson City Council
26 November 2021
Tena koe Pat

Neale Park Golf Range

It has come to my attention that Council is considering closing the Golf Practice Range at Neale Park.

When asked why, the given reason was ... "that someone nearly got hit". One can only assume that there must be more serious reasons than that. The council would need better evidence because if we went around closing down activities simply because something "nearly happened" very little would be going on anywhere with anything in this world we live in.

Does the Council have data on injuries caused by golfing at Neale Park?

I have used the park regularly over the past six years and have never witnessed even a vague "nearly got hit". Golfers that I have seen at the park, are mature people with some in retirement. We do talk a lot. I have not witnessed the driving of the golf balls but more to the use of midrange clubs and chipping practise. There is no or little scuffing damage to the turf and better control over the hitting of the ball.

The current range is sited across soccer fields that are marked and maintained in good order for that particular sport. Therefore, golfing is provided at no cost to the Council. It is certainly a cost-effective facility for a predominately aged population that uses it.

And now to the critical issue of general safety of those using Neale Park.

- a) What data is there on injuries to Rugby and Soccer players?

What tolerance is given these sports before the Council closes their grounds. Is a "nearly accident" good enough or is there a need for several concussion or outpatient cases before acting.

- b) Is the Park a designated pass for pedestrians to use as a short cut linking town and residential areas?

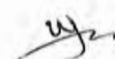
These are the people that golfers have to watch out for. Sometimes they completely ignore us. Do they cross at their own risk when highly dangerous pensioner golfers are waiting in ambush?

Only just this week I was casually hitting a few balls, not in the designated area as it was being used, I was spoken too by a passing, most attractive, obviously physically fit, mature woman

"How lovely to see you enjoying this beautiful day".

I remarked that Council were considering closing the Park to golfers. Her response;

"I'm not complaining"



In Conclusion

1. The Golf Range is a safe environment considering the maturity of persons that use it.
2. There are injuries experienced by other users of Neale Park.
3. The Golf Range is a cost effective leisure facility that encourage a healthy lifestyle.
4. There is risk involved in all sports activities requiring common sense to placate possible danger.

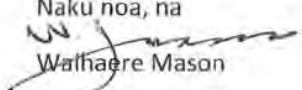
Recommendation

"That Golf Practice Range remain at Neale Park".

I would like to speak to this recommendation if that is part of the process on this matter.

Thank you

Naku noa, na


Waihaere Mason

Ratepayer

 Nelson


Received at Nelson City Council

30/11/2021 8:38:51 AM

mail

Hannah

1000027127

Submission Summary

Urban Environment Bylaw - Submission #29790

Mr Chris Potter

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		Note: this is a repeat of my previous submission. I notice (in the confirmation) that it has lost all its formatting - and readability. This time I submit it as an attachment.

I strongly believe the bylaw should include measures to control roaming cats. Nelson is fortunate to be surrounded by so much natural environment, one of its major attractions. Much work is being done in these places, notably by volunteers, to control introduced predators impacting our native fauna. However all of these projects overlook one of the top predators, the cat. Cats are often seen and photographed in our parks and reserves and are well known to prey on birds and invertebrates as well as rats and mice. As trapping reduces the number of rodents, the risk to birds is increased. Measures to reduce the threat of roaming cats have been introduced in many places in New Zealand and Australia and should be brought in here without delay.

With its outstanding Brook Waimarama Sanctuary in mind, Nelson should be a leading voice on this important issue. We cannot build pest-proof fences around all of our reserves.

Measures should include:

- Running education campaigns encouraging responsible cat ownership
- Limiting the number of cats per household
- Keeping cats enclosed at night
- Compulsory microchipping and desexing

Submission Summary

Urban Environment Bylaw - Submission #29791

Dr Anna Berthelsen

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		<p>The world is suffering both a climate crisis and a biodiversity crisis, and these issues are not mutually exclusive. It is well known that cats (including domestic cats) are a threat to native biodiversity in Aotearoa New Zealand. Cats also spread disease that can be a risk to human health. I therefore implore that Nelson Urban Environments Bylaw be amended to include management strategies aimed to minimise the risk of domestic cats to native wildlife.</p> <p>Although I am not an expert on this subject, I understand that there are various management strategies that could be used to reach this aim. Ensuring that cats are registered/and or microchipped would be an important first step to identifying cat ownership (with additional benefits for reuniting cats/cat owners if they become separated). Management strategies include restricting roaming of domestic cats outside of their owner's property and implementing cat curfews.</p> <p>As someone who is trying to make a difference to the environment by restoring my urban garden into a native habitat, I find it incredibly frustrating when I see my work being undone by domestic cats that regularly enter my property. I also do not like the disease risk my family is potentially exposed to due to these cats regularly defecating in my vegetable garden. There are council restrictions on so many other animals in our urban environment, I see no logical reason why cats should be exempt from this – especially given the threat they pose to our native wildlife.</p> <p>Kind regards, Anna</p> <p>Note: this text is also in the attached document.</p>

The world is suffering both a climate crisis and a biodiversity crisis, and these issues are not mutually exclusive. It is well known that cats (including domestic cats) are a threat to native biodiversity in Aotearoa New Zealand. Cats also spread disease that can be a risk to human health. **I therefore implore that Nelson Urban Environments Bylaw be amended to include management strategies aimed to minimise the risk of domestic cats to native wildlife.**

Although I am not an expert on this subject, I understand that there are various management strategies that could be used to reach this aim. Ensuring that cats are registered/and or microchipped would be an important first step to identifying cat ownership (with additional benefits for reuniting cats/cat owners if they become separated). Management strategies include restricting roaming of domestic cats outside of their owner's property and implementing cat curfews.

As someone who is trying to make a difference to the environment by restoring my urban garden into a native habitat, I find it incredibly frustrating when I see my work being undone by domestic cats that regularly enter my property. I also do not like the disease risk my family is potentially exposed to due to these cats regularly defecating in my vegetable garden. There are council restrictions on so many other animals in our urban environment, I see no logical reason why cats should be exempt from this – especially given the threat they pose to our native wildlife.

Kind regards, Anna

Submission Summary

Urban Environment Bylaw - Submission #29792

Mr Cameron Carter

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Please provide your views on the Draft Amended Urban Environments Bylaw, including whether you support or oppose any of the proposed changes – or are seeking other changes to the Bylaw. We encourage you to provide reasons to support your submission		The world is suffering both a climate crisis and a biodiversity crisis, and these issues are not mutually exclusive. It is well known that cats (including domestic cats) are a threat to native biodiversity in Aotearoa New Zealand. Cats also spread disease that can be a risk to human health. I therefore request that the Nelson Urban Environments Bylaw be amended to include management strategies aimed to minimise the risk of domestic cats to native wildlife. Kind regards, Cam

Submission Summary

Urban Environment Bylaw - Submission #29803

Ms Jane Murray

Nelson Marlborough Health

jane.murray@nmdhb.govt.nz

PO Box 1647

Nelson 7040

Speaker? False

Department	Subject	Opinion	Summary
			See attached.



Nelson City Council

Urban Environments Bylaw Review

8 December 2021

For more information please contact:

Jane Murray

NMDHB Public Health Service

Email: jane.murray@nmdhb.govt.nz

Phone: (022) 102 9798

Submitter details

1. Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NMH appreciates the opportunity to comment from a public health perspective on the Nelson City Council's Urban Environments Bylaw Review.
2. NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
3. This submission sets out particular matters of interest and concern to NMH.

Specific Comments

Part Five: Trading in Public Places

4. NMH has read the submission put forward by Living Streets Aotearoa and would like to endorse their submission points regarding the importance of clear accessible paths of travel on footpaths. NMH supports their recommendation that the bylaw be amended to state that all signs (other than those affixed to the front of buildings and parallel to the footpath), tables and chairs and furniture associated with displaying goods be required to be located in the furniture zone, adjacent to the kerb, leaving at least a 2m clear accessible path of travel adjacent to the building line.

Part Six: Control of Alcohol in Public Places

5. NMH recommends that wording in Section 6.11 is amended so that permits to supply alcohol are overseen by the Licensing Inspector only to ensure compliance with the Sale and Supply of Alcohol Act 2012.

Recommendation: Section 6.11: A Council permit for this activity may be granted by ~~Council, the Chief Executive of Council, or~~ any Licensing Inspector appointed under section 197(1) of the Sale and Supply of Alcohol Act 2012

6. NMH recommends that the wording to Section 6.12 is amended to further minimise alcohol related harm to children by not just ensuring that they don't have access to alcohol at an event but also that their *exposure* to alcohol advertising and promotions are limited. This condition would then allow for the

consideration of branding, signage and promotion of an event if it is expected that children will be attending.

7. The evidence demonstrating the harm from alcohol advertising has been previously reviewed by the New Zealand Law Commission and the Ministerial Forum for Alcohol Advertising and Sponsorship in their extensive reports on alcohol related harm in New Zealand. To limit harm to children these reports recommended a reduction of youth exposure to sponsorship and advertising of alcohol^{1,2}. Exposure to alcohol marketing can result in young people drinking earlier in their lives, and drinking larger amounts of alcohol.^{3,4}

8. **Recommendation:** An additional clause is added to Section 6.12: "A permit granted in accordance with this section of the Bylaw may include conditions related to the following matters to ensure that the activity remains low risk with respect to minimising alcohol related harm."

New clause: The controls that may be required to ensure that anyone under the age of 18 will not be exposed to alcohol promotions at the activity:

Part 7: Reserves

9. NMH recommends a new section is added to the Reserves section in relation to advertising and consumption of alcohol on reserves.
10. **Advertising of alcohol** - Exposure to advertising in the form of alcohol sponsorship can influence drinking behaviours. A 2016 systematic review assessing the evidence on the relationship between alcohol sports sponsorship and alcohol consumption found that of seven studies identified, all indicated that exposure to alcohol sports sponsorship is associated with increased levels of consumption and risky drinking amongst schoolchildren and sportspeople.⁵ The majority of New Zealanders support restrictions on alcohol advertising that can be seen or heard by young people. The 2016 Health and Lifestyles Survey found 80% of New Zealanders in favour of increasing restrictions on alcohol advertising

¹ New Zealand Law Commission. Alcohol in our lives: curbing the harm. Wellington; NZ, 2010.

² Ministerial Forum on Alcohol Advertising and Sponsorship. Ministerial Forum on Alcohol Advertising and Sponsorship: Recommendations on alcohol advertising and sponsorship. 2014

³ Jernigan D, Noel J, Landon J, Thornton N, Lobstein T. Alcohol marketing and youth alcohol consumption: a systematic review of longitudinal studies published since 2008. *Addiction* 2017; 112: 7–20

⁴ Anderson P, de Bruijn A, Angus K, Gordon R, Hastings G. Impact of alcohol advertising and media exposure on adolescent alcohol use: a systematic review of longitudinal studies. *Alcohol Alcohol* 2009; 44: 229–43

⁵ Wagenaar, A. C., Salois, M. J., & Komro, K. A. (2009), Effects of beverage alcohol price and tax levels on drinking: a meta-analysis of 1003 estimates from 112 studies. *Addiction*, 104(2), 179–190

or promotion seen or heard by people under 18, while 68% supported banning alcohol-related sponsorship of events that people under 18 may attend.⁶

11. **Recommendation:** A section is added to the Reserves section titled

"Advertising of alcohol: *The advertising of alcohol (including sponsorship signage) shall not be permitted on Reserves. Advertising of alcohol is limited to price and product range information at point of sale within any licensed venues within reserves*

Consumption of alcohol

12. Exposure to the consumption of alcohol leads to the normalising of drinking alcohol. An increase in the number of environments where alcohol is available leads to the increasing acceptance of alcohol in every situation. For this reason it is important to ensure that the advertising, promotion or consumption of alcohol is not be permitted in playground areas and other play and activity areas including sports grounds frequented by children and youth up to 18 years of age. The He Ara Oranga report of the Mental Health and Addictions Inquiry spoke of people and communities calling for decisive action to limit the sale and promotion of alcohol particularly around children and young people. Alcohol (including its promotion) was a recurring theme and a specific concern through the report as it was identified as undermining many aspects of wellbeing and mental health, and as the most common substance of addiction in our communities.⁷

13. **Recommendation:** A section is added to the Reserves section titled

"Consumption of alcohol": *Advertising, promotion or consumption of alcohol is not be permitted in playground areas and other play and activity areas including sports grounds frequented by children and youth up to 18 years of age. Outside of the play and activity areas frequented by children and youth, the consumption of alcohol is permitted by individuals when consumed as part of family picnics, small social celebrations or as part of a licensed event for which a special licence may be applied for or on any licensed premises situated on a Reserve.*

14. NMH notes that the numbering in the Reserves section is not sequential

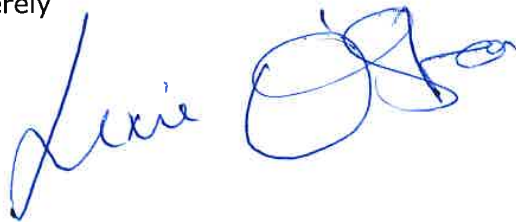
⁶ Health Promotion Agency. Alcohol-related attitudes overtime: Results from the Health and Lifestyles Survey. 2018 <https://www.hpa.org.nz/research-library/research-publications/alcohol-related-attitudes-over-time-infographic> (accessed Aug 20, 2019).

⁷ Mental Health and Addiction Inquiry. He Ara Oranga: Report of the Government Inquiry into Mental Health and Addiction. 2018 <https://mentalhealth.inquiry.govt.nz/assets/Summary-reports/He-Ara-Oranga.pdf> (accessed Aug 20, 2019).

Conclusion

1. NMH thanks the Nelson City Council for the opportunity to comment on the Urban Environments Bylaw Review.
2. NMH **wishes to be heard** in support of its submission.

Yours sincerely



Lexie O'Shea
Chief Executive
Lexie.OShea@nmhs.govt.nz