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**PALMERSTON NORTH CITY COUNCIL**

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**AGENDA**

**PLANNING AND STRATEGY**

**COMMITTEE**

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**9AM, MONDAY 5 AUGUST 2019**

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

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## MEMBERSHIP

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**Duncan McCann (Chairperson)**  
**Aleisha Rutherford (Deputy Chairperson)**  
**Grant Smith (The Mayor)**

**Brent Barrett**  
**Susan Baty**  
**Rachel Bowen**  
**Jim Jefferies**

**Lorna Johnson**  
**Karen Naylor**  
**Bruno Petrenas**  
**Tangi Utikere**

**Agenda items, if not attached, can be viewed at:**

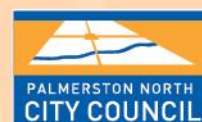
**pncc.govt.nz | Civic Administration Building, 32 The Square**  
**City Library | Ashhurst Community Library | Linton Library**

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**Heather Shotter**  
**Chief Executive, Palmerston North City Council**

**Palmerston North City Council**

**W pncc.govt.nz | E info@pncc.govt.nz | P 356 8199**  
**Private Bag 11034, 32 The Square, Palmerston North**





## **PLANNING AND STRATEGY COMMITTEE MEETING**

5 August 2019

### **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. Public Comment**

To receive comments from members of the public on matters specified on this Agenda or, if time permits, on other Committee matters.

(NOTE: If the Committee wishes to consider or discuss any issue raised that is not specified on the Agenda, other than to receive the comment made or refer it to the Chief Executive, then a resolution will need to be made in accordance with clause 2 above.)

- 5. Summary of Submissions - Proposed amendment to the Dog Control Policy 2018** Page 7

Memorandum, dated 21 June 2019 presented by Julie Macdonald, Strategy & Policy Manager.
- 6. Dog Control Policy Submissions** Page 13
- 7. Confirmation of Minutes** Page 83

“That the minutes of the Planning and Strategy Committee meeting of 5 June 2019 Part I Public be confirmed as a true and correct record.”
- 8. Status of Master Plans in each Triennium** Page 93

Memorandum, dated 16 July 2019 presented by David Murphy, City Planning Manager.
- 9. Palmerston North Wastewater Bylaw 2019 - deliberations on submissions** Page 99

Memorandum, dated 24 June 2019 presented by Julie Macdonald, Strategy & Policy Manager.
- 10. Palmerston North City District Plan: Proposed Plan Change D - Pressure Sewer Systems** Page 151

Memorandum, dated 8 July 2019 presented by David Murphy, City Planning Manager.
- 11. Organisational Approach to Environmental Sustainability** Page 247

Memorandum, dated 6 July 2019 presented by Tom Williams, Chief Infrastructure Officer and David Murphy, City Planning Manager.
- 12. Draft Venues Policy for consultation** Page 253

Memorandum, dated 11 July 2019 presented by Julie Macdonald, Strategy & Policy Manager.

**13. Palmerston North City District Plan: Proposed Plan Change B - Napier Road Residential Area Extension** Page 271

Memorandum, dated 16 July 2019 presented by David Murphy, City Planning Manager.

**14. Priority Intersection and Safety Treatments Across City** Page 275

Report, dated 19 July 2019 presented by Robert van Bentum, Transport and Infrastructure Manager.

**15. Committee Work Schedule** Page 289

**16. 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

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.

Chief Executive (Heather Shotter), Chief Financial Officer (Grant Elliott), Chief Infrastructure Officer (Tom Williams), General Manager – Strategy and Planning (Sheryl Bryant), General Manager - Community (Debbie Duncan), Chief Customer and Operating Officer (Chris Dyhrberg), General Manager - Marketing and Communications (Sacha Haskell), Sandra King (Executive



Officer) because of their knowledge and ability to provide the meeting with advice on matters both from an organisation-wide context (being members of the Council's Executive Leadership Team) and also from their specific role within the Council.

Legal Counsel (John Annabell), because of his knowledge and ability to provide the meeting with legal and procedural advice.

Governance and Legal Team Leader (Charlotte Greig) and Committee Administrators (Penny Odell, Rachel Corser and Natalya Kushnirenko), because of their knowledge and ability to provide the meeting with procedural advice and record the proceedings of the meeting.

*[Add Council Officers]*, because of their knowledge and ability to assist the meeting in speaking to their report and answering questions, noting that such officer will be present at the meeting only for the item that relate to their respective report.

*[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].

## MEMORANDUM

**TO:** Planning and Strategy Committee

**MEETING DATE:** 5 August 2019

**TITLE:** Summary of Submissions - Proposed amendment to the Dog Control Policy 2018

**DATE:** 21 June 2019

**PRESENTED BY:** Julie Macdonald, Strategy & Policy Manager

**APPROVED BY:** Sheryl Bryant, General Manager - Strategy & Planning

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### RECOMMENDATION(S) TO COUNCIL

1. That the summary of submissions on the proposed amendment to the Dog Control Policy 2018 be received.

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### 1. ISSUE

The Council is consulting on the proposed amendment to the Dog Control Policy 2018 in relation to the dog control area for public places in the Central Business District (CBD). Sixty-five submissions were received, and three submitters have indicated that they wish to speak to Council about their submissions.

This memorandum provides a summary to the points raised by submitters. The submissions are attached in full to the Committee Order Paper.

Attachment 1 presents a summary of feedback raised by submitters in response to the proposed amendments included in the Statement of Proposal.

### 2. BACKGROUND

The Council approved the proposed amendment to the Dog Control Policy 2018 in May 2019 for public consultation. The scope of the proposed amendment is related to the outcome of a trial allowing dogs on-leash in the CBD that has been running since 23 August 2018 (when the Dog Control Bylaw 2018 became operative).

Consultation started on 10 May 2019 and closed at 4pm on 10 June 2019. Feedback on the proposed amendment to the Dog Control Policy was encouraged in the following ways:

- Letters to over 7,000 registered dog owners (a requirement of the Local Government Act 2002).
- A public notice in the Manawātū Standard and the Guardian newspapers.
- The Statement of Proposal being made available in the Customer Service Centre, the City and branch libraries, and the Ashhurst Service Delivery Centre.
- A dedicated consultation page on Council's website that included an online submission form.
- Facebook posts to advise the opening and closing of the submission period.
- Emails to previous submitters to the Dog Control Policy review and those who have commented on the on-leash trial in the CBD.

### 3. SUMMARY OF SUBMISSIONS

Attachment 1 presents a summary of feedback made by submitters in response to the proposed amendments included in the Statement of Proposal. The summary is grouped into themes, with comments both opposing and supporting the policy amendment proposing dogs be allowed in public places in the CBD.

Twenty percent of submissions oppose the proposed policy amendments. Key reasons cited for opposition are safety concerns, the availability of other public places to walk dogs, concern about dog poo not being disposed of, and, that until Council's general approach to dog control improves, problem dog behaviour will negatively impact on everyone including allowing dogs in the CBD.

Eighty percent of submissions support the proposed policy amendments. Main reasons cited for supporting the amendment are related to enhanced social opportunities, increased CBD vibrancy, enabling more dog walking opportunities, a more permissive approach that is becoming more common in other places, success of the trial, and that it benefits people visiting the City.

### 4. NEXT STEPS

A deliberations report will be brought back to the Strategy and Planning Committee seeking the adoption of amendments to the Dog Control Policy 2018. Following adoption, a further report seeking adoption of the associated Dog Control Bylaw 2018, that allows enforcement action to be taken by Council, will be made.


### 5. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	No
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If Yes quote relevant clause(s) from Delegations Manual <Enter clause>		
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 <b>Goal 3: A Connected and Safe Community</b>		
The recommendations contribute to the outcomes of the <b>Connected Community Strategy</b>		
The recommendations contribute to the achievement of action/actions in <b>the Safe Community Plan</b>		
The action is: Achieve compliance with relevant legislation, bylaws, and policies through provision of information, education and enforcement (animal control, building compliance, bylaws, health compliance, liquor licensing, noise control, planning compliance).		
Contribution to strategic direction	The proposed amendment to the policy follows a trial period allowing Council time to consider future options for the permanent dog control status for the CBD/City Centre. Consultation on the amendment to the policy is a statutory requirement and will guide the Council in its future deliberations.	

## ATTACHMENTS

- Summary of submissions to proposed amendment to the Dog Control Policy 2018 [↓](#) 

## ATTACHMENT 1 – SUMMARY OF SUBMISSIONS TO PROPOSED AMENDMENT TO THE DOG CONTROL POLICY 2018

## SUBMISSIONS IN OPPOSITION

**Safety concerns and fear of dogs**

- seen many dogs unleashed in the CBD and they have the potential to rush, attack or intimidate people (1)
- fear of dogs so can't go into The Square with children (7)
- use a working dog for disability; harder to use services as service dogs are a distraction by other dogs and become a danger (no longer safe) (43)
- stupid idea especially for kids who don't like dogs (57)
- fear of dogs adds an additional barrier to people already walking in the CBD (49)
- unattended dogs can result in unsuspecting children being bitten (58)
- previous prohibition of dogs in CBD was a positive part of living in PN; seems to be so few places to go that are dog-free. Observed many dogs off-leash in CBD and makes me feel nervous and uncomfortable. Live and work in CBD and quality of life has been diminished because of presence of dogs in CBD. Dogs can be unpredictable and frightening. Trial has not gone well in submitter's experience. Be great if central city returned to peace and calm of being dog free. (60)

**CBD should be dog free**

- other parts of City dogs can go to and CBD should be left dog free (7)
- no need for dogs to be in CBD (16)
- prefer to keep CBD dog-free as enough dog friendly spaces in City (21)
- cannot see a need for dogs in city with other areas available; will lead to dogs being in shops which are against (30)

**Concern about dog poo**

- don't believe CBD appropriate for dogs due to fear and not everyone picks up mess (45)
- no dogs in CBD; enough avoiding dog poos everywhere else on walks (47)
- people already struggle to pick up dog poos elsewhere (49)

**Should be positive but not supported by Council's dog control approach**

- allowing leashed dogs in the city centre permanently should be a positive move, but until PNCC improves its approach to dogs in general, the CBD, like other areas, may see problem dog behaviour that have a negative impact on everyone, especially more responsible dog owners. (11)

## SUBMISSIONS IN SUPPORT

**General support**

- generally supportive (12, 13, 19, 24, 36, 37, 46, 48, 52, 56)
- happy to allow dogs on leash in CBD and in public places (41)
- make it simple; let dogs on leads - don't need to trial it; stop wasting money on meetings and paperwork (63)

**Rewards responsible dog ownership**

- reward responsible owners making most of opportunity and should continue (2,8)
- more permissive approach supported (5)
- responsible owners not being punished because of irresponsible ones (26)

**Social benefits and benefits to dogs**

- enjoy watching dogs and their 'parents' (4)
- social benefits; seen people connecting through dogs (6)
- nice having dogs in CBD (15)
- great ideas as dog owner take responsibility; positive comments from general public meeting dog (22)
- patting dog encouraging proper way to approach dogs they don't know (26)
- opportunity to take dogs within our community is exceptional; many cities have adopted dog tolerance within public spaces and found it to be extremely positive. Dogs more than just a pet (29)

<ul style="list-style-type: none"> <li>• encourages greater dog owner responsibility, better socialisation and better dog understanding/awareness (34)</li> <li>• strongly support; scientifically proven that dogs lighten the mood of pedestrians; we are a more human city because of dogs and this change will enhance this through the opportunity for more contact (42)</li> <li>• dogs in CBD help us to engage and socialise with people as creates a point of conversation and enjoyment (50)</li> <li>• would like to make dogs in CBD permanent; another great family friendly idea (62)</li> <li>• ability to bring well-behaved dogs into The Square is great as people as provides mental and physical stimulation for dogs. (65)</li> </ul>
<b>Positive benefits for the CBD</b> <ul style="list-style-type: none"> <li>• brings economic benefits (3)</li> <li>• enhances CBD experience and adds vibrancy (10, 23)</li> <li>• support as brings people and life into city centre (14)</li> <li>• important as allows shopping and enjoyment of green space in square; more attractive and means don't have to go to outer areas (20)</li> <li>• wanted to move overseas but now think is great (25)</li> <li>• enabled to attend events in The Square (26)</li> <li>• nice having dogs in CBD (31)</li> <li>• allowing dogs in the CBD is advantageous to people travelling or visiting City (39)</li> <li>• adds to humanity of city (53)</li> </ul>
<b>Dog and owner behaviour</b> <ul style="list-style-type: none"> <li>• as long as dogs not violent and owners clean up mess; cafes need to have dog friendly areas (9)</li> <li>• dogs should be allowed on leash and as long as owners pick up poos; dogs are companions (17)</li> <li>• OK as long as people keep their dogs on leashes and pick up poo (33)</li> <li>• dogs must be on leash to protect dogs, kids and ducks (38)</li> <li>• support but would appreciate more rubbish bins and bags so no excuse not to pick up poos (44)</li> <li>• yet to see a problem in areas where dogs allowed on leash; social interaction benefits and good dog owners sensitive to others' feelings and needs. Only negative is people not cleaning up after their dogs (59)</li> <li>• dogs should be allowed anywhere as long as they are on a lead and poos picked up (61)</li> </ul>
<b>More options for dog walking</b> <ul style="list-style-type: none"> <li>• opens up more options for dog walking (18)</li> <li>• loves idea of being able to walk dog in CBD; seen visitors walking dogs in CBD; provided owners deal with deposits shouldn't be an issue (28)</li> <li>• like to see continued; enjoy walking around The Square (32)</li> <li>• locals more likely to take dogs to off-leash areas (39)</li> <li>• often walk dogs through central city; reassuring to walk in sheltered, well-lit areas (40)</li> <li>• dogs should be able to walk beside their owners no matter where they are (51, 55)</li> <li>• want it to be forever as live close to The Square where can walk dog at night as well-lit and much safer than dark streets (54)</li> </ul>
<b>Extra monitoring for off-leash dogs</b> <ul style="list-style-type: none"> <li>• supports but has concerns with unrestrained dogs that will require extra monitoring (27)</li> </ul>
<b>Taking the lead from other places</b> <ul style="list-style-type: none"> <li>• other cities and countries allow dogs on leash in the CBD so go ahead (35)</li> <li>• good thing to allow dogs on leash to all parts of the city, other cities in NZ and overseas allows it (53)</li> <li>• CBD should remain dogs on-leash; seems very old-fashioned to be no dogs allowed as major cities allow (64)</li> </ul>
<b>Trial has been successful</b> <ul style="list-style-type: none"> <li>• precautionary trial has confirmed allowing dogs into CBD to be problem free; only seen occasional dogs in CBD now and previously when contrary to bylaw (39)</li> <li>• trial has been a success (53)</li> </ul>





## SUBMISSION FROM CONSULTATION

**TO:** Planning and Strategy Committee

**MEETING DATE:** 5 August 2019

**TITLE:** Dog Control Policy Submissions

**FROM:**

### RECOMMENDATION(S) TO PLANNING AND STRATEGY COMMITTEE

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

### SUBMITTERS WISHING TO BE HEARD IN SUPPORT OF THEIR SUBMISSION

1.	Katherin Forrest
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### ATTACHMENTS

1. Submissions [↓](#) 
2. Procedure for Hearing of Submissions [↓](#) 

Merle Lavin

13008567

From: Submission  
Subject: FW: Dog Control Policy submission

**Your contact details**

Name  
Daniel Carrick

Would you like to make a personal presentation in support of your submission before Council?  
No

Withhold my contact details  
False

**Your feedback****Please tell us what you think of the proposed amendments**

I don't think it should be allowed since the trial has started I have seen many dogs unleashed in the CBD. I had a large unleashed labrador run at me in the square approx a month ago, I found it quite scary as it was a strange dog, I didn't know if it was friendly or not, or whether it was running at me to attack. I love dogs, However I find strangers dogs to be very intimidating, In my previous job I went door to door & I was often chased by dogs. 3 weeks ago my partner was walking down Guy Ave & a dog ran out & bit him on the leg. I believe all dogs should be securely fenced, & anytime they are off private property or designated dog areas they should be leashed & muzzled



2

13004753

Merle Lavin

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Phoebe Clare Morrison

**Would you like to make a personal presentation in support of your submission before Council?**

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
It has been good to see responsible dog owners making the most of these changes, I think they should be allowed to continue

1300 8568

3

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Bj crosse

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

**Your feedback****Please tell us what you think of the proposed amendments**

Please do keep it a permanent thing allowing dogs. Living in Woodville and doing day trips to palmy at weekends we wouldn't be willing to spend time I. The cbd shopping and having lunch if it ment leaving our dog shut in the car

Merle Lavin

4

13008467

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Merryn Osborne

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
Yes, make the CBD dog trial permanent. I am not a dog lover, but actually love seeing the dogs out in the CBD with their 'parents'.

5

13006462

**Merle Lavin**

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
John Leslie Ireland

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback****Please tell us what you think of the proposed amendments**

Agree that the CBD be available to walk dogs under control. Good thinking and loosen up more areas! Should this fail, then the council should put in place a ban on cats, rodents, ducks and other birds, children, disruptive persons and unauthorised gatherings of 2 or more people as they also make the CBD intolerable to somebody. My apologies if I forgot anything to ban but it seems that we are very good at pandering to the vocal "outraged persons" and "experts with an agenda" without looking hard at the messages they espouse.

6 13006951  
**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Gail Bartlett Harris

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

**Your feedback**

**Please tell us what you think of the proposed amendments**  
I have absolutely loved seeing dogs in tin city. It brings people together

6-2

13103313

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Gail Bartlett-Harris

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

**Your feedback****Please tell us what you think of the proposed amendments**

Seeing and experiencing dogs in our city centre has been nothing but positive. I've seen examples of dogs starting conversations and making connections between people who might otherwise have never spoken to one another. I would fully support a ruling of permanence to allow dogs and I'll city centre

7

13005940

Merle Lavin

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Melissa mander

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**

I think there should be no dogs in the square and town. I am a dog lover I have four kids and one has a major fear of dogs so we can't walk or go to the square at the mo due to her screaming as she sees a dog. I think there are plenty of awesome dog parks around palmy and I think the cbd should be left dog free thanks for listening

8

13004651

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Laura Goodman

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**

I think it's a step in the right direction for the city so that families and communities can enjoy the CBD with the family dog. I think the trial has been shown to be a success and people have shown that they are responsible with their family dog in the CBD.



9

13002641

Merle Lavin

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

#### Your contact details

**Name**  
Louise Dekker

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

#### Your feedback

**Please tell us what you think of the proposed amendments**  
Yes to allowing dogs in the CBD with a lead. As long as they are not violent and owners clean up after their mess, then this is a positive move. More cafes need to also have dog friendly areas like other towns in NZ. Thank you

10

13008363

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
LLoyd Edward Crow

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback****Please tell us what you think of the proposed amendments**

I love Palmerston as much as I love my dogs. As a responsible dog owner and visitor to your lovely city, being able to include our much loved and cared for pets would make visiting your CBD area of the city so much more special. More and more these days dog owners are needing to travel with their canine friends and being able to visit the CBD area with them is great and an attraction for us to visit (responsibly of course with the dogs) Palmerston North. Let the dogs on-leash into your CBD area and they will bring your area a vibrancy and love that we all know.

11-1 13007768

**Merle Lavin**

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

#### Your contact details

**Name**  
 Daniela Rosenstreich

**Would you like to make a personal presentation in support of your submission before Council?**  
 No

**Withhold my contact details**  
 True

#### Your feedback

##### Please tell us what you think of the proposed amendments

A large proportion of NZ homes have at least one dog. And PNCC acquires significant dog registration income. Therefore, allowing on-leash dogs in more public spaces is a sensible move that enables families to include their dogs in more activities. This potentially leads to better exercised and socialized dogs in the community - a good thing. However, the PNCC needs to do far more to reduce the number of owners who let their dogs become problems in the community, or those problems will arise in the CBD in time. At present the PNCC offers no city venues for non-commercial, DogsNZ-associated dog training classes. People have to travel to Longburn, Ashhurst or Feilding. This leads to dodgy commercial dog 'trainers' being able to exploit time-poor city dog owners with ridiculous fees for their training activities that are more conveniently located. While the dog care and training industry remains unregulated, city councils should enable the DogsNZ regulated obedience clubs to operate in areas that are closer to the location of the city's dog owners. PNCC has also shown little interest in supporting other initiatives that would encourage better dog/human interactions in the city. I can provide details to PNCC if they are interested. At a fundamental level, the PNCC attitude towards dog ownership is worrying. The council persists in using images that encourage poor dog management, involving unqualified commercial dog trainers who employ outdated methods. The body language of the dogs in various images that PNCC has used in this CBD campaign show clear anxiety. Besides, why would a council promote the walking of packs of dogs? It is irresponsible. How many people imitating the PNCC images could keep so many dogs under control if a cat or toddler suddenly startled them? Why not instead promote images of responsible dog owners walking one or two clearly relaxed/stress-free dogs? Stressed and anxious dogs are far more dangerous to the community. Another big PNCC failing in dog management is a lack of signage, enforcement activities, and facilities to encourage responsible dog owner behaviour. The lack of PNCC activity in these areas, leads to behaviours you see much less of in cities that invest more of the dog registration income back into dog-related initiatives. In a town of this size, a single fenced dog park is inadequate. Most other local off-leash areas are unsafe with steep drops into the river, no fences to block access to roads, and dogs dodging users of cycle paths. Similarly, the lack of any education or prominent deterrents means I see people blatantly allowing dogs to defecate in public spaces despite

11-2

there being people around - this has been rare in other towns I have lived in. In summary, allowing leashed dogs in the city centre permanently should be a positive move, but until PNCC improves its approach to dogs in general, the CBD, like other areas, may see problem dog behaviour that have a negative impact on everyone, especially more responsible dog owners.

