



PALMERSTON NORTH CITY COUNCIL

AGENDA

COUNCIL

9AM, WEDNESDAY 7 DECEMBER 2022

COUNCIL CHAMBER, FIRST FLOOR
CIVIC ADMINISTRATION BUILDING
32 THE SQUARE, PALMERSTON NORTH

MEMBERS

Grant Smith (Mayor)	
Debi Marshall-Lobb (Deputy Mayor)	
Mark Arnott	Leonie Hapeta
Brent Barrett	Lorna Johnson
Rachel Bowen	Billy Meehan
Vaughan Dennison	Orphée Mickalad
Lew Findlay (QSM)	Karen Naylor
Roly Fitzgerald	William Wood
Patrick Handcock	Kaydee Zabelin
(ONZM)	

AGENDA ITEMS, IF NOT ATTACHED, CAN BE VIEWED AT

pncc.govt.nz | Civic Administration Building, 32 The Square
City Library | Ashhurst Community Library | Linton Library

Waid Crockett

Chief Executive | PALMERSTON NORTH CITY COUNCIL

COUNCIL MEETING

7 December 2022

ORDER OF BUSINESS

1. Apologies

2. Notification of Additional Items

Pursuant to Sections 46A(7) and 46A(7A) of the Local Government Official Information and Meetings Act 1987, to receive the Chairperson's explanation that specified item(s), which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded, will be discussed.

Any additions in accordance with Section 46A(7) must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

Any additions in accordance with Section 46A(7A) may be received or referred to a subsequent meeting for further discussion. No resolution, decision or recommendation can be made in respect of a minor item.

3. Declarations of Interest (if any)

Members are reminded of their duty to give a general notice of any interest of items to be considered on this agenda and the need to declare these interests.

4. Petition: More solar on Council buildings and support for insulation in homes

Page 7

5. **Confirmation of Minutes** Page 9
 "That the minutes of the ordinary meeting of 30 November 2022 Part I Public be confirmed as a true and correct record."
6. **Exploration of alternative 'Three Waters' funding, financing and investment options** Page 17
7. **PN City Council recognition of status quo funding challenges with 'Three Waters' and opposition to the proposed model** Page 19

REPORTS

8. **Marriner Reserve - Proposal to grant a lease on reserve land to Manawatū Model Engineering Club Incorporated** Page 21
 Memorandum, presented by Bryce Hosking, Group Manager - Property.
9. **Wahikoa Park - Proposal to grant a lease on reserve land to Northern Club (Manawatū) Incorporated** Page 27
 Memorandum, presented by Bryce Hosking, Group Manager - Property.
10. **Andrew Avenue Kindergarten Reserve - Proposal to grant a lease on reserve land to Ruahine Kindergarten Association Incorporated** Page 31
 Memorandum, presented by Bryce Hosking, Group Manager - Property.
11. **Proposal to grant a licence on the Railway Land Reserve to Tekton Limited** Page 35
 Report, presented by Bryce Hosking, Group Manager - Property.
12. **Opie Reserve - Change to Reserve Status to Enable Proposed Use by Ngāti Hineaute Hapu Authority** Page 47
 Report, presented by Kathy Dever-Tod, Group Manager - Parks and Logistics.

13. **2022 August Storm Damage - Roading** Page 59
Report, presented by Stuart Cartwright, Chief Engineer.
14. **Local Government Election 2022 - participation** Page 85
Memorandum, presented by Hannah White, Democracy & Governance Manager.
15. **Annual Meeting Calendar 2023** Page 95
Memorandum, presented by Hannah White, Democracy & Governance Manager.
16. **Local Government (Pecuniary Interests Register) Amendment Act - Appointment of Registrar** Page 99
Memorandum, presented by Hannah White, Democracy & Governance Manager.

INFORMATION REPORTS

17. **Progress Update of Programme 2041 – Accessibility Assessment** Page 103
Memorandum, presented by Bryce Hosking, Group Manager - Property.
18. **Tamakuku Terrace Six Monthly Update** Page 107
Memorandum, presented by Bryce Hosking, Group Manager - Property.
19. **Papaioea Place Redevelopment Six Monthly Update** Page 113
Memorandum, presented by Bryce Hosking, Group Manager - Property.
20. **Council Work Schedule** Page 117

21. Exclusion of Public

To be moved:

"That the public be excluded from the following parts of the proceedings of this meeting listed in the table below.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for passing this resolution
22.	Whakarongo Land Purchase	Negotiations	s7(2)(i)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public as stated in the above table.

Also that the persons listed below be permitted to remain after the public has been excluded for the reasons stated.

[Add Third Parties], because of their knowledge and ability to assist the meeting in speaking to their report/s [or other matters as specified] and answering questions, noting that such person/s will be present at the meeting only for the items that relate to their respective report/s [or matters as specified].

PRESENTATION

TO: Council

MEETING DATE: 7 December 2022

TITLE: Petition: More solar on Council buildings and support for insulation in homes

RECOMMENDATION(S) TO COUNCIL

1. That Council receive the petition “More solar on Council buildings and support for insulation in homes” for information.
-

SUMMARY

Willa McLachlan, on behalf of 350 Te Papaioea, will present the petition “More solar on Council buildings and support for insulation in homes”.

The petition is as follows:

Our communities deserve 100% clean, renewable energy that is generated locally and empowers our community. Together we are pushing for our local politicians to invest in affordable clean energy, support energy sovereignty, and enable communities to be part of the solution by asking the Palmerston North City Council to:

Installing a series of solar banks across key council-owned buildings. We love that our council have a solar bank on the administration building. Now we'd like to see more homegrown energy generated on:

- Lido Aquatic Centre
- Palmerston North Airport
- Palmerston North City Libraries

We are also calling on our city council to incentivise insulation and heat pump installation by providing funding and low interest loan options for homeowners and landlords who do not qualify for the Warmer Kiwi Homes subsidy, so that all members of our community can be lifted out of energy poverty.

Palmerston North City Council has an opportunity to support us in our fight for accessible, homegrown energy and do their bit to help our communities and climate thrive.

ATTACHMENTS

Nil

PALMERSTON NORTH CITY COUNCIL

Minutes of the Council Meeting Part I Public, held in the Council Chamber, First Floor, Civic Administration Building, 32 The Square, Palmerston North on 30 November 2022, commencing at 9.02am

Members Present: The Mayor (Grant Smith) (in the Chair) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

Apologies: Councillors Rachel Bowen (early departure) and Lorna Johnson (early departure).

Councillor Rachel Bowen was not present when the meeting resumed at 10.45am. She entered the meeting again at 11.30am during consideration of clause 169. She was present for all clauses.

Councillor Lorna Johnson was not present when the meeting resumed at 2.58pm. She was not present for clauses 170 to 172 inclusive.

Councillor Billy Meehan left the meeting at 4.02pm during consideration of clause 171. He was not present for clauses 171 and 172.

164-22 Apologies

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That Council receive the apologies.

Clause 164-22 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

Declarations of Interest

Councillor Leonie Hapeta declared a conflict of interest in Item 7 Appointment of Council Representatives to External Bodies (clause 168) and took no part in discussion or debate.

Councillor Lorna Johnson declared a conflict of interest in Item 12 Proposal to grant a lease on 53A and 55A Totara Road, Palmerston

North to Manawatu Archery Club Incorporated (clause 171.5).

165-22 Confirmation of Minutes

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the minutes of the ordinary meeting of 16 November 2022 Part I Public and Part II Confidential be confirmed as true and correct records.

Clause 165-22 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

166-22 Hearing of Submissions - Adderstone Reserve

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the Council hear submissions from presenters who indicated their wish to be heard in support of their submission.
2. That the Council note the Procedure for Hearing of Submissions, as described in the procedure sheet.

Clause 166-22 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

The Committee considered submissions on the Adderstone Reserve together with supporting oral statements including additional tabled material.

The following persons appeared before the Committee and made oral statements in support of their submissions and replied to questions from Elected Members, the additional points being:

Green Corridors, Range to River (26):

Rosemary Gear and Susan Le Moigne spoke to the submission and made the following additional comments:

- With housing sections getting smaller, more land should be set aside for recreation for the health and wellbeing of the community.
- A narrow two to three meters buffer of plants is inadequate to hold

the soil.

- Retention of the 2.4 hectares of land above the gully would afford the opportunity to plant buffer zones of up to 20 metres wide which would help stabilise the soil and enhance biodiversity.
- The Strategic Direction Eco City Goal and Vision should be applied to the decision-making on the future of Adderstone Reserve, which should be to retain it to meet the needs of the environment and the current and future residents of Aokautere and Palmerston North.

Gillian and Jolyon Claridge (35):

Gillian Claridge spoke to their submission and made no additional comments.

James Gordon (36):

James Gordon spoke to his submission and made no additional comments.

Ralph Sims (19):

Ralph Sims spoke to his submission and made no additional comments.

Pasifika Reference Group (27):

Courtney Manu, Deputy Chair, spoke to the submission and made no additional comments.

Andrew Ward (37):

The Democracy and Governance Advisor read out Andrew Ward's oral submission on his behalf and made no additional comments.

REPORTS

167-22

Summary of Submissions - Adderstone Reserve - Proposed Partial Reserve Disposal for Housing

Memorandum, presented by Kathy Dever-Tod, Group Manager Parks and Logistics and Aaron Phillips, Senior Parks Planner.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That Council receive the summary of written submissions on 'Adderstone Reserve – Proposed Partial Reserve Disposal for Housing', for information.

Clause 167-22 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

168-22

Appointment of Council Representatives to External Bodies

Memorandum, presented by Grant Smith, The Mayor.

Councillor Johnson will replace Councillor Wood as the Council representative on the Manawatu Lesbian and Gay Rights Association.

Moved Grant Smith, seconded Karen Naylor.

RESOLVED

1. That Council approve the Mayor's recommendations for the appointment of Council representatives to external bodies (Attachment 1), as amended.
2. That Council approve the Mayor's recommendation for the appointment of Cr Pat Handcock as the liaison councillor for Villages and Rural Communities.

Clause 168-22 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

Note:

Councillor Leonie Hapeta declared a conflict of interest, withdrew from the discussion and left the room.

The meeting adjourned at 10.22am.

The meeting resumed at 10.45am.

Councillor Rachel Bowen was not present when the meeting resumed.

169-22

4-Month Performance and Financial Report - Period Ending 31 October 2022

Memorandum, presented by Cameron McKay, Chief Financial Officer and Andrew Boyle, Head of Community Planning and Sue Kelly, Manager – Project Management Office.

The Officer advised that on page 223 of the Agenda, Appendix 7 – Financial Statements, the following needed to be corrected:

- Employee remuneration under the Revised Budget column should read 57,250.
- Other expenses under the Revised Budget column should read 43,600.

Councillor Rachel Bowen entered the meeting again at 11.30am.

Moved Grant Smith, seconded Karen Naylor.

RESOLVED

1. That Council receive the memorandum titled '4-Month Performance and Financial Report – Period Ending 31 October 2022' for

information.

2. That Council approve a new programme titled Three Water Services Reform Transition and a budget for 2022/23 is added, increasing both operating revenue and operating expenses by \$825,000, as outlined in the Three Waters Services Reforms section of Appendix 9.
3. That Council approve the adjustments to operating activities re-allocating \$2 million remuneration budget and re-allocating overheads associated with the re-organisation of the Infrastructure Unit that separated 3 waters from roading as outlined in Appendix 9, noting these do not change the total budget.

Clause 169-22 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

The meeting adjourned at 12.13pm.

The meeting resumed at 2.58pm.

Councillor Lorna Johnson was not present when the meeting resumed.

170-22

Review of the Palmerston North Sections of the 2018 Manawatū-Whanganui Regional Sport Facility Plan (LTP programme 1916)

Memorandum, presented by Julie Macdonald - Strategy & Policy Manager and Ann-Marie Mori, Policy Analyst.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That Council note that the 'Review of Palmerston North Sections of the 2018 Manawatū-Whanganui Regional Sport Facility Plan' (Attachment 1) will be finalised and brought back to the Council as part of the review of the whole Regional Sport Facility Plan in 2023.
2. That Council note that the planning approaches and recommendations in Attachment 1 will inform advice on sports facilities' decision-making.

Clauses 170.1-22 and 170.2-22 above were carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

Moved Billy Meehan, seconded Leonie Hapeta.

3. That Council refer an aquatic facilities business case to the Long Term Plan 2024/2034 process.

4. That Council refer a multi-use indoor facility business case to the Long Term Plan 2024/2034 process.

Clauses 170.3-22 and 170.4-22 above were carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

171-22

Proposals to grant a lease

Report, presented by Bryce Hosking, Group Manager - Property.

Councillor Billy Meehan left the meeting at 4.02pm.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That Council notify the public of the intention to grant a lease on 5 Andrew Avenue, Palmerston North to The Scout Association of New Zealand, in accordance with Section 54 of the Reserves Act 1977.
2. That Council note the land area affected by the lease to the Scout Association of New Zealand is described as part of Lot 2 DP 52257.
3. That Council notify the public of the intention to grant a lease at 53 Waldegrave Street, Palmerston North to Te Whare o Ngā Wāhine Palmerston North Women's Centre Incorporated.
4. That Council note the land area affected by the lease to Te Whare o Ngā Wāhine Palmerston North Women's Centre Incorporated is described as Lot 2 DP 84727.

Clauses 171.1-22 to 171.4-22 above were carried 14 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

Moved Grant Smith, seconded Debi Marshall-Lobb.

5. That Council notify the public of the intention to grant a lease on both 53A and 55A Totara Road, Palmerston North to Manawatu Archery Club Incorporated.

Clause 171.5-22 above was carried 13 votes to 1, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Orphée Mickalad, William Wood and Kaydee Zabelin.

Against:

Councillor Karen Naylor.

172-22

Council Work Schedule

Moved Grant Smith, seconded Roly Fitzgerald.

RESOLVED

1. That the Council receive its Work Schedule dated 30 November 2022.

Clause 172-22 above was carried 14 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

The meeting finished at 4.11pm.

Confirmed 7 December 2022

Mayor

NOTICE OF MOTION

TO: Council

MEETING DATE: 7 December 2022

TITLE: Exploration of alternative 'Three Waters' funding, financing and investment options

FROM: Cr William Wood

THAT THE COUNCIL RESOLVES:

1. That the Chief Executive explore a range of alternative "Three Waters" funding, finance and investment options and report to Council with a view to presenting the alternative(s) to the Minister for Local Government.
-

NOTICE OF MOTION

The Council Resolves that:

1. The Chief Executive explore a range of alternative "Three Waters" funding, finance and investment options and report to Council with a view to presenting the alternative(s) to the Minister for Local Government.

Explanatory Note:

The status quo in terms of funding, financing and investment in our Three Waters assets is untenable. There is a current proposal by the Government to remedy this, however, there are alternative funding models which are worth exploring. These options could include a co-investment approach with Government, or Government and Mana Whenua. It could look like a long-term lease of facilities and assets to Government with an initial Government "fit out" contribution to bring facilities up to compliance. A possible council-controlled organization, or a range of other options.

Nothing in this motion should prevent or change our current planning for if the Government's proposed "Three Waters" option does come into effect.

Proposer: William Wood

Seconder: Brent Barrett

ATTACHMENTS

Nil

NOTICE OF MOTION

TO: Council

MEETING DATE: 7 December 2022

TITLE: PN City Council recognition of status quo funding challenges with 'Three Waters' and opposition to the proposed model

FROM: Cr William Wood

THAT THE COUNCIL RESOLVES:

1. Palmerston North City Council recognise the status quo in terms of "Three Waters" funding, financing, and investment is untenable and take a public stance against the proposed "Three Waters" model. This is due to a range of issues with the proposal which include but are not limited to:
 - a) Concern around the loss of local assets that have been built up and paid for by ratepayers,
 - b) Concern around a lack of local voice and representation in the proposed water entities,
 - c) Concern around additional costs that may be levied on ratepayers,
 - d) Concern around slower response times to local issues from a centralised water entity.

NOTICE OF MOTION

The Council Resolves that:

1. Palmerston North City Council recognise the status quo in terms of "Three Waters" funding, financing, and investment is untenable and take a public stance against the proposed "Three Waters" model. This is due to a range of issues with the proposal which include but are not limited to:
 - a) Concern around the loss of local assets that have been built up and paid for by ratepayers,
 - b) Concern around a lack of local voice and representation in the proposed water entities,
 - c) Concern around additional costs that may be levied on ratepayers,
 - d) Concern around slower response times to local issues from a centralised water entity

Explanatory Note:

The status quo in terms of “Three Water” funding, financing, and investment is untenable, we cannot afford on our own the costs required to bring our water assets up to compliance levels. However, the government have shown through their actions they are not willing to meaningfully engage with councils and the community on the proposed model. Many councils around the country have agreed that reform is needed but have opposed the model put forward. This motion would see us recognise the challenges but oppose the model put forward.

There are a range of reasons a number of residents oppose the Government's proposed “Three Waters” model. These include but are not limited to: lack of local representation and voice; removal of local ownership of up to \$600 million of Council's Three Waters assets; costs passed on to ratepayers; slower response times to local issues or concerns, and more.

The public deserve to know the position of this Council for or against the model. This motion if agreed to should result in a media release from the Council outlining our opposition to the model. In practical terms this should not stop or change any of our current planning for if the Government's reform is enacted. We should be prepared for that eventuality.

Proposer: William Wood

Seconder: Leonie Hapeta

ATTACHMENTS

Nil

MEMORANDUM

TO: Council

MEETING DATE: 7 December 2022

TITLE: Marriner Reserve - Proposal to grant a lease on reserve land to Manawatū Model Engineering Club Incorporated

PRESENTED BY: Bryce Hosking, Group Manager - Property

APPROVED BY: Sarah Sinclair, Chief Infrastructure Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council grant a lease at Marriner Reserve, Palmerston North, being part of lot 3 DP 29419, to Manawatū Model Engineering Club Incorporated, in accordance with Section 54 of the Reserves Act 1977.

1. ISSUE

- 1.1 Manawatū Model Engineering Club Incorporated have operated their miniature railway from the land at Marriner Reserve since June 2009.
- 1.2 The current land lease with Manawatū Model Engineering Club at Marriner Reserve, Palmerston North expired on 31 May 2022. The Club have requested a new lease so they can continue to operate long term.
- 1.3 The Manawatū Model Engineering Club own the buildings and railway tracks, Council leases the land to them. As the land leased is reserve land, any new lease is subject to the requirements of the Reserves Act 1977. This includes public notification of Council's intention to grant a new lease on the reserve.
- 1.4 The public notification process is now complete with only one submission being received – in favour of the proposal.
- 1.5 This report requests approval to grant a lease to the Manawatū Model Engineering Club Incorporated in accordance with Section 54 of the Reserves Act 1977.

2. BACKGROUND

- 2.1 A report to the Finance and Audit Committee on 28 September 2022 assessed the proposal and as a result Council resolved:

1. That Council approves notifying the public of the proposal to grant a land lease at Marriner Reserve, Palmerston North to Manawatu Model

Engineering Club Incorporated, in accordance with Section 54 of the Reserves Act 1977.

2. *That Council notes the land area affected by the lease to Manawatu Model Engineering Club Incorporated is described as part of Lot 3 DP 29419.*

2.2 Consultation was completed in November 2022. One submission was received, during consultation period in support of the proposal. A copy of the submission is attached to this report.

2.3 If entered, the proposed lease will commence on 16 February 2023 and will be for a term of five (5) years with one right of renewal of further five (5) years.

3. RESERVES ACT CONSULTATION AND CONSIDERATION OF OBJECTIONS

3.1 Council has consulted the community on the proposal to lease as required by Section 54 of the Reserves Act 1977.

3.2 Public notice, as required by Sections 54(2) and 119 of the Reserves Act 1977, was published on 19 October 2022 in the Manawatu Standard, The Guardian and on Council's Website.

3.3 One submission in support was received and there were no requests to be heard. As such the requirements of Section 120 of the Reserves Act have been met.

4. CONCLUSION

4.1 There were no objections to the proposal, the requirements of the Reserves Act have been met, and the operations of the Manawātū Model Engineering Club are consistent with the purpose of the recreation reserve.

4.2 Considering this, it is recommended that Council proceed with granting a new lease to the Manawātū Model Engineering Club Incorporated.

5. NEXT STEPS

5.1 A new lease is executed between Palmerston North City Council and the Manawātū Model Engineering Club Incorporated.

6. COMPLIANCE AND ADMINISTRATION

Does Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do, they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special	No

Consultative procedure?		
Is there funding in the current Annual Plan for these actions?		Yes
Are the recommendations inconsistent with any of Council's policies or plans?		No
The recommendations contribute to Goal 2: A Creative and Exciting City		
The recommendations contribute to the achievement of action/actions in Active Communities		
The action is: Council supports a variety of clubs and organisations through consistent and transparent lease arrangements of parks and reserves and community centres.		
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The recommendation is in line with Council's Support and Funding policy, which seeks to support community groups to deliver benefits responding to cultural, economic, environmental and social well-being of the city.	

ATTACHMENTS

1. Manawatū Model Engineering Club Consultation Submissions [↓](#) 

Merle Lavin

From: Submission
Subject: FW: lease at Marriner Reserve

HI,

I would like to see the lease granted, the miniature trains have been running there since I was a child, and have been bringing joy to the public and members of the club for many years. They bring a unique alternative to the esplanade train, providing variety and the chance for kids and adults to see steam engines.

Regards
Michael Jarvis

Sent from my Galaxy

MEMORANDUM

TO: Council

MEETING DATE: 7 December 2022

TITLE: Wahikoa Park - Proposal to grant a lease on reserve land to Northern Club (Manawatū) Incorporated

PRESENTED BY: Bryce Hosking, Group Manager - Property

APPROVED BY: Sarah Sinclair, Chief Infrastructure Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council grant a lease of the land at 74 North Street, Wahikoa Park Palmerston North, being Part Section 2137 and 238 to Northern Club (Manawatū) Incorporated, in accordance with Section 54 of the Reserves Act 1977.

1. ISSUE

- 1.1 Northern Club (Manawatū) Incorporated have operated their bowls club from the reserve land at Wahikoa Park, 74 North Street, Palmerston North since 2000.
- 1.2 The current land lease with Northern Club (Manawatū) at Wahikoa Park expired on 31 March 2019 and the Club has been occupying the site on a month to month basis since that time.
- 1.3 The Club have now requested a new lease so they can continue to operate uninterrupted.
- 1.4 The Club own the buildings and improvements, Council only leases the land to them. As the land is reserve land, any new lease is subject to the requirements of the Reserves Act 1977. This includes public notification of Council's intention to grant a new lease on the reserve.
- 1.5 The public notification process is now complete with no submissions received.
- 1.6 This report requests approval to grant a lease to Northern Club (Manawatū) Incorporated in accordance with Section 54 of the Reserves Act 1977.

2. BACKGROUND

- 2.1 A report to the Finance and Audit Committee on 28 September 2022 assessed the proposal and as a result Council resolved:

1. *That Council approves notifying the public of the proposal to grant a land lease at Wahikoa Park 74 North Street, Palmerston North to Northern Club (Manawatū) Incorporated, in accordance with Section 54 of the Reserves Act 1977.*
2. *That Council notes the land area affected by the lease to Northern Club (Manawatū) Incorporated is described as Part Section 237 and 238 in the Town of Palmerston North*

2.2 Consultation was completed in November 2022. No submissions or objections were received.

2.3 If entered, the proposed lease will commence on 1 February 2023 and will be for a term of five (5) years with one right of renewal of further five (5) years.

3. RESERVES ACT CONSULTATION AND CONSIDERATION OF OBJECTIONS

3.1 Council has consulted the community on the proposal to lease as required by Section 54 of the Reserves Act 1977.

3.2 Public notice, as required by Sections 54(2) and 119 of the Reserves Act 1977, was published on 19 October 2022 in the Manawatu Standard, The Guardian and on Council's Website.

3.3 No objections or submissions were received and there were no requests to be heard. As such the requirements of Section 120 of the Reserves Act have been met.

4. CONCLUSION

4.1 There were no objections to the proposal, the requirements of the Reserves Act have been met, and the operations of the Northern Club are consistent with the purpose of the recreation reserve.

4.2 Considering this, it is recommended that Council proceed with granting a new lease to the Northern Club (Manawatū) Incorporated.

5. NEXT STEPS

5.1 A new lease is executed between Palmerston North City Council and the Northern Club (Manawatū) Incorporated.

6. COMPLIANCE AND ADMINISTRATION

Does Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant, do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No

Does this decision require consultation through the Special Consultative procedure?		No
Is there funding in the current Annual Plan for these actions?		Yes
Are the recommendations inconsistent with any of Council's policies or plans?		No
The recommendations contribute to Goal 2: A Creative and Exciting City		
The recommendations contribute to the achievement of action/actions in Active Communities		
The action is: Council supports a variety of clubs and organisations through consistent and transparent lease arrangements at parks and reserves and community centres.		
Contribution to strategic direction and to social, economic, environmental, and cultural well-being	The recommendation is in line with Council's Support and Funding Policy, which seeks to support community groups to deliver benefits responding to cultural, economic, environmental and social well-being of the city.	

ATTACHMENTS

Nil

MEMORANDUM

TO: Council

MEETING DATE: 7 December 2022

TITLE: Andrew Avenue Kindergarten Reserve - Proposal to grant a lease on reserve land to Ruahine Kindergarten Association Incorporated

PRESENTED BY: Bryce Hosking, Group Manager - Property

APPROVED BY: Sarah Sinclair, Chief Infrastructure Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council grant a lease of the land at 9 Andrew Avenue, Palmerston North, being Lot 1 DP 52257, to Ruahine Kindergarten Association Incorporated, in accordance with Section 54 of the Reserves Act 1977.
-

1. ISSUE

- 1.1 Ruahine Kindergarten Association Incorporated have operated a kindergarten from Andrew Avenue Kindergarten Reserve, 9 Andrew Avenue, Palmerston North since 2003.
- 1.2 The current land lease with Ruahine Kindergarten Association at Andrew Avenue Kindergarten Reserve expires on 31 August 2022. The Kindergarten have requested a new lease so they can continue to operate uninterrupted.
- 1.3 Ruahine Kindergarten own the building, Council leases the land to them. As the land is reserve land, any new lease is subject to the requirements of the Reserves Act 1977. This includes public notification of Council's intention to grant a new lease on the reserve.
- 1.4 The public notification process is now complete with no submissions received.
- 1.5 This report requests approval to grant a lease to the Ruahine Kindergarten Association Incorporated in accordance with Section 54 of the Reserves Act 1977.

2. BACKGROUND

- 2.1 A report to the Finance and Audit Committee on 28 September 2022 assessed the proposal and as a result Council resolved:

1. *That Council approve notifying the public of the proposal to grant a land lease at Andrew Avenue Kindergarten Reserve, 9 Andrew Avenue, Palmerston North to Ruahine Kindergarten Association Incorporated, in accordance with Section 54 of the Reserves Act 1977.*
2. *That Council notes the land area affected by the lease to Ruahine Kindergarten Association Incorporated is described as Lot 1 DP 52257.*
- 2.2 Consultation was completed in November 2022. No submissions or objections were received.
- 2.3 If entered, the proposed lease will commence on 1 February 2023 and will be for a term of five (5) years with one right of renewal of further five (5) years.
- 3. RESERVES ACT CONSULTATION AND CONSIDERATION OF OBJECTIONS**
 - 3.1 Council has consulted the community on the proposal to lease as required by Section 54 of the Reserves Act 1977.
 - 3.2 Public notice, as required by Sections 54(2) and 119 of the Reserves Act 1977, was published on 19 October 2022 in the Manawatu Standard, The Guardian and on Council's Website.
 - 3.3 No objections or submissions were received and there were no requests to be heard. As such the requirements of Section 120 of the Reserves Act have been met.
- 4. CONCLUSION**
 - 4.1 There were no objections to the proposal, the requirements of the Reserves Act have been met, and the operations of the Ruahine Kindergarten Association are consistent with the purpose of the recreation reserve.
 - 4.2 Considering this, it is recommended that Council proceed with granting a new lease to the Ruahine Kindergarten Association Incorporated.
- 5. NEXT STEPS**
 - 5.1 A new lease is executed between Palmerston North City Council and the Ruahine Kindergarten Association Incorporated.
- 6. COMPLIANCE AND ADMINISTRATION**

Does Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant, do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special	No

Consultative procedure?		
Is there funding in the current Annual Plan for these actions?		Yes
Are the recommendations inconsistent with any of Council's policies or plans?		No
The recommendations contribute to Goal 2: A Creative and Exciting City		
The recommendations contribute to the achievement of action/actions in Connected Communities		
The action is: Council supports a variety of clubs and organisations through consistent and transparent lease arrangements at parks and reserves and community centres.		
Contribution to strategic direction and to social, economic, environmental, and cultural well-being	The recommendation is in line with Council's Support and Funding policy, which seeks to support community groups to deliver benefits responding to cultural, economic, environmental, and social well-being of the city.	

ATTACHMENTS

Nil

REPORT

TO: Council

MEETING DATE: 7 December 2022

TITLE: Proposal to grant a licence on the Railway Land Reserve to Tekton Limited

PRESENTED BY: Bryce Hosking, Group Manager - Property

APPROVED BY: Sarah Sinclair, Chief Infrastructure Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council approves notifying the public of the intention to grant a licence at Railway Land Reserve to Tekton Limited for a high ropes course operated as a commercial activity, in accordance with Section 54 of the Reserves Act 1977.
2. That Council notes that the land area affected by the Licence to Tekton Limited is described as part of Lot 1 DP 78518.

SUMMARY OF OPTIONS ANALYSIS FOR

Problem or Opportunity	<p>Tekton Limited has held the rights to operate their high ropes course from a portion of the Railway Land Reserve, Palmerston North since 2018. Tekton own all the ropes course infrastructure, not Council.</p> <p>As they do not have exclusive use of the site, as the public are free to walk through the area under their course, this is a licence to occupy the site as opposed to a lease. The licence expires 15 February 2023.</p> <p>Tekton Limited has requested a new licence so it can continue to operate from the site long term.</p> <p>As the site is on reserve land, any new licence is subject to the requirements of the Reserves Act 1977. This includes public notification of Council's intention to grant a new licence on the reserve.</p> <p>This report requests approval to commence the public notification process in accordance with Section 54 of the Reserves Act 1977.</p>
OPTION 1:	Notify the public of Council's intention to approve the proposal to grant a licence to the existing tenant at Railway Land Reserve in accordance with Section 54 of the Reserves Act 1977.
Community Views	<ul style="list-style-type: none"> Community views will be sought during the public notification period. Council is not aware of any complaints or issues regarding Tekton Limited or its activities since the Deed of Licence commenced.
Benefits	<ul style="list-style-type: none"> Entering a new licence will allow Tekton Limited to continue to provide recreation and skill building opportunities for the Palmerston North community and their customers. The community views will be understood to inform the decision, and any objections considered as required under the Reserves Act 1977.
Risks	<ul style="list-style-type: none"> No risks are identified.
Financial	<ul style="list-style-type: none"> Cost of public notification will be minor. If a new licence was entered, Tekton would continue to pay an annual rental of \$2,000 + GST per annum.
OPTION 2:	Do not enter a licence with Tekton Limited.
Community Views	<ul style="list-style-type: none"> Community views will not be sought.
Benefits	<ul style="list-style-type: none"> The land would be vacated for another community use.

	Council would then follow the process under 5.5.1 (b) of the Support and Funding Policy 2022.
Risks	<ul style="list-style-type: none"> • Tekton Limited will not be able to continue to provide the existing recreation activities to the community at this location. • Tekton Limited would be required to remove their improvements and structures and restore the land to its original condition.
Financial	<ul style="list-style-type: none"> • Council staff time would be required to assist with the process of requiring the removal of their improvements. • Council would no longer receive the annual \$2,000 licence fee from Tekton Limited.

RATIONALE FOR THE RECOMMENDATIONS

1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 Tekton Limited has been operating its high ropes course from a portion of the Railway Land Reserve, Palmerston North since 2018. Tekton owns all the ropes course infrastructure, not Council.
- 1.2 As they do not have exclusive use of the site, as the public are free to walk through the area under their course, this is a licence to occupy the site as opposed to a lease. The Licence expires 15 February 2023.
- 1.3 Tekton Limited has requested a new licence so they can continue to operate from the site long term.
- 1.4 As the site is on reserve land, any new licence is subject to the requirements of the Reserves Act 1977. This includes public notification of Council's intention to grant a new licence on the reserve.
- 1.5 This report requests approval to commence the public notification process in accordance with Section 54 of the Reserves Act 1977.

2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

- 2.1 The original licence was granted to Tekton Limited in 2018 for a five (5) year term with no right of renewal.
- 2.2 The course was subsequently built in February 2019 and was operational from July 2019. The licence holder has provided feedback that they were beginning to get momentum through bookings with the course being used by several groups from both the educational and construction sectors.
- 2.3 Unfortunately, the high ropes course was forced to close in May 2021 due to Government COVID restrictions relating to social distancing and group gatherings impacting the viability of the operation to remain open.

- 2.4 Despite being closed, Tekton have maintained the course's maintenance and safety inspection regimes throughout the term of its licence.
- 2.5 Tekton is now in a position where they are looking to reopen and be operational again in early 2023. They have received positive enquiry from groups interested in the use of the course if a new Deed of Licence is executed.

3. STRATEGIC FIT

Support and Funding Policy

- 3.1 The Support and Funding Policy provides a framework for how Council will deliver support and funding to groups, organisations and individuals to achieve the vision of the city.
- 3.2 One form of support within the policy is to allow for-purpose groups to occupy, and operate out of, Council-owned property for sporting, recreational, community/social services, and educational purposes, at community rental rates.
- 3.3 Tekton Limited is not a for-purpose group they are a commercial operation, therefore, the rental framework within the Support and Funding Policy 2022 is not applicable.
- 3.4 However, as they are recreational based activity and the requested licence is on a reserve, Council Officers believe it is appropriate to follow the same overall process within the Policy for consistency, noting that this process also satisfies the requirements of the Reserves Act.

Policy for the Use of Public Space

- 3.5 Alongside the Support and Funding Policy, the Policy for the Use of Public Space contains several criteria for the assessment of applications to use public space. Tekton has been assessed against the criteria set out within this Policy. A copy of the application assessment is attached as Appendix 1.

4. LAND STATUS

- 4.1 The Legal description and status of the land is:

Title	Reserve Status
Lot 1 DP 78518	Recreation Reserve

5. THE PROPOSAL

- 5.1 The proposed licence area is approximately 586m² and is part of the Railway Land Reserve, Palmerston North as shown in Figure One.

- 5.2 The proposed annual rental is to be \$2,000.00 plus GST, in line with the original Deed of Licence. The licence fee can be reviewed annually against the market.
- 5.3 Council proposes a term of 5 years, with no rights of renewal – the same as the previous licence.
- 5.4 If a new licence is entered, the use of the site will remain the same as the existing use.



Figure One: Proposed licence area

6. LEASING AND LICENSING POWERS UNDER RESERVES ACT

- 6.1 Section 54(1)(d) of the Reserves Act 1977 allows for an administering body to:

'grant leases or licences for the carrying on of any trade, business, or occupation on any specified site within the reserve, subject to the provisions set out in Schedule 1 relating to leases or licences of recreation reserves issued pursuant to this paragraph:

provided that the trade, business, or occupation must be necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve:

provided also that the prior consent of the Minister shall not be required to a lease or licence under this paragraph where the trade, business, or occupation is to be carried on in the reserve only temporarily and the term of the lease or licence does not exceed 6 consecutive days'.

- 6.2 'Necessary' is not interpreted as requiring that all or even most visitors or users of the reserve need/want to use the service or activity provided under the

lease. Reserves often have activities on them that only some of the visitors to the reserve use.

- 6.3 The proposal would see the continued use of the reserve by Tekton Limited. The licence does not alter the current user experience or change the existing capacity for other activities.

7. IMPACT ON THE LOCALITY AND PARK OPERATIONS

Aesthetics

- 7.1 Tekton Limited is licenced to use the site currently. There are no impacts from continuing the licence.

Security

- 7.2 Tekton Limited will be responsible for its own course security.

Cleaning and offensive litter

- 7.3 Tekton Limited is responsible for managing litter within its licence area.

Vegetation

- 7.4 No trees or shrubs would be required to be removed.

Car parking

- 7.5 No new effects are created in approving a new licence.

Affected parties

- 7.6 Parties identified include:
- Neighbouring residents
 - Local community
 - Customers of the high ropes course
 - Other users of the railway land
 - Rangitāne o Manawatū.

8. RESERVES ACT 1977 CONSIDERATIONS

- 8.1 Section 17(1) of the Reserves Act 1977 defines the purpose of recreation reserves as:

‘For the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on

outdoor recreational activities, including recreational tracks in the countryside.'

Officer comment: Tekton Limited's activity is a recreation activity. It is undertaken in people's leisure time and contributes to the community. This activity is consistent with the purpose of recreation reserves.

8.2 Section 17(2) requires:

- a) The public shall have freedom of entry and access to the reserve, with the exception of the ability to lease areas under Section 54.

Officer comment: The freedom of entry to the reserve is not impacted.

- b) Where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve.

Officer comment: No trees or vegetation are required to be removed by the proposal.

- c) Those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and the better use and enjoyment of the reserve shall be conserved.

Officer comment: The high ropes course has been an existing activity and will not negatively impact the existing pleasantness and enjoyment of the reserve.

- d) To the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.

Officer comment: The proposed licence will not impact on soil, water and forest conservation.

9. GIVING EFFECT TO THE PRINCIPLES OF THE TREATY OF WAITANGI

- 9.1 The Reserves Act 1977 is subject to Section 4 of the Conservation Act and requires that administering bodies under the Reserves Act 1977 give effect to the principles of the Treaty of Waitangi.

- 9.2 Rangitāne o Manawatū representatives will be consulted on the proposal as part of the consultation process and their views considered as a partner in the decision-making process.

10. DESCRIPTION AND ANALYSIS OF OPTIONS

Option 1: Notify the public of Council's intention to approve the proposal to grant a licence to the existing licence holder at Railway Land Reserve in accordance with Section 54 of the Reserves Act 1977.

- 10.1 Council must give people the opportunity to object and be heard before deciding to issue a licence as per Sections 119 and 120 of the Reserves Act 1977.
- 10.2 After considering feedback Council can then decide to enter a formal licence with Tekton Limited.

Option Two: Do not enter a Licence with Tekton Limited.

- 10.3 Tekton Limited will need to cease operations at the site and remove their improvements. The flow-on from this would be that they would not be able to continue providing their existing high ropes activities for the community.
- 10.4 Given this option sees the licence being discontinued, the public would not get the opportunity to provide any feedback on the matter.
- 10.5 This option does however open the opportunity to advertise for alternative for-purpose groups to have a licence to occupy of the area in the future.

11. CONCLUSION

- 11.1 The proposal is consistent with the purposes of recreation reserves as Tekton Limited is supporting public recreation and enjoyment of the Railway Land Reserve. They are however a commercial organisation rather than a for purpose organisation.
- 11.2 Public notification on the proposal will provide opportunities for submissions and objections to be made before a decision is made, fulfilling the requirements of the Reserves Act.
- 11.3 It is recommended Council proceed to public notification.

12. NEXT ACTIONS

- 12.1 Public notification of the proposal to grant the licence, seeking submissions and objections.
- 12.2 Provide the opportunity for any submitters that wish to be heard to speak to Council
- 12.3 Consider the objections and submissions and provide advice to Council on whether to accept, modify or decline the licence proposal.

13. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

- 13.1 The proposal does not change the existing use of the reserve land but may engender some public interest due to it being a commercial activity.
- 13.2 As such, the proposed consultation is to meet the public notification requirements of the Reserves Act – a minimum of one-month period advertised in the Manawatu Standard.

COMPLIANCE AND ADMINISTRATION

Does Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do, they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	Yes
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 2: A Creative and Exciting City	
The recommendations contribute to the achievement of action/actions in Active Communities	
The action is: Council supports a variety of clubs and organisations through consistent and transparent lease arrangements at parks and reserves and community centres.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The recommendation is in line with Council's Support and Funding policy, which seeks to support community groups to deliver benefits responding to cultural, economic, environmental and social well-being of the city.

ATTACHMENTS

- Assessment of Licence Proposal - Tekton Limited - High Ropes Course [↓](#) 

Assessment of Licence Proposal – Support and Funding Policy and the Use of Public Space Policy

In considering an application of a for purpose organisation to use public space, and particularly where there are competing applications for the use of public space or high demand for a public space, the Council will assess the applications against the criteria set out in both policies.

Date: 31 October 2022

Group Name: Tekton Limited – High Ropes Course

Proposed Lease Location: Railway Land Reserve, Palmerston North

Criteria	Assessment
Supports the achievement of the Council's goals	Activities of Tekton Limited are consistent with goals two and three of Council's strategic direction.
Is accessible to the wider community	The Tekton Limited activities seek and support the Palmerston North community.
Adds to the variety of events or activities available in Palmerston North	Tekton Limited provides opportunities to promote confidence and create connections with community groups
Enhances any precinct identities (e.g. Broadway as a hospitality precinct)	Tekton Limited supports and enhances the range of recreational activities at Railway Land Reserve
Provides an experience (rather than a simple commercial exchange)	Tekton Limited are focused on personal development, team building, adventure and community engagement.
Does not significantly limit the availability of space for general community use	The licence does not affect the availability of the space for general community use.
Compatibility with reserves values, purpose/classification	Railway Land Reserve is classified as a recreation reserve; Tekton Limited is a commercial activity but its purpose is consistent with the reserve's values and is not limiting public use.
Rangitāne o Manawatu feedback on the proposed activity	Rangitāne o Manawatu representatives will be consulted in the consultation period.
Potential impact of the occupancy and proposed activities	Tekton Limited has been occupying in this location since 2018. The lease has no negative impact on the public's benefit and enjoyment of the land/reserve. The licence will not affect the availability of space for the general community use or other for-purpose groups, as it is an existing use.

REPORT

TO: Council

MEETING DATE: 7 December 2022

TITLE: Opie Reserve - Change to Reserve Status to Enable Proposed Use by Ngāti Hineaute Hapu Authority

PRESENTED BY: Kathy Dever-Tod, Group Manager - Parks and Logistics

APPROVED BY: Sarah Sinclair, Chief Infrastructure Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council, as the Administering Body of Opie Reserve under the Reserves Act 1977, adopt the proposed new reserve status for Opie Reserve as “Local Purpose – Community”, to go out for consultation under the Reserves Act 1977 Section 119 and 120.
2. That Council, in exercise of ministerial delegation from the Minister of Conservation, adopt the proposed new reserve status for Opie Reserve as “Local Purpose – Community”, to go out for consultation under the Reserves Act 1977 Section 119 and 120.

SUMMARY OF OPTIONS ANALYSIS FOR

Problem or Opportunity	Council agreed, in principle, to the option to lease Opie Reserve to the Ngāti Hineaute Hapu Authority. For this to occur, the Reserves Act classification of the reserve needs to be changed under legislative procedure.
OPTION 1:	Council adopts the change of reserve classification (Local Purpose: Community) to go out for public consultation under the Reserves Act 1977, Sections 119 and 120.
Community Views	Community views on the proposal to reclassify the reserve will be ascertained during the consultation process.
Benefits	Council understand any community views on the proposal, before resolving to reclassify the reserve.
Risks	The community does not engage with the consultation process and council is no better informed on the community's views.
Financial	\$800 – \$1,500 in consultation costs – advertising, etc, funded from the existing Local Reserve operating budget.
OPTION 2:	Council does not adopt the proposal to consult on reclassifying the reserve.
Community Views	Under this option, Council will not have the opportunity to obtain community views on reclassification of the reserve.
Benefits	No consultation costs incurred.
Risks	No progress is made on the reserve reclassification - delaying the new Kohanga Reo as Council is not able to lease the reserve to Ngāti Hineaute Hapu Authority with the current reserve classification in place.
Financial	There are no financial implications to council arising from this option. This option may delay or hamper the fundraising efforts of the Ngāti Hineaute Hapu Authority.

RATIONALE FOR THE RECOMMENDATIONS

1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 Ngāti Hineaute Hapu Authority approached Council regarding leasing Opie Reserve to build a new Kohanga Reo and “Urban Marae” to serve the Iwi and local Highbury Community.
- 1.2 On April 13, 2022, the Planning and Strategy Committee of Council adopted *Option Three* of the November 2021 Report titled: *Opie Reserve - Change to Reserve Status to Enable Proposed Use by Ngāti Hineaute Hapu Authority*.

- 1.3 *Option Three* was: **Exclusive use (Kohanga Reo) – all of Opie Reserve is leased to the Ngāti Hineaute Hapu Authority Kohanga Reo.** This option gives Ngāti Hineaute exclusive use of Opie Reserve to establish both a new Kohanga Reo and an “Urban Marae”.
- 1.4 Opie Reserve is currently classified under the Reserves Act 1977 (the Act) as a Recreation Reserve. A Recreation Reserve has specific types of use associated with active and passive recreation.
- 1.5 The Recreation Reserve classification does not cover those types of activities that occur if a Kohanga Reo and/or Urban Marae were to be located on the reserve – such as community and education.
- 1.6 Council is therefore required to change the classification of the reserve to enable the activities associated with a Kohanga Reo and/or Urban Marae.
- 1.7 The purpose of this report is to initiate the first step in the Reserve Act process to change the classification.

2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

Ngāti Hineaute Hapu Authority

- 2.1 Ngāti Hineaute has a strategic plan with a direction that focuses on:
 - Urban Marae.
 - Opportunity for employment for Māori.
 - Focus on engaging with Te Reo.
- 2.2 The first Kohanga Reo was started by the hapu in 2002, in a private residence in Cardiff Street. In 2014 the building and the hapu became the only Ministry of Education licensed Kohanga Reo in the city. To secure the licence, the Council issued a lease to the hapu to enable the Kohanga Reo to occupy a small section of Tui Reserve, and the Ministry allowed the park to count as part of the required outdoor space.
- 2.3 The licence has a roll cap of 18 children. The Kohanga Reo is currently at capacity. While they do not hold a waiting list, it is estimated that around the same number of children (18) are wanting to attend the Kohanga Reo.

Previous Council Decisions

- 2.4 In 2012 the Council completed a review of its property portfolio. The review was tasked with the rationalisation of Council-owned property, including parks and reserves. This review assessed Council property against criteria to determine whether any Council land could be disposed of; or used for other community/commercial purposes without detriment to recreation.
- 2.5 Several properties were deemed as having potential for disposal as part of the 2012 review, including Opie Reserve. Opie Reserve was considered to:

- Not have any special character, eco-system, cultural significance or heritage.
 - Be unnecessary for recreation use or opportunity -being right next to Monrad Park, have low levels of use, no community attachment and no foreseeable recreation uses given the size of Monrad Park.
 - Not have any other uses – such as stormwater.
 - Not have high sunk costs – no playgrounds, etc.
- 2.6 The legal status of Opie Reserve was also raised at the time. Opie Reserve became reserve land when the Crown set it aside as reserve land to facilitate housing development by the Housing Corporation.
- 2.7 Opie Reserve is Crown derived, which means the Palmerston North City Council, if it does not have a reserve use for the land, must return the land to the Crown.
- 2.8 The Crown would then follow an internal process which provides each Ministry with the opportunity to register its interest in the land.
- 2.9 If the Crown has no use for the land, then the Crown may sell the reserve and the Crown may pay the Council 50% of the net proceeds.
- 2.10 Officers reported to the Planning and Strategy Committee in November 2021 on options for the future use of Opie Reserve. In line with its strategic direction for housing, options included use of the entire site for housing and an option to utilise 50% of the reserve for the Kohanga Reo, and the other 50% for some form of housing or social housing development.
- 2.11 The committee left the report lying on the table due to insufficient information and requested more information from the hapu on its plans and commentary from Kainga Ora regarding how any housing or social housing proposal, in this area, might fit with their master plans.
- 2.12 On April 13 the Planning and Strategy Committee received a memorandum, a deputation from Ngati Hineaute and a letter from Kāinga Ora, that provided further information on their respective positions. Kāinga Ora were not positioned to make any comments on the housing proposal due to timing of their master planning, while the hapu delivered a deputation seeking use of the entire reserve.
- 2.13 The Committee uplifted the November report and adopted **Option Three:** to allow the hapu exclusive use of Opie Reserve.

3. RESERVE CLASSIFICATION

- 3.1 As the administering body of Opie Reserve, the Council may make decisions on how this reserve is classified under Part 3 of the Act: *Classification and Management of Reserves*.

- 3.2 Council Officers sought legal advice on the process for ensuring Opie Reserve could be legally compliant for these newly proposed activities.
- 3.3 Buddle-Findlay advised that the Council, as the administering body of Opie Reserve, alter the reserve classification from Recreation Reserve to Local Purpose Reserve: Community to allow for the newly proposed activities. A copy of their advice is attached to this report.
- 3.4 The full Act process to lease Opie Reserve to Ngāti Hineaute Hapu Authority is as follows:
 - Change the reserve classification from Recreation to Local Purpose: Community
 - Develop a lease with the hapu under the provisions of the Act
- 3.5 In order to change the reserve classification, Council must first go through a legislative consultation process as described in Sections 119 and 120 of the Act.

Delegation from the Minister of Conservation

- 3.6 In 2013 the Minister of Conservation delegated several ministerial activities to Local Authorities through an instrument of Delegation. Under Section 24(1) of that instrument Local Authorities now have the power to "Change the classification or purpose of a reserve by notice in the Gazette".
- 3.7 As the delegated authority the Council must also adopt resolutions that guarantee the Local Authority, in the exercise of its delegation, has followed due process under the Act in place of the Minister of Conservation.
- 3.8 The required resolution is described in **Recommendation 2** of this report titled *Opie Reserve - Change to Reserve Status to Enable Proposed Use by Ngāti Hineaute Hapu Authority*.

4. DESCRIPTION OF OPTIONS

- 4.1 **Option 1: Council adopts the change of reserve classification (Local Purpose: Community) to go out for public consultation under the Reserves Act 1977, Sections 119 and 120.**
- 4.2 **Option 2: Council does not adopt the proposal to consult on reclassifying the reserve.**

5. ANALYSIS OF OPTIONS

- 5.1 **Option 1: Council adopts the change of reserve classification (Local Purpose: Community) to go out for public consultation under the Reserves Act 1977, Sections 119 and 120.**

- 5.2 In April 2022 adopted Option 3; **Exclusive use (Kohanga Reo) – all of Opie Reserve is leased to the Ngāti Hineaute Hapu Authority Kohanga Reo.** Council has already, as the administering body of Opie Reserve, made the call, in principle, to allow the reserve to be leased in its entirety to the hapu.
- 5.3 A change in the classification is required before Council can consider and consult with the public on a proposal to lease Opie Reserve to Ngāti Hineaute Hapu Authority.
- 5.4 **Option 2: Council does not adopt the proposal to consult on reclassifying the reserve.**
- 5.5 Council has a received legal advice that reclassification of the reserve is required before Council can enter a lease for the use of Opie Reserve for a Kohanga Reo and urban marae.
- 5.6 As the administering body under the provisions of the Act, the Council is required to adopt the proposal to reclassify Opie Reserve, and consult on the proposal, before it can resolve to reclassify the reserve.
- 5.7 If the Council does not adopt the proposal to consult on reclassification of the reserve at this time, the resolution of the Council to lease Opie Reserve to Ngāti Hineaute can not be advanced.
- 5.8 Delaying the process to reclassify the reserve will also delay the process to consult on the proposed lease of Opie Reserve to Ngāti Hineaute Hapu Authority.
- 6. CONCLUSION**
- 6.1 Council has in principle agreed with the option to allow Ngāti Hineaute Hapu Authority to lease Opie Reserve for a new Kohanga Reo and Urban Marae/Whare.
- 6.2 Council has received legal advice that as the administering body of Opie Reserve, the Council should alter the reserve classification from Recreation Reserve to Local Purpose Reserve: Community, to enable Ngāti Hineaute Hapu Authority's proposed use of the reserve.
- 6.3 The Act requires the Council to consult on the proposal to reclassify the reserve and consider public feedback as part of its decision-making process, and prior to making any resolution to reclassify the reserve under delegation from the Minister of Conservation.
- 6.4 Option 1 enables the Council to commence the first step in the Reserves Act process to reclassify the reserve.
- 6.5 By adopting Option 1, Council can receive feedback from the community on the proposal to change the current use of reserve.

7. NEXT ACTIONS

- 7.1 Council will consult with the public in February 2023, to ensure people are back from vacation during the consultation period.
- If required, hearings will be held.
 - A report considering submissions and objections will be presented to Council for a final decision on reclassification.
- 7.2 Only once the reserve has been reclassified would officers commence the leasing process, including assessment of the proposal under Section 8c of Council's Support and Funding Policy - *Occupancy of council owned property by for-purpose groups – community occupancy*.

- 7.3 Officers will report to the Council on the lease proposal, including adoption for consultation under the provisions of the Reserves Act.

8. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

- 8.1 The Communications Team will develop an appropriate consultation process for this proposal, in discussion with strategy and planning team.

9. COMPLIANCE AND ADMINISTRATION

- 9.1 Officers will ensure that the Council meets the provisions of the Reserves Act 1977 throughout all steps in the reclassification process.

Does Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	Yes
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the achievement of action/actions in Connected Communities	
The actions are:	
<ul style="list-style-type: none"> • Lease Council land and facilities to 'for-purpose' organisations in line with the (draft community support policy) • Build and maintain relationships with local communities of identify, interest and place to understand and support their strengths and aspirations 	

Contribution to strategic direction and to social, economic, environmental and cultural well-being	The 2021 Connected Communities Strategy and Plan contain actions to support and fund communities and for-purpose organisations to build community, neighbourhood and organisational capacity and capability. Reclassifying Opie Reserve to enable it to be used for community purposes is consistent with this direction.
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ATTACHMENTS

1. Buddle Findlay Legal Advice [↓](#) 

11 September 2022

To: Jason Pilkington
Palmerston North City Council

From: Paul Beverley

Tēnā koe Jason

Opie Reserve: Marae and Kōhanga Reo Proposal

1. Thank you for the opportunity to discuss and provide advice on this matter.
2. We understand that Opie Reserve is a recreation reserve under the Reserves Act 1977 (**Reserves Act**) and that there is a proposal to place a marae and kōhanga reo on the reserve.

Advice

3. There is some uncertainty as to whether a marae and kōhanga reo could be lawfully established on a recreation reserve.
4. The purposes of a recreation reserve are set out in section 17 of the Reserves Act. Section 17(1) states:

17 Recreation reserves

- (1) *It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as recreation reserves, for the purpose of providing areas **for the recreation and sporting activities and the physical welfare and enjoyment of the public**, and for the protection of the natural environment and beauty of the countryside, **with emphasis on the retention of open spaces and on outdoor recreational activities**, including recreational tracks in the countryside.*

.....

(emphasis added)

5. The purposes of a recreation reserve under section 17 understandably have a strong focus on recreation and sporting activities. The powers of an administering body in relation to recreation reserves are set out in sections 53 and 54 of the Reserves Act.
6. Section 53 sets out the powers (other than leasing) of the administering body in relation to recreation reserves. The powers under section 53 are focused on matters relating to recreation and sporting activities. There is nothing in section 53 to suggest that the administering body would have the ability to establish (or permit the establishment of) a marae or kōhanga reo on a recreation reserve. To the contrary, there are powers to allow buildings to be erected on recreation reserves, but these are constrained to structures such as stands, pavilions, gymnasiums or other buildings or structures associated with and necessary for outdoor recreation.

BUDDLE FINDLAY

7. Section 54 sets out the leasing powers of an administering body in relation to recreation reserves. Again, there is a strong focus on recreation and sporting activities and the leasing powers do not appear to contemplate or provide for a marae or kōhanga reo.
8. We acknowledge that there are arguments the other way, including based on section 4 of the Conservation Act (the requirement to give effect to the principles of the Treaty of Waitangi); and the decision of the Supreme Court in *Ngāi Tai ki Tāmaki Tribal Trust v Minister of Conservation*¹ which reinforces the application of section 4 to the Reserves Act.
9. While there may be arguments to support the placement of a marae and kōhanga reo on a recreation reserve, and while there may be examples of that occurring, there is real uncertainty as to whether that would be lawful. If there were to be a challenge and a Court were to rule against those interpretations and arguments, it could be that the marae and kōhanga reo are unlawfully located on Opie Reserve.
10. Given the importance of the marae and kōhanga reo proposal, we recommend that a precautionary approach is taken. We do not consider it would be appropriate to use a current recreation reserve for the establishment of a marae or kōhanga reo.
11. We recommend that the Council undertakes a process to reclassify the reserve to local purpose reserve for marae and kōhanga reo purposes (historic reserve is another option), so that the marae and kōhanga reo are clearly contemplated by the reserve purpose.
12. There may be some detail to work through in terms of whether leases or other types of authorisations may be required in relation to the marae and kōhanga reo buildings, and we would be happy to discuss that further.
13. One other point to be aware of is that section 44(1) of the Reserves Act also needs to be considered if the intention is that a marae (which will include an element of 'accommodation') is located on the reserve:

Except with the consent of the Minister, no person shall use a reserve, or any building, vehicle, boat, caravan, tent, or structure situate thereon, for purposes of permanent or temporary personal accommodation.
14. That Ministerial consent power has been delegated to the Council under the 2013 Reserves Act delegations.
15. Section 44 does not preclude personal accommodation in a local purpose reserve, where living or sleeping accommodation is necessary because of the purposes specified in the classification of the reserve.² The same applies if the accommodation purpose is provided for in the management plan for the reserve.³
16. That is a matter to keep in mind that the proposal develops.

¹ *Ngāi Tai ki Tāmaki Tribal Trust v Minister of Conservation* [2018] NZSC 122, [2019] 1 NZLR 368.

² Section 44(1)(d) of the Reserves Act.

³ Section 44(1)(e) of the Reserves Act.

BUDDLE FINDLAY**Conclusion**

17. We are happy to discuss this with you further and to provide any further information or assistance.

18. Thank you again for the opportunity to assist on this matter.

Ngā mihi nui



Paul Beverley
Partner

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REPORT

TO: Council

MEETING DATE: 7 December 2022

TITLE: 2022 August Storm Damage - Roading

PRESENTED BY: Stuart Cartwright, Chief Engineer

APPROVED BY: Sarah Sinclair, Chief Infrastructure Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council allocate \$1.627 M as an unbudgeted sum in 2022/23 financial year and \$950,000 in 2023/24 financial year to address the August 2022 Network Storm Damage outcomes, in a new Capital New programme (Option 2).
2. That Council transfer existing emergency expenditure related to the new capital works against that new budget line.
3. That Council refer consideration of future emergency budget allocation to Long Term Plan considerations.

SUMMARY OF OPTIONS ANALYSIS FOR

Problem or Opportunity	<p>The sequence of storms through July and August, as well as causing localised flooding, saturated the ground, resulting in several land slips. This was the wettest July since 1956 and by the time the last storms passed through in August there was damage affecting the stability or reliability of several roads.</p> <p>Council does not have budget allocated to address storm related road carriageway damage and loss as experienced in August 2022. Capital new funding will be required to remediate the sustained road related storm damage.</p> <p>Options have been developed to address and mitigate risks, ranging from minimum operational and safety responses to realigning parts of the affected roads.</p> <p>Council can approach Waka Kotahi for joint funding in addressing these issues under their emergency funding criteria. However, it is not guaranteed that either all or part of the funding requested would be approved for subsidy.</p>
OPTION 1:	<p>Undertake minimum operational and safety responses by continuing to utilise existing operational budgets from other areas to facilitate first response costs and on-going traffic management costs, noting the emergency works already undertaken at Back Road (\$177,000) under Delegation 211 (Emergency).</p>
Community Views	<ul style="list-style-type: none"> There would have to be level of service reductions in other areas to continue to fund the response costs. Reduction in levels of service from moving other operational budgets has not been discussed with the community at this time. The community at the slip locations will continue to have restricted road corridor access use - either permanent restriction with a risk of further road loss over time (underslip) or temporary reduction in accessibility from upslope debris falling onto the road (overslip) that will require clearing to maintain corridor access.
Benefits	<ul style="list-style-type: none"> Least cost option in the short term
Risks	<ul style="list-style-type: none"> On-going risk of slips and debris falls There is a risk of underslip affected sites getting worse, reducing the options available for remediation, and increasing the cost to remediate at a later date. There may be a drop in levels of service on other road network operations due to budgetary constraints.
Financial	<ul style="list-style-type: none"> Capital budget of \$177,000 required for emergency

	stabilisation. This could be co-funded by Waka Kotahi.
OPTION 2:	Stabilise the roads most at risk through retaining structures (Stabilisation Option 1 for underslips at Glenburn Road, Greens Road, Mountain View Road) and continue to undertake minimum operational and safety responses on lower risk sites ('Do minimum' Option for overslips at Tennant Drive, Summerhill Drive, Kahuterawa Road.)
Community Views	<ul style="list-style-type: none"> There would have to be level of service reductions in other areas to continue to fund the response costs for the remainder of this financial year, whilst solutions are designed and implemented. Reduction in levels of service from moving other operational budgets has not been discussed with the community at this time. The community at the slip locations will continue to have restricted road corridor access use in the short term, but this will be temporary. There will then be more certainty for communities that road access will be maintained. There will continue to be temporary reductions in accessibility from upslope debris falling onto the road (overslip) for lower risk sites, that requires clearing to maintain corridor access.
Benefits	<ul style="list-style-type: none"> Road corridors at the underslip locations are structurally made more resilient, reducing potential longer-term costs of stabilisation if left unresolved. Once built, there is ongoing access provided to road users.
Risks	<ul style="list-style-type: none"> Risk of loss of access is reduced, although there will continue to be debris flow risks and associated disruption to overslip sites.
Financial	<ul style="list-style-type: none"> The cost of the new retaining works would be \$2,577,000 over FY 22/23 and 23/24. Waka Kotahi co-funding would be sought, and other work would be deferred from the FY 22/23 budget, which would allow this work to be prioritised. Operational expenditure of \$48k would be required in FY 22/23 to seal Greens Rd temporarily.
OPTION 3:	Stabilise all sites
Community Views	<ul style="list-style-type: none"> There would have to be level of service reductions in other areas to continue to fund the response costs for the remainder of this financial year, whilst solutions are designed and implemented. Reduction in levels of service from moving other operational budgets has not

	<p>been discussed with the community at this time.</p> <ul style="list-style-type: none"> The community at the slip locations will continue to have restricted road corridor access use in the short term, but this will be temporary. There will then be more certainty for communities that road access will be maintained.
Benefits	<ul style="list-style-type: none"> Road corridors at the underslip locations are structurally made more resilient, reducing potential longer term costs of stabilisation if left unresolved. Road corridors that were previously blocked by overslips would be safer for all users, including pedestrians.
Risks	<ul style="list-style-type: none"> Risk of loss of access, and risk of harm to road users would be significantly reduced.
Financial	<ul style="list-style-type: none"> The cost of the new retaining works would be \$2,892,000 over FY 22/23 and 23/24. Waka Kotahi co-funding would be sought, and other work would be deferred from the FY 22/23 budget, which would allow this work to be prioritised.
OPTION 4:	Stabilise all sites and realign Greens Road
Community Views	<ul style="list-style-type: none"> There would have to be level of service reductions in other areas to continue to fund the response costs for the remainder of this financial year, whilst solutions are designed and implemented. Reduction in levels of service from moving other operational budgets has not been discussed with the community at this time. The community at the slip locations will continue to have restricted road corridor access use in the short term, but this will be temporary. There will then be more certainty for communities that road access will be maintained.
Benefits	<ul style="list-style-type: none"> Road corridors at the underslip locations are structurally made more resilient, reducing potential longer-term costs of stabilisation if left unresolved. Road corridors that were previously blocked by overslips would be safer for all users, including pedestrians.
Risks	<ul style="list-style-type: none"> There is a financial risk, because the costs are based on a very preliminary estimate – any land purchase could potentially be more time consuming and costly than estimated. Long term risk of loss of access, and risk of harm to road users would be significantly reduced.
Financial	<ul style="list-style-type: none"> The cost of the new retaining works would be \$2,992,000 over FY 22/23 and 23/24. Waka Kotahi co-funding would be sought, and other work would be deferred from the FY 22/23 budget, which would allow this work to be

	prioritised.
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RATIONALE FOR THE RECOMMENDATIONS

1. OVERVIEW OF THE PROBLEM

- 1.1 The sequence of storms through July and August, as well as causing localised flooding, saturated the ground, resulting in several land slips. This was the wettest July since 1956 and by the time the last storms passed through in August there was damage affecting the stability or reliability of several roads.

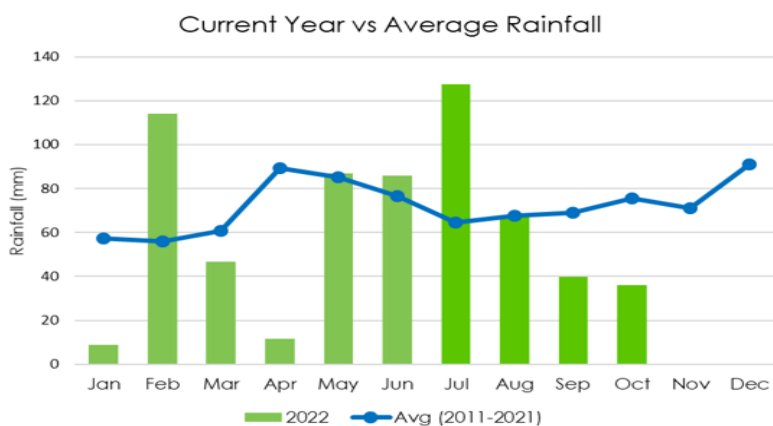


Figure 1 – Rainfall Patterns in Palmerston North

- 1.2 Whilst Council via the network maintenance contract has managed costs incurred on the storm response, this will use up the annual budget, meaning there is no further funding for further responses or other emergency works this financial year.
- 1.3 Some of the slips have affected the long-term usability of the road and present a potential access risk either now or in the near future. Urgent consideration has been given to options to address these issues, and outline costs have been developed. However, Council does not have a budget allocation to address storm related damage requiring new capital investment.
- 1.4 Council can approach Waka Kotahi for joint funding in addressing these issues under their emergency funding criteria but is not guaranteed that all or only partial funding may be approved for subsidy.
- 1.5 A decision is needed on whether to fund recommended stabilisation works to address storm related damage to the roading network. This issue is being brought to elected members early, before design is undertaken and detailed

costings developed, to enable a decision to be made on how to respond to the next winter's risks.

2. BACKGROUND

2.1 Several locations within the network suffered storm related damage in July and August 2022. The highest risk damage, in terms of ongoing safety and provision of road accessibility is subsidence or loss of the slope supporting the road. This occurred on the following sites:

2.2 **Back Road:** Localised subsidence of the road shoulder has eventuated in the partial and complete loss of the road shoulder compromising safe two-way traffic flow. The width of the road carriageway has been reduced. This was caused by excessive stormwater flow that exceeded local culvert capacity, meaning that large volumes of water flowed along the road to a low point, causing scour of the road shoulder.



Figure 2 - Scour to Back Road and damage to the Culvert

2.3 The safety concerns around the road, including knowledge that it is a secondary route for windfarm blades, meant that this route was immediately stabilised as emergency works.



Figure 3 - Emergency Reinstatement Stabilisation of Back Road and Culvert Upsizing and stabilisation of inlet structure

- 2.4 **Glenburn Road:** The over saturation of the road's supporting road shoulder soils has eventuated in the complete loss of the road shoulder caused by an underslip. This has compromised a localised safe two-way traffic flow availability of the road carriageway width.
- 2.5 It was impossible to repair this slip safely without a design solution. An urgent geotechnical stability investigation was undertaken to confirm overall road stability, prior to the road re-opening with a localised one lane constraint.
- 2.6 The road serves approximately 20 properties with no alternative access route. Traffic flow is currently being managed by hired temporary traffic lights for single lane access past this location, which is imposing a daily operating cost on Council. Safety fencing is also being used to demarcate the safer travel zone over a road length of approximately 300m.



- 2.7 **Figure 4 - Landslip at Glenburn Road and single lane traffic constraint**
Greens Road: The over saturation of the soils supporting the road shoulder has resulted in a localised structural failure of the road shoulder. The road is already single lane, and this cracking potentially compromises safe single lane traffic flow.

The structural crack in the road shoulder (under the cones) shows the failure; movement of the failed portion has yet to occur, but this may do so unpredictably.

This road is also utilised by Mercury Energy as their southern Turitea windfarm construction route, with heavy vehicle loads. Initial geotechnical safety review was undertaken, which assessed that this road section can remain open for now but recommending remedial treatment prior to next winter to prevent further slope failure.



Figure 5 – Greens Road localised failure

- 2.8 **Mountain View Road/ Summerhill Drive :** A groundwater spring at the foot of the slope between Mountain View Road and Summerhill Drive caused the slope to fail, resulting in erosion of the road shoulder, and debris slip onto Summerhill Drive. Immediate actions were the clearing of debris make the road and footpath safe. A geotechnical inspection was undertaken for safety to allow Mountain View Road to remain open. Officers are awaiting geotechnical advice on recommended stabilisation actions at this location – again it is assumed that these would need to be completed before next winter.



Figure 7- Mountain View Road slip



Figure 7 – Slip Location - Mountain View Road

- 2.9 The storms also caused overslips of slopes to fail above roads and footpaths in several city locations, resulting in debris flow onto road or footpath. Whilst this does not affect the long-term stability of the road in most cases, there is an associated safety response and clean-up cost.
- 2.10 **Tennent Drive:** Slumping of the upslope due to saturated soil instability causing risk and disruption to footpath and road users alike. Debris was cleared and

disposed of with urgency, and the slope stability checked before the road and footpath were reopened.



- 2.11 **Kahuterawa Road** - Caused by over saturation of the upslope soils causing debris flow. The location is on a bend in the road that presents a road hazard when unexpected debris flows occur. Similar to other slips, debris was cleared with urgency and the stability of the slope checked.



3. DESCRIPTION OF OPTIONS

3.1 In general, options for Council to consider are:

- Do nothing other than work already undertaken and minimal operational activity, such as keeping traffic lights and safety fencing in place and adding additional safety fencing/ guard rails if needed. Plus, clean up and response next winter.
- Stabilise slips which affect road stability only, with new infrastructure (localised retaining structures).
- Consider alternate routes for roads with stability risk – new road alignments.
- Stabilise slips which affect road stability or road blockages through debris with new infrastructure and planting.

3.2 These options are considered for each site, where technically appropriate. This is discussed in the next section.

4. SITE-SPECIFIC OPTION IDENTIFICATION AND DISCUSSION

4.1 Back Road

- Emergency works were completed on site at the time. No further work is needed.

4.2 Glenburn Road

- Doing the minimum at this site would mean continuing the operational response of traffic lights and fencing. At present, temporary traffic light hire costs approximately \$25,000 / month. Officers are investigating costs to purchase traffic lights. There is potential for further failure next winter, which would eliminate the ability to undertake stabilisation option 1 (see below), meaning that stabilisation option 2 would be necessary, at significantly greater cost and disruption.
- **Stabilisation Option 1: Addressing the Glenburn Road Underslip with a retaining wall structure.** This has initially been assessed to cost \$600,000 - \$1M based upon preliminary scoping review, due to the steepness height of the slope to be retained. It should be noted that traffic signals would continue to be needed throughout the design stage.



- **Stabilisation Option 2: Altering the road alignment by retreating into the upslope environment.** This would require extensive earthworks combined with land take. Due to the closeness of property above the site, a toe support retaining wall structure may also be needed, at a similar cost range to the above retaining wall cost, making the overall cost considerably higher than stabilisation option 1, although not costed at this stage. The land take agreement would be time consuming and has landowner risks, and ongoing traffic management costs would also accumulate over this time period.



Orange – slip area / brown – potential land take

4.3 Greens Road

- Doing the minimum at this site would mean continuing to fence off the shoulder and to monitor the slope failure. It is anticipated that the slope would slip some time between now and throughout the next winter period, at which time stabilisation would be needed.
- **Stabilisation Option 1: Addressing the Greens Road Underslip with a retaining wall structure.** This has initially been assessed to cost \$700,000 upon preliminary review due to the steepness of the slope to be retained, and a natural stream watercourse at its toe.



- **Option 2: - Council land purchase of the adjacent upslope land to invest in a road realignment past this underslip location.** This would still require some remedial treatment of the slip zones toe support by the stream and the sealing of the exposed surface cracking. This option may also adversely affect the Council walkway trail near the base of the underslip embankment, because of the toe works needed.



Orange – slip zone / brown – potential land take alignment



Example of the upslope environment of potential land take area for road realignment will equally require geotechnical advice for road stability

4.4 Mountain View Road

Whilst officers are awaiting further advice on options, the options are likely to be similar to the other underslip sites, above. That is, a 'do minimum' approach which would involve monitoring, responding and potentially edge protection work such as fencing or guard rails, a 'stabilisation' approach that stabilised the face of the slope between Mountain View Road and Summerhill Drive, and an assessment of whether it is possible to realign the road to be further away from the unstable slope.

4.5 Overslip sites

- Doing the minimum for all overslip sites would be to continue to monitor for instability, and to clear debris and manage road closures when slips occur. This carries an element of safety risk. Officers recommend that there is a geotechnical stability assessment after each slip event to ensure ongoing safety for road users.
- Although the overslip sites have not yet been scoped by specific locations, stabilisation options for all sites are likely to be a combination of upslope embankment stabilisation (drainage, slope trimming, or retaining structures, inclusive of pinning the upslope with netting to prevent further slip debris from reaching the foot path or roadway, or (based on designer's advice) some other toe structure to prevent further debris flow onto pathways / road carriageways.

5. DISCUSSION OF OPTIONS

5.1 Underslips at Glenburn Road, Greens Road, Mountain View Road

The 'do minimum' option of maintaining existing restricted access and continued associated traffic management and road safety corridor assessment monitoring is similar for all sites, although only Glenburn Road requires traffic lights on an ongoing basis. This option is a short-term option, which carries ongoing risk to the network of further loss of the available road width, risk to Mountain View Road underlying buried services and potentially complete loss of access. If substantial further road loss was to occur, there would need to be some sort of realignment to continue to provide access, so as a short term option this would work best with a planned and designed realignment or stabilisation that could be implemented relatively quickly. However, even so, it could result in loss of vehicle access to properties and land up-road of the slip sites for a significant period of time.

The stabilisation option 1 of work to retain the unstable slopes to keep the road edge stable are most likely to be retaining wall structures. For each site, this option is considerably more costly to design and build than the 'do minimum' approach but is the least risk option to be able to continue to provide road access.

The stabilisation option 2 of realigning the road has not been confirmed as viable yet for Mountain View Road. Whilst it is viable for the other sites, it is costly and time consuming. Officers recommend that realignment is still considered within the long-term roading strategy for unstable roads, but in the shorter term the same benefits can be realised through the less costly and time consuming stabilisation option 1.

5.2 Overslips at Tennant Drive, Summerhill Drive, Kahuterawa Road

Whilst noting that works to Mountain View Road may resolve the overslip problem, depending on which option is progressed, the options are similar for all overslip sites where debris from above falls onto the road and footpath.

The 'do minimum' option of ongoing monitoring, response and debris clean up carries some risk of disruption to the footpath and road user alike in causing unexpected temporary loss or reduced lane width capacity until clean-up is instigated. However, this disruption is temporary. Of more concern is impact to road users who may be there when the slip occurs – this option therefore requires ongoing geotechnical advice, and as above may become unviable over time without additional physical works to prevent debris flow from reaching the footpath or road.

The stabilisation option 1, to stabilise the upslope environment and or provide retained toe support as recommended from geotechnical report options, would provide more certainty of ongoing access. This option, even if discounted at present, may become necessary over time if the slope is left to evolve naturally in response to adverse weather conditions.

6. FINANCIAL IMPLICATIONS

6.1 At present, there are very limited annual budgets assigned through the road maintenance contract for clean-up, under the Annual Plan Budget for Environmental Maintenance. Cost overruns have been met by managing other elements within the Environmental Maintenance Operational Budget. This clean up, risk investigation and traffic management activity is an operational activity, subsidised 51% by Waka Kotahi.

6.2 The cost of the July and August operational storm response to date is as follows, to end of October.

Traffic management, debris clearing, ongoing edge protection.	\$140,000
Geotechnical inspection / reports	\$25,000
TOTAL TO DATE	\$165,000

There is an ongoing cost of \$25,000 a month for traffic management including traffic lights.

6.3 The emergency capital new work undertaken to stabilise Back Road is as follows:

Emergency Reinstatement - Back Road – capital new work	\$177,000
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Due to the emergency nature of these works, funding is being sought retrospectively for these. This work may also be subsidised by Waka Kotahi at 51% pending application approval.

6.4 Future stabilisation option 1 – stabilising the underslips

Indicative cost outlines have been developed for Glenburn Road and Greens Road, and an indicative sum is also allowed for Mountain View Road, noting this has yet to be reviewed by geotechnical consultants. Because of the uncertain nature of the estimates, a contingency of at least 30% has been added to create the upper cost envelope.

Any investment in further investigation, design and construction would be capital new work.

Glenburn Road	\$600,000 - \$1 Million
Greens Road	\$700,000 - \$1.1 Million
Mountain View Road	\$180,000 - \$250,000

6.5 Future stabilisation option 2

Given the urgent nature of the response to date, very indicative scale of costs have been estimated. Data is not yet available for Mountain Road.

Glenburn Road	Approx \$6M
Greens Road	Approx. \$1.8M
Mountain View Road	To be investigated for viability

6.6 Future stabilisation of overslips options

Cost estimates to continue to provide a reactive service have been estimated based on costs to date, with an allowance for escalation. The scale of cost per event for Kahuterawa Road is based on the size of the slip area.

Tennant Drive	\$12,000 per event
Summerhill Drive	\$12,000 per event

Kahuterawa Road	\$85,000 per event
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6.7 Costs of additional overslip stabilisation

Indicative estimates of toe protection and netting are estimated below:

Tennant Drive	\$65,000
Summerhill Drive	\$65,000
Kahuterawa Road	\$185,000

7. POTENTIAL OPTION COMBINATIONS

7.1 Do minimum for all sites

The 'do minimum' option of maintaining existing restricted access and continued associated traffic management and road safety corridor assessment monitoring is similar for all underslip and overslip sites, although only Glenburn Road requires traffic lights on an ongoing basis.

This option is a short-term option. For underslips, there is ongoing risk to the network of further loss of the available road width, risk to urban underlying buried services and potentially complete loss of access. If substantial further road loss was to occur, there would need to be some sort of realignment to continue to provide access, so as a short term option this would work best with a planned and designed realignment or stabilisation that could be implemented relatively quickly. However, even so, it could result in loss of vehicle access to properties and land up-road of the slip sites for a significant period of time. For overslips there is ongoing risk of road and footpath blockage and associated risk and disruption to road users.

Costs of 'do minimum' are assessed to be operational costs comprising:

- 25k a month for traffic lights and fencing, ongoing
- 2k a month for monitoring and observation, ongoing
- \$60k-300k to end of this financial year for future clean up or response requirements, depending on whether rain causes further aggressive

overslips on currently weakened slopes. Then ongoing allowance of a similar sum.

The cost for the remainder of 2022/23 would be \$276-\$516k of operational budget. If this is met from existing budgets, it is anticipated there would be a significant drop in level of service across other operational activities, and further advice would be brought to Council to enable decisions to be made on this.

There would then be an ongoing budget requirement of up to \$516k per year, which would be considered in the next Annual Plan and LTP.

7.2 **Stabilise underslip sites, and do minimum on overslip sites**

This combination addresses the most significant risks to the safe provision of road access and reduces the risk of more expensive interventions becoming necessary.

Ideally, this option would be designed and implemented immediately, to mitigate next winter's weather risk. However, it may be possible to defer Green's Road for a further year, subject to monitoring.

Costs of this strategic intervention are estimated to be

- 25k a month for traffic lights and fencing, operational cost to June
- 2k a month for monitoring and observation, operational cost to June, reducing to \$1k/month thereafter
- \$60k-300k operational cost to end of this financial year for future clean up or response requirements, depending on whether rain causes further aggressive slips on currently weakened slopes. Reducing to \$110k per year for clean-up of overslips only

The operating cost for the remainder of 2022/23 would be \$276-\$516k of operational budget. If this is met from existing budgets, it is anticipated there would be a significant drop in level of service across some other operational activities, and further advice would be brought to Council to enable decisions to be made on this.

There would then be an ongoing operating budget requirement of up to \$110k per year, which would be considered in the next Annual Plan and LTP.

There are capital new costs for retaining walls. It is recommended that Glenburn Road and Mountain View Road are prioritised this financial year, and if necessary Greens Road is temporarily stabilised with clay for this financial year and remediated next financial year. It would be possible to design and build Glenburn and Mountain View Walls in the pre-winter timeframe using a design and build procurement.

This would require funding as follows:

FY 22/23 \$1.627M Capital New, plus additional OPEX for sealing and further Greens Rd clean ups of \$60k

FY 23/24 \$950k Capital New

7.3 **Stabilise all sites**

This combination addresses all current significant risks to the safe provision of road access, and reduces the risk of more expensive interventions becoming necessary.

Ideally, this option would start to be designed and implemented immediately, to mitigate next winter's weather risk. However, it may be possible to defer Green's Road and Tennant Drive for a further year, subject to monitoring.

Costs of this strategic intervention are estimated to be

- 25k a month for traffic lights and fencing, operational cost to June
- 2k a month for monitoring and observation, operational cost to June, reducing to \$1k/month for the next financial year
- \$60k-300k operational cost to end of this financial year for future clean up or response requirements, depending on whether rain causes further aggressive slips on currently weakened slopes. Reducing to \$72k in FY 23/24 for clean up at Greens Rd and Tennant Drive only

The operating cost for the remainder of 2022/23 would be \$276-\$516k of operational budget. If this is met from existing budgets, it is anticipated there would be a significant drop in level of service across some other operational activities, and further advice would be brought to Council to enable decisions to be made on this.

There are capital new costs for retaining walls. It is recommended that Glenburn Road, Mountain View Road and Kahuterawa Road are prioritised this financial year, which would also then require Summerhill Drive to be stabilised below Mountain View Road. If necessary, Greens Road is temporarily stabilised with a crack injected stabilisation clay for this financial year and remediated next financial year, and stabilisation work at Tennent Drive could also be deferred for one financial year. It would be possible to design and build Glenburn and Mountain View Walls in the pre-winter timeframe using a design and build procurement.

This would require funding as follows:

FY 22/23 \$1.627M Capital New, plus additional Operational Expenditure for sealing Greens Rd cracking temporarily of \$48k

FY 23/24 \$1.215M Capital New

7.4 Realignment for long term stability

At present, due to the close proximity of a property, the cost of realignment of Glenburn Rd is prohibitive, at \$6M. Therefore, this option has not been explored further at this stage.

The realignment of Greens Rd is a potential option for year 2, instead of retaining the road in its current location. This may become the preferred option if Greens Rd has further slips over the next winter. Therefore, capital new costs would increase by approximately \$100k, noting this is a very preliminary estimate.

8. RECOMMENDATION

- 8.1 July and August 2022 were unusual for the intensity of rain, but climate change is expected to increase the intensity of storms and change seasonal rainstorm patterns. Officers therefore recommend that we plan for increasingly severe rainstorms.
- 8.2 Whilst it is possible to leave the slips below roads (underslips) until the situation worsens, it is not recommended because failure is unpredictable, and could make the road that fails un-repairable in its current alignment. For underslips, therefore, it is recommended that work is done to stabilise the road structure. It is further recommended that Glenburn Road and Mountain View Road are stabilised before winter (this financial year) if possible, and that Greens Road is designed and has some short-term stabilisation sealing done, prior to retaining wall works next financial year.
- 8.3 It is recommended that the overslips continue to be monitored, and that designs are prepared this financial year to enable more specific sums to be brought forward to the Long-Term Plan for consideration. Preparing designs this year would also provide the ability to respond quickly to further slips if needed. The cost of monitoring and clean up (excluding traffic light costs) can currently be met within the overall Environmental Maintenance budget. However, it is recommended that the next Long-Term Plan consider allocating budget specifically for storm response, given that storm intensity is likely to increase, and hence more ongoing storm damage can be expected.
- 8.4 Based on timings to design and construct new works, it is clear that purchasing traffic lights would be a more cost effective to continue to manage traffic flows on Glenburn Road than continuing to hire them. It is therefore recommended that the cost of traffic lights at \$60k is added into any new capital budget.
- 8.5 Therefore, it is recommended that the following new capital work budget is adopted.

	FY22/23	FY23/24
Emergency reinstatement of Back Road (already undertaken)	\$177,000	
Design and build of Glenburn Rd Retaining wall (inc traffic light purchase)	\$1,000,000	
Design and build of Mountain View Rd Retaining Wall	\$250,000	
Design and build of Greens Road Retaining wall	\$150,000	\$950,000
Design of protection works for Tennant Drive, Kahuterawa Rd and Summerhill Drive	\$50,000	
Total	\$1,627,000	\$950,000

It is further recommended that operating budgets are adopted in the next Annual Plan and Long-Term Plan for ongoing management and maintenance of the walls. In the short term, a sum of \$48k is required for crack sealing at Greens Rd.

9. NEXT ACTIONS

Next steps are

- 9.1 Officers will purchase a set of temporary traffic lights for Glenburn Road, to minimise operating costs over the next 7 months.
- 9.2 Officers are currently working through operational budgets to look for areas where levels of service reductions can be made to fund the remaining operating costs and will bring a report back to Council in the new year. Officers will also seek co-funding for capital works through Waka Kotahi for urgent stabilisation work.
- 9.3 A procurement plan will be developed for design and build of Glenburn Road and Mountain View Road retaining walls for this FY, and procurement will progress, noting that a decision on preferred supplier will be brought back to Council via the delegated authority process.

- 9.4 Temporary crack repairs and minor stabilisation work to Greens Road will be undertaken using operational budgets
- 9.5 Design of Greens Road will commence, to enable a fast build if required urgently.
- 9.6 Proposed carry forwards will be updated in the next Quarterly Performance Report.

10. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

- 10.1 Early community engagement will be required where some locations are likely to experience traffic access delays due to the narrow road corridor width availability to the contractor for safety construction requirements.
- 10.2 Early engagement is likely to affect the direction of the design scope so as to establish least disruption and maintain community access.

COMPLIANCE AND ADMINISTRATION

Does Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	No
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 1: An Innovative and Growing City	
The recommendations contribute to the achievement of action/actions in Transport.	
The action is: Develop, maintain, operate and renew the transport network to deliver on the Council goals, the purpose of this plan, and the Government Policy Statement on Transport that an: <ul style="list-style-type: none"> Maintenance and renewal interventions minimise whole of life costs for transport assets. Roads are designed to minimise long-term financial liabilities. 	
Contribution to strategic direction and to social, economic, environmental	Maintaining safe two-way traffic flow access promotes social and economic wellbeing of road users, while taking into account ongoing environmental impact and interaction.

and cultural well-being	
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ATTACHMENTS

Nil

MEMORANDUM

TO: Council

MEETING DATE: 7 December 2022

TITLE: Local Government Election 2022 - participation

PRESENTED BY: Hannah White, Democracy & Governance Manager

APPROVED BY: Donna Baker, Acting Chief Executive Unit Manager

RECOMMENDATION(S) TO COUNCIL

1. That Council receive the memorandum titled 'Local Government Election 2022-participation', presented on 7 December 2022.
-

1. ISSUE

This memorandum is to inform Elected Members of the actions taken for promotion of electoral participation for the 2022 local body elections.

2. BACKGROUND

Chief Executive role

The Chief Executive has a responsibility under the Local Government Act 2002, s.42 (2)(d) to "facilitate and foster representative and substantial electoral participation in elections and polls held under the Local Electoral Act 2001". This duty was included as an amendment to the Act in March 2019, and thus has applied since the 2019 local elections.

Justice Select Committee reviews

The Justice Committee carries out regular enquiries into local elections.

Following the 2013 election, several recommendations were made but not taken. Following this, the post-2016 review was rolled into the 2017 general election review, the report from which was not available until after the 2019 local body elections. The review led to the current He Arotake Pōitanga Motuhake Independent Electoral Review on the law governing parliamentary elections, established by the Minister of Justice. See [Current Central Government Electoral Review](#). The Committee also made 20 recommendations for improvement to the conduct of local body elections. The Government supported progressing technical consideration of several of these recommendations, but until now minimal changes have been implemented.

Recommendations included giving responsibility for running all aspects of local elections to the Electoral Commission, including to make the Commission responsible for leading and co-ordinating triennial, nationwide campaigns to encourage and support people standing for and voting in local elections; and aligning polling day to avoid the school holidays. See [Justice Committee Inquiry December 2019](#).

We expect there will be an inquiry into the 2022 local body election. The review may consider the postal voting system, as this was highlighted by media during the voting period.

Local Government New Zealand (LGNZ)

In 2021, Palmerston North City Council submitted a remit to Local Government New Zealand to promote the LGNZ work programme on electoral system reform. The remit was titled "Promoting local government electoral participation through the Electoral Commission" and sought to remove the duty from local authority Chief Executives and instead place responsibility for engaging elector participation with the Electoral Commission. The remit requested LGNZ speak to the Justice Committee. The LGNZ website notes investigating Electoral Commission responsibility for local as well as national elections as part of their electoral reform policy priorities. LGNZ are currently pushing for an independent review of the most recent election process and undertaking research with elected members and the public on voter participation and motivation.

Future for Local Government Review

The Future for Local Government review, a ministerial panel set up by the Minister for Local Government has released their draft report in October 2022 and is open for submissions until February 2023. The review scope is much wider than local elections, but traverses 'revitalising citizen-led democracy.' A key question of the draft report for which the Panel is seeking feedback is, "What might we do more of to increase community understanding about the role of local government, and therefore lead to greater civic participation?"

Palmerston North City Council

Council's Governance and Active Citizenship Plan sits under Goal 5: A driven and enabling Council. The Plan's measures of success include voting participation increasing to 50% by the 2025 election. However no specific new and one-off actions, or programme budget lines were included in the 2021-2031 Long Term Plan to improve participation rates.

3. VOTER TURNOUT

The voter turnout rate for the 2022 local body elections for Palmerston North was:

36.7% overall (22,064/ 60,068 electors)

38.6% Te Hirawanui General ward (55,363 electors)

14.8% Te Pūao Māori ward (4705 electors)

Palmerston North City Council local election voter turnout rates have historically sat at the lower end of the metro average. Local government turnout overall has been trending down.

Table 1: Voter turnout %- Metro Councils

Council	2010	2013	2016	2019	2022
Auckland	51.0	34.9	38.5	34.8	35.5
Christchurch City	52.2	42.9	38.3	41.8	43.31
Dunedin City	53.0	43.1	45.2	46.9	48.21
Hamilton City	37.8	38.3	33.6	39.4	29.4
Hutt City Council	40.4	36.6	37.8	42.8	40.24
Nelson City	52.2	52.2	52.1	53.4	51.14
Palmerston North City	43.2	38.7	39.1	37.9	36.7
Porirua City	39.1	36.6	38	41	37.30
Upper Hutt City	44.3	40.8	41	43.9	43.15
Wellington City	40.0	41.5	45.6	41.2	43.27
Average Metro Turnout	48.25	41.85	40.87	42.2	40.82

4. ELECTORAL PARTICIPATION CAMPAIGN 2022

4.1 Regional Collaboration

We partnered regionally with Horowhenua District Council, Manawātū District Council, Rangitīkei District Council, Tararua District Council. Palmerston North City Council designed and commissioned a suite of design elements and animated videos for use. All councils agreed to the same messaging signed off by the Electoral Officer, which could be tailored with local imagery that could be interpreted as either positive or negative for that council at the time to encourage conversation about what councils do and the impact they can have. We also had access to the LGNZ national campaign shared elements but did not register for the full national campaign. This gave us the flexibility to meet local needs while also bringing consistent messaging across the region to increase impact on spend (a total budget of \$30K).

There were three phases to the communications and marketing campaign: Enrol, Stand and Vote.

4.2 The Enrol Phase targeted the younger generation who may not have enrolled yet and those who needed to adjust their enrolment details. This phase concentrated on topics that residents tend to focus on to raise wider awareness of council's role and that elections were coming up, and information for Māori roll voters about the implications of the introduction of Te Pūao Māori ward. We created a series of vox-pop videos of residents' reactions to questions about elections ('if I was the Mayor,' why diversity is important etc). We used a spinning wheel to encourage people to check their enrolment details with us at Puanga Festival which attracted large numbers and also at Square East with Media Works. The website content on 'Why Vote' was developed, FAQs revised and fully bilingual text provided. Users could choose to use the English or te reo path on the website.



Pop-up engagement on Square East

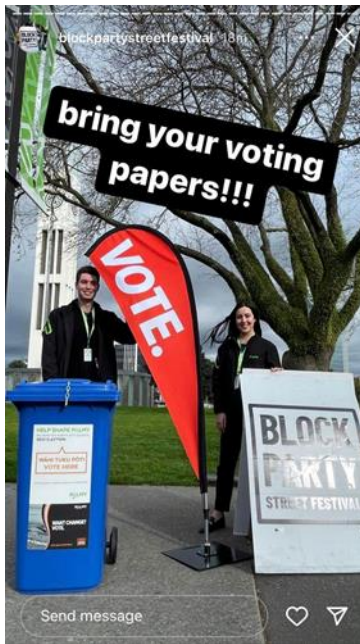
4.3 The Stand Phase goal was to appeal to a diverse range of candidates to raise general awareness of elections and council. Messaging was tailored towards those who were passionate about the city, keen to be the voice for their community and to keyboard warriors who have strong opinions on council activities. We encouraged residents to read the engaging Pre-Election Report content in bite sizes and to attend candidate information sessions which were warmly hosted at Te Hotumanawa Marae and the Central Library.



Poster in style of Pre-election report

4.4 The Vote Phase was to engage as wide as possible all eligible voters, with a particular focus on the 30-40-year-old age group who were less likely to vote in the general election. The Communications and Marketing team were visible to initiate conversation.

Community engagement activities included pop-up free sausage sizzles in the final week of voting. These were held outside the Lido (school holidays), UCOL, Pak 'n' Save and the Customer Service Centre. We also had a pop-up box at the Block Party. Social media posts brought attention to each event. These were popular at each location and served as an opportunity for initiating important conversations with some who were not aware elections were underway and others who had forgotten about their papers. Business owners in the suburban shopping centres were surprised with hand delivered individual orange cookies imprinted with 'Vote.' As these were handed out, community members were encouraged to start conversations with their own friends and whānau.



Pop up engagement examples

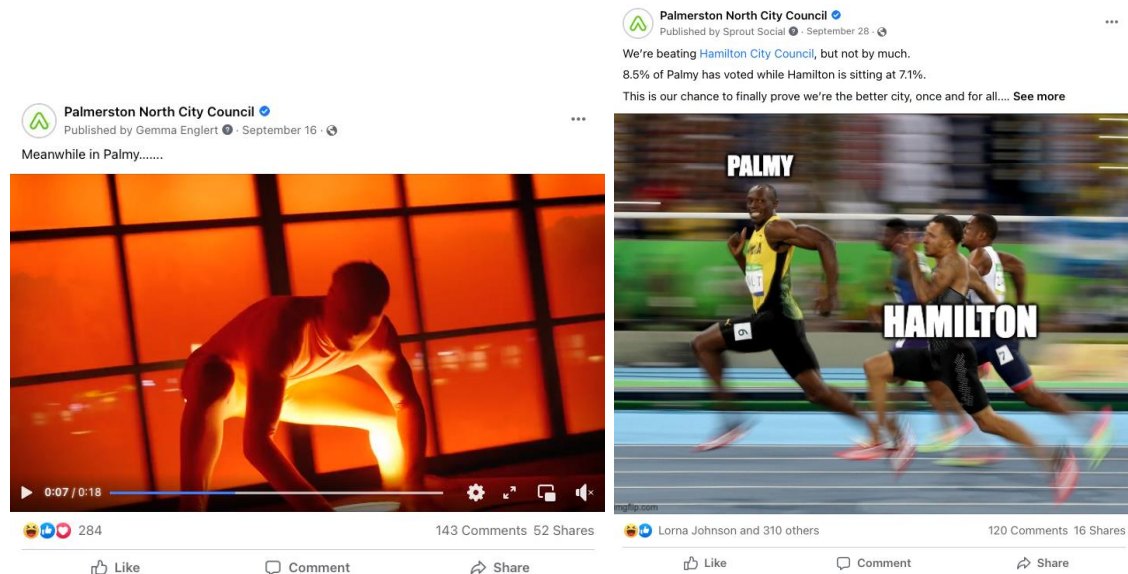
We supported community groups and organisations to hold their own Meet the Candidates sessions, assisting by providing guidelines, inviting candidates, securing venues, promoting sessions on our website and social media pages, and coordinating MCs and te reo and New Zealand Sign Language interpretation. We live streamed two meetings at the Globe. These debates reached 13,800 accounts and had hundreds interacting, commenting and sharing links.



We hosted several groups of refugee English Language students and talked with them about how to vote and communicated directly with large employers and schools and asked that they encourage their networks to vote. A few early childhood centres took this up, but interactions with schools continue to be challenging.

4.5 Social media engagement

Social media presence was strong. The 'Orange Man' horror-style video had wide appeal. The engagement results were picked up by national media. The video featured on the 6pm NewsHub slot and 7 Days. We created content for three Tiktok videos and a fun story with the retiring Deputy Mayor. We also connected with a number of other councils across the country to stimulate banter and competition. Our challenge to Hamilton City Council was picked up by several other councils who joined in.



Social media engagement examples

The voting papers also included a message to remind people to complete the vote by taking the envelope with them next time they went out. This action reflected research that notes making a plan is a factor in encouraging the actual practice of voting. We included a list of box locations in the Candidate Guide inside each envelope and applied our new interactive map on the website for residents to be able to put in their address and find the voting box closest to them. We used voting box locations which we had tested during the by-election and added several supermarkets. Boxes were wrapped in the same branding, however we had some feedback that this might need to include more orange next time.

Candidates also ran their own voter awareness campaigns over this period.

4.5 Website engagement

Engagement with the election webpages increased compared to 2019.

The 2022 elections pages were visited by 18,031 users, with total page views of 56,623. That is each visit brought 3.19 page views on average. In 2019 there were 12,275 visitors contributing 36,069 views in total, or 2.63 pages per session.

Page	Page Views
Your candidates	20,348
Preliminary + progress news page	9,152
2022 results	8,978
English landing page	7,255
How to vote	4,544
Candidate meetings	2,595
Final result news page	2,588

5. COMMENTARY

Officers are disappointed in the final turnout, noting the significant publicity campaign effort and innovations above on a limited budget. Regardless, we understand that the voter turnout is only one indicator of active citizenship and that growth of active citizenship will take longer than one election campaign. We are encouraged by the changemakers we met who personally encouraged those in their own spheres of influence to turn out and vote. Other measures of active citizenship might include: diversity of candidates, engagement with stakeholder feedback and formal consultation processes, interaction with councillors etc.

Voter turnout is complex. There are several factors which influence turnout, none of which can be identified as causal.

- **Rural/urban population** – In New Zealand rural councils generally have much higher turnout than urban councils. Some point to the ratio of councillor: resident as reason for this, others to the particular demographic of the residents in these areas. The duty to vote is not a single strongly held value shared across generations and cultures in New Zealand, whether because of previous interactions with government systems, education or experience.
- **Transitory population** – Local body elections rely on accurate postal addresses. Palmerston North has a large number of transitory residents, e.g. military families and tertiary students. We doubled the number of special votes since 2019, which indicates that many had not updated their address details before voting papers went to print in August. Several families were also travelling for the holidays, and school holidays meant ballot boxes at schools were not as accessible or useful as we had hoped.
- **Competitive election** – Turnout from the 2022 local body elections across the country indicate that where there was a competitive mayoral race, voter turnout was higher. Palmerston North had both an incumbent mayor standing and the Te Pūao Māori ward councillors were elected unopposed.
- **Efficacy** – Where councils have not made recent controversial decisions, residents are less likely to be motivated to engage in voting. The human condition is more likely to take action/ hold a strong opinion when we are against something. This tendency is demonstrated through the submissions process, which is often dominated by voices against a proposal rather than in support.

- **Visibility** – There are many residents who do not know what council does or how it affects their daily lives, nor how to be involved in decision-making processes (including voting) should they wish to. While we partnered with community leaders, there is much more work to do in getting these messages out through trusted faces in trusted places.
- **Accessibility- Voting system** - Palmerston North uses Single Transferable Vote (STV). Palmerston North and the Mid Central District Health Board have used STV for several elections and thus we could expect electors to be familiar with it. However, some people still feel the system is complicated, which in turn becomes an influencing factor not to participate.
- **Accessibility- Voting method** - Postal voting is determined by the Local Electoral Act for which we have little influence, despite few people being familiar with using the postal system. Our decision to work with local provider DX Mail gave us greater flexibility to increase box locations and lengthen the opportunity for people to vote through until polling day. Unfortunately, national media focused on NZ Post, which confused the messaging. Where a resident is already less likely to engage, adding postal voting to the mix adds another obstacle.

Noting the above, officers identify the following key learnings for any future campaign.

- More focus on 'update your address' messaging earlier in the election period
- Value of face-to-face communications

We also acknowledge there is significant work needed outside of the election period to build:

- Wider Māori community engagement and trust of Council
- Trusted relationships between Council and schools, particularly so we can access primary school network communications that regularly go to families
- General community understanding of how Council impacts the daily lives of residents

6. NEXT STEPS

- 6.1 Include learnings in submission to Future for Local Government review. Submission draft will be presented to Council in early February 2023 before submitting to the Panel.
- 6.2 Elected Members may wish to consider what more Council could undertake in this space, e.g. whether civics education funding be included as part of Long-Term Plan considerations; communications budget for explaining what councils do and the significant impact council decisions have on residents' lives.

7. COMPLIANCE AND ADMINISTRATION

Does Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	No
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 5: A Driven & Enabling Council	
The recommendations contribute to the achievement of action/actions in Governance and Active Citizenship	
The action is: Ongoing review of governance systems and structures to support Council's effectiveness and reputation.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	Active citizenship is one factor of a flourishing community. The whānau ora outcomes framework identifies "whanau are participating fully in society" as one of the seven key aspirations of which the short-term outcomes are "increased number of whanau exercising their right to vote in national and local council elections."

ATTACHMENTS

Nil

MEMORANDUM

TO: Council

MEETING DATE: 7 December 2022

TITLE: Annual Meeting Calendar 2023

PRESENTED BY: Hannah White, Democracy & Governance Manager

APPROVED BY: Donna Baker, Acting Chief Executive Unit Manager

RECOMMENDATION TO COUNCIL

1. That Council adopt the Annual Meeting Calendar 2023 (Appendix 1).

1. ISSUE

- 1.1 At the end of each calendar year the Council is required to adopt a meeting calendar for the following year. The meeting calendar outlines dates, locations and other related information and is published both in hard copy and on the Council's website.
- 1.2 Meetings are held with the public present and allow for participation of the public in public comment, presentations and submissions. As such it is important that meetings are scheduled in a way that allows members of the public who wish to attend and/or address meetings to be able to do so.

2. BACKGROUND

- 2.1 Most regular Council meetings will start at 9.00am on Wednesday. Committee meeting times are specified in the calendar with meeting sessions beginning at 9am and 1pm on Wednesdays.
- 2.2 Council will meet three times in the month of June to ensure the annual budget is agreed before the 30 June legislative deadline.
- 2.3 Meetings will be held in the Council Chamber with the Conference & Function Centre listed as a secondary option where needed.

3. NEXT STEPS


- 3.1 The 2023 meeting dates will be loaded into Elected Member diaries and shared with Appointed Members, and the website updated for members of the public.

4. COMPLIANCE AND ADMINISTRATION

Does Council have delegated authority to decide?	Yes
Are the decisions significant?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	No
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 5: A Driven & Enabling Council	
The recommendations contribute to the achievement of action/actions in (Not Applicable)	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	Ensuring the calendar is published in a timely manner allows for effective and transparent governance and is in line with the requirements of the Local Government Official Information and Meetings Act 1987.

ATTACHMENTS

1. Annual Meeting Calendar 2023 [↓](#) 

PALMERSTON NORTH CITY COUNCIL ANNUAL MEETING CALENDAR DATES 2023													
Committee	Day & Time	Members	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Council	Wed 9am	Mayor and All Councillors	15	1 15 #	5	3 16-18 ** 31 ***	1 *** 14 ## 28 ###	N O M E E T I N G S		6	4	1	6, 18
Rangitāne o Manawatū	Wed 1pm	Mr Wiremu Te Awe Awe (Deputy Chair), Mayor (Deputy Chair), Councillors Vaughan Dennison, Roly Fitzgerald, Debi Marshall-Lobb, Karen Naylor, Billy Meehan, Kaydee Zabelin, Ms Danielle Harris, Mr Chris Whaiapu			26				23		18		
Risk & Assurance	Wed 9am	Mayor, Mr Steve Armstrong (Chair) and Councillors Karen Naylor (Deputy Chair), Mark Arnott, Brent Barrett, Vaughan Dennison, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, William Wood, Kaydee Zabelin, 1 Appointed Member (vacant)			26				23		18		
Community	Wed 9am	Mayor and Councillors Lorna Johnson (Chair), Pat Handcock (Deputy Chair), Brent Barrett, Rachel Bowen, Lew Findlay, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood, Kaydee Zabelin		22		24			9	27		22	
Culture & Sport	Wed 9am	Mayor, Deputy Mayor and Councillors Rachel Bowen (Chair), Billy Meehan (Deputy Chair), Mark Arnott, Vaughan Dennison, Lew Findlay, Roly Fitzherald, Patrick Handcock, Leonie Hapeta, William Wood, Kaydee Zabelin		8	19		28 (1pm)			13		8	
Economic Growth	Wed 9am	Mayor, Deputy Mayor and Councillors Leonie Hapeta (Chair), William Wood (Deputy Chair), Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lorna Johnson, Billy Meehan, Orphée Mickalad, Roly Fitzgerald	22		12		21		30		25		
Strategy & Finance	Wed 9am	Mayor and Councillors Vaughan Dennison (Chair), Karen Naylor (Deputy Chair), Mark Arnott, Brent Barrett, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, William Wood, Kaydee Zabelin		15 (1pm)		10			2	20		15	
Sustainability	Wed 9am	Mayor, Deputy Mayor and Councillors Brent Barrett (Chair), Kaydee Zabelin (Deputy Chair), Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Karen Naylor		29			7		16		11	29	
					School holidays: 7-21 April					School holidays: 25 September- 6 October			
Hearings	Panels meet as required	David McMahon (District Plan Chair), Independent Commissioners as appointed and Elected Members with a Making Good Decisions accreditation from the Ministry for the Environment	Meets as required					Meets as required					
Notes	Venue for Meetings: Meetings are held at the Civic Administration Building (Council Chamber or other meeting rooms), 32 The Square, Palmerston North, or at Conference & Function Centre, 354 Main Street, Palmerston North 4410. Meetings may also be held at Te Hotu Manawa o Rangitāne o Manawatū Marae, 140-148 Mawells Line, Awapuni, Palmerston North or Te Rangimarie Marae, State Highway 56, Rangiotū. Meetings are live-streamed on the Council's Youtube channel.					** Hearings Annual Budget	*** Deliberations Annual Budget	# Adopt Consultation Document and supporting material Annual Budget					
					School Holidays	## Deliberations incorporated into Annual Budget	### Adopt Annual Budget						

MEMORANDUM

TO: Council

MEETING DATE: 7 December 2022

TITLE: Local Government (Pecuniary Interests Register) Amendment Act - Appointment of Registrar

PRESENTED BY: Hannah White, Democracy & Governance Manager

APPROVED BY: Donna Baker, Acting Chief Executive Unit Manager

RECOMMENDATION TO COUNCIL

1. That Council agree the following amendment to the Delegations Manual 2017:

162B. The Legal Counsel is appointed Registrar to exercise the functions, powers and duties under section 54G(1) of the Local Government (Pecuniary Interests Register) Amendment Act 2022.

1. ISSUE

- 1.1 The [Local Government \(Pecuniary Interests Register\) Amendment Act 2022](#) (the Act) changes the way that councils manage pecuniary interests. To improve transparency, the law requires councils to create a register of member's interests and publish a summary of the register on the Council's website.
- 1.2 The Act came into force on 20 November 2022. This report provides a short explanation of key aspects of the Act and seeks the appointment of a Registrar to provide advice to members and oversee the process.

2. BACKGROUND

- 2.1 Current practice is for elected members to declare any financial interests (they or their family members¹ have) annually to the Council to meet the requirements of [Local Authorities \(Members' Interests\) Act 1968](#) (LAMIA). Members' interests were securely stored by the Council but not published, unless a LGOIMA request was made.
- 2.2 The new Act does not replace the requirements of LAMIA, instead it seeks to expand and, in many cases, repeat these - essentially members are expected to meet the requirements of both acts. The main differences are

¹ As outlined in the current Elected Members' Declaration of Interest form. Declaring the interests of family members is more than the law requires, as LAMIA only requires a member or their partner's interests to be declared.

that LAMIA requires an elected member to declare their partner's interests and the Act does not; and the Act requires a summary of these interests to be published on the website.

3. APPOINTMENT OF REGISTRAR

3.1 Section 54G(1) of the Act requires councils to appoint an officer to be the 'Registrar'. The Registrar is responsible for:

- collating all the interests declared by members into a register,
- making any corrections to the register to maintain accuracy and
- providing advice and guidance to members in connection with their obligations.

3.2 The Registrar is not required to:

- Obtain a return from a member
- Notify a member if they fail to make a return by the due date; or
- Notify a member if there is any error or omission in their return.

These are the responsibilities of individual members.

3.3 Officers believe the Legal Counsel is the best role to perform the requirements of the Registrar position, as they have the legal knowledge and expertise to provide advice to members on potential conflicts.

3.4 Other officers in the Legal and Democracy and Governance team are also available to advise members. However, it is up to the member as to what they declare in writing, and/or verbally at each meeting. The obligation to declare interests in the agenda of a meeting remains on members, regardless of whether the interest was included in the annually submitted documentation.

4. DECLARATION OF INTEREST

4.1 Under the Act, members are responsible for making a return and for alerting the Registrar when a mistake or omission of an interest have been made. Failure to disclose an interest could lead to a fine of \$5,000.

4.2 Officers have drafted a declaration of interest form that includes both the requirements of the Act and LAMIA, however only the interests required by the Act will be published in a summary. Elected Member's partner information will not be published.

4.3 Elected Members will be required to have provided an annual return by 13 February 2023 (120 days after the day the Member came into office).

5. SUMMARY OF REGISTER

- 5.1 A summary of members' interests will be published on the council's website as soon as practicable after 13 February 2023. The summary will follow the structure and detail of the [Parliamentary version](#) which outlines the interests of Members of Parliament.
- 5.2 The Act requires the summary to remain on the website for 7 years.

6. NEXT STEPS

- 6.1 If approved, the Delegation Manual will be updated.
- 6.2 Officers will circulate the form to members in the next few weeks. The Act requires that it be completed by 13 February 2023.
- 6.3 The Registrar will collate the completed declarations and a summary will be published on the council's website.

7. COMPLIANCE AND ADMINISTRATION

Does Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	No
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 5: A Driven & Enabling Council	
The recommendations contribute to the achievement of action/actions in (Not Applicable)	
The action is: n/a	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	Legal compliance, openness and transparency.

ATTACHMENTS

Nil

MEMORANDUM

TO: Council

MEETING DATE: 7 December 2022

TITLE: Progress Update of Programme 2041 – Accessibility Assessment

PRESENTED BY: Bryce Hosking, Group Manager - Property

APPROVED BY: Sarah Sinclair, Chief Infrastructure Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council receive the memorandum titled 'Progress Update of Programme 2041 – Accessibility Assessment' presented on 7 December 2022.

1. ISSUE

- 1.1 The Community Development Committee requested a progress update be provided on Programme 2041 – Accessibility of Council Facilities Assessment be presented to the Committee in December 2022. Given there are only full Council meetings in December 2022 when this update is due, this report is being presented to Council.

2. BACKGROUND

- 2.1 Operational Programme 2041 (Property – Accessibility of Council Facilities Assessment) was included in Year 2 of the 2021-31 Long Term Plan. This programme was created to provide an external assessment of all of Council's facilities to determine whether the needs of people with disability are appropriately addressed, and to identify any gaps.
- 2.2 The Disability Reference Group recommended BarrierFree (a division of CCS Disability Action) be engaged to undertake the assessment work. BarrierFree were subsequently engaged in May 2022 to undertake the assessment.
- 2.3 Following a submission from the Disability Reference Group to the 2022/23 Annual Plan, the scope of the accessibility assessment was expanded to include all Council-owned infrastructure.
- 2.4 As BarrierFree had already been engaged prior to the scope expansion to undertake the building assessment work, this work is being completed first, followed by the wider infrastructure assessment after that which will include footpaths, crossings, parks, playgrounds etc.

3. OVERVIEW OF THE BARRIERFREE ENGAGEMENT

- 3.1 BarrierFree have been engaged to provide a 'moment in time' audit of the accessibility of the current buildings and surrounds. Noting that this assessment does not include Council's housing portfolio.
- 3.2 The review will provide information about the accessibility features required to meet compliance under the Building Act 2004 and will also provide recommendations beyond minimum requirements that will enhance the user experience of the accessible journey to, through and from the buildings.
- 3.3 Reports will be provided for each facility comprising of the following:
 - Areas of concern requiring immediate attention – compliance and safety concerns;
 - Recommendations for consideration in maintenance and short-term planning;
 - Recommendations for longer-term planned renewals; and
 - Highlighting areas what the reviewers regard as best practice in respect to accessibility.
- 3.4 All findings in the report will be categorised to a timeline of one of the following:
 - Items requiring immediate safety and accessibility concerns;
 - Items recommended to be remedied within 12 – 24 months;
 - Items to be considered when refurbishing facilities; and
 - Longer term ideal outcomes, that would enhance the user experience, but are not essential.

4. PROGRESS UPDATE

- 4.1 The project was delayed due to BarrierFree experiencing Covid-19 related resourcing issues. These are now resolved and BarrierFree has commenced their assessment of Council facilities in late-August 2022.
- 4.2 BarrierFree are confident of being able to make up the lost time and still complete the building assessments by May 2023 as planned.
- 4.3 BarrierFree is assessing buildings on a suburb-by-suburb basis. The following suburbs will be assessed before 31 December 2022:
 - Ashhurst;
 - Milson;
 - Kelvin Grove;
 - Bunnythorpe;
 - Terrace End;

- Hokowhitu;
- West End; along with
- The Water Treatment Plant and stand-alone public toilets throughout the city.

4.4 The balance of Council's buildings will then be completed between January 2023 – May 2023. Council Officers anticipate receiving the first reports in late November 2022.

4.5 Once all buildings have been assessed the findings will be summarised into a report and presented to Council in June 2023, with any immediate safety or accessibility concerns being included in planning for the 2023/24 Annual Plan. Council can consider all other issues as part of the 2024-34 Long Term Plan.

4.6 The wider infrastructure assessment is scheduled to commence in June 2023.

5. NEXT STEPS

5.1 Continue with the accessibility assessment of Council-owned facilities as planned, then commence the wider infrastructure assessment.

6. COMPLIANCE AND ADMINISTRATION

Does Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do, they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	Yes
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the achievement of action/actions in Connected Communities	
The action is: Assess the accessibility of Council facilities, particularly for people with disabilities.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	Undertaking an assessment of the accessibility of Council facilities will help ensure Council's facilities are available and accessible to all members of the community and can be well utilised.

ATTACHMENTS

Nil

MEMORANDUM

TO: Council

MEETING DATE: 7 December 2022

TITLE: Tamakuku Terrace Six Monthly Update

PRESENTED BY: Bryce Hosking, Group Manager - Property

APPROVED BY: Sarah Sinclair, Chief Infrastructure Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council receive the memorandum titled 'Tamakuku Terrace Six Monthly Update', presented on 7 December 2022.

1. ISSUE

- 1.1 The Infrastructure Committee requested six-monthly updates be provided throughout the duration of the project. Given there are only full Council meetings in December 2022 when this update is due, this report is instead being presented to Council.

2. BACKGROUND

- 2.1 The District Plan includes a specific Structure Plan and suite of planning provisions for the Whakarongo Residential Area that will direct the subdivision design and development. This includes guidance for providing different section sizes.
- 2.2 Tamakuku Terrace provides an opportunity to deliver a subdivision consistent with the requirements of the District Plan.
- 2.3 Once developed the subdivision will create 114 new residential sections. Sections will be of a variety of sizes to appeal to a wide variety of purchasers by giving options regarding design, build type and purchase price.
- 2.4 Section sizes will range from 275m² (a couple) through to 810m², with the average section size being 463m².
- 2.5 The development of the site will be split into two stages:
 - Stage 1 – 79 sections; and
 - Stage 2 – The balance of 35 sections.

- 2.6 Stage 2 is subject to the approval of the comprehensive discharge consent (CDC) for the entire Whakarongo Growth Area by Horizons Regional Council and is anticipated to closely follow, but remain distinct from, Stage 1.

3. DEVELOPMENT UPDATE – UP TO 31 OCTOBER 2022

- 3.1 Below is the project update from the October 2022 project steering group meeting:

Health and Safety

- 3.2 The health and safety incident report for Stage 1 of the project is summarised below:

	Near Misses	Incidents	Notifiable Events or Loss-Time Injuries	Total
Cumulative to date	3	16	0	19
This period	0	0	0	0
Total	3	16	0	19

Progress Update

- 3.3 Construction of Stage 1 was completed in October 2022 and the application for 223 and 224 certificates has been lodged. Council is processing this application now. A 223-certificate approval confirms that the final surveyors plan of the site matches the one Council approved in the consent application. A 224-certificate approval confirms that any of the outstanding consent conditions have been undertaken to Council's satisfaction.
- 3.4 The contractual stage known as 'minor defects' is being worked through with the Practical Completion of the contract issued in first week of November 2022. The minor defects stage forms part of the approval process for the 223 and 224 certificates.
- 3.5 The forecasted date to issue titles is in late November 2022. This assumes LINZ will process and issue titles within 4 weeks from receiving the application. They have been consistently meeting this timeframe over the last 12 months on other projects.

Key Programme Milestones

- 3.6 The below table provides a summary of the revised development milestones. These dates have moved from the originally programmed dates primarily due

to poor weather throughout the construction of Stage 1 along with some delays caused earlier in the project due to Covid-19 management.

Key Project Milestones	Originally Programmed Date	Current Status
Stage 1 Construction Completion	November 2021	Completed as at October 2022
Stage 1 Presales	Ongoing	Ongoing
Stage 1 Titles Issued	February 2022	November 2022
Stage 2 Resource Consent Application Approval	April 2022	Anticipated to be February 2023

- 3.7 Please note the Consent application for Stage 2 is subject to Council achieving the greater Resource Consent for the Whakarongo Growth Area by Horizons Regional Council. This is expanded on in Section 4 of this report.

Sales

- 3.8 Council has received seven (7) new sale and purchase contracts for sections since the last update presented to the Infrastructure Committee in August 2022.
- 3.9 The overview of sales as at 31 October 2022 are summarised below:

Stage 1	Presales
Unconditional sales with private purchasers	15
Unconditional sales to build partners	6
Conditional sales to building partners	5
Unconditional sales to Homes for People	16
Stage 1 Total Presales	41
Stage 2 Unconditional sales to Homes for People	4
Total Presales	45

- 3.10 Council had two (2) private purchasers from the first sales release request to be released from their contracts as they are unable to settle. Officers explored all options with these purchasers but unfortunately, they were forced to withdraw from the development. These sections were subsequently

purchased by build partners and are reflected as part of the five (5) conditional sales figures in the table above.

- 3.11 Council Officers continue to assess the pricing within the current market, and we will respond to market corrections accordingly, however Officers do not recommend making reactionary decisions or leading price corrections in order to sell the sections more quickly.
- 3.12 This approach has been validated through the seven (7) new sale and purchase agreements received since the last update.

Financial

- 3.13 Stage 1 of the project was delivered within budget with all construction variations being accommodated within the approved project contingency.
- 3.14 A high-level financial summary of the project costs is provided in the table below:

Budget	Costs to date	Forecasted cost to complete Stage 1	Forecasted savings for Stage 1
\$15,217k	\$12,689k	\$1,382k	\$1,145k

- 3.15 Please note:
- The costs to date include the payment of development contributions of \$867,548.
 - Costs to complete are forecasted costs not yet incurred at the time of writing the report and include selling costs, settlement fees, maintenance costs and for completion of the boardwalk within the pond area.
- 3.16 Given the property market, specifically the sale of sections, has slowed up considerably, as part of the 2022/23 Annual Plan Council revised its section sales revenue assumptions from the development from the 2021/22 financial year to the 2022/23 financial year.

4. WIDER WHAKARONGO GROWTH AREA

- 4.1 One of the key components of achieving the wider Whakarongo growth area consent with Horizons is for Council to acquire the natural oxbow in the lower terrace of the Whakarongo growth area to manage the stormwater effects from the various existing and future developments in the area. This includes Stage 2 of Tamakuku Terrace.
- 4.2 Negotiations with the private landowners in the lower terrace of the Whakarongo growth area to acquire the natural oxbow have concluded with a confidential report being presented to Council on 14 December 2022.

- 4.3 Council Officers are expecting a draft set of consent conditions from Horizons as soon as the oxbow has been secured.

5. NEXT STEPS

- 5.1 Council Officers will continue to sell the sections within Stage 1 of the development.
- 5.2 The official opening of Stage 1 of the development will be held on 28 November 2022.
- 5.3 Once all consents for Stage 2 of the project are secured, earthworks will commence around November 2023 in the summer construction window.

6. COMPLIANCE AND ADMINISTRATION

Does Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do, they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	Yes
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 1: An Innovative and Growing City	
The recommendations contribute to the achievement of action/actions in City Growth	
The action is: Housing development is initiated at Whakarongo.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	<p>Progressing with the Tamakuku Terrace subdivision development within the Whakarongo Growth Area will:</p> <ul style="list-style-type: none"> • Provide additional sections to the marketplace to help reduce the supply vs. demand shortfall; • Provide choice to purchasers through a variety of section sizes and provide them the freedom to choose their preferred house builder; • Provide a best practice example to the private development community showcasing the opportunities and benefits of working closely with local iwi, urban designers, territorial authorities and local experts to achieve excellent outcomes. • Support local contractors and the employment market.

ATTACHMENTS

Nil

MEMORANDUM

TO: Council

MEETING DATE: 7 December 2022

TITLE: Papaioea Place Redevelopment Six Monthly Update

PRESENTED BY: Bryce Hosking, Group Manager - Property

APPROVED BY: Sarah Sinclair, Chief Infrastructure Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council receive the memorandum titled 'Papaioea Place Redevelopment Six Monthly Update', presented on 7 December 2022.

1. ISSUE

- 1.1 The Infrastructure Committee requested six-monthly updates be provided throughout the duration of the project. Given there are only full Council meetings in December 2022 when this update is due, this report is instead being presented to Council.

2. BACKGROUND

- 2.1 The Papaioea Place project is a social housing redevelopment project that is delivered through a design and build contract between Palmerston North City Council (Principal) and Latitude Homes (Contractor) of New Plymouth.
- 2.2 Papaioea Place Stages 1 and 2 have already been delivered on the site. This saw the demolition of the old 48 housing units which were no longer fit for purpose and replaced with 78 new units along with supporting infrastructure.
- 2.3 Stage 3 of the project will see a further seven units and a tenant lounge being constructed in the centre of the site. It is funded through Programme 1743 – Social Housing – Papaioea Stage 3.
- 2.4 Site meetings and Project Control Group meetings are held each month and this report is a summary from the October 2022 meeting.

3. PROJECT UPDATE – UP TO 31 OCTOBER 2022

Health and Safety

- 3.1 There were no new health and safety incidents reported since the last report.

- 3.2 There have been three H&S 'near misses' to date for the life of the project over all three stages of the development.

Programme Update

- 3.3 Construction has commenced on the final seven units. These are scheduled for completion in late April 2023.
- 3.4 Construction of the tenant lounge will commence in the coming months and is scheduled for completion in August 2023.

Financial

- 3.5 There is an approved Programme Budget for Stage 3 of \$4,204,446 including GST.
- 3.6 Stage 3 is currently tracking within budget and to programme.

4. NEXT STEPS

- 4.1 Council officers will continue with the construction of Stage 3 of Papaioea Place as per construction programme.

5. COMPLIANCE AND ADMINISTRATION

Does Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do, they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	Yes
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the achievement of action/actions in Connected Communities	
The action is: Upgrade the Papaioea housing complex.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	<p>The Papaioea Place Redevelopment will:</p> <ul style="list-style-type: none"> • Increase Council's social housing to help meet the demand for this type of housing and reduce the housing waiting list; • Improve the housing condition of the complex by

	<p>replacing the old units; and</p> <ul style="list-style-type: none"> • Provide a complex that delivers on the Social Housing Plan.
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ATTACHMENTS

Nil

COMMITTEE WORK SCHEDULE

TO: Council

MEETING DATE: 7 December 2022

TITLE: Council Work Schedule

RECOMMENDATION TO COUNCIL

1. That Council receive its Work Schedule dated 7 December 2022.

COUNCIL WORK SCHEDULE 7 DECEMBER 2022				
Estimated Report Date	Subject	Officer Responsible	Current Position	Date of Instruction & Clause number
7 December 2022	Progress and outcomes of Programme 2041 – Accessibility Assessment	Chief Infrastructure Officer		Community Development 8 June 2022 Clause 13-22
14 December 2022	Annual Presentation - Disability Reference Group	Chief Customer Officer		Community Development 4 November 2020 Clause 41-20
14 December 2022	Annual Report	Chief Financial Officer		Terms of Reference
14 December 2022	Wastewater Treatment Plant Consent – report re tasks required and budgets needed to progress work after consent lodgement	Chief Infrastructure Officer		Finance & Audit 28 September 2022 Clause 69
14 December 2022 2023	Investigate the level of community demand for recreation and community use	Chief Customer Officer	Further time needed for liaison with Rangitāne	Planning & Strategy 10 August 2022

	with a view to retaining Panako Park and the Girl Guide Hall for community use			Clause 36-22
14 December 2022 2023	Addressing Homelessness - (Night Shelter) Update Report	Chief Customer Officer	Will be presented to the Community Committee in 2023.	Community Development 9 March 2022 Clause 5-22
June 2023	Remits received from other Territorial Authorities	Assistant Chief Executive		Council 24 June 2020 Clause 67-20

ATTACHMENTS

NIL