

14. 8. 2008

**BURWOOD/PEGASUS COMMUNITY BOARD
16 JUNE 2008**

**Minutes of an ordinary meeting of the Burwood/Pegasus Community Board
held on Monday 16 June 2008 at 3.30pm
in the Boardroom, corner Beresford and Union Streets, New Brighton**

PRESENT: David East (Chairman), Nigel Dixon, Tina Lomax, Tim Sintes,
Linda Stewart and Chrissie Williams.

APOLOGIES: An apology for lateness was received and accepted from Chrissie Williams who arrived at 3.56pm and was absent for part of Clause 1, Clauses 2 to 7 and 11 and 12.

The Board reports that:

PART A: MATTERS REQUIRING A COUNCIL DECISION

1. HOURS FOR FISHING FROM THE NEW BRIGHTON PIER



General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Transport and Greenspace Manager
Authors:	Kay Holder and Rodney Chambers

PURPOSE OF REPORT

1. To report back to the Council following its decision to prohibit fishing from the New Brighton Pier for set days and times over the 2007/08 summer period.

EXECUTIVE SUMMARY

2. Following consultation last year on how to manage the conflict between people fishing and general sightseers on the New Brighton Pier, the Council (16 May 2007) chose to restrict fishing hours. The Burwood/Pegasus Community Board was delegated the authority to set the days and times the restriction applied to. The Council also requested a review be undertaken of the restriction.
3. The decision was made to not allow fishing on weekends and on statutory holidays, between 6am and 6pm, during the daylight saving period. During this time a security firm was employed to ensure compliance of the restriction.
4. The Council also imposed a blanket year round ban on fishing for crabs from the pier.
5. During this summer the restriction was monitored. There was some dissatisfaction expressed over the inability to fish from the pier from both casual 'family' groups and the regular fishers, while others commented favourably about the improved cleanliness and access without the fishermen present.
6. The options identified for how the Council could manage recreational fishing off the pier in the future are:
 - (a) No restriction of hours or days for fishing but with increased targeted enforcement with on-site security enforcement presence for peak visitor season and increased communication to ensure pier fishing rules are obeyed.
 - (b) Restricted fishing - Allow or restrict fishing to specified times and on particular days, with on-site security presence to enforce restriction.
 - (c) No restriction at any time.
 - (d) Total ban on fishing from the pier.

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7. The staff recommendation is that the Board support a recommendation to the Council for unrestricted fishing on the New Brighton Pier but only in conjunction with full time on-site pier security to ensure that safe and responsible fishing takes place, specifically on weekends and statutory holidays during the period of daylight saving between the hours of 6am and 6pm. Security to also maintain compliance within the designated and marked 'no-fishing zone' during this period.
8. That further pier fishing rules be enacted to help minimise the potential conflict between pier users and fishers and to prevent damage to the pier. These include limiting the use, possession and carrying of fishing rods to one only per person fishing from the pier.
9. Increased communication will be necessary to ensure the pier rules are being followed. Repeated breaches of the pier rules will be enforced by the issuing of trespass notices.

FINANCIAL IMPLICATIONS

10. If the Council supports an option requiring on-site enforcement then an increase in the operational budget is necessary. This is not currently budgeted for. Funding of \$25,000 would enable part time staff to be employed at the appropriate times, especially weekends and peak use times to ensure the hours of fishing restriction and pier rules are being followed.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

11. Not specifically mentioned.

LEGAL CONSIDERATIONS

12. Whoever is employed to enforce the rules on the pier will need to have a delegation or the ability to call someone with the delegation to issue trespass notices.

Have you considered the legal implications of the issue under consideration?

13. Yes, see above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. Aligns with objectives "To provide a network of parks, open-space, waterways and wetlands that meet community and environmental needs," and "Providing a variety of recreation opportunities and facilities in parks."

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

15. Not applicable.

ALIGNMENT WITH STRATEGIES

16. Recreation and Sports Strategy, Parks Access Policy.

Do the recommendations align with the Council's strategies?

17. Yes.

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CONSULTATION FULFILMENT

18. A previous report was submitted to the Council following public consultation with 280 responses received. The existing pier users and members of the general community were consulted on their preferred option to manage the pier. The recommendations of this report have been made following consideration of the feedback that the community has given both to staff and to the community board during the trial period of restricted fishing.

STAFF RECOMMENDATION

It is recommended that the Council resolve:

- (a) To allow fishing to continue from the New Brighton Pier all year round and employ an on-site guard on weekends and statutory holidays, during the months of daylight saving between the hours of 6am and 6pm. (This summer beginning 28 September 2008 and ending on 5 April 2009).
- (b) To agree to the additional rule of 'one rod only per person' fishing from the New Brighton Pier.
- (c) To support an increase in the operational budget of \$25,000 through the LTTCP process to allow for an increase in enforcement on the New Brighton Pier.
- (d) To remove the blanket 'No-crabbing' ban and instead re-impose a 'No crab pots' and 'Light weight crabbing equipment only' rule.

BOARD CONSIDERATION

The Chairman explained to the members of the public in attendance that no requests for speaking rights had been received to address this meeting of the Board.

He also advised that the Board's role was to consider the report from staff and to submit any recommendations on the matter to the Council for a decision(s).

After discussion, the recommendation that follows, was adopted unanimously by the Board.

BOARD RECOMMENDATION

That the Council resolve:

- (a) To allow fishing to continue from the New Brighton Pier all year round and to employ on-site enforcement on weekends and statutory holidays during the months of daylight saving between the hours of 6am and 6pm. (This summer beginning 28 September 2008 and ending on 5 April 2009).

(Note: Staff to liaise with the Ministry of Fisheries on the matter of Ministry accreditation for enforcement personnel.)

- (b) To impose a 'one rod per person only', or a 'one line per person only' fishing rule to apply at all times from the New Brighton Pier.
- (c) To provide through the Council's 2008/09 Annual Plan and the 2009/19 LTTCP processes an annual operational budget of \$25,000 for education and enforcement services on the New Brighton Pier.
- (d) To rescind the 'no crabbing' rule but impose a 'no crab pots' rule and 'lightweight crabbing equipment only' rule from the New Brighton Pier.
- (e) To have staff report back to the Board in May 2009 on the effectiveness of the fishing measures in (a) to (d) above.
- (f) To establish a community advisory group to work with Council staff on New Brighton Pier management issues.

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BACKGROUND (THE ISSUES)

19. At the Council meeting on 16 May 2007 it was resolved:
 - (a) *That fishing on the pier be restricted to certain days and times and be reviewed in 12 months time.*
 - (b) *That the Burwood/Pegasus Community Board be delegated power to decide the days and times during which the restrictions set out in (a) are to apply.*
 - (c) *That a person be employed to carry out enforcement.*
20. The restriction was put in place during the daylight saving period for 2007/08. It was promoted through the media, onsite signage and through Council rangers and on-site security staff.
21. The restriction on fishing times resulted in feedback from members of the community. A few individuals contacted the Council and later made personal submissions to the Burwood/Pegasus Community Board. The Pier and Foreshore Society recognised that something needed to be done and were supportive of the trial although were disappointed that family fishing would be limited.
22. The first month of the restrictions was quite challenging for enforcement staff with many fishermen challenging the rules and the guard, who received a significant amount of verbal abuse at times. Once fishermen realised that the security presence was consistent and continuous, and that they were backed up by Council ranger staff then they generally gave up attempting to get onto the pier during the restricted hours.
23. Fishing behaviour changed to the point that many fishermen arrived at 6.00 pm and waited to be allowed onto the pier. There was some debate about whether they were allowed to carry their fishing gear on the pier before 6.00 pm if they weren't actually fishing and this interpretation became a source of tension. There was considerable evidence of significant overnight fishing, with some fishermen only leaving at 6.00 am when the guard arrived.
24. Overall, the restriction seemed to be accepted by the community. No trespass notices were issued during this trial period. Some visitors even expressed surprise that no fishermen were present on the pier as they felt it added interest.
25. The presence of the on-site guard to enforce the no-fishing restriction during the trial period did achieve the desired outcome, however it is believed that for the same cost they could have a far more positive role in enforcing the rules, which would allow responsible fishing at all times. We were regularly reminded that one of the reasons the new pier was built was to allow for easy fishing by the community.
26. The blanket 'no crabbing' rule is also difficult to enforce outside the hours of the guard being present. Recreational crab fishing would appear to be very popular amongst a large section of the immigrant community and fishing for crabs with light weight equipment on light nylon lines would appear to have no detrimental physical or ecological effects on the pier, especially as no national regulations apply for crab fishing. The use of heavy crab pots with heavy ropes should continue to be prohibited as these initially led to damage to the pier and fouling of the deck. The issue of commercial crab harvesting for sale is the responsibility of the Ministry of Fisheries.

Signage and rules

27. There are currently rules in place for the New Brighton Pier such as no dogs, no diving, and no crab pots. One rule that is being proposed to help manage the existing problem is for 'one rod only' per person to be carried and used on the pier at one time by fishers.
28. As well as on site signage, other methods of communicating the restrictions were being used i.e. media, leaflets and the Council's website.

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Enforcement

29. The increased enforcement over the summer was deemed to be very beneficial. The presence of the security personal not only ensured the enforcement of the fishing restrictions, but also provided information to the general public about the area, they notified Ranger staff of any issues and generally ensured that the pier was in a clean and tidy state at all times.
30. An educational stance was preferred to seek compliance of the restrictions. This generally worked well.
31. For the same cost as enforcing the fishing ban, an on-site guard could have a far more positive role in enforcing the rules which would ensure responsible fishing behaviour at peak times.

ASSESSMENT OF OPTIONS**The Preferred Option**

32. Allow all year round fishing from the New Brighton Pier but ensure an on-site guard is in place on the weekends and statutory holidays, during the months of daylight saving and for the times between 6am and 6pm. (This summer beginning 28 September 2008 and ending on 5 April 2009).

	Benefits (current and future)	Costs (current and future)
Social	Fishing can continue, but potential conflict is minimised by having on-site enforcement during the most popular times the pier is used by visitors	
Cultural	On-site guard would have a broad public information role	
Environmental		
Economic	More focussed and cost effective use of staff enforcement at times of greatest conflict. Information on signs and publications already in place.	Increased staff enforcement resources required Signage changes would be required.
<p>Extent to which community outcomes are achieved: The option contributes to A Safe City and A City for Recreation, Fun and Creativity</p> <p>Impact on the Council's capacity and responsibilities: This will increase the Council's efficacy in managing conflict on the pier</p> <p>Effects on Maori: Not applicable.</p> <p>Consistency with existing Council policies: Not applicable.</p> <p>Views and preferences of persons affected or likely to have an interest: The option of restricted fishing has been negatively received by a few individuals in the community so allowing fishing all year round would be welcomed by those excluded.</p> <p>Other relevant matters: Not applicable.</p>		

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Maintain the Status Quo

33. Restriction hours of fishing as per summer daylight saving trial.

	Benefits (current and future)	Costs (current and future)
Social	Restriction hours will keep pier cleaner and less cluttered during peak visitor times.	Complaints will continue from excluded fishermen during the summer.
Cultural		Still excludes family and juvenile fishers.
Environmental		
Economic		Same enforcement staff resources still required as for preferred option
<p>Extent to which community outcomes are achieved: A City of Recreation Fun and Creativity.</p> <p>Impact on the Council's capacity and responsibilities: The Council would be seen restricting a legitimate recreational activity when there are relatively few safe places for families to go fishing. This would cost the same as the preferred option but does not allow fishing opportunities during the peak period of summer.</p> <p>Effects on Maori: N/A</p> <p>Consistency with existing Council policies: Yes.</p> <p>Views and preferences of persons affected or likely to have an interest: This option was favoured by those who saw fishing as undesirable. Some visitors clearly expressed satisfaction with visiting the pier without the mess and conflicts associated with some fishing activity.</p> <p>Other relevant matters: N/A</p>		

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34. No restriction on days or times (without security presence).

	Benefits (current and future)	Costs (current and future)
Social		Conflict between fishers and sightseers Ad hoc attempt to enforce regulations and respond to complaints
Cultural		
Environmental		
Economic		Ranger staff would need to respond to complaints, possibly necessitating employment of extra staff or contractors to cover work not done.
<p>Extent to which community outcomes are achieved: This option is aligned to a Safe City, a City for Recreation, Fun and Creativity</p> <p>Impact on the Council's capacity and responsibilities: Cost of year round enforcement would be prohibitive</p> <p>Effects on Maori: Not applicable</p> <p>Consistency with existing Council policies: Yes</p> <p>Views and preferences of persons affected or likely to have an interest: Council would be seen to be going backwards, not managing a Council asset well.</p> <p>Other relevant matters: Not applicable</p>		

35. No fishing at any time

	Benefits (current and future)	Costs (current and future)
Social	No conflict between fishers and sightseers	No opportunity for fishing, one of the reasons the pier was rebuilt
Cultural		
Environmental		
Economic		Some costs with enforcing ban – initial enforcement and signage.
<p>Extent to which community outcomes are achieved: This option is aligned to a Safe City, but not a City for Recreation, Fun and Creativity</p> <p>Impact on the Council's capacity and responsibilities: Cost of year round enforcement would be an issue</p> <p>Effects on Maori: Not applicable</p> <p>Consistency with existing Council policies:</p> <p>Views and preferences of persons affected or likely to have an interest: This option would not be well received by those who enjoy fishing from the pier</p> <p>Other relevant matters: Not applicable</p>		

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PART B - REPORTS FOR INFORMATION



2. DEPUTATIONS BY APPOINTMENT

Nil.

3. PRESENTATION OF PETITIONS

Nil.

4. NOTICES OF MOTION

Nil.

5. CORRESPONDENCE

Items of correspondence were **received** from Neighbourhood Support Canterbury thanking the Board for its funding assistance towards the provision of junior neighbourhood support programmes in local schools and from the Northshore Residents' Association.

The Board **decided** that the request from the Northshore Resident's Association for a footpath on Rothesay Road from the Link subdivision to the corner of Aston Drive, be referred to the appropriate business unit for consideration and response back to the correspondent.

6. BRIEFINGS

Nil.

7. COMMUNITY BOARD ADVISER'S UPDATE

The Board **received** an update from the Community Board Adviser on forthcoming Board related activity over the coming weeks along with the details of the consultation pamphlet for the Bridge Street Kerb and Channel Renewal project.

Further, the Board **decided** to provide feedback as part of the consultation process for the Bridge Street project.

8. BOARD MEMBERS' QUESTIONS

Nil.

9. BOARD MEMBERS' INFORMATION EXCHANGE

Several matters of local interest were mentioned.

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PART C – DELEGATED DECISIONS TAKEN BY THE BOARD

10. CONFIRMATION OF MINUTES – 3 JUNE 2008

The Board **resolved** that the minutes of the Board's ordinary meeting of 3 June 2008, be confirmed.

11. CEDARWOOD RESERVE – PLAYGROUND RENEWAL

Further to a report from the Consultation Leader Greenspace, the Board **resolved** to approve the final plan for the Cedarwood Reserve playground renewal project to proceed to detailed design, tender and construction.

12. BURWOOD/PEGASUS COMMUNITY BOARD'S 2007/08 DISCRETIONARY FUNDING - ALLOCATIONS

The Board considered a report regarding two requests for funding assistance from a combination of the Board's remaining 2007/08 discretionary funding and residual monies from identified under-expenditure on other projects.

The Board **resolved** that funding assistance from the 2007/08 discretionary and project budgets be allocated/reallocated as follows:

- (a) Agape Trust \$2,808 for holiday programmes and out-of-school clubs
- (b) New Brighton Project \$2,670 for operating costs.

13. RESOLUTION TO EXCLUDE THE PUBLIC

The Board **resolved** that the recommendation set out on page 21 of the agenda, be adopted.

The meeting concluded at 4.50pm.

CONFIRMED THIS 30TH DAY OF JUNE 2008

**DAVID EAST
CHAIRMAN**