Merle Lavin

12

13005448

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

#### Your contact details

**Name**  
Georgia Purcell

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

#### Your feedback

**Please tell us what you think of the proposed amendments**  
Please allow dogs to be on leash around the cbd. I think it's a great idea 😊

Merle Lavin

13

13006463

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Liam Loftus

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
Support having dogs on a leash in the CBD

14 13007468  
**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Rachel Potter

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
Yes I support dogs on leash in the CBD. It's a good way to bring more people and life into the city centre.

15

13007154

Merle Lavin

From: Submission  
Subject: FW: Dog Control Policy submission

**Your contact details**

Name  
Holly White

Would you like to make a personal presentation in support of your submission before Council?  
No

Withhold my contact details  
True

**Your feedback**

Please tell us what you think of the proposed amendments  
It really nice having dogs in the CBD and it should become an onleash area permanently



Merle Lavin

16

13004652

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
alan christensen

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
there is no need for dogs to be in the CBD ( I have owned dogs for the last 30 years, I don't own any now )

17

13006459

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Ana

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback****Please tell us what you think of the proposed amendments**

I agree, dogs should be allowed on the CBD as long as they are on leash and owners pick their dogs poo. Dogs are a member of the family, some people have their dogs as their only companion. It would be pleasant to many people to have a dog companion in a day trip to the city (central).

18

13063240

Merle Lavin

From: Submission  
Subject: FW: Dog Control Policy submission

Your contact details

Name  
Amy Wellwood

Would you like to make a personal presentation in support of your submission before Council?  
No

Withhold my contact details  
True

Your feedback

Please tell us what you think of the proposed amendments  
This is fantastic! This opens up more options when choosing where we can walk our dogs.

19

13065845

**Merle Lavin**

---

**From:** Neville Middlemiss  
**Sent:** Thursday, 16 May 2019 1:44 PM  
**To:** Submission  
**Subject:** Amendment to dog control policy 2018

Great idea we love it and so does our fur child Sent from my iPhone

20

13074690

Merle Lavin

From: Submission  
Subject: FW: Dog Control Policy submission

**Your contact details**

Name  
Stephen Barlow

Would you like to make a personal presentation in support of your submission before Council?  
No

Withhold my contact details  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
It has been important to me as a dog owner and resident of Palmerston North to be able to take my dog into the centre city, whether for shopping purposes or just to enjoy the green space of the square, also in seeing others do so in such a central location, it means coming into the city centre is more attractive as it has access to both spaces to walk my dog and shopping, which means I do not have to go to the outer areas where access to shops are not as easy.

21

130746 90

**Merle Lavin****From:**

Submission

**Subject:**

FW: Dog Control Policy submission

**Your contact details****Name**

Renee Mia Stowers

**Would you like to make a personal presentation in support of your submission before Council?**

No

**Withhold my contact details**

True

**Your feedback****Please tell us what you think of the proposed amendments**

I do not support the amendment to the Palmerston North Dog Control Policy 2018. I would prefer to keep the inner city as a dog- free zone. I understand as a dog owner myself, dogs are wonderful but I do not believe that dogs need to be everywhere at all times. There are enough dog friendly spaces in this city to support our canine companions, the inner city should be a dog-free public space.

22

13077215

Merle Lavin

From: Submission  
Subject: FW: Dog Control Policy submission

#### Your contact details

Name  
Tracey Stroud-Osbourn

Would you like to make a personal presentation in support of your submission before Council?  
No

Withhold my contact details  
True

#### Your feedback

Please tell us what you think of the proposed amendments

I think it is a great idea as long as dog owners take responsibility for their dogs. My boy is well trained and I have taken him into the CBD and even been for coffee at Cuba Cafe with him. I have had nothing but positive comments from members of the general public who have met him whilst we have been in town. Responsible dog owners create wonderful pets.

Merle Lavin

23

13072897

From:

Submission

Subject:

FW: Dog Control Policy submission

**Your contact details**

Name

Jordan and Elizabeth Dempster

Would you like to make a personal presentation in support of your submission before Council?

No

Withhold my contact details

True

**Your feedback**

Please tell us what you think of the proposed amendments

We support this proposed amendment, and are in favour of dogs being permanently allowed in the CBD. It's been great to see dogs in the area, and they have all been very well behaved, with responsible owners, that we've seen. Has really added to the culture and feel of PNC.



Merle Lavin

24

13075906

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

#### Your contact details

**Name**  
vern holden

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

#### Your feedback

**Please tell us what you think of the proposed amendments**  
GOOD

25

13071495

Merle Lavin

From: Submission  
Subject: FW: Dog Control Policy submission

**Your contact details**

Name  
Katherin Forrest

Would you like to make a personal presentation in support of your submission before Council?  
Yes

Withhold my contact details  
True

**Your feedback**

Please tell us what you think of the proposed amendments  
Excellent, wonderful, I wanted to move over seas but now think this is great and thank you very much.

26

13076909

Merle Lavin

From: Submission  
Subject: FW: Dog Control Policy submission

**Your contact details**

Name  
Deanna Boggs

Would you like to make a personal presentation in support of your submission before Council?  
No

Withhold my contact details  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
This trial has been great! Finally, responsible dog owners are not being punished because of irresponsible ones! This trial has made me go to more events at The Square because I can finally include my dog. A child or adult always come up and ask if they can pat my friendly dog, which in turn is encouraging the proper way to approach a dog they don't know. I've never seen or heard of a bad incident or dog poop anywhere. It has been so nice to see dogs in the CBD - please make this a permanent bylaw!

27

13074602

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Proposed amendment to dog control policy 2018

I have no problem with the proposed amendment to allow dogs on leashes in public places in the CBD.  
I do have concerns with unrestrained dogs in this area which will require extra monitoring

Sincerely John Mullinger

28

13080437

Merle Lavin

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

#### Your contact details

**Name**  
Jacqueline Maria Eggels

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

#### Your feedback

**Please tell us what you think of the proposed amendments**

Love the idea of being able to walk your dog in the CBD. I have often seen visitors to Palmerston North taking a break from the road, walking their dogs in the Square. We must be one of the few cities in New Zealand with a major piece of grass in the center of the CBD!! Provided dog owners are well armed with to deal with the deposits there should not be an issue. Now all we need to do is encourage the cafes to become "dog friendly"

29

13081853

Merle Lavin

From: Submission  
Subject: FW: Dog Control Policy submission

**Your contact details**

Name  
Haley Story

Would you like to make a personal presentation in support of your submission before Council?  
Yes

Withhold my contact details  
True

**Your feedback****Please tell us what you think of the proposed amendments**

The opportunity to take dogs within our community is exceptional. This is a much needed amendment to the Palmerston North community. Many cities within New Zealand have adopted dog tolerance within public spaces with open arms and have found it to be an extremely positive movement. Speaking as a millennial, dogs are becoming more akin to the likes of a parent with a child then 'just a pet'. Your dog park has been a huge success, keep up the great work PNCC and lets get this passed!

30

13088995

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Amendment to Dog Control Policy 2018 submissions

From: Owen Pedersen

Subject: Amendment to Dog Control Policy 2018 submissions

We have a dog but have never thought of taking her through the central city and never will. We cannot see a need for dogs in the city with many other areas available, and this will probably lead to dogs being allowed in shops, which we are against. Will there be adequate disposal bins if this goes ahead.

31

13095229

Merle Lavin

From: Submission  
Subject: FW: Dog Control Policy submission

**Your contact details**

Name  
Ronald Heggey

Would you like to make a personal presentation in support of your submission before Council?  
No

Withhold my contact details  
False

**Your feedback**

Please tell us what you think of the proposed amendments  
Nice to see you can take dog into the city.



32

13091135

**Merle Lavin**

---

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

#### Your contact details

**Name**  
Gary and Judith Parkes

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

#### Your feedback

**Please tell us what you think of the proposed amendments**  
We would both like to see the continuation of dogs being allowed in the CBD on leash.  
We have taken our dogs for walks around the Square area and really enjoy it. Thanks

33

24/5/19

Telephone submission by Nyarie Tai Rakena, on the Dog Control policy, verbatim as follows:

" Give it a go and to try it out. As long as people keep their dogs on leashes. They don't let them run like they do around town, because it will cause havock if they don't have them on leashes. Give it a go, pick up their poo"

34

13112056

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Meagan Van Dorland

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**

I think creating the CBD as an on-leash area for dogs is a fabulous plan. It encourages greater dog responsibility by owners, better socialization for dogs, and all around better for community dog understanding/awareness.

35

13112055

Merle Lavin

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

#### Your contact details

**Name**  
S A Marriott

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

#### Your feedback

**Please tell us what you think of the proposed amendments**  
I am absolutely fine with on leash in the CBD, other cities and Countries do, my thought go ahead with it.

36

13105378

Merle Lavin

From: Submission  
Subject: FW: Dog Control Policy submission

Your contact details

Name  
Peter Reay

Would you like to make a personal presentation in support of your submission before Council?  
No

Withhold my contact details  
False

Your feedback

Please tell us what you think of the proposed amendments  
I fully support the proposed amendments.

Merle Lavin

37

13104945

From:

Submission

Subject:

FW: Dog Control Policy submission

**Your contact details**

Name

Margo Lawrence

Would you like to make a personal presentation in support of your submission before Council?

No

Withhold my contact details

False

**Your feedback**

Please tell us what you think of the proposed amendments

I support the amendment to the policy

Merle Lavin

38

13127411

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Bev Huttley

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
Think it's a great idea must remain on lead to protect dogs, kids and ducks!

39  
13126490  
Merle Lavin

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Marilyn and Bruce Bulloch

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

**Your feedback****Please tell us what you think of the proposed amendments**

Proposed amendment to the Dog Control Policy 2018 We support the proposed policy amendments as publicly notified: 1. Deleting clause 16..2(e) removing the Central Business from the list of prohibited public places 2. Deleting clause 18 on the trial and the associated map of the CBD Trial Area 3. Adding into clause 19(c) All public places within the Central Business District. Comment: In the previous round of public consultation on the PNCC Dog Control Policy 2018 we wrote in our submission that we supported the trial dog on leash area within the CBD. At this time there was a lot of public scare-mongering but we believed that allowing dogs in the Square would be problem-free. Following the precautionary trial period favoured by the Council, our predictions have proved to be true. We have only seen the occasional dog being led through The Square, probably not many more than were seen in The Square prior to the trial period being undertaken when this activity was contrary to the Bylaw . We believe that allowing dogs in the CBD, including The Square, is advantageous to people travelling or visiting the city. Locals would generally not specifically bring their dogs to the CBD unless they needed to cross the CBD, or lived in the vicinity of the CBD. Locals are more likely to take their dogs to a dog exercise area are where their dogs can run free.



40  
13120963  
**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Janice Mechen

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
Thank you for making this policy permanent, PNCC. I often walk my dog through the central city early in the morning. It is reassuring to walk her in a [mostly] sheltered and well-lit area particularly during the winter months.

Merle Lavin

41

13127496

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Christine MS Reay

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

**Your feedback**

**Please tell us what you think of the proposed amendments**  
I am happy to allow dogs on lease in the CBD and in public places.

42

13167793

Merle Lavin

From: Submission  
Subject: FW: Dog Control Policy submission

Your contact details

Name  
Lyn & Kevin Low

Would you like to make a personal presentation in support of your submission before Council?  
No

Withhold my contact details  
True

Your feedback

Please tell us what you think of the proposed amendments  
We wish to strongly support that proposal to permanently allow dogs in the CBD. It has been scientifically proven that Dogs materially lighten the mood of virtually all pedestrians they come into contact with and anybody who walks a dog is aware of the smiles and flickers of joy that many people have when walking past a dog. We are a more human city because of dogs and this bylaw change will enhance this through the opportunity for more contact.

43

13173124

Merle Lavin

From:

Submission

Subject:

FW: Dog Control Policy submission

#### Your contact details

Name

Mrs Good

Would you like to make a personal presentation in support of your submission before Council?

No

Withhold my contact details

True

#### Your feedback

Please tell us what you think of the proposed amendments

Our family uses a working dog for disability, due to the recent changes it is harder to use services as our service dogs are distraction by the other dogs on the lead or not. I do not support this change only because of the distraction and danger of normal dogs in the CBD. No longer safe.

44

13192851

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

#### Your contact details

**Name**  
Mike Dixon

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

#### Your feedback

**Please tell us what you think of the proposed amendments**

My wife & I, along with our three dogs, support the notion of allowing dogs-on-leash in public places in the CBD. Furthermore, we would appreciate it if more dog-business bins (and perhaps biodegradable bags) were available so owners have no excuse not to pick up their dogs shit. Perhaps if an allocation of bags were part of the Dog Registration then there really would be no excuse.

45

13192850

Merle Lavin

From: Submission  
Subject: FW: Dog Control Policy submission

**Your contact details**

Name  
Rochelle

Would you like to make a personal presentation in support of your submission before Council?  
No

Withhold my contact details  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**

I am an owner of 2 dogs, however I don't believe the CBD area is appropriate for dogs, lots of people have a fear of dogs and not everyone picks up after their dogs mess. There are plenty of other areas we can take our dogs in PN.

4613192141

Merle Lavin

From:Submission

Subject:FW: Dog Control Policy submission

Your contact details

Name  
Lisa Beauchamp

Would you like to make a personal presentation in support of your submission before Council?  
No

Withhold my contact details  
False

Your feedback

Please tell us what you think of the proposed amendments  
I think it's a good idea - I support the changes

47 13192849  
**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Denice Potaka

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
Definately no dogs in CBD. Enough avoiding dog poo everywhere else on my walks



48

13194953

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Jillene Durham

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

**Your feedback**

**Please tell us what you think of the proposed amendments**  
I am in favour of all 3 changes.

49

13194953

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Jessica Robinson

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback****Please tell us what you think of the proposed amendments**

I don't think dogs should be allowed in the CBD. People already struggle to pick up the dog poo on sports grounds, public walkways and areas where dogs are allowed, so I don't have complete faith that this will happen in the CBD. As a mother of two small children who are somewhat scared of dogs, even on leashes, I think it adds an additional barrier to people already walking in the area.

50

13189327

Merle Lavin

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Ellen baylis

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**

I think it is wonderful. I have stopped at cafe Cuba while out walking my large dog and had coffee with a friend. A number of people stopped and engaged with myself and my dog dog which was really lovely. I think dogs in the cbd help us to to engage and socialise with people within the community as it creates a point of conversation and enjoyment.

51

B190224

Merle Lavin

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

#### Your contact details

**Name**  
Casey Jensen

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

#### Your feedback

**Please tell us what you think of the proposed amendments**  
Every dog should be able to walk besides it's owner no matter where they are within reason. On a leash is absolutely fine.

52

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Tammy

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
I agree with dogs still being allowed in the CBD

53

13190425

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Suzanne Margaret Fordyce

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

**Your feedback****Please tell us what you think of the proposed amendments**

I agree with the proposed amendments. I think the trial has been a success and I think it is a very good thing for dogs on leashes to be in all parts of the city including the CBD - almost every other city I visit in NZ and overseas allows it and I think it adds to the humanity of a city.

54

13192641

Merle Lavin

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Debbie Dickson

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

**Your feedback**

**Please tell us what you think of the proposed amendments**  
I just want it to be forever as i live close to the square and enjoy walking my dog round it especially at night as its well lit and the streets are so dark and have horrible footpaths that most time as I can only walk early morning or late at night it becomes a trip hazard and much safer in the square

55

13188538

**Merle Lavin**

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Simon Tawharu

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
Dogs should be allowed in any public place on a leash.



56

13188539

**Merle Lavin**

---

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Steve aburn

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

**Your feedback**

**Please tell us what you think of the proposed amendments**  
Finally a sensible proposal from my council. Fully support.

57

13193349

**Merle Lavin**

---

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
kaleena wildbore

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
dogs in cbf is stupid idea esp for parents with young kids who don't like dogs town is hard enough without having to deal with dogs maybe a little park in square would b more useful for breaks from town

Merle Lavin

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**From:** Submission  
**Subject:** FW: Dog Control Policy submission

#### Your contact details

**Name**  
Diana Dixon

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

#### Your feedback

**Please tell us what you think of the proposed amendments**

I agree with the proposed amendments. I have lived in areas that allow dogs on leash into the CBD and have yet to see a problem. People are out and about, eating outside cafes, talking to each other (especially dog owners) and it brings a calming, relaxed atmosphere. Good dog owners are sensitive to peoples' feelings and needs and will ensure their dog is not let close to someone who is obviously cautious of dogs. If a dog is "caught out", they will likely want to urinate or poo in an area of garden or dirt so would like to think you will have doggie do disposal bins to encourage people to clean up after their dogs. Not doing so is the only negative I can foresee. Good on you for the trail and this change.

59

**Merle Lavin**

---

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Julie Davis

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback****Please tell us what you think of the proposed amendments**

I have recently seen in the square outside a shop a dog tied by his leash to a pole while no doubt the owner had popped into a shop . I remember this sight from when I was a child it was a normal sight then and one that often resulted in an unsuspecting child getting bit by the tied up dog , when they innocently go up to them .., it's inevitable and just one good reason I don't believe the CBD is a place for dogs even on a leash .

60 13209073

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**Merle Lavin**

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

#### Your contact details

**Name**  
Sean Michael Monaghan

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

#### Your feedback

**Please tell us what you think of the proposed amendments**

I may be a lone voice in the wind, but the previous prohibition on dogs in the CBD was a positive part of living in Palmerston North. I admit to being averse to dogs. There seem to be so few places to go that are dog-free. Especially when there are numerous dog owners who ignore or are uninformed about either the prohibited areas, or the leash rules. I avoid places like the Sledge Track because, despite signs, people let their dogs off the leash. During the trial I have seen numerous dogs off the leash in the CBD. These leave me feeling nervous and uncomfortable. It was mentioned in the trial documents that other locations allow dogs in the city centre. For me, that was a point of difference that Palmerston North's CBD was dog free. I live near the central city, and work in the CBD, walking to work each day. My quality of life has diminished because of the presence of dogs in areas that used to be dog-free, but also because of numbers of dog owners who have their dogs in the CBD on those long, unwinding leashes, or not on leashes at all. Dog owners seem very passionate about how wonderful their pets are, and I understand that. Personally, I feel uncomfortable around dogs. It strikes me that many dog owners do not understand why others might not like their dogs. Having dogs sniffing me, leaping at me, charging at me barking, is unpleasant. I find them unpredictable and frightening. It was mentioned that the trial has "gone well", but this has not been my experience. I have been put off dogs even further. There are already so many places for dog owners to let their pets out: it would be great if the central city returned to the peace and calm of being dog free. Thank you Sean Monaghan

61

13205074

**Merle Lavin**

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**From:** Gladys Wilton  
**Sent:** Saturday, 8 June 2019 6:00 PM  
**To:** Submission  
**Subject:** Amendment to dog control policy 2018 submissions

I believe that dogs should be allowed anywhere in the city as long as they are on a lead and the owner picks up any dog poo

Gladys wilton

Sent from my iPhone

62

13210796

**Merle Lavin**

---

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

#### Your contact details

**Name**  
Yuliya Lawton

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

#### Your feedback

**Please tell us what you think of the proposed amendments**  
I would like to make the dogs in the CBD permanent. Another great family friendly idea from PNCC. Great.

63

13207683

**Merle Lavin**

---

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
John Smith-Brown

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
False

**Your feedback**

**Please tell us what you think of the proposed amendments**  
Just make it simple jeeessss. just let the dogs on their leads. You don't need to trial it.  
Stop waisting taxpayers \$\$ with endless meetings and paperwork n tea on this .. crickey  
mates just make a decision already!



64

13205277

Merle Lavin

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Isabella Evans

**Would you like to make a personal presentation in support of your submission before Council?**  
Yes

**Withhold my contact details**  
True

**Your feedback**

**Please tell us what you think of the proposed amendments**  
I think the CBD should remain an onleash dog area. It seems very old-fashioned to be no dogs allowed, as all other major cities have no rules like this.

65

13302888

**Merle Lavin**

---

**From:** Submission  
**Subject:** FW: Dog Control Policy submission

**Your contact details**

**Name**  
Sibanna Leete

**Would you like to make a personal presentation in support of your submission before Council?**  
No

**Withhold my contact details**  
True

**Your feedback****Please tell us what you think of the proposed amendments**

I think be able to bring well behaved dogs into the square is great. It means people have new scenery to bring there dogs around which helps with giving dogs mental stimulation. A dog which is able to experience mental and physical stimulation is a happy dog, and passing the bill to allow dogs in the square gives owners another option in providing stimulation.



## PROCEDURE SHEET

### HEARING OF SUBMISSIONS

#### Presenting your submission

You have indicated a wish to present your submission in person before a committee of Councillors. You may speak to your submission yourself or, if you wish, arrange for some other person or persons to speak on your behalf.

We recommend that you speak to the main points of your submission and then answer any questions. It is not necessary to read your submission as Committee members have a copy and will have already read it.

Questions are for clarifying matters raised in submissions. Questions may only be asked by Committee members, unless the Chairperson gives permission.

#### Time Allocation

10 minutes (including question time) will be allocated for the hearing of each submission. If more than one person speaks to a submission, the time that is allocated to that submission will be shared between the speakers.

#### Who will be there?

The Planning and Strategy Committee will hear the submissions. The Committee comprises of elected members as identified on the frontispiece of the Agenda.

There will also be other people there who are presenting their submission. The Hearing is open to the media and the public.

#### Agenda

An Agenda for the meeting at which you will be speaking will be forwarded to you once printed. The Agenda lists the submissions in the order they will be considered by the Committee, although there may be some variation to this.

#### Venue

The meeting will be held in the Council Chamber, First Floor, Civic Administration Building, The Square, Palmerston North.

The Council Chamber will be set out with tables arranged appropriately. You will be invited to sit at the table with the Councillors when called.

#### Tikanga Maori

You may speak to your submission in Maori if you wish. If you intend to do so, please contact us no later than four days before the date of the meeting (refer to the "Further Information" section below). This is to enable arrangements to be made for a certified interpreter to attend the meeting. You may bring your own interpreter if you wish.

Oasis # 13354618



<b>Visual Aids</b>	A whiteboard, and computer with PowerPoint will be available for your use.
<b>Final Consideration of Submissions</b>	Final consideration of submissions will be at the ordinary meeting of the Planning and Strategy Committee on Monday 2 September 2019. The media and public can attend these meetings, but it will not be possible for you to speak further to your submission, or participate in the Committee or Council deliberations.
<b>Changes to this Procedure</b>	The Committee may, in its sole discretion, vary the procedure set out above if circumstances indicate that some other procedure would be more appropriate.
<b>Further Information</b>	If you have any questions about the procedure outlined above please contact Natalya Kushnirenko, Committee Administrator, phone 06 356-8199 or email <a href="mailto:natalya.kushnirenko@pncc.govt.nz">natalya.kushnirenko@pncc.govt.nz</a> .

\* \* \* \* \*

## PALMERSTON NORTH CITY COUNCIL

### **Minutes of the Planning and Strategy Committee Meeting Part I Public, held in the Council Chamber, First Floor, Civic Administration Building, 32 The Square, Palmerston North on 05 June 2019, commencing at 9.00am**

- Members Present:** Councillor Duncan McCann (in the Chair), and Councillors Brent Barrett, Susan Baty, Rachel Bowen, Jim Jefferies, Lorna Johnson, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.
- Non Members:** Councillors Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM and Leonie Hapeta.
- Apologies:** The Mayor (Grant Smith) (Council business), Councillors Rachel Bowen (early departure), Adrian Broad (early departure on Council business), Vaughan Dennison (Council business), Lew Findlay (early departure) and Leonie Hapeta (early departure).

Councillor Vaughan Dennison was present when the meeting resumed at 10.57am. He was not present for clauses 35-36 inclusive.

Councillor Aleisha Rutherford left the meeting at 11.22am during consideration of clause 40. She entered the meeting again at 11.55am during further consideration of clause 40. She left the meeting again at 3.30pm during consideration of clause 46. She was not present for clauses 46-49 inclusive.

Councillor Adrian Broad left the meeting at 11.50am during consideration of clause 40. When the meeting resumed at 2.01pm he was present. He was not present for clauses 40-41 inclusive.

Councillor Rachel Bowen left the meeting at 12.00pm during consideration of clause 41. She entered the meeting again at 12.04pm during consideration of clause 42. She left the meeting again at 2.41pm during consideration of clause 43. She was not present for clause 41, and clauses 43 to 49 inclusive.

Councillor Lew Findlay was not present when the meeting resumed at 2.01pm. He was not present for clauses 42-49 inclusive.

Councillor Leonie Hapeta left the meeting at 2.44pm during consideration of clause 43. She was not present for clauses 43 to 49 inclusive.

The Mayor (Grant Smith) entered the meeting at 3.19pm during consideration of clause 43. He was not present for clauses 35-42.

**35-19 Apologies**

Moved Duncan McCann, seconded Aleisha Rutherford.

The **COMMITTEE RESOLVED**

1. That the Committee receive the apologies.

Clause 35-19 above was carried 14 votes to 0, the voting being as follows:

**For:**

Councillors Brent Barrett, Susan Baty, Rachel Bowen, Adrian Broad, Gabrielle Bundy-Cooke, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

**36-19 Public Comment**

Public comment was received from Mr Chris Teo-Sherrell regarding the pedestrian needs assessment.

Moved Duncan McCann, seconded Aleisha Rutherford.

The **COMMITTEE RESOLVED**

1. That the public comment be received for information.

Clause 36-19 above was carried 14 votes to 0, the voting being as follows:

**For:**

Councillors Brent Barrett, Susan Baty, Rachel Bowen, Adrian Broad, Gabrielle Bundy-Cooke, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

The meeting adjourned at 9.10am

The meeting resumed at 10.57am

When the meeting resumed Councillor Vaughan Dennison was present

**37-19 Submissions - Draft Wastewater Bylaw 2019**

The following people appeared before the Committee and made oral statements in support of their submission and replied to questions from Elected Members.

Resonant Consulting Limited (3)

Mr Kevin Judd spoke to the submission and made no additional comments.

**38-19 Draft Wastewater Bylaw 2019 - Summary of Submissions**

Memorandum, dated 17 May 2019 presented by the Strategy & Policy Manager, Julie Macdonald.

Moved Rachel Bowen, seconded Aleisha Rutherford.

The **COMMITTEE RESOLVED**

1. That the summary of submissions on the draft Wastewater Bylaw 2019 be received.

Clause 38-19 above was carried 15 votes to 0, the voting being as follows:

**For:**

Councillors Brent Barrett, Susan Baty, Rachel Bowen, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

**39-19 Confirmation of Minutes**

Moved Vaughan Dennison, seconded Leonie Hapeta.

The **COMMITTEE RESOLVED**

1. That the minutes of the Planning and Strategy Committee meeting of 6 May 2019 Part I Public be confirmed as a true and correct record.

Clause 39-19 above was carried 14 votes to 0, with 1 abstention, the voting being as follows:

**For:**

Councillors Brent Barrett, Susan Baty, Rachel Bowen, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas and Tangi Utikere.

**Abstained:**

Councillor Aleisha Rutherford.

**40-19 Prioritising Pedestrian Safety in the Network**

Memorandum, dated 21 May 2019 presented by the Transport & Infrastructure Manager, Robert van Bentum.

Councillor Aleisha Rutherford left the meeting at 11.22am

Councillor Aleisha Rutherford entered the meeting at 11.55am

Councillor Adrian Broad left the meeting at 11.50am

During discussion Elected Members were of the view that a quarterly report should remain on the Committee's work schedule.

Moved Tangi Utikere, seconded Leonie Hapeta.

The **COMMITTEE RECOMMENDS**

1. That Council receive the memorandum titled 'Prioritising Pedestrian Safety in the Network' dated 21 May 2019.
2. That Council endorses Officers' proposed action list as identified in Table 1 of the memorandum titled 'Prioritising Pedestrian Safety in the Network' dated 21 May 2019 to improve safety outcomes for pedestrians through enhancement of existing approaches and programmes implemented within existing approved budgets.
3. That a quarterly report on Pedestrian Safety Issues continue to be placed

on the Committee's work schedule.

Clause 40-19 above was carried 13 votes to 0, with 1 abstention, the voting being as follows:

**For:**

Councillors Brent Barrett, Susan Baty, Rachel Bowen, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas and Tangi Utikere.

**Abstained:**

Councillor Aleisha Rutherford.

### **37-19 Submissions - Draft Wastewater Bylaw 2019 - continued**

The following people appeared before the Committee and made oral statements in support of their submission and replied to questions from Elected Members.

Murray Guy – Kingsdale Park Limited (2)

Mr Guy spoke to his submission and made no additional comments.

Councillor Rachel Bowen left the meeting at 12.00pm

Moved Duncan McCann, seconded Aleisha Rutherford.

The **COMMITTEE RESOLVED**

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

Clause 37-19 above was carried 13 votes to 0, the voting being as follows:

**For:**

Councillors Brent Barrett, Susan Baty, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

Councillor Rachel Bowen entered the meeting at 12.04pm

### **41-19 Palmerston North Housing and Business Development Capacity Assessment Report - May 2019**

Memorandum, dated 15 April 2019 presented by the City Planning Manager, David Murphy.

During discussion Elected Members requested that the word 'environmental' be included in the recommendations.

The meeting adjourned at 12.59pm

The meeting resumed at 2.01pm

When the meeting resumed Councillor Lew Findlay was not present



When the meeting resumed Councillor Adrian Broad was present

Moved Duncan McCann, seconded Aleisha Rutherford.

The **COMMITTEE RECOMMENDS**

1. That the Palmerston North Housing and Business Development Capacity Assessment Report – May 2019 is received to inform future decision making, in particular changes to the Palmerston North City District Plan and the 2021 Long Term Plan Process.
2. That the rationale sitting behind the ratings differential being applied to the first five hectares of residentially zoned land and the remaining balance is reviewed. The review should consider how the Ratings Policy can best support the release of residential zone land for development.
3. That a targeted review of the District Plan is undertaken that investigates the options to further refine the approach to managing retail and office activities across the Inner, Outer and Fringe Business Zones.
4. That the rationale sitting behind the ratings differential being applied to Inner and Outer Business Zone property by its Ratings Policy is reviewed. The review should consider how the Policy can best support the social, environmental and commercial outcomes being sought for the Inner and Outer Business Zones.
5. That the purpose of the Leased Parking Policy is reviewed so that it considers how best the Policy can support the social, environmental and commercial outcomes being sought for the Inner Business Zone.

Clause 41-19 above was carried 14 votes to 0, the voting being as follows:

**For:**

Councillors Brent Barrett, Susan Baty, Rachel Bowen, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

**42-19 Draft Venues Policy for consultation**

Memorandum, dated 8 April 2019 presented by the Strategy & Policy Manager, Julie Macdonald.

Councillor Rachel Bowen left the meeting at 2.41pm

Councillor Leonie Hapeta left the meeting at 2.44pm

The Mayor (Grant Smith) entered the meeting at 3.19pm

Moved Brent Barrett, seconded Leonie Hapeta.

The **COMMITTEE RESOLVED**

1. That the Draft Venues Policy (attachment 1 of the memorandum titled 'Draft Venues Policy for consultation' dated 8 April 2019) is approved for consultation, subject to editing 'a main purpose' to 'a purpose', and

inclusion of 'sponsors', in Guidelines 1-3 and subject to 'to the extent that this impact would outweigh the financial or other benefit of the activity or event' is deleted from point 4 on Page 5 of the draft policy.

2. That the Chairperson and Deputy Chairperson of the Planning and Strategy Committee be given delegated authority to approve minor amendments to the Draft Venues Policy prior to consultation.

Clause 42-19 above was carried 11 votes to 1, with 1 abstention, the voting being as follows:

**For:**

Councillors Brent Barrett, Susan Baty, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Aleisha Rutherford and Tangi Utikere.

**Against:**

Councillor Bruno Petrenas.

**Abstained:**

The Mayor (Grant Smith).

Moved Karen Naylor, seconded Brent Barrett.

**Note:**

On a motion that the words 'subject to 'to the extent that this impact would outweigh the financial or other benefit of the activity or event' be deleted from point 4 on Page 5 of the draft policy' be included in recommendation 42.1 the motion was carried 8 votes to 4, with 1 abstention, the voting being as follows:

**For:**

Councillors Brent Barrett, Gabrielle Bundy-Cooke, Vaughan Dennison, Lorna Johnson, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

**Against:**

Councillors Susan Baty, Adrian Broad, Jim Jefferies and Duncan McCann.

**Abstained:**

The Mayor (Grant Smith).

Moved Jim Jefferies, seconded Vaughan Dennison.

On a motion to remove the words 'subject to editing 'a main purpose' to 'a purpose', and inclusion of 'sponsors', in Guidelines 1-3' from recommendation 42.1, the motion was lost 6 votes to 6, the voting being as follows:

**For:**

Councillors Susan Baty, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Jim Jefferies and Bruno Petrenas.

**Against:**

Councillors Brent Barrett, Lorna Johnson, Duncan McCann, Karen Naylor, Aleisha Rutherford and Tangi Utikere.

**43-19**

**Extension of meeting**

Moved Duncan McCann, seconded Aleisha Rutherford.

**The COMMITTEE RESOLVED**

1. That the meeting be extended until 5pm.

Clause 43-19 above was carried 13 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

**44-19 Update on Interdisciplinary Group on Signs**

Memorandum, dated 14 May 2019 presented by the Strategy & Policy Manager, Julie Macdonald.

Moved Duncan McCann, seconded Vaughan Dennison.

The **COMMITTEE RESOLVED**

1. That the memorandum titled 'Update on Interdisciplinary Group on Signs' dated 14 May 2019 is received.

Clause 44-19 above was carried 13 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

Councillor Aleisha Rutherford left the meeting at 3.30pm

**45-19 Smokefree Outdoor Areas Policy Review**

Memorandum, dated 16 May 2019 presented by the Strategy & Policy Manager, Julie Macdonald.

Moved Karen Naylor, seconded Vaughan Dennison.

The **COMMITTEE RESOLVED**

1. That the review of the Smokefree Outdoor Areas Policy be put on hold until the amendments to the Smoke-free Environment Regulations 2017 are adopted at the end of the 2019 year.
2. That officers report back to the Planning and Strategy Committee in December 2019 about the next stage of the Smokefree Outdoor Areas Policy review.

Clause 45-19 above was carried 12 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas and Tangi Utikere.

**46-19 Draft Waste Management and Minimisation Plan 2019 - Deliberations on Submissions**

Memorandum, dated 15 May 2019 presented by the Parks & Reserves

Manager, Kathy Dever-Tod.

Moved Duncan McCann, seconded Karen Naylor.

The **COMMITTEE RECOMMENDS**

1. That the Council adopts the Waste Management and Minimisation Plan 2019.
2. That delegated authority is given to the Chairperson and Deputy Chairperson of the Planning and Strategy Committee for the approval of minor amendments to the Waste Management and Minimisation Plan 2019 prior to publication.
3. That the Waste Management and Minimisation Plan 2012 is revoked upon commencement of the Waste Management and Minimisation Plan 2019 on the 15<sup>th</sup> July 2019.

Clause 46-19 above was carried 12 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas and Tangi Utikere.

**47-19**

**International Relations Policy**

Memorandum, dated 17 May 2019 presented by the International Relations Manager, Toni Grace.

Moved Duncan McCann, seconded Gabrielle Bundy-Cooke.

The **COMMITTEE RECOMMENDS**

1. That the Council adopts the International Relations Policy.
2. That delegated authority is given to the Chairperson and Deputy Chairperson of the Planning and Strategy Committee for the approval of minor amendments to the International Relations Policy prior to publication.

Clause 47-19 above was carried 12 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas and Tangi Utikere.

**48-19**

**Committee Work Schedule**

Moved Duncan McCann, seconded Tangi Utikere.

The **COMMITTEE RESOLVED**

1. That the Planning and Strategy Committee receive its Work Schedule dated

June 2019.

Clause 48-19 above was carried 11 votes to 1, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Jim Jefferies, Duncan McCann, Karen Naylor, Bruno Petrenas and Tangi Utikere.

**Against:**

Councillor Lorna Johnson.

The meeting finished at 4.07pm

Confirmed 5 August 2019

**Chairperson**

UNCONFIRMED



## MEMORANDUM

**TO:** Planning and Strategy Committee

**MEETING DATE:** 5 August 2019

**TITLE:** Status of Master Plans in each Triennium

**PRESENTED BY:** David Murphy, City Planning Manager

**APPROVED BY:** Sheryl Bryant, General Manager - Strategy & Planning

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### RECOMMENDATION(S) TO PLANNING AND STRATEGY COMMITTEE

1. That the information contained within the report titled “Status of Master Plans in each Triennium” be received.
- 

#### 1. ISSUE

The following instruction was passed by the Planning and Strategy Committee on 6 May 2019:

*That the Chief Executive be instructed to provide a report on the status of the City’s Masterplans (currently Arena Masterplan, Streets for People/Central City Masterplan, Reserves Masterplans, with the Civic & Cultural Masterplan and Urban Cycle Network Masterplan in progress) in each triennium, to the Planning and Strategy Committee by September 2019.*

#### 2. BACKGROUND

Current Master Plans and Frameworks approved by the Council include:

- City Centre Framework (2013).
- Street Design Manual (2013).
- Arena Master Plan (2014 and 2017).
- City Centre Streetscape Plan (2016).
- Vegetation Framework (2016).
- Manawatū River Framework (2016).
- Esplanade Master Plan (2018).

Master Plans and Frameworks under development include:

- Civic and Cultural Precinct Master Plan.
- Te Apiti Master Plan.
- Ashhurst Domain Master Plan.
- Streets and Roads Framework.
- Urban Cycle Network Master Plan.
- Stormwater Management Framework.

All current Master Plans and Frameworks have been adopted or approved by the Council. This means they are enduring and have effect across trienniums, unless specifically rescinded.

### **Role of Master Plans and Frameworks**

When assessing the impact of Master Plans and Frameworks adopted by Council being enduring, it is important to consider the specific role of Master Plan and Frameworks within the broader context of Council decision making.

One of the primary purposes of Master Plans and Frameworks is to drive integrated decision making on the development of complex parts of the city that evolve over a long period of time. While three years or six years may seem like a long time for an elected member or Council officer, it is generally a short period of time in the life of a City. Master Plans and Frameworks are typically operating at 20 to 30 year timeframes.

History suggests without Master Plans and Frameworks there is a greater risk of ad-hoc or short-term decision making driven by particular drivers at a particular time, e.g. direction provided by elected members, technical advice of Council officers and consultants, stakeholder expectations, operational decisions, budget constraints, emerging trends, current agendas and the availability of external funding. The risks with ad-hoc or short-term decision making is poor city image, duplication of investment or poor efficiency of real estate.

In most cases Council operational processes are relied upon to deliver projects in a manner consistent with Master Plans and Frameworks adopted by the Council. In certain situations, the Council may also elect to include the Master Plan or Framework within the District Plan. This ensures independent, evidence-based decisions are made regarding whether a development is consistent with the Master Plan or Framework. For example, the 2014 Arena Master Plan was included in the District Plan.

### **Process of Developing Master Plans and Frameworks**



The process for developing a Master Plan or Framework involves weighing up a variety of inputs, including Council direction, stakeholder and community expectations and technical advice. In most cases there are inherent tensions between these inputs and the finalisation of any Master Plan or Framework requires an evaluative expert to provide an overall broad judgement.

The consultation for any Master Plan or Framework needs to be fit for purpose. The greater level of specificity, the greater the level and detail of consultation. Put another way, the lower the level of specificity, the greater the reliance on existing strategic direction.

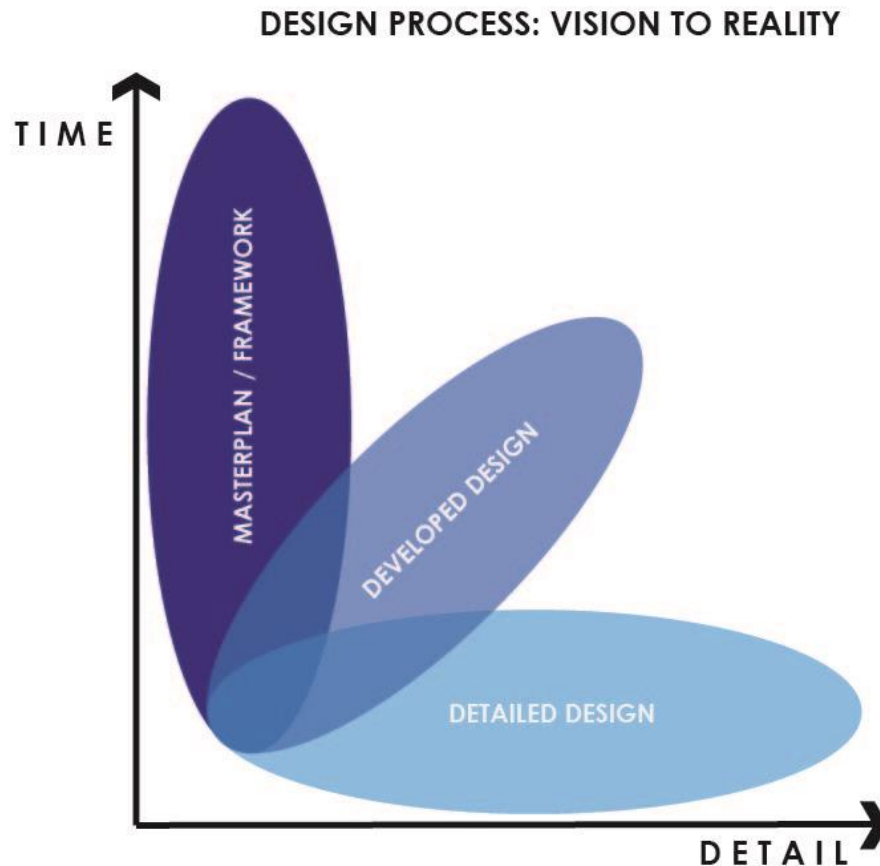
### **Types of Master Plans and Frameworks**

Not all Master Plans and Frameworks are the same. Some provide a high-level of specificity to a particular location or project that will be delivered over a certain time period, whereas others provide a low-level of specificity to a particular location that will evolve over a longer period of time. For example, the City Centre Streetscape Plan provides a high-level of specificity to a series of streetscape programmes in the City Centre whereas the Manawatu River Framework provides a low-level of specificity to future investment at the Manawatu River. The Master Plans and Frameworks prepared for larger areas of the City will generally have less specificity.

Some Master Plans may be better described as a proposition that will require more detailed analysis and design, consultation, fund raising, collaboration and research. They may contain some big moves, but the developed design and detail is to come. The Draft Civic and Cultural Precinct Master Plan fits into this category.

Finding the appropriate level of specificity for Master Plans and Frameworks can be challenging. For example, given the sensitivities of the Esplanade and the tension between vehicles, pedestrians and access / connectivity, the Esplanade Master Plan ended up being a higher-level principles-based document that will inform the developed and detailed design of future investment. The nature and role of the Te Apiti Master Plan has needed to adjust to the decision of NZTA to include a shared path alongside the new Manawatu Tararua Highway and the research underway by CEDA on tourism opportunities. It is likely it will end up providing a high-level of specificity in some locations and less in others. A number of the projects and opportunities will be funded by other public and private organisations.

Regardless of the level of specificity within a particular Master Plan or Framework, they should not be confused with Developed Concept Plans or Detailed Design Plans which are both subsequent steps within the overall design process. The design process is detailed below in Figure 1.



**Figure 1: Design Process Vision to Reality**

### **Council Approval of Master Plans and Frameworks**

Council approval of Master Plans and Frameworks is an important step as it sets expectations and provides direction to Council officers and the community. A small number of similar documents were prepared in the 1990s and 2000s, but many were not approved by Council or were quickly shelved to gather dust. With all Master Plans and Frameworks now approved by Council and available on-line, there is less risk today that they become discarded or irrelevant. An overview of existing Master Plans and Frameworks should form part of the discussion with elected members following an election. That way any new Council can determine if they want to review or rescind any existing Master Plans or Frameworks, just like they can with Council strategies.

### **Funding of Master Plans and Frameworks**

The approval of Master Plans and Frameworks does not commit Council funds. This can only be achieved via the Long Term Plan, Annual Budget or an explicit resolution of Council.

In more recent years, resolutions recommended by Council officers have contained more specificity to help emphasise the role of Master Plans and Frameworks. For example:

### City Centre Streetscape Plan:

- *That the Palmerston North City Centre Streetscape Plan is endorsed to inform future Council decision making, in particular the 2018 Asset Management Plans and Long Term Plan.*
- *That it be noted that the implementation of the Palmerston North City Centre Streetscape Plan is subject to the Council Financial Strategy and 2018 Long Term Plan and will need to be staged over a number of years given the significant costs involved.*
- *That the Chief Executive be authorised to consult on the priorities within the Palmerston North City Centre Streetscape Plan prior to the preparation of the 2018 Asset Management Plans and Long Term Plan.*
- *That it be noted that the 2018 Long Term Plan provides a formal opportunity for the Council to consult on the priorities within the Palmerston North City Centre Streetscape Plan.*

### **3. NEXT STEPS**

Progress the development and implementation of Master Plans and Frameworks and provide an overview of existing documentation as part of the discussion with elected members following an election.

### **4. COMPLIANCE AND ADMINISTRATION**

Does the Committee have delegated authority to decide? If Yes quote relevant clause(s) from Delegations Manual	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>Yes</b>
The recommendations contribute to Goal 1: An Innovative and Growing City	
The recommendations contribute to the outcomes of the City Development Strategy	
The recommendations contribute to the achievement of action/actions in the Urban Design Plan	

The action is: Implement Urban Design Principles.	
Contribution to strategic direction	Council has made good progress in applying urban design principles to city development. The District Plan has been reviewed and urban design principles incorporated into the residential and business zones. A variety of design-led planning documents, such as the City Centre Streetscape Plan and Manawatū River Framework, are available to inform public investment and encourage private development.

### **ATTACHMENTS**

Nil

## MEMORANDUM

**TO:** Planning and Strategy Committee

**MEETING DATE:** 5 August 2019

**TITLE:** Palmerston North Wastewater Bylaw 2019 - deliberations on submissions

**DATE:** 24 June 2019

**PRESENTED BY:** Julie Macdonald, Strategy & Policy Manager

**APPROVED BY:** Sheryl Bryant, General Manager - Strategy & Planning

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### RECOMMENDATION(S) TO COUNCIL

1. That the Council confirms that the Palmerston North Wastewater Bylaw 2019 is the most appropriate form of bylaw and does not give rise to any implications under the NZ Bill of Rights Act 1990.
  2. That the Council adopts the Palmerston North Wastewater Bylaw 2019 and Palmerston North Wastewater Bylaw 2019 Administration Manual, as shown in attachments 1 and 2.
  3. That the Chairperson and Deputy Chairperson of the Planning and Strategy Committee be given delegated authority to approve minor amendments to the Palmerston North Wastewater Bylaw 2019 and Palmerston North Wastewater Bylaw 2019 Administration Manual prior to publication.
- 

### 1. ISSUE

- 1.1 The Council is reviewing the Wastewater Bylaw following the adoption of the Pressure Sewer Systems Policy in December 2018.
- 1.2 The Council has carried out public consultation on the draft Wastewater Bylaw. The purpose of this memorandum is to provide advice on the submissions.

### 2. BACKGROUND

- 2.1 The Three Waters Plan, adopted in 2018 as part of the Council's strategic direction, identified the development of a Pressure Sewer Systems Policy, with consequent changes to the Wastewater Bylaw, to support the implementation of that policy.

- 2.2 The Council adopted the Wastewater Bylaw in May 2017. This was a new bylaw, and therefore it is required to be reviewed within five years of adoption, and thereafter every 10 years. The Planning and Strategy Committee agreed at the 5 November 2018 meeting to review the Bylaw early.
- 2.3 A draft bylaw was approved for consultation at the Committee's 1 April 2019 meeting, and consultation was carried out between 13 April and 20 May 2019. Four submissions were received during that time, and two submitters spoke to their submissions at the 5 June committee meeting.

### 3. ANALYSIS OF ISSUES RAISED BY SUBMITTERS

#### Submitter #1

- 3.1 The first submitter has raised concerns about the impacts of making pressure sewer systems mandatory for wastewater connections in the Northeast Industrial Extension Area. In particular, the submitter believes there is a lack of clarity in the Pressure Sewer Design Standards, the Engineering Standards for Land Development (ESLD), and the District Plan, about the limits of water usage (and by extension, wastewater discharged) within the zone. The submitter is concerned that the current design standards could require developers to install and maintain underground storage tanks for up to 24 hours total discharge, which would impose a significant cost on the developer. Further, the submitter identifies ongoing maintenance costs for these storage systems, which could impact the economic viability of land development in this area.
- 3.2 Officers do not recommend making a change to the draft Bylaw. The issue appears to rest with the ESLD, particularly the requirement regarding water flow limits, which has implications for wastewater discharge. A more appropriate response would be to revise the ESLD (which are currently under review) and remove the section that sets specific flow rates. This would likely address most of the submitter's concern. It would also be useful to note that any issues with capacity will be addressed on a case-by-case basis through the consent process for subdivision, rather than enforced through the Bylaw.

#### Submitter #2

- 3.3 The second submitter suggests that the Wastewater Service Area Map in the draft Bylaw should show not just the proposed service area, but also include rural residential areas with consent approval granted by Council, so that the Service Area includes the total consented areas, not just the physically connected area.
- 3.4 Officers do not recommend making a change to the draft Bylaw. While the concern of the submitter is appreciated – that if such consented areas are not shown on the map, this could be used as a reason to deny a wastewater service connection – clause 5.4 of the draft Bylaw allows for such connections to be granted. Specifically,

it makes clear that where a property is within the rural residential overlay, and the Council has approved a subdivision consent on the basis that the property will receive access to the public wastewater system, then a new connection may be permitted.

- 3.5 In summary, the submitter has requested that the Wastewater Service Area Map include those areas with subdivision consent. However, it is impractical to extract that information from subdivision consents to include on the map, and redundant when the conditions of the consent are more specific than the map. Coupled with the explicit exception contained in clause 5.4, there is no benefit to amending the map to reflect subdivision consents.

### Submitter #3

- 3.6 The third submitter has expressed support for clause 5.4 of the draft Bylaw, which permits connections for properties in the rural-residential overlay, where a subdivision consent has been given on the basis of receiving access to the public wastewater system. However, the submitter is opposed to clause 9. The submitter argues that clause 9 makes it mandatory for properties within the Pressure Sewer Service Area to connect to the public Pressure Sewer System. The submitter notes that they have an agreement with the landowner at 146 Richardsons Line – PMB Landco Ltd – to utilise the existing wastewater main. The submitter suggests including in the draft Bylaw a specific exemption for the property at 146 Richardson Line, to recognise this alternative arrangement.
- 3.7 Officers accept that the specific case of 146 Richardsons Line would be adversely affected by a strict interpretation of clause 9, making it mandatory for that site to connect using a pressure sewer system. The pre-existing agreement to connect via the existing wastewater main would be an appropriate means of servicing the site. However, rather than exempting that site via clause 9, a simpler solution is recommended – to redraw the Wastewater Service Area map in the Administration Manual to exclude 146 Richardsons Line from the area marked as “pressure sewer system”.
- 3.8 The submitter also supports concerns raised by the first submitter, relating to the impacts of making pressure sewer systems mandatory for wastewater connections in the Northeast Industrial Extension Area.
- 3.9 The points made in paragraph 3.2 apply to this aspect of the submission also. Officers suggest that a more appropriate response would be to revise the ESLD (which are currently under review) and remove the section that sets specific flow rates.

Submitter #4

- 3.10 The fourth submitter supports the identification of the Proposed Wastewater Services Areas, including the City West growth area, and servicing growth areas through Pressure Sewer Systems. The submitter does raise concerns that there is sufficient capacity in the pressure sewer infrastructure to support the needs of the City West growth area, and wants to ensure that there is direct engagement with affected parties to ensure that the staging of development is properly managed.
- 3.11 Officers can confirm that there is capacity in the pressure sewer infrastructure to support the needs of the City West growth area. The staging of development of this infrastructure will be through the District Plan and the Long Term Plan, and there will be opportunities to engage with affected parties through those processes.

**4. OTHER CONSIDERATIONS**

- 4.1 The Council is required by S155 of the Local Government Act 2002 to determine whether the proposed bylaw is the most appropriate form of bylaw, and whether the proposed bylaw gives rise to any concerns under the New Zealand Bill of Rights Act 1990 (NZBORA).
- 4.2 A full consideration of these matters was provided in a report presented to the Committee on 5 November 2018, and was confirmed again in the April 2019 report that approved the draft bylaw for public consultation. At each stage, the Committee determined and confirmed that a standalone form of bylaw was the most appropriate form of bylaw, and that the bylaw was unlikely to give rise to any concerns under NZBORA.
- 4.3 Following consultation, the assessment remains the same. The standalone form of bylaw remains the most appropriate for the Wastewater Bylaw. No concerns under NZBORA have been identified during the consultation process.

**5. NEXT STEPS**

- 5.1 Officers recommend that the draft Wastewater Bylaw and Administration Manual is adopted as presented in the attachments to this report. As a result of submissions received, one change to the proposal is suggested – the removal of 146 Richardsons Line from the Pressure Sewer Services area of the Wastewater Service Area maps.
- 5.2 The other issues raised by submitters are best addressed via other means, such as the revision of the Engineering Standards for Land Development. The officers responsible for that work have been notified of these issues, and will take these into account.
- 5.3 If the Council confirms the recommendations to this Committee to adopt the Wastewater Bylaw, then it will replace the current Wastewater Bylaw. The new



Wastewater Bylaw will be published to the Council's website, with physical copies placed in the Customer Service Centre.

- 5.4 Submitters will be contacted and advised of the outcome of the consultation process, and given a copy of the adopted Bylaw.
- 5.5 A public notice will be published in the Manawātū Standard and the Guardian advising of the adoption of the new Bylaw, and that it will commence on 30 September 2019, allowing time for implementation.



## 6. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>No</b>
If Yes quote relevant clause(s) from Delegations Manual <Enter clause>	
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 4: An Eco City	
The recommendations contribute to the outcomes of the Eco City Strategy	
The recommendations contribute to the achievement of action/actions in the Three Waters Plan	
The action is: Adopt a pressure sewer policy for the City, supported by revisions to the Wastewater Bylaw (by end of 2018/2019)	
Contribution to strategic direction	The development of a pressure sewer policy was identified as part of the Three Waters Plan, along with consequent changes to the Wastewater Bylaw to support the implementation of that policy. Conducting consultation on the draft Bylaw and Administration Manual will contribute to the completion of this action in the

PALMERSTON NORTH CITY COUNCIL

	identified timeframe.
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**ATTACHMENTS**

1. Palmerston North Wastewater Bylaw 2019 [↓](#) 
2. Palmerston North Wastewater Bylaw 2019 Administration Manual [↓](#) 



# **PALMERSTON NORTH WASTEWATER BYLAW**

**2019**

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## PALMERSTON NORTH WASTEWATER BYLAW 2017

### PART ONE – INTRODUCTION

#### 1. TITLE

- 1.1 The title of this Bylaw shall be the “Palmerston North Wastewater Bylaw 2019”.

#### 2. PURPOSE

- 2.1 This Palmerston North Wastewater Bylaw 2019 (Bylaw) is made pursuant to sections 145 and 146 of the Local Government Act 2002.
- 2.2 The purpose of this Bylaw is to ensure that wastewater is removed from both domestic and trade premises in an efficient manner that safeguards public health.

#### 3. COMMENCEMENT

- 3.1 This Bylaw will come into force on 30 September 2019.
- 3.2 The Palmerston North Wastewater Bylaw 2017 is repealed when this Bylaw commences.

#### 4. DEFINITIONS

- 4.1 In this Bylaw, unless the context otherwise requires-

**Acceptable discharge** means a wastewater with physical and chemical characteristics that comply with the requirements of the Bylaw.

**Administration Manual** means the Administration Manual for the Palmerston North Wastewater Bylaw 2019, as approved by the Council when the Palmerston North Wastewater Bylaw 2019 was made and as amended from time to time by delegated authority under this Bylaw.

**Approval** means approved in writing by the Council, either by resolution of the Council or by an officer of the Council authorised for that purpose.

<b>Authorised agent/officer</b>	means an officer or an agent appointed by the Council and given powers to perform duties and functions under this Bylaw, and includes an enforcement officer appointed under section 177 of the Local Government Act 2002.
<b>Boundary kit</b>	means the isolation valve and non-return valve installed on an individual property's pressure sewer lateral located on the legal boundary.
<b>Buried services</b>	means all public sewers, rising mains, trunk sewers and other underground utilities under the responsibility of the Council.
<b>Bylaw</b>	means the Palmerston North Wastewater Bylaw.
<b>Certificate of Title</b>	means a certificate registering the freehold ownership of land available to any owner(s) under the Land Transfer Act 1952.
<b>Characteristic</b>	means any of the physical or chemical characteristics of a wastewater referred to in the Trade Waste Bylaw.
<b>Council</b>	means the Palmerston North City Council, and includes any person or Committee acting under authority duly delegated by the Palmerston North City Council.
<b>Disconnection</b>	means the physical cutting and sealing of any drain/s from premises.
<b>Domestic wastewater</b>	means either that wastewater that is discharged from premises used solely for residential purposes or wastes of the same character discharged from other premises, provided that the characteristics of the wastewater are an acceptable discharge.

Such activities include the draining of domestic swimming and spa pools.

<b>Dwelling</b>	includes any house, tent, vehicle or other structure, whether permanent or temporary, and whether attached to the ground or not, used wholly or partly for human habitation, and includes the land accessory to a dwelling.
<b>Engineering Standards for Land Development</b>	means Council's document which details the Engineering Standards required for Land Development which is reviewed from time to time.
<b>Foul water</b>	means the discharge from any sanitary fixtures or sanitary appliances.
<b>Infiltration</b>	means water entering a public sewer or private drain from groundwater through defects such as poor joints, and cracks in pipes or manholes. It does not include inflow.
<b>Inflow</b>	means water discharged into a private drain from non-complying connections or other drainlaying faults. It includes stormwater entering through illegal downpipe connections or from low gully traps.
<b>Land covenant</b>	means a covenant in favour of the Council, enforceable by the Council, registered over the land in question.
<b>Level of service</b>	means the measurable performance standards upon which the Council undertakes to receive wastewater from its customers.

<b>Offence</b>	includes any act or omission for which any person can be punished in relation to a bylaw, either on indictment or by summary process.
<b>On-property pressure sewer equipment</b>	<p>means equipment placed on a property to permit the disposal of wastewater from that property to a pressure sewer system, and includes:</p> <ul style="list-style-type: none"> <li>(a) A grinder pumping unit within a chamber, both specifically designed for pressure sewer applications; and</li> <li>(b) A property discharge line that connects the pumping unit to the boundary kit; and</li> <li>(c) A control/alarm panel that controls the operation of the pump unit, and contains alarm components, electrical connection to the property and associated circuit breaker; and</li> <li>(d) A remote data connection, such as telemetry (if required by Council).</li> </ul>
<b>Person</b>	includes a corporation sole and a body of persons, whether incorporated or not.
<b>Point of discharge</b>	means the point which marks the boundary of responsibility between the public wastewater system and a private drain, and applies irrespective of property boundaries. Typical layouts for the point of discharge are shown in figure 1 in the Administration Manual.
<b>Premises</b>	<p>means either</p> <ul style="list-style-type: none"> <li>(a) a property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been or may be issued;</li> </ul>



- (b) a building that has been defined as individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available;
- (c) land held in public ownership (e.g. reserve) for a particular purpose; or
- (d) individual units in buildings which are separately leased or occupied.

**Pressure sewer system** means a sewer system where sewage is conveyed under pressure generated by multiple pump units, each located on an identified private property, to a shared pressure main as part of the public wastewater system.

**Private drain** means that section of drain between the premises and the point of discharge to the public wastewater system. This section of pipeline is owned and maintained by the owner.

**Prohibited characteristics** means wastewater characteristics that must not be discharged into the public wastewater system, as required by the Trade Waste Bylaw.

**Public wastewater system** means the collection, treatment and disposal of sewage and trade wastes, including all sewers, pumping stations, storage tanks, wastewater treatment plants, outfalls, and other related structures operated by the Council and used for the reception, treatment and disposal of wastewater and trade wastes.

**Pumped sewer system** means a sewer system that comprises a single wastewater pump station on a property which discharges wastewater into a single gravity main which is part of a public wastewater system.

<b>Registered drainlayer</b>	means a tradesperson certified by the Plumbers, Gasfitters, and Drainlayers Board under the Plumbers, Gasfitters, and Drainlayers Act 1976 and regulations as well as such other certificates that the Council may require.
<b>Rising main</b>	means a sewer through which wastewater is pumped and which connects a single pump station to another part of the public wastewater system but does not include any part of a pressure sewer system.
<b>Road Controlling Authority</b>	A territorial authority or the New Zealand Transport Agency.
<b>Sanitary appliance</b>	means an appliance that is intended to be used for sanitation, and which is not a sanitary fixture. This includes machines for washing dishes and clothes.
<b>Sanitary fixture</b>	means any fixture which is intended to be used for sanitation. "Sanitation" describes activities of washing and/or excreting carried out in a manner or condition such that the effect on health is minimised, by minimising dirt and infection.
<b>Schedule of rates and charges</b>	means the list of items, terms and prices for services associated with the discharge of wastewater or trade waste as approved by the Council.
<b>Service opening</b>	means a manhole, or similar means for gaining access for inspection, cleaning or maintenance, of a public wastewater system.

<b>Sewage</b>	means foul water and may include trade wastes, and has the same meaning as domestic wastewater and domestic sewage.
<b>Sewer</b>	means the main public sewer and lateral connections that carry away wastewater from the point of discharge. The public sewer is owned and maintained by the Council.
<b>Stormwater</b>	means all surface water run-off resulting from precipitation, and that contains no discharge of trade waste.
<b>Trade premises</b>	means: <ul style="list-style-type: none"> <li>a) Any premises used or intended to be used for any industrial or trade purpose;</li> <li>b) Any premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials;</li> <li>c) Any other premises from which a contaminant is discharged in connection with any industrial or trade process; or</li> <li>d) Any other premises discharging other than domestic sewage; and includes any land or premises wholly or mainly used for agricultural or horticultural purposes, including composting organic materials.</li> <li>e) Any premises declared by Council by resolution to be Trade Premises</li> </ul>
<b>Trade waste</b>	is any liquid, with or without matter in suspension or solution, that is or may be discharged from a trade premises to the public wastewater system in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include condensing or cooling

waters; stormwater which cannot be practically separated, or domestic sewage.

<b>Trade Waste Bylaw</b>	means the Palmerston North City Council Trade Waste Bylaw.
<b>Trunk sewer</b>	means a sewer, greater than or equal to 300mm internal diameter, that forms a part of the principal drainage network of the public wastewater system.
<b>Urban area</b>	has the same meaning as contained in section 4 of the operative Palmerston North City District Plan and includes all land zoned residential, business, industrial, institutional, North East industrial, recreation or Caccia Birch.
<b>Waahi tapu</b>	means places sacred to Maori in the traditional, spiritual, religious, ritual or mythological sense and are outlined in the District Plan.
<b>Wastewater</b>	means water or other liquid, including waste matter in solution or suspension, discharged from a premises to a sewer.
<b>Wastewater service area</b>	means the areas shown in the maps in the Palmerston North Wastewater Bylaw Administration Manual 2019 and includes all properties within the urban area. These areas show the boundaries of the various public wastewater systems, and define the reticulated areas of the City and townships.

## PART TWO – WASTE WATER

### 5. ACCEPTANCE OF DISCHARGE

- 5.1 No person may connect to the public wastewater system unless the connection is approved by the Council.
- 5.2 Every owner or occupier of domestic premises is entitled to have wastewater from that domestic premises accepted by the Council if the following requirements are met:
  - a) There is availability of capacity in the public wastewater system; and
  - b) The premises are within an area that is served by the wastewater service area; and
  - c) Payment of the appropriate rates and charges in respect of that premises; and
  - d) The requirements of this Bylaw are fulfilled.
- 5.3 All customers of a wastewater connection must comply with, and are subject to, the terms and conditions for supply of the public wastewater system as set out in the Administration Manual.
- 5.4 Except as specifically provided for in this Bylaw, no new connections will be permitted to properties lying outside the wastewater service areas unless
  - a. the property is within the urban area; or
  - b. the property is within the rural residential overlay and the Council has approved a subdivision consent for the property on the basis that the property will receive access to the public wastewater system.
- 5.5 Wastewater pipes that convey wastewater from one wastewater service area to another are not considered part of the wastewater service areas and properties adjacent to these pipes are not permitted to connect to them.
- 5.6 Notwithstanding clause 5.5 above, no connections may be allowed to public rising mains under any circumstances.
- 5.7 The Council must continue to accept wastewater from domestic premises once an approved connection to the public wastewater system has been made.

## **6. APPLICATION TO CONNECT**

- 6.1 Every application for connection to the public wastewater system must be made in writing using the forms provided, together with the payment of the prescribed fees.
- 6.2 An application must be made even if a pipe has already been laid up to the point of discharge.
- 6.3 No person other than the authorised agents of the Council may make any connection to, or otherwise interfere with, any part of the public wastewater system.
- 6.4 Where an application has been accepted by the Council that requires a new wastewater connection to be constructed from the existing public system to the point of discharge, the Customer must pay the charges fixed by the Council for the work.
- 6.5 The Council or an authorised agent must supply and install the public wastewater system up to the point of discharge, except as provided for in clause 6.6.
- 6.6 Where a new public sewer is required as part of a subdivision development, the developer must provide all the drainage works to the design and construction standards approved by the Council and, unless varied, in accordance with the Council's Engineering Standards for Land Development.

## **7. WORKING AROUND BURIED SERVICES**

- 7.1 The Council shall keep and maintain drainage plans of the location of buried services to the extent it has this information.
- 7.2 At least five working days' written notice must be given to the Council before any excavation or physical works close to the public wastewater system commence.
- 7.3 Every person proposing to carry out excavation work must first:
  - a) View the Council's GIS and information on the public wastewater system, and must establish before carrying out the work whether Council services are located in the vicinity of the proposed excavation, and;
  - b) Identify whether the area is listed as waahi tapu under the District Plan.

- 7.4 If a site is listed as waahi tapu or an unknown archaeological site is discovered, the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 must be adhered to.
- 7.5 Council may place reasonable restrictions on the work that it considers necessary to protect the public wastewater system.
- 7.6 When excavating and working around buried parts of the public wastewater system reasonable care must be taken to ensure that services are not damaged, and that bedding and backfill is reinstated in accordance with Council's Engineering Standards for Land Development.
- 7.7 Excavation within roadways is also subject to the permit process of the appropriate road controlling authority.
- 7.8 Every person who damages the public wastewater system must report the damage to the Council immediately. Repair costs may be recovered by the Council.
- 8. PUMPED SEWER SYSTEMS**
- 8.1 Where an application to connect proposes to install a private pumped sewer system this will be approved only if Council determines that there are no practical alternatives for gravity flow discharge to the public wastewater system, or where ground conditions are such that a gravity system is not suitable.
- 8.2 The customer must demonstrate that the pump station complies with the New Zealand Building Code when seeking consent under the Resource Management Act 1991 or Building Act 2004.
- 8.3 A private wastewater pump station serving more than one residential dwelling unit requires:
- a) A "Common Pump Station Agreement" between the parties approved by the Council, including appropriate maintenance of rising mains. The agreement must be registered against the Certificate of Title of each premises that receives the benefit of it.
  - b) The combined rate of discharge to the public wastewater system must not exceed the rate specified by the Council for a single premises.
- 8.4 A private wastewater pump station must have installed an approved boundary kit (refer figure 2 of the Administration Manual).

**9. PRESSURE SEWER SYSTEMS**

- 9.1 An application to connect to the public wastewater system using on-property pressure sewer equipment will be approved only if:
- a) The property is located in a pressure sewer service area as shown on the wastewater service area maps in the Administration Manual; or
  - b) If the property is not located in a pressure sewer service area, it is located in an area where the criteria for a pressure sewer system in the Palmerston North Pressure Sewer Systems Policy has been satisfied.
- 9.2 Notwithstanding clause 9.1, on-property pressure sewer equipment is required to be installed for each property located in a pressure sewer service area, or if the property is in an area approved to be serviced with a pressure sewer system.
- 9.3 The on-property pressure sewer equipment must comply with all requirements of the Palmerston North Pressure Sewer Systems Policy and the Engineering Standards for Land Development.

**10. FEES AND CHARGES**

- 10.1 The Customer shall be responsible to meet all fees and charges associated with connection and disconnection of their premises to the public wastewater system, and discharge of wastewater from their premises to the public wastewater system.
- 10.2 The Council may set fees and charges for any approval, permission, consent or any other service required by this Bylaw in accordance with section 150 of the Local Government Act 2002. Schedule 1 of the Bylaw contains a list of charges that may be imposed.
- 10.3 The Council may recover rated charges pursuant to sections 57 to 82 of the Local Government (Rating) Act 2002.



## PART THREE – ENFORCEMENT

### 11. OFFENCES AND PENALTIES

- 11.1 The Council has the power to enforce penalties relating to the discharging of wastewater under the Building Act 2004, Health Act 1956 (part II), the Local Government Act 1974 and 2002 and the Local Government Rating Act 2002.
- 11.2 Every person who:
- a) Fails to comply with any provision of the Bylaw or the conditions of wastewater supply to the premises under this Bylaw; or
  - b) Fails to comply with a notice served under this Bylaw;
- commits an offence under section 239 of the Local Government Act 2002 and is liable to a fine as specified in section 242 of the Local Government Act 2002 or the issue of an infringement notice under section 259 of the Local Government Act 2002.
- 11.3 The Council may issue infringement notices, in such forms and for such amounts, as are authorised in any regulations made under section 259 of the Local Government Act 2002.
- 11.4 In the event of a breach of statutory or other legal requirements, the Council may serve notice on the Customer advising the nature of the breach, the steps required to remedy it, and the specified timeframe.
- 11.5 At any time after the specified period in clause 11.4 has elapsed, the Council may carry out any remedial work required in order to make good the breach, and to recover from the person committing the breach all reasonable costs incurred in connection with the remedial work.
- 11.6 If the breach poses a risk to public health and safety or damage to Council assets, and a delay in repair work is unacceptable, the Council may take immediate action to rectify the defect and recover all reasonable costs as set out in clause 11.5.

## PART FOUR – ADMINISTRATION

### 12. DELEGATIONS

- 12.1 The Council has passed a resolution at the same time as making this Bylaw adopting the Administration Manual. All matters over which the Administration Manual defines, regulates, controls or prohibits related to this Bylaw, are matters that this Bylaw leaves to be addressed by resolution of Council under section 151(2) of the Local Government Act 2002.
- 12.2 The Council may by resolution amend the Administration Manual. Before amending the Administration Manual, the Council will consult in accordance with the decision making requirements of section 82 of the Local Government Act 2002.
- 12.3 The following people are authorised delegates under this Bylaw:
- a) the Council by resolution;
  - b) the Chief Executive of the Council;
  - c) the person holding the office identified in Council's Delegations Manual as responsible for the administration of this Bylaw;
  - d) Any other person authorised to exercise a power under this Bylaw, pursuant to the Council's Delegations Manual or resolution of the Council.
- 12.4 Authorised delegated persons may exercise any power, function or duty under this Bylaw or carry out any act in order to achieve its effective administration on behalf of the Council other than those expressly required to be by Council resolution. This power includes, without limitation, the power to:
- a) Amend the wastewater service areas as shown on maps in the Administration Manual;
  - b) Specify the conditions that apply to the supply of a wastewater connection by the Council contained in the Administration Manual;
  - c) Specify forms and procedures for the effective administration of the Bylaw;
  - d) Make any decision or determination required in this Bylaw in order to administer it.

- 12.5 All forms, specifications, conditions or methods for this Bylaw must be in writing and kept in the Administration Manual and shall be available to the public.
- 12.6 Every exercise of a power of delegation under this clause must be publicly reported at least annually to Council if not exercised by Council by resolution, provided that failure to report does not invalidate the exercise of the delegate's power.

FOR ADOPTION

**SCHEDULE ONE – FEES AND CHARGES**

The following table displays the categories of charges the Council can levy under this Bylaw:

Category	Description
Connection to public wastewater system (sewer)	Charges apply for connection to the public wastewater system for one or multiple dwellings.



PALMERSTON NORTH CITY

# **PALMERSTON NORTH WASTEWATER BYLAW**

**2019**

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## **Administration Manual**

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**Document Control**

Version No.	Reason for Amendment	Date

**Authorisation**

	Name	Signature	Date
<b>Prepared By</b>			
<b>Reviewed By</b>			
<b>Authorised By</b>			

FOR ADOPTION

## PART 1 – INTRODUCTION

The purpose of this Administration Manual is to provide material complementary to the Wastewater Bylaw. It addresses aspects of wastewater management that could be included in the Bylaw, but are of a technical or administrative nature, or address operational matters. These aspects of wastewater management may be amended before the Bylaw is reviewed and this is appropriately achieved by Council resolution changing this Manual. This will simplify the administration of the Bylaw, allow for administrative and technical processes to be kept up to date, and assist in interpretation of the Bylaw.

The Administration Manual is made under the Wastewater Bylaw, and it will govern the implementation and operation of the Bylaw. The Administration Manual is a public document and will be made available on the Council's website alongside the bylaws. A hard copy can be provided on request.

This Administration Manual will be updated from time to time, as necessary, to ensure that it is kept up-to-date and reflects current practice.



## PART 2 - CONDITIONS OF WASTEWATER CONNECTION

### 1. DISCHARGE FROM PREMISES

- 1.1. The instantaneous flow rate discharged to the wastewater system from domestic premises or other premises without a trade waste consent must not exceed 2.0 litres/sec.
- 1.2. The maximum daily flow from domestic premises or other premises without a trade waste consent must not exceed 5,000 litres per day.
- 1.3. Wastewater with prohibited characteristics (as detailed in Schedule 3 of the Palmerston North Trade Waste Bylaw 2015) must not be discharged into the wastewater system.
- 1.4. Domestic wastewater must not exceed the substance limits in Schedule 1 of the Palmerston North Trade Waste Bylaw 2015.
- 1.5. Where part of any domestic premises is used as an office or for a trade related activity from which no trade waste could be produced, and no other persons apart from those living at those premises use the premises, then the premises is treated as a domestic premises.
- 1.6. Any trade activity that produces or has the potential to produce wastewater is treated as being from a trade premises.
- 1.7. The customer must allow the Council, or its agents, access to and about the point of discharge for the purposes of monitoring, testing, and maintenance work between 7.30 am and 6 pm on any day. The Council must give reasonable notice to the customer of the intended entry.
- 1.8. Under emergency conditions the customer must allow the Council free access to and about the point of discharge without notice.
- 1.9. The customer must allow the Council with any necessary equipment, access to any area of the premises for the purposes of ascertaining whether non-complying connections have been made.

### 2. WORKS OVER OR NEAR PUBLIC DRAINAGE SYSTEMS

- 2.1 The restrictions described in sections 2.2 to 2.8 apply to building, excavation, physical works or loading on or near public wastewater systems.
- 2.2 Alternative restrictions than those listed below may be applied by the Council at its discretion for the protection of the public wastewater system after consideration of proposed work methods, depth of excavation, soil physical properties, and other site-specific factors.
- 2.3 A building must not be built over a public rising main or trunk sewer or closer than the greater of:
  - a) 1.5 metres from the centre of any rising main or sewer;
  - b) The depth of the centre line of the sewer, plus the diameter of the sewer, plus 0.2 metres from the centre of that sewer subject to compliance with 3.1 of NZS3604.

- 2.4 Buildings may be built over public sewers (except as per clause 2.3) subject to the building developer doing the following to the satisfaction of the Council:
- a) Carrying out sufficient investigations to accurately determine the sewer's location and depth, and to prove that the sewer is in a condition where it has a remaining life of at least 50 years or carry out remedial work or relaying of the sewer to achieve a 50 year remaining life; and
  - b) Bore piling the building floor slab or foundations to 1 metre clear distance either side of the sewer to below the invert level to ensure that no building loads are transferred to the sewer and that it is possible to excavate down to the sewer without threat to the building; and
  - c) Providing two additional service openings into the sewer between 2 and 3 metres from the edge of the building at the point it enters and leaves the building (unless there is an existing service opening within 10 metres), provided that the sewer lies in a straight line and that there are no connections between the service openings; and
  - d) Carrying out all work on and around the sewer in accordance with Council's Engineering Standards for Land Development; and
  - e) Registering with Land Information New Zealand a Land Covenant as required by Council against the Certificate of Title for the land in question.
- 2.5 The requirements of sections 2.4 (d) and (e) above may be relaxed for the construction of light weight buildings subject to the approval of Council.
- 2.6 No person may cause the crushing load imposed on a public wastewater system to exceed that which would arise from the soil overburden plus a HN-HO-72 wheel or axle load (as defined by NZ Transport Agency Bridge Manual).
- 2.7 No person may place any permanent additional load of material over or near a public wastewater system without approval.
- 2.8 Service openings must not be covered in any way unless approved by the Council. Removal of any covering material or adjustment of the service opening is at the property owner's expense.
- 2.9 No person may excavate, or carry out piling or physical works without approval from the Council, if it is closer than:
- a) 5 metres from the centre line of any Rising main or Trunk sewer, or
  - b) 2 metres from the centre line of any other Sewer.

Approval may impose conditions on the carrying out of any work near the wastewater system.

### **3. STORAGE OF HAZARDOUS MATERIAL**

- 3.1 No person may store raw material, products or waste containing corrosive, toxic, biocidal, radioactive, flammable, or explosive materials, or any material which, when mixed with the public wastewater system, may:

- a) generate toxic, flammable, explosive or corrosive materials in hazardous quantities; or
- b) damage the public wastewater system, the environment or adversely affect the health and safety of Council staff and the public

in a manner or location such that there is a more than minor risk of that material entering the public wastewater system.

#### **4. POINT OF DISCHARGE**

- 4.1 There must only be one point of discharge for each premises. Any private drain must not extend by pipe or any other means to serve other premises unless it is a common private drain that has been sized appropriately to accommodate the additional flows in accordance with Council's Engineering Standards for Land Development. This requirement can be varied in writing by the Council.
- 4.2 Individual lots or premises must not be crossed by more than one private drain regardless of the number of properties served by that private drain.
- 4.3 For single dwelling units the point of discharge must be located at the boundary as shown in Figure 1 or as close as possible where fences, walls or other permanent structures make it difficult to locate it at the required position. The approval of other positions must be by the Council and recorded on the drainage plan.
- 4.4 Where a private drain discharges into a public wastewater system on that same private property, the point of discharge must be the upstream end of the pipe fitting which forms the junction with the public system. The point of discharge must be in a location accessible for future maintenance as per Council's Engineering Standards for Land Development.
- 4.5 The point of discharge for the different forms of multiple ownership of premises and/or land must be one of the following:
  - a) Company share/block scheme (body corporate) as for single ownership; or
  - b) Leasehold/tenancy in common scheme (cross lease), strata title, and unit title (body corporate). Where practicable each owner must have an individual drain with the point of discharge determined by agreement with the Council at building consent or resource consent stage. If not practicable there must be a common private drain which must be incorporated as an additional provision in the lease agreement; or
  - c) Multiple ownership connections in existence prior to this Bylaw, the point of discharge shall be the arrangement existing at that time.
- 4.6 Common private drains may serve a maximum of five single dwelling units, and may also have one point of discharge only (in common).
- 4.7 Common private drains must be covered by a certificate recording the rights of each party which is registered against the Certificate of Title.

- 4.8 For pumped or pressure systems where the on-property equipment is not owned by Council the point of discharge shall be on the upstream side of the boundary kit (shown in Figure 2), and must be located as shown in Figure 1.
- 4.9 For pressure sewer systems where the on-property equipment is owned by Council the point of discharge shall be the point of connection between the private drain and the on-property pressure sewer system chamber.

FOR ADOPTION

FIGURE 1 - POINT OF DISCHARGE DIAGRAMS

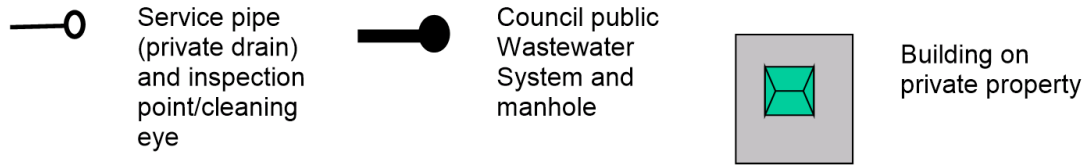


Figure 1(a).

PUBLIC WASTEWATER SYSTEM IN ROAD

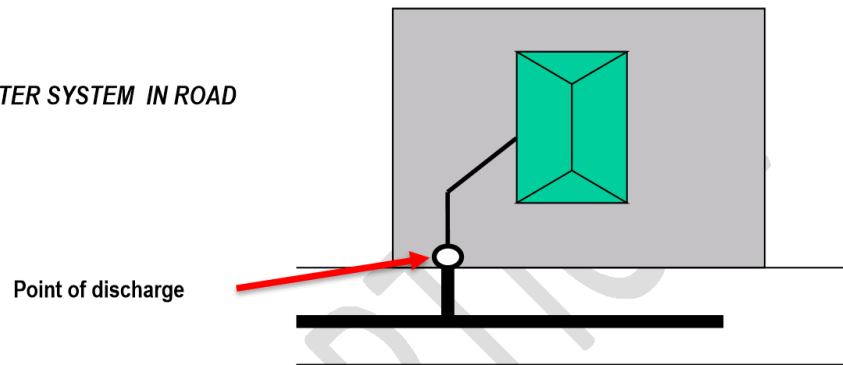


Figure 1(b).

CROSS-LEASE OR UNIT TITLES WITH SEPARATE SERVICES

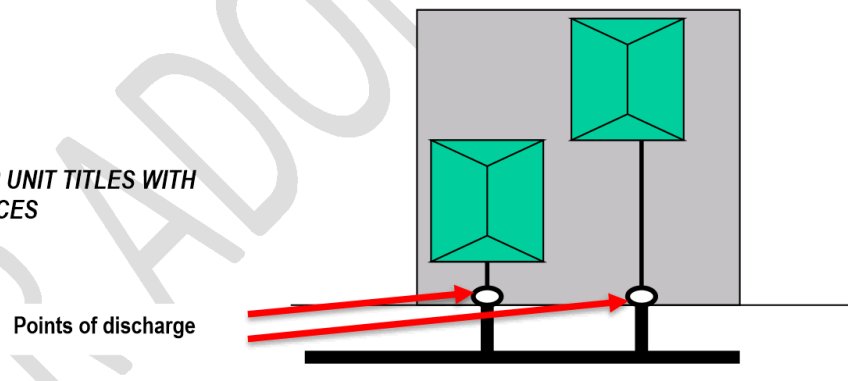


Figure 1(c).

NO COUNCIL EASEMENT OVER ROW TO REAR PROPERTIES

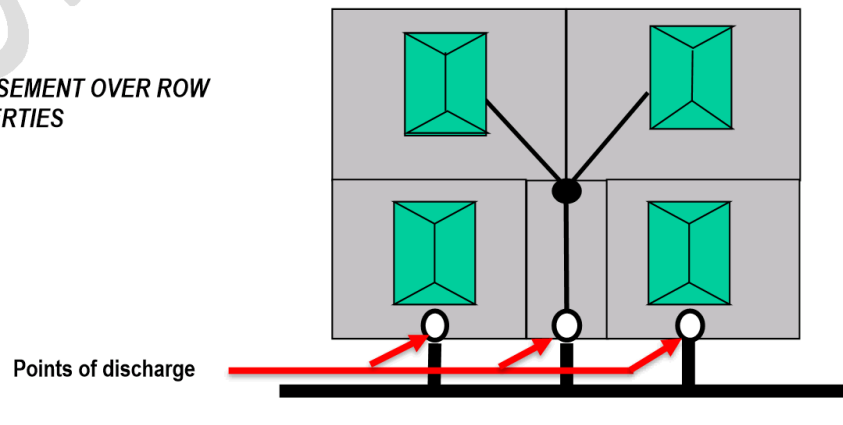


Figure 1(d).

CROSS-LEASE OR UNIT TITLE  
PROPERTIES SHARING ONE SERVICE

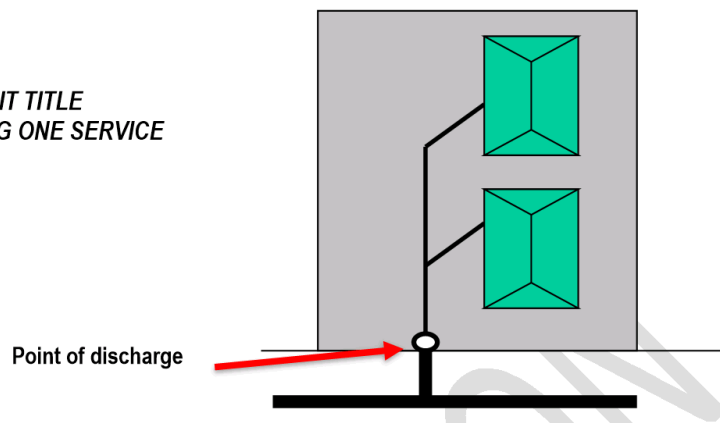


Figure 1(e).

PUBLIC WASTEWATER SYSTEM  
PASSING THROUGH PRIVATE PROPERTY

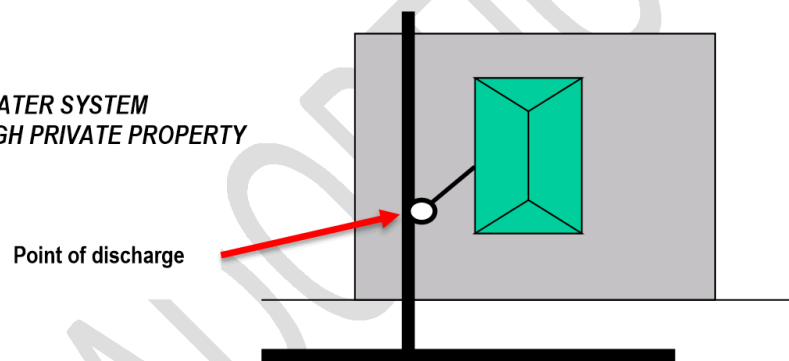


Figure 1(f).

COUNCIL EASEMENT OVER  
RIGHT OF WAY TO REAR  
PROPERTIES

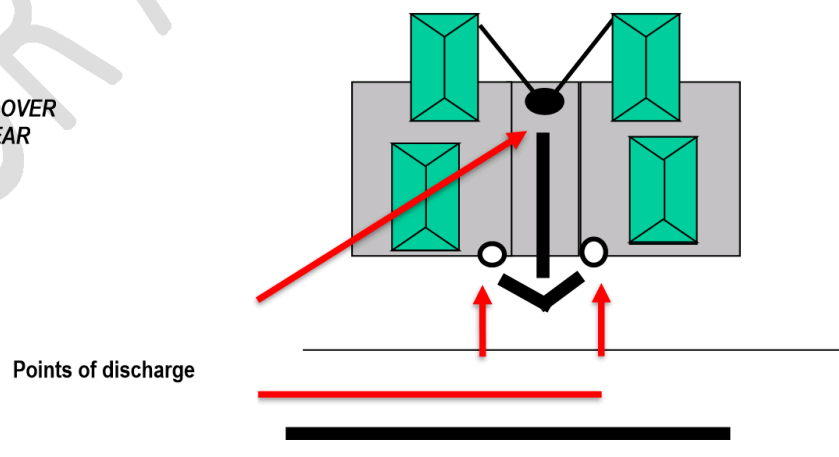


Figure 1(g).

**PRESSURE SEWER SYSTEM - PUBLIC  
WASTEWATER SYSTEM ANY LOCATION**  
(on-property pressure sewer equipment  
privately owned)

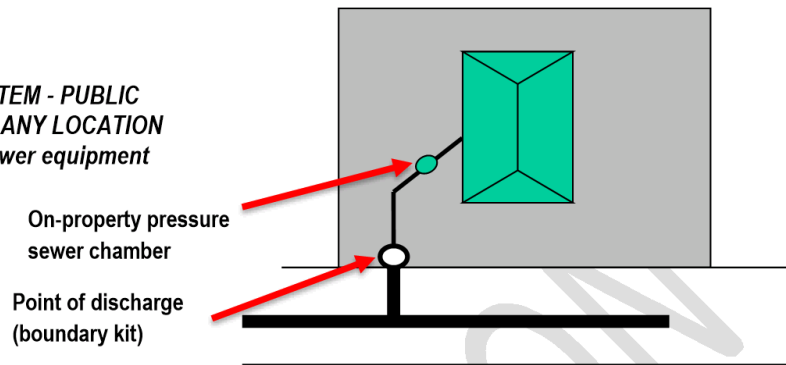


Figure 1(h).

**PRESSURE SEWER SYSTEM -  
PUBLIC WASTEWATER ANY  
LOCATION** (on-property pressure  
sewer equipment Council owned)

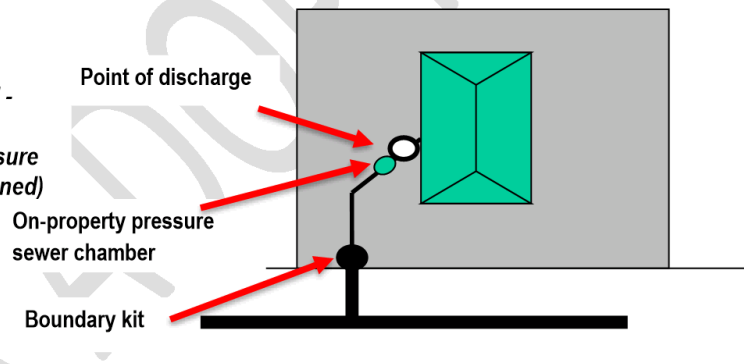
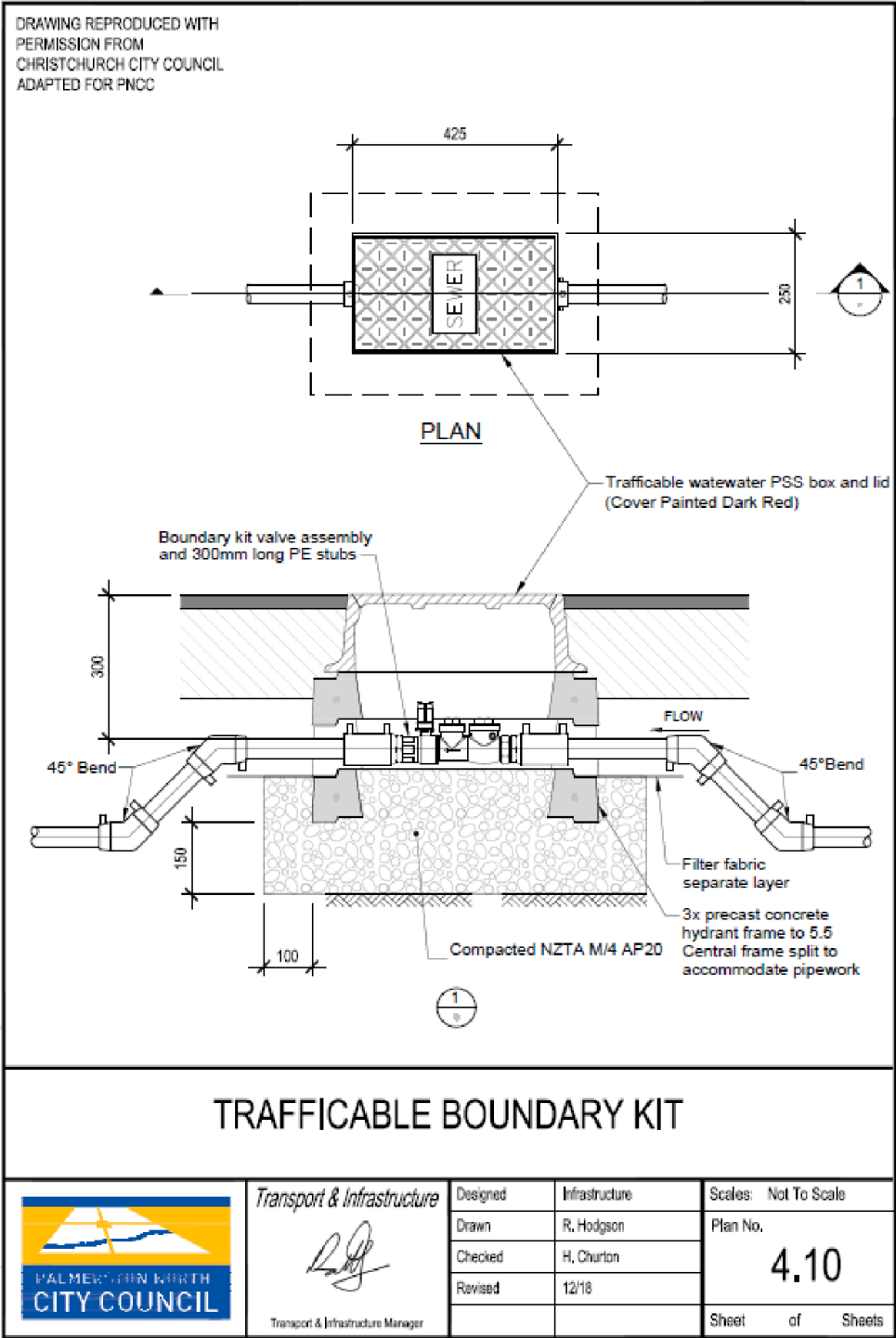
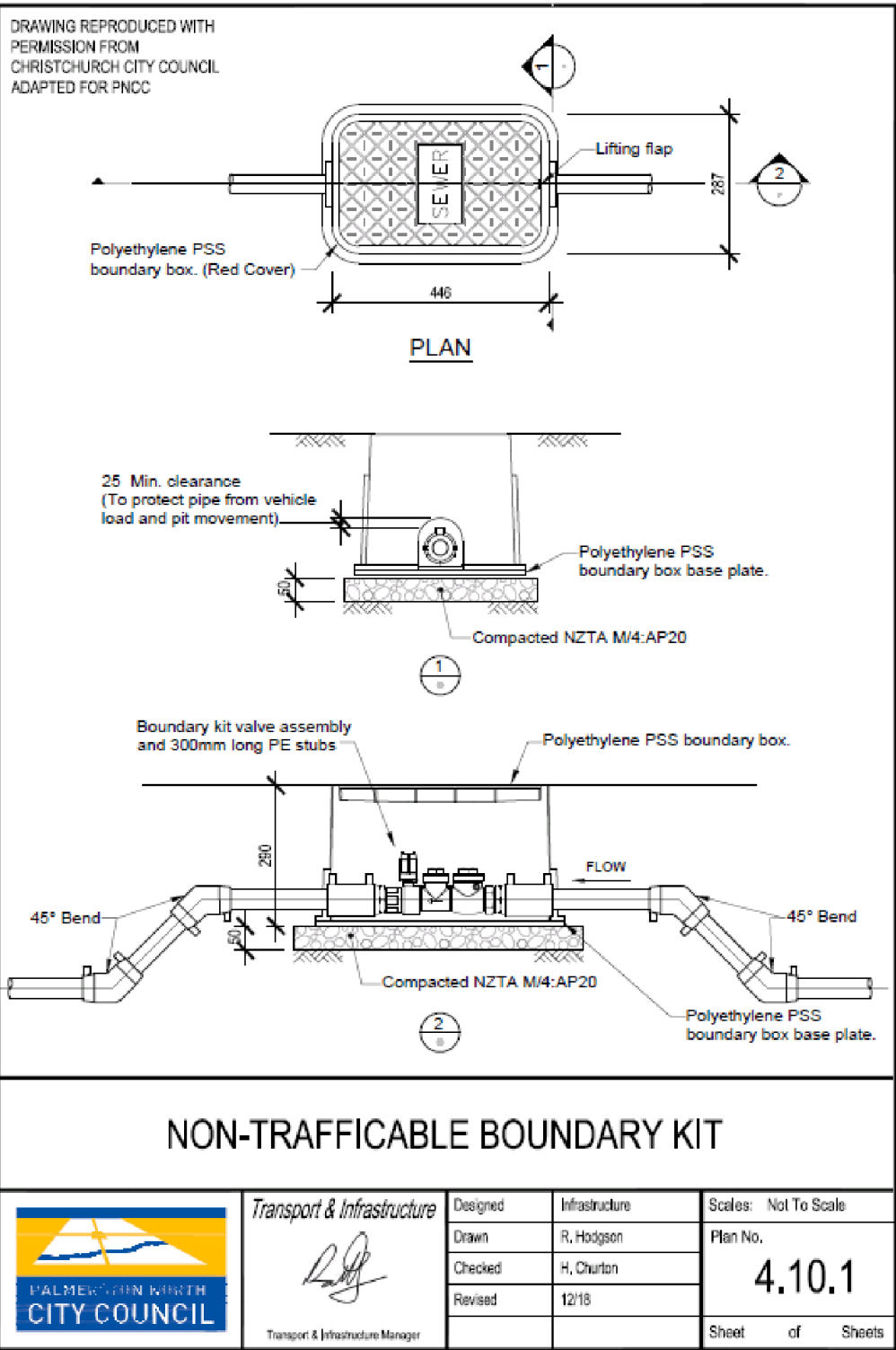


FIGURE 2 - TYPICAL ON-LOT SERVICE LATERAL AND BOUNDARY KIT







## **5. DISCONNECTION BY CUSTOMER**

- 5.1. A Customer must give 15 working days' notice in writing of their intention to demolish or remove a building connected to the wastewater system.
- 5.2. Demolition or removal must not commence until the property has been disconnected from the wastewater system by the Council or an authorised agent.
- 5.3. A customer must give 15 working days' notice in writing to the Council of their requirement for disconnection of the discharge connections if relaying of the private drain is required.

## **6. LEVEL OF SERVICE**

- 6.1 The Council shall provide wastewater services in accordance with the level of service contained in the Long Term Plan of the Council.
- 6.2 The Council does not guarantee an uninterrupted wastewater service, but shall make every reasonable attempt to provide continuity of service.
- 6.3 Where physical works are planned which will substantially affect an existing wastewater service, the Council shall give reasonable notice to those who are known to be affected.
- 6.4 Where it is not practical to provide notification of a maintenance interruption to the point of discharge before work commences, the Council may shutdown the point of discharge without notice, and notification will be provided as soon as possible.
- 6.5 The Council is not liable for any costs, expenses damages or losses of any character and from any cause arising from loss of a wastewater service.

## **7. EMERGENCY**

- 7.1. Natural hazards or accidents beyond the control of the Council that result in disruptions to the ability of the Council to receive wastewater will be deemed an emergency.
- 7.2. During an emergency the Council may restrict or prohibit the discharge of wastewater for any specified purpose, for any specified period, and for any or all of its customers.
- 7.3. The decision to make and lift restrictions shall be made by the Council, or where immediate action is required by an authorised officer of the Council.

## **8. LIABILITY FOR COSTS RELATING TO BLOCKAGES OR OTHER DAMAGE**

- 8.1. If a customer's gully-trap is overflowing or if a customer has other reasons to suspect a blockage, the customer must first call a registered drainlayer to clear and remove any blockage in their private drain.
  - 8.1.1. If the registered drainlayer finds that the blockage is within the private drain on the customer's side of the point of discharge, then the customer is responsible for any costs incurred in paying the registered drainlayer to identify and/or clear the blockage.

- 8.1.2. If the registered drainlayer finds that the blockage is within the public wastewater system, then the registered drainlayer must contact the Council who must clear and remove the blockage and clean up all affected areas.
- 8.1.3. Where the blockage occurs in the public wastewater system, the Council shall reimburse the customer for actual and reasonable costs incurred in paying the registered drainlayer to identify the location of the blockage, provided that:
- a) The blockage has not been forced downstream into the public system in the act of clearing it from the private drain; and
  - b) The customer has not been negligent in discharging a non-acceptable wastewater; and
  - c) The blockage has not been caused by roots coming from a tree within the customer's property or neighbour's property.
- 8.1.4. If subsequently, the blockage is found to be the fault of the customer, the Council may choose to recover the costs of the unblocking work from the customer.
- 8.2. If an on-property pressure sewer equipment alarm is activated, the customer must first follow the homeowner's guide to rectify the problem. If the alarm continues to sound, the customer must notify the Council.
- 8.2.1. If the Council finds that the alarm activation was caused by the negligent discharge of wastewater with prohibited characteristics, then the Council may choose to recover any costs in reinstating the on-property pressure sewer equipment or any drain damaged by the discharge.
- 8.3. The flowcharts in appendix 4 of the Administration Manual illustrate this process in identifying liability for resolving blockages in drains.

## **9. INFLOW AND INFILTRATION**

- 9.1. Stormwater must be excluded from the wastewater system by ensuring that:
- a) There is no direct connection of any stormwater pipe or drain to the wastewater system - unless the wastewater system has been specifically designed as a combined wastewater/stormwater system; and
  - b) Gully trap surrounds are set above stormwater ponding levels (refer New Zealand Building Code G13), or secondary overland flow path flood levels; and
  - c) Inspection covers are in place and are appropriately sealed; and
  - d) New drainage is constructed in accordance with Council's Engineering Standards for Land Development.

- 9.2. For large impervious areas (e.g. stock yards or truck washing facilities), specific provision must be made for a permanent barrier that will prevent water from the impervious area from entering the wastewater system.
- 9.3. Private drains must be kept and maintained in a state which is free from cracks and other defects that may allow infiltration.
- 9.4. If stormwater runoff is found to be entering the system by way of private drains, then it is the owner's or occupier's responsibility to immediately fix, repair or replace the said pipe or pipes to a standard acceptable to Council.
- 9.5. If the owner or occupier fails to carry out required repair works, the Council will carry out the works under sections 186 and 187 of the Local Government Act 2002 and will recover the cost of the repair works from the customer.

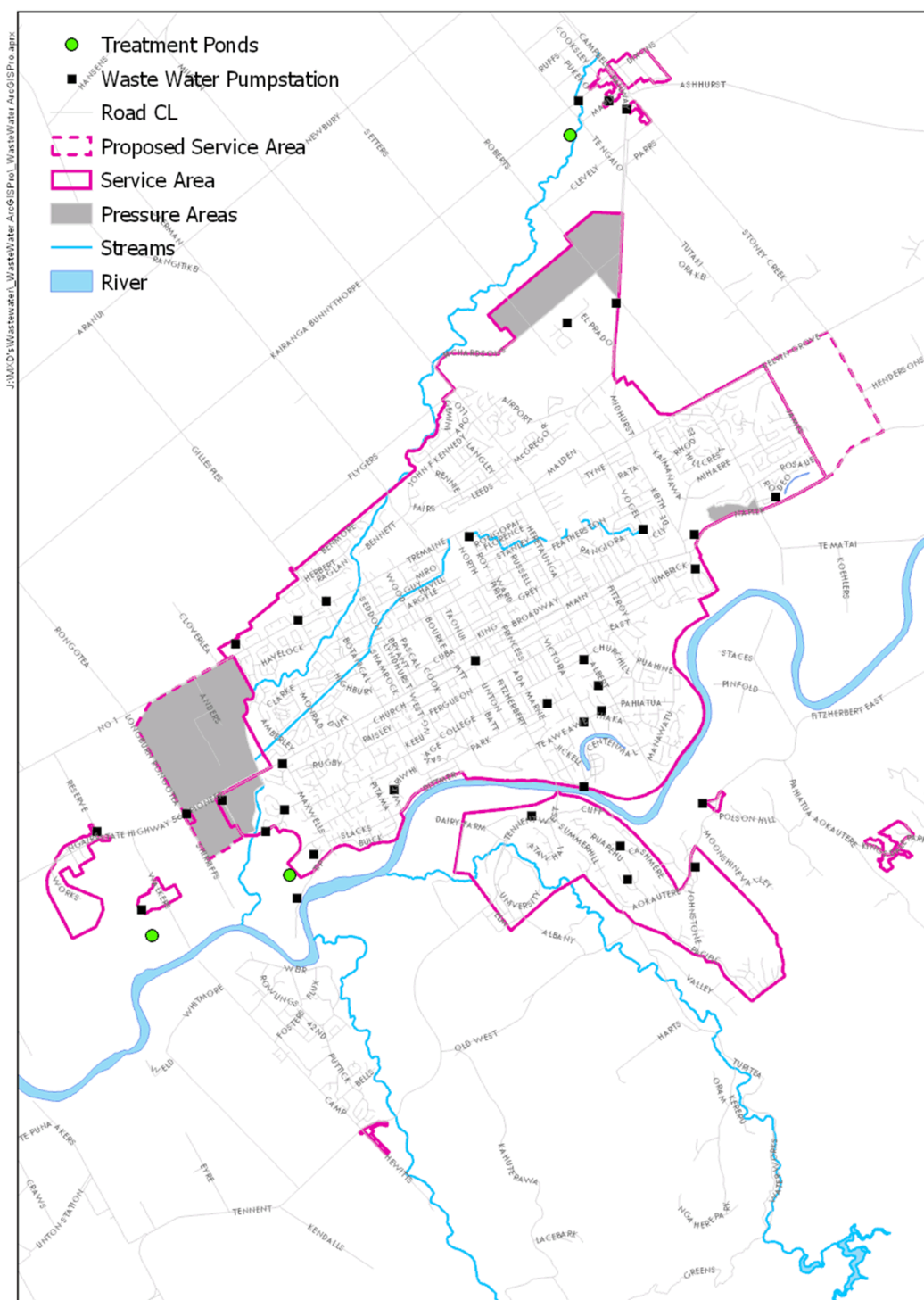
#### **10. SWIMMING POOLS**

- 10.1. Customers with swimming or spa pools must demonstrate that the pool drain has been fitted with a flow-limiting device to ensure the discharge does not exceed the maximum instantaneous flow requirement of 2.0 litres per second.

## **APPENDIX 1 - PALMERSTON NORTH WASTEWATER AREA MAPS**

Note: the following maps indicate the current wastewater service areas. These maps will be updated to reflect changes to the Council's wastewater service area.

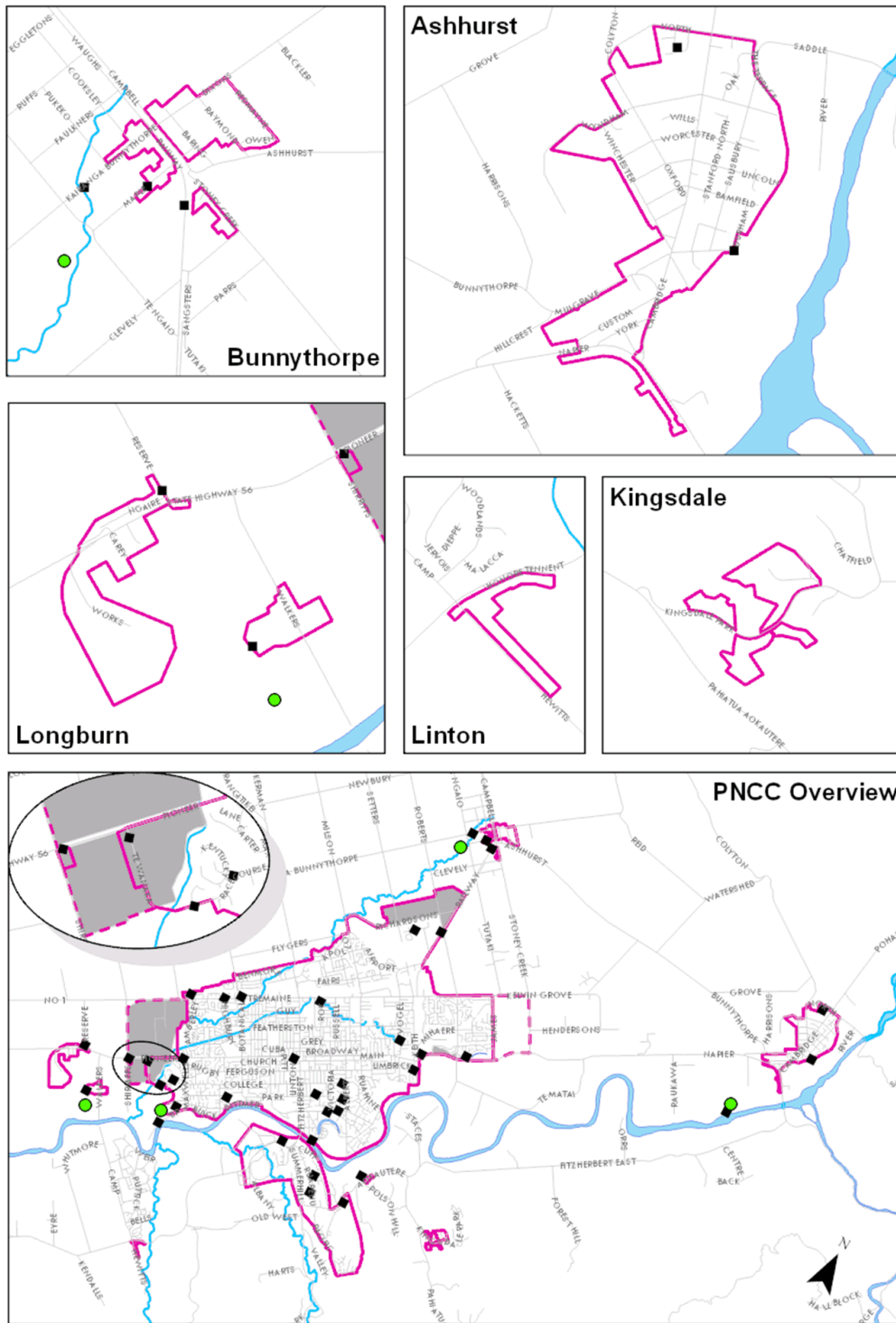
FOR ADOPTION



Sheet 1 of 2

## Palmerston North Wastewater Service Area

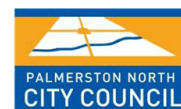
July 2019  
scale 1:70,000



Sheet 2 of 2

**Palmerston North  
Wastewater Service Area**

July 2019

**APPENDIX 2****SERVICE CONNECTION APPLICATION FORM (SC1)****CN:** \_\_\_\_\_

Use this application form to get connected to Palmerston North city's water supply, wastewater and stormwater systems. Refer to the application notes at the end of the form for guidance if required.

(Approval of this Service Connection may be subject to payment of Development Contributions)

<b>APPLICANT DETAILS</b> Name: ..... Mailing Address: .....  Phone: ..... Email: ..... Would you prefer your approved application sent by email or posted? Email <input type="checkbox"/> Posted <input type="checkbox"/>	<b>CONTACT DETAILS (If different)</b> Name: ..... Mailing Address: .....  Phone: ..... Email: ..... 
--	--

**PROJECT LOCATION**

Site Address: .....

Legal Description (From certificate of title or rates): .....

Does this water/sewer/stormwater service application relate to a Resource or Building Consent for the development of the property?

Yes ☐      No ☐

If yes, please provide the Resource/Building Consent Number: .....

Also, if known, the Consent type and Description: .....

**TYPE OF PROJECT**  
(Tick as Required)

Subdivision ☐    Existing Building ☐    New Building ☐    Residential ☐    Commercial ☐

**CONNECTIONS REQUIRED AND SIZE OF CONNECTIONS**  
(Tick as Required)

Sewer ☐      Stormwater to Kerb ☐      Stormwater to Main ☐      Water ☐

Sewer diameter: \_\_\_\_\_      Stormwater diameter: \_\_\_\_\_      Water diameter: \_\_\_\_\_

**Special Requirements:**

.....

If you are applying for a water connection please fill out the backflow assessment.



### Backflow Assessment

You may need a backflow preventer device to protect the city's water supply. This assessment will help Council determine what type of backflow prevention device you will need. Please tick all boxes that apply. Residential applicants, start at section 2.

#### 1. High Hazard

Medical/Dentist/Vet Clinic	<input type="checkbox"/>	Commercial laundry	<input type="checkbox"/>
Sewage Pump Station/Sump ejectors	<input type="checkbox"/>	Vehicle Wash Station	<input type="checkbox"/>
Food preparation facilities	<input type="checkbox"/>	Airport, pier or dock	<input type="checkbox"/>
Photography labs/x-ray facilities	<input type="checkbox"/>	Mortuary	<input type="checkbox"/>
Agriculture	<input type="checkbox"/>	Pest Control	<input type="checkbox"/>
School/University with laboratories	<input type="checkbox"/>	Beauty/Hair salon	<input type="checkbox"/>
Horticultural or commercial garden			<input type="checkbox"/>
Commercial building (e.g. direct heat exchanger, fire sprinkler systems, separate building hydrant systems)			<input type="checkbox"/>
Fire/cooling systems with chemicals (e.g. antifreeze, biocides)			<input type="checkbox"/>
Water treatment facilities (e.g. chlorinators, auxiliary supplies, demineralising equipment etc)			<input type="checkbox"/>
Industrial and Trade Waste (e.g. boiler, chiller, make up tower, stripping tanks)			<input type="checkbox"/>
Use of hydrants for purging of flammable/explosive gases			<input type="checkbox"/>
Rural water supply (e.g. livestock water supply without added chemicals)			<input type="checkbox"/>

#### 2. Medium Hazard

Recirculated water system	<input type="checkbox"/>	Rain water collection	<input type="checkbox"/>
Pools or spas	<input type="checkbox"/>		
Water treatment system (e.g. deionised water, reverse osmosis units, equipment cooling without chemicals)			<input type="checkbox"/>

#### 3. Low Hazard

Childcare facility	<input type="checkbox"/>	Residential premises with hose tap	<input type="checkbox"/>
Drinking fountains			<input type="checkbox"/>
Cafe/Restaurant (Drink dispensers with carbonators, coffee machines, dishwashers, ice maker, etc.)			<input type="checkbox"/>
Commercial premises with potential change of use (Domestic sanitary fixtures only)			<input type="checkbox"/>

**APPROVED CONTRACTOR**

Only fill out this if you have already entered into an agreement with an Approved Contractor.

Name of Approved Services Contractor:

.....

A list of approved contractors and their contact details can be found on the PNCC website.

Do not begin work until you receive approval from the Council with any conditions and specifications and you have notified the Council who your approved contractor is.

The contractor must carry out all associated work. The contractor will need a copy of the permit with any conditions and the approved site plan with them on site.

**Please attach the site drainage plans**

Site drainage plans should indicate:

- Layout and details of stormwater drains, subsoil drains, sumps and ancillary work.
- Layout and details of wastewater drains and ancillary work.
- Layout and details of water mains and ancillary work.
- Floor level heights to official Council datum (not assumed datum).
- Diameters of pipe connections (stormwater, water and sewer).
- Trees
- The position of the proposed connections together with marked distances to the nearest boundaries.

**Note:**

A detailed site plan showing property boundaries, existing services, and the proposed works must be attached to this application. The application cannot be approved without a plan.

The plan must show the preferred position of the connection, or the location of the connection to be removed, together with marked distances/measurements to the nearest boundaries (if a corner site, nominate street from which connection is to be taken).

Name: .....

Position:.....

Signature:.....

Date: ...../...../.....

## Palmerston North City Council Service Connection Application Notes

**Legal Description:** This will be completed by the Council Officer receiving the application or can be obtained from the rates demand for the property to be serviced by the customer.

**Wastewater - Special Requirements:** Some businesses may need a trade waste consent, some may require grease traps or oil interceptors on their wastewater connection or require a manhole. An on-property pressure sewer system is required to be installed in some areas. For more information please refer to the Engineering Standards for Land Development sections 4.12 (wastewater drainage), 6.13 (stormwater drainage), the Pressure Sewer Design Standards and the Trade Waste Bylaw on the PNCC website.

**If you are applying by post:** Send the completed form and accompanying information with the application fee to: Development Services, Palmerston North City Council, Private Bag 11034, Palmerston North.

**Backflow Prevention Device:** All properties connecting to the water supply will require an appropriate backflow prevention device. The type of device will depend on the level of risk. Properties are classified into three degrees of risk and this will determine the type of backflow device required. High risks will require a reduced pressure backflow device, medium risks will require a testable double check valve backflow device and low risks will require either a registered air gap, a hose connection vacuum breaker or an approved manifold with backflow prevention function. Examples of high, medium and low risks are given on the PNCC website.

### Site Drainage Plans:

- The builder/contractor will be able to complete the floor level heights to official Council datum. Alternatively, a suitable reference point may be able to be obtained from Council on enquiry.
- Trees must be indicated on site drainage plans according to the Vegetation Framework for Palmerston North:  
*The removal of trees on Council land is discouraged, where removal is simply to provide for new accesses for infill subdivision or house removal. All alternative options should be explored before removal is considered. Council's preference is to retain trees, especially healthy specimens. Removal will be at the discretion of Council.*

### Please be aware:

- Council may require aged connections to be removed which will be at the developer's/applicant's expense.
- Some commercial and residential properties may require a stormwater backflow prevention device. The Council is not liable for any backflow associated costs.
- Any backflow prevention device and/or water meter installed will be at the developer's/applicant's expense.
- Position of the approved service connections must not be altered on site without specific written approval.

### Further Information:

If you have any questions or require further information please contact Palmerston North City Council.

Phone: 06 356 8199

Web: [www.pncc.govt.nz](http://www.pncc.govt.nz)

## APPENDIX 3 - SERVICE CONNECTIONS AS-BUILTS FORM

Service Connections As-Builts (SC4) CN: \_\_\_\_\_

Site Address: \_\_\_\_\_

Contractor: \_\_\_\_\_

Date: \_\_\_\_\_

Signed: \_\_\_\_\_



Manifold MAN	Water Meter WTR	Gate-Valve GVL	Back Flow Presenter BFP
WATER As-Built			
BDY	"Road Reserve"		MAIN
<div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; right: 0; bottom: 0; transform: rotate(-45deg); pointer-events: none;">"Property"</div> <div style="position: absolute; bottom: 0; left: 50px; border: 1px solid black; border-radius: 50%; padding: 2px;">NORTH POINT</div> </div>		LATERIAL	MAIN
		Pipe size: _____	Depth at Main
		Pipe Material: _____	Pipe Size
		Joint Type: _____	Pipe Material
BDY	Tpe of Connection at Main		
	BDY	Depth at BDY: _____	

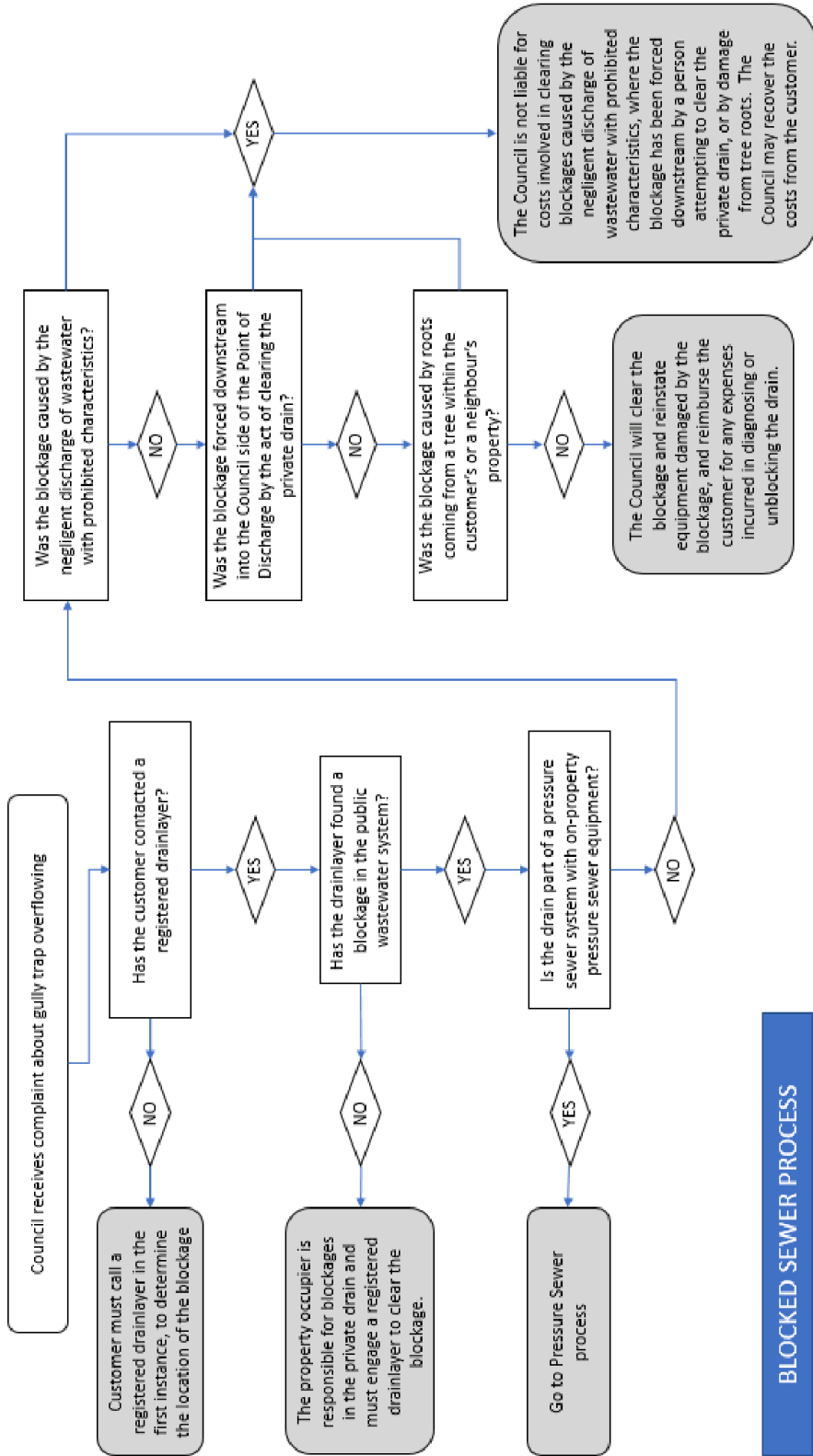
STORMWATER As-Built			
BDY	"Road Reserve"		MAIN
<div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; right: 0; bottom: 0; transform: rotate(-45deg); pointer-events: none;">"Property"</div> <div style="position: absolute; bottom: 0; left: 50px; border: 1px solid black; border-radius: 50%; padding: 2px;">NORTH POINT</div> </div>		LATERIAL	MAIN
		Pipe size: _____	Depth at Main
		Pipe Material: _____	Pipe Size
		Joint Type: _____	Pipe Material
BDY	Tpe of Connection at Main		
	BDY	Depth at BDY: _____	

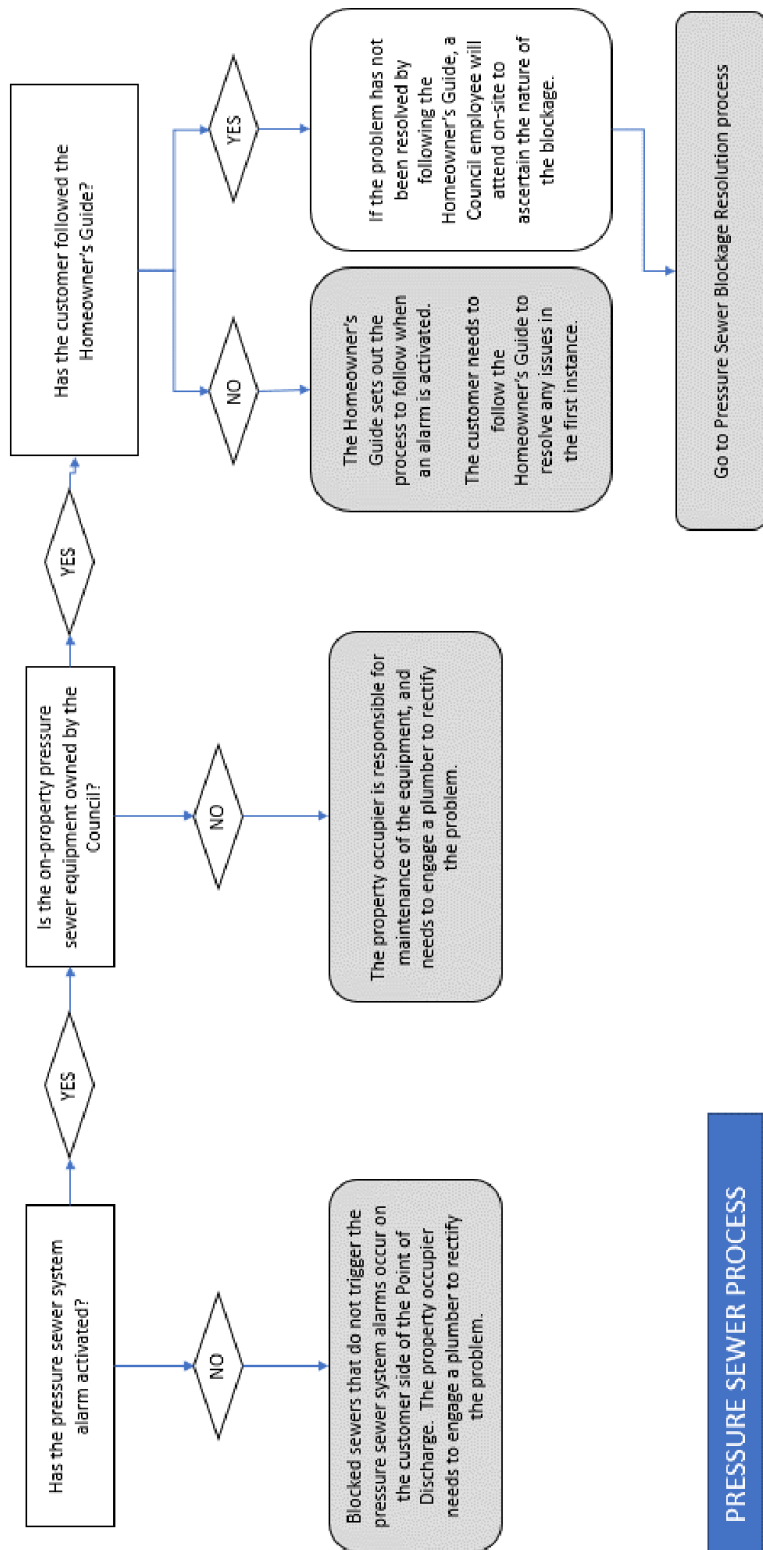
WASTEWATER As-Built			
BDY	"Road Reserve"		MAIN
<div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; right: 0; bottom: 0; transform: rotate(-45deg); pointer-events: none;">"Property"</div> <div style="position: absolute; bottom: 0; left: 50px; border: 1px solid black; border-radius: 50%; padding: 2px;">NORTH POINT</div> </div>		LATERIAL	MAIN
		Pipe size: _____	Depth at Main
		Pipe Material: _____	Pipe Size
		Joint Type: _____	Pipe Material
BDY	Tpe of Connection at Main		
	BDY	Depth at BDY: _____	

## **APPENDIX 4 – LIABILITY FOR RESOLVING BLOCKAGES IN DRAINS**

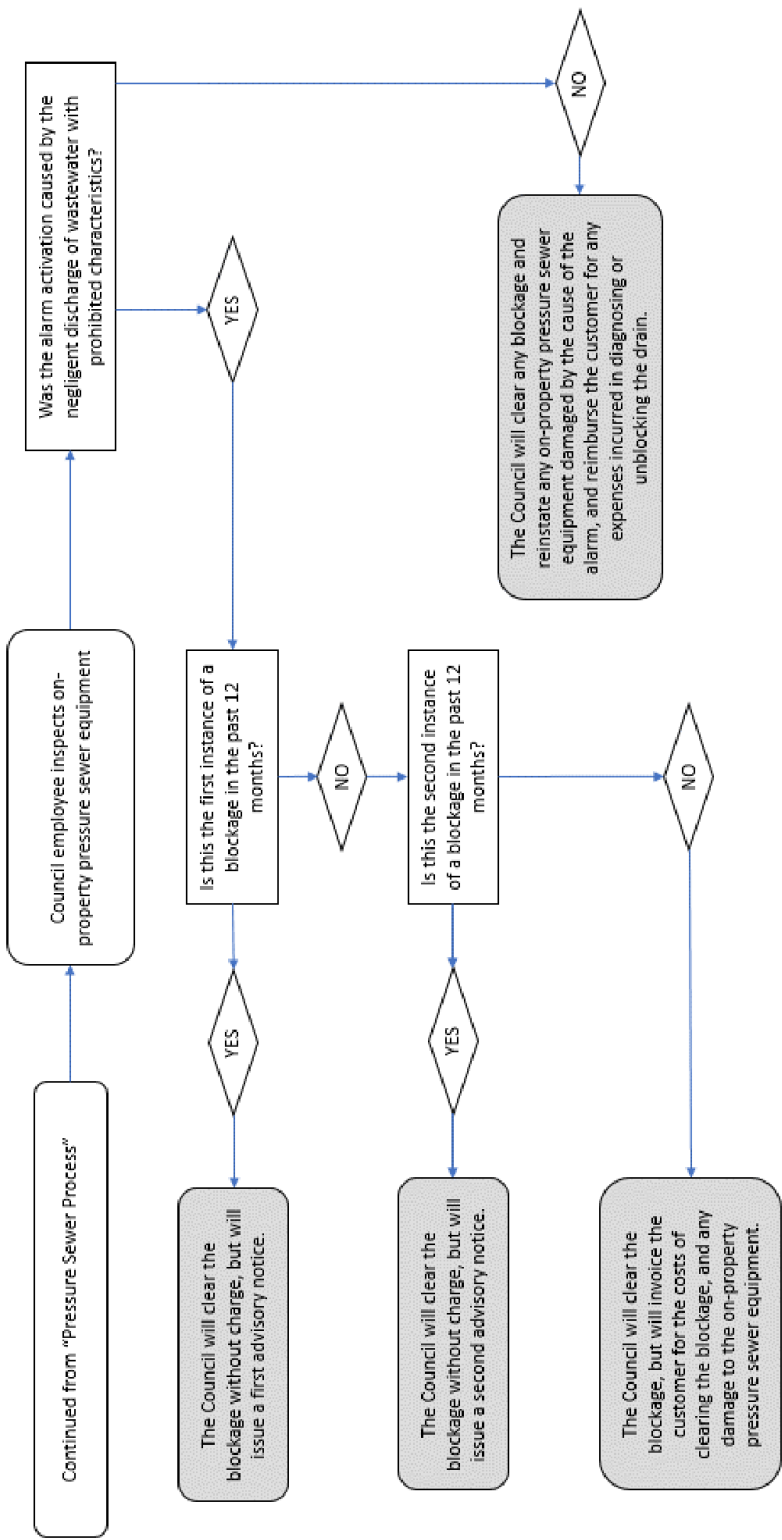
The following flowcharts describe how Council staff will resolve blockages in drains, and who will be liable for the costs of clearing those blockages and any damage arising as a result. These flowcharts should be read in conjunction with section 8 of the Administration Manual.

FOR ADOPTION





**PRESSURE SEWER PROCESS**



PRESSURE SEWER BLOCKAGE RESOLUTION PROCESS



## MEMORANDUM

**TO:** Planning and Strategy Committee

**MEETING DATE:** 5 August 2019

**TITLE:** Palmerston North City District Plan: Proposed Plan Change D - Pressure Sewer Systems

**DATE:** 8 July 2019

**PRESENTED BY:** David Murphy, City Planning Manager

**APPROVED BY:** Sheryl Bryant, General Manager - Strategy & Planning

### RECOMMENDATION(S) TO PLANNING AND STRATEGY COMMITTEE

1. That Palmerston North City District Plan: Proposed Plan Change D – Pressure Sewer Systems be approved for public notification under clause 5, schedule 1 of the Resource Management Act 1991.
2. That the Chairperson and Deputy Chairperson of the Planning and Strategy Committee be authorised to make minor amendments to Palmerston North City District Plan: Proposed Plan Change D – Pressure Sewer Systems prior to public notification under clause 5, schedule 1 of the Resource Management Act 1991.

### 1. ISSUE

Palmerston North City District Plan: Proposed Plan Change D – Pressure Sewer Systems (Plan Change D) has been prepared to ensure the District Plan gives effect to the Pressure Sewer Systems Policy December 2018 and is consistent with the Draft Wastewater Bylaw 2019.

Plan Change D is required to be approved by the Planning and Strategy Committee for public notification.

### 2. BACKGROUND

Pressure sewer systems (PSS) are alternatives to conventional gravity sewer systems and have advantages over a conventional gravity sewer system in areas with geotechnical and technical constraints. For example, pressure sewer systems:

- Allow for a controlled transfer of sewage from homes and businesses to a central treatment facility;

- Can be used in difficult or challenging terrain and in poor ground conditions because the pipe does not need to be buried deeply; and
- Can have a relatively small construction footprint compared to installation of conventional gravity systems.

PSS are rapidly expanding within New Zealand with significant numbers now installed in over 20 territorial authority areas with thousands of systems installed in Rotorua Lakes, Christchurch, Bay of Plenty and Auckland. They are increasingly being used to service low lying coastal communities where traditional septic systems are resulting in significant negative environmental effects and where traditional gravity systems are difficult and expensive to construct.

Plan Change D seeks to amend the District Plan to require the installation and use of pressure sewerage systems in identified Pressure Sewer Areas in City. Plan Change D will also allow for the installation of Pressure Sewer Systems in other urban areas. Pressure Sewer Areas will overlay growth areas identified by the Council. These areas have already been identified as Pressure Sewer Areas in the Council-wide Pressure Sewer System Policy, which was adopted by Council in 2018. The Pressure Sewer Areas are:

- The North East Industrial Zone Extension Area as shown in Map 7.2 of the District Plan.
- The City West Area as shown in Map 9.2 of the District Plan.
- The area of land bound by Napier Road, Roberts Line, the remnant river terrace and Macpherson Grove (PT LOTS 2 3 SEC 418 TOWN OF PALMERSTON NORTH LOT 10 DP 499783, LOT 1 DP 41671, PT LOT 1 DP 25691, LOT 1 DP 16031 BLK XI KAIRANGA SD, LOT 1 DP 456688 and LOT 5 DP 74205 LOT 2 DP 456688)

The technical analysis to support Plan Change D is included in the accompanying Section 32 Report.

A copy of Plan Change D is included as Attachment 1.

### 3. NEXT STEPS


Publicly notify Plan Change D for submissions and further submissions and then hold a hearing to make decisions on submissions, if necessary.

### 4. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
If Yes quote relevant clause(s) from Delegations Manual 182	
Are the decisions significant?	<b>No</b>

If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 1: An Innovative and Growing City	
The recommendations contribute to the outcomes of the City Development Strategy	
The recommendations contribute to the achievement of action/actions in the Growth Infrastructure Plan	
The action is: Supporting infrastructure is in place to support planned housing and industrial development.	
Contribution to strategic direction	More resilient and cost-effective infrastructure to support growth. Pressure sewer systems are alternatives to conventional gravity sewer systems and have advantages over a conventional gravity sewer system in areas with geotechnical and technical constraints

## **ATTACHMENTS**

1. Palmerston North City District Plan: Proposed Plan Change D - Pressure Sewer Systems [↓](#) 



## **Palmerston North City District Plan**

### **Proposed Plan Change D:**

### **Pressure Sewer Systems**

July 2019



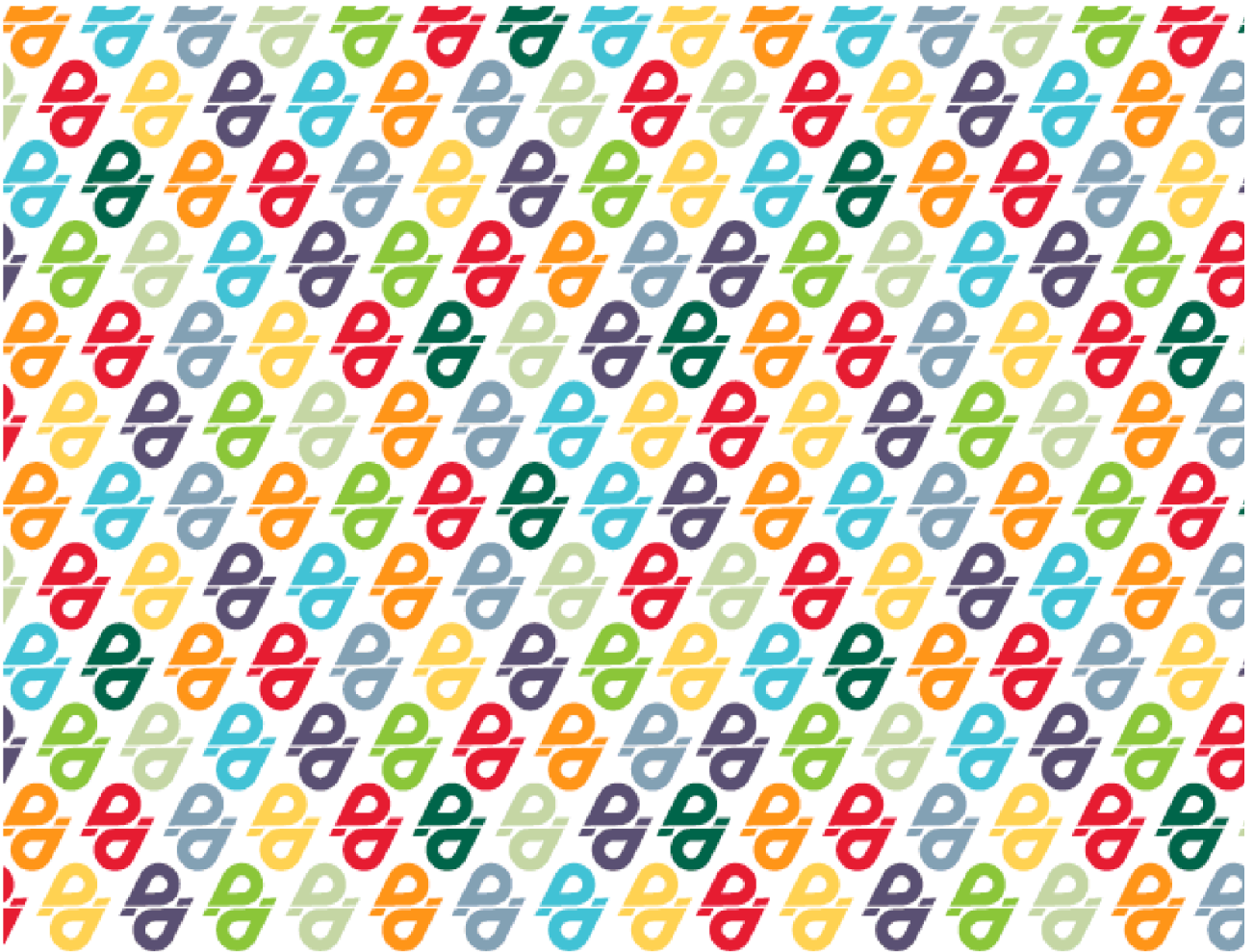
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## Section 32 Evaluation

PROPOSED PLAN CHANGE D: PRESSURE SEWER SYSTEMS

Prepared for Palmerston North City Council

5 July 2019



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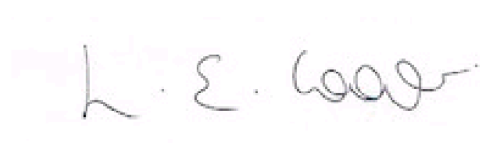


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This document has been prepared using information and data that is sourced from external documents and information from third parties. Where possible, we have attempted to verify the accuracy of this material but accept no responsibility or liability for any inaccuracies or omissions from that material that may affect the accuracy of the assessment or recommendations made in this report. It should not be construed that we have conducted an audit of any of the information used in this report or any of the individuals, companies or organisations consulted during the course of preparing the document.

We reserve the right, but are under no obligation, to revise or amend our report if any additional information (particularly as regards the assumptions we have relied upon) which exists on the date of our report, but was not drawn to our attention during its preparation, subsequently comes to light.

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# 1 Introduction

This report has been prepared by Perception Planning Ltd on behalf of Palmerston North City Council (the Council or PNCC). The report provides a summary of the evaluation undertaken in accordance with Section 32 of the Resource Management Act 1991 (RMA or the Act) in relation to Proposed Plan Change D: Pressure Sewer Systems to the Operative Palmerston North City District Plan (the District Plan or the Plan). This report should be read in conjunction with the proposed amendments to the District plan, which are included in Appendix 1 of this report.

## 1.1 List of Abbreviations

The following abbreviations have been used in this report:

PPC D	-	Proposed Plan Change D: Pressure Sewer Systems
PSS	-	Pressure Sewer Systems
NPSUDC	-	National Policy Statement on Urban Development Capacity 2016
NEIZ	-	North East Industrial Zone
RMA or the Act	-	Resource Management Act

## 1.2 What is the Issue?

Pressure sewer systems (PSS) are alternatives to conventional gravity sewer systems and have advantages over a conventional gravity sewer system in areas with geotechnical and technical constraints. For example, pressure sewer systems:

- Allow for a controlled transfer of sewage from homes and businesses to a central treatment facility;
- Can be used in difficult or challenging terrain and in poor ground conditions because the pipe does not need to be buried deeply; and
- Can have a relatively small construction footprint compared to installation of conventional gravity systems.

PSS are rapidly expanding within New Zealand with significant numbers now installed in over 20 Territorial Authority areas with thousands of systems installed in Rotorua Lakes, Christchurch, Bay of Plenty and Auckland. They are increasingly being used to service low lying coastal communities where traditional septic systems are resulting in significant negative environmental effects and where traditional gravity systems are difficult and expensive to construct.<sup>1</sup>

Palmerston North City Council seeks to amend, via Proposed Plan Change D (PPC D) the District Plan to require the installation and use of pressure sewerage systems in identified Pressure Sewer Areas in City. PPC D will also allow for the installation of Pressure Sewer Systems in other urban areas. Pressure Sewer Areas will overlay growth areas identified by the Council. These areas have already been identified as Pressure Sewer Areas in the Council-wide Pressure Sewer System Policy, which was adopted by Council in 2018. The Pressure Sewer Areas are in the urban areas.

---

<sup>1</sup> Memorandum prepared by Transport and Infrastructure Manager Robert van Bentum dated 4 September 2018 to Planning and Strategy Committee, 1 October 2018.

The need for appropriate infrastructure to serve development and standards around how that infrastructure is provided and delivered is a matter provided for in the Operative Plan. However, the provisions currently provide for wastewater servicing in terms that are relatively general and presume traditional connection to the reticulated sewage network. The generality of the provisions has provided Council staff with the discretion to encourage and secure PSS infrastructure in development situations. However, in some situations, Council's discretion has been subject to challenge which has resulted in inefficient processing of applications, increased costs for both applicant and Council, and the risk of environmental outcomes that are inconsistent with the Council's overall policy concerning PSS.

The largest current example of an installed pressure sewer network is the Kingsdale Park Development. Once fully developed, approximately 136 individual pump stations will pump sewage to a common rising main discharging to a manhole on the upstream end of the Aokautere gravity network. Installation on this development, as well as several other smaller installations, has been managed and consented without any Council specific design standards or regulations. With no district plan policies or performance standards in place, Council officers have encountered difficulties in ensuring minimum standards for performance and installation of Pressure Sewer Systems are achieved. The Council is of the view that the specific issues are unlikely to have arisen had there been an effective District Plan policy and regulatory framework for PSS in place.<sup>2</sup>

As part of the Council's strategic planning for wastewater servicing in the City, several growth areas have been identified which could benefit from PSS<sup>3</sup>:

Advantages of PSS	City West Growth Area	North Eastern Industrial Zone	Napier Road
Mitigation of damage risk from liquefaction due to the pipe network's resilience and resistance			
Reduced cost compared to conventional gravity sewer and pump lift stations due to smaller pipe sizes, shallow installation depth and absence of grade dependency			
Elimination of the requirement for multiple network sewer pump stations			
Provision of distributed storage to provide for system outage and peak flow attenuation			

<sup>2</sup> Memorandum prepared by Transport and Infrastructure Manager Robert van Bentum dated 4 September 2018 to Planning and Strategy Committee, 1 October 2018, paragraph 2.4.

<sup>3</sup> Information adapted from Memorandum prepared by Transport and Infrastructure Manager Robert van Bentum dated 4 September 2018 to Planning and Strategy Committee, 1 October 2018, paragraph 2.6.

Advantages of PSS	City West Growth Area	North Eastern Industrial Zone	Napier Road
Significantly reduced wet weather flows due to low levels of stormwater inflow and infiltration			
Ability to optimise design and match lower sewage volumes and flows			
Increased location flexibility for property pump stations within large logistics and warehousing sites			
Deferral of downstream network capacity upgrades due to lower peak flows			
Conserves downstream network capacity, due to low peak flows			
Avoids one additional network pump station for less than 50 properties			

Proposed Plan Change D is one component in a package of measures and Council initiatives to support the roll-out of pressure sewer systems in certain areas of the City, which include:

- Development of a Council-wide policy for pressure sewer systems;
- Development of an addendum to the Council's Engineering Standards for land Development to specifically provide the specific design and performance requirements for pressure sewer systems;
- Changes to the Council's Three Waters Service Connections Approval System, including expansion of the existing approved contractors' system for service connections to include approval of contractors for the installation of pressure sewer system components;
- Introduction of a new process for approval of suppliers of pressure sewer systems for Council;
- Development of a homeowner's guide for property owners and residents of properties that are served by a pressure system;
- Changes to the Wastewater Bylaw; and
- Review of subdivision conditions and consent notices relating to the provision of PSS.

Until the proposed District Plan changes associated with Plan Change D are operative Council officers will continue to utilise the discretion currently allowed by the existing plan and the recently adopted Council Pressure Sewer Policy to ensure that pressure sewers are installed in the identified growth areas. Officers will ensure this occurs by using standard conditions of consent for subdivision that are to be served by PSS, including a consent notice that will detail:

- The requirement for the installation of the on-property equipment and control programming in accordance with the concept design at the time of building consent; and
- The property owner's on-going obligations in relation to the operation and maintenance of the PSS and equipment.

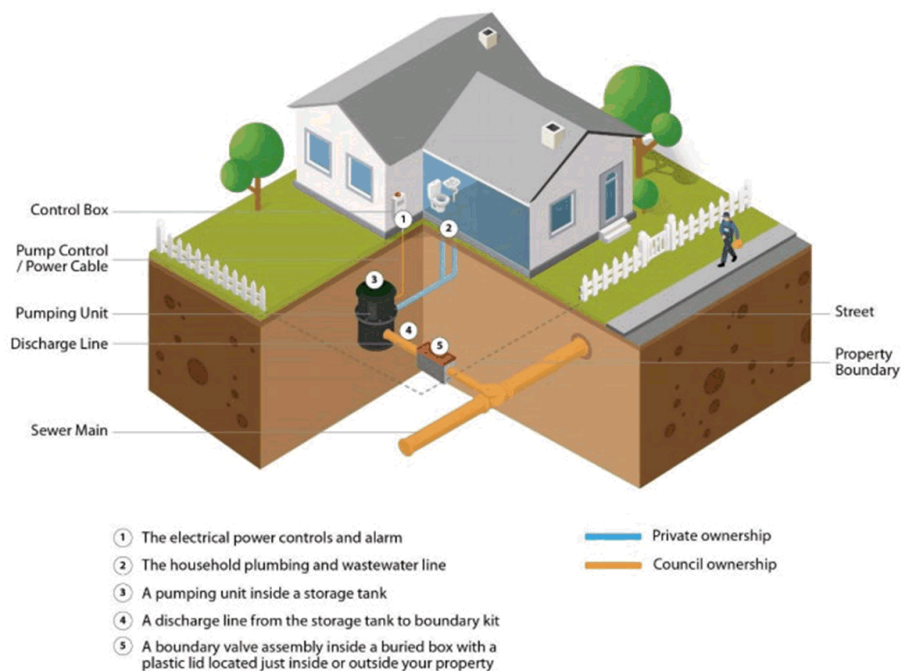
### 1.3 What are Pressure Sewer Systems?

In a pressure sewer system, sewage is conveyed under pressure from individual pump stations and pumping units located on the individual private property. The sewage is pumped via individual property sewer laterals to a combined pressure pipe located in the road. This pipe then conveys the sewage to a common discharge point, typically a manhole, on an existing gravity network or a wastewater treatment plant. A schematic diagram of the overall system is shown in Figure 1 below, along with a diagram of the typical extent of infrastructure located on private property.

Pressure sewer systems generally include the following components:

1. Grinder pumping unit within a chamber, both specifically designed for pressure sewer applications, installed on each property.
2. Property discharge line that connects the pumping unit to the boundary kit.
3. Control/alarm panel that controls the operation of the pump unit containing alarm components, electrical connection to the property and associated circuit breaker.
4. Remote data connection, such as telemetry, if required.
5. Boundary kits for each pumping unit located at the legal boundary for each property that provide a means to isolate the pressure sewer network from a property discharge line and pumping unit.
6. A specifically designed pressure sewer pipe network located in public corridors consisting of small bore pressure mains, as well as, isolation valves, flushing pits and air release valves where required.

## Appendix A. Typical residential system diagram



Note: This example shows the on-property equipment as Palmerston North City Council owned.

Figure 1: Taken from Palmerston North City Council Policy - Pressure Sewer Systems 2018

### 1.4 The Purpose of Proposed Plan Change D

The purpose of Proposed Plan Change D is to review the Plan's issues, objectives, policies, rules, assessment criteria to:

1. Clearly signal to the development community that pressure sewer systems (PSS) are the only means of sewage disposal in identified pressure sewer areas of the City;
2. Allow for pressure sewer systems where it is considered appropriate outside of the identified pressure sewer areas;
3. Ensure that Plan provisions are sufficiently clear and direct to enable decision-makers assessing and determining applications for subdivision to require PSS in identified urban growth areas of the City; and
4. Ensure provisions clearly articulate Council's expectations in relation to PSS to facilitate consultation and discussions between developers and Council at the subdivision design and pre-application stage.

The changes will:

- Allow more specifically for the installation of PSS;
- Specify the areas Council requires PSS to be installed;
- Ensure that traditional gravity alternatives in identified pressure sewer areas are not provided for 'as of right'; and
- Ensure the need or preference for Pressure Sewer Systems in the urban environment is achieved at the time of subdivision and ahead of development.

## 2 The Current District Plan Framework

### 2.1 Structure of the District Plan

The provision of essential services, such as wastewater and stormwater reticulation, is provided for in Section 7 Subdivision of the Plan. Section 7 is organised to set out the subdivision rules and standards for each environmental zone of the Plan, e.g. Residential, Industrial, Business Zones, and so on. As explained in the Introduction section of Section 7, the Council requires consent to be obtained for all subdivision in order to ensure that the adverse effects on the environment related to the physical aspects of subdivision and its subsequent development are avoided, remedied or mitigated. This includes managing the effects of additional demands on the capacity of essential services (network infrastructure) and existing private services. The use of the subdivided land must comply with the relevant controls for the zone in which the land is situated. The management of essential services related to subdivision is central to Section 7's policy direction and performance standards related to subdivision rules for each of the City's Zones.

Land Use Zones, for example Section 10 Residential and Section 11 Business Zones, set out the rules and performance standards for land use. Generally, these do not refer to essential services or set out performance standards for them.

### 2.2 Operative City View Objectives

The relevant City View objectives are as follows:

1. *Planning for residential, industrial, commercial and rural-residential growth sustains a compact, orderly and connected urban form which avoids the adverse environmental effects of uncontained urban expansion into the rural zone.*
2. *The provision of infrastructure, particularly within identified growth areas, shall be efficient, timely, environmentally sensitive and economically sustainable.*
3. *The integrated and efficient provision of, and access to, infrastructure, network utilities and local services is facilitated for all residents.*

Pressure Sewer Areas are limited to urban areas of the City, and PPC D provides for Pressure Sewer Systems in other parts of the urban environment provided certain information requirements can be met. Pressure Sewer Systems are not provided for in the Rural Zone. This approach is consistent with the following City View Objectives:

7. *The infrastructural demands of rural subdivision and development are minimised.*
8. *The distinctive rural and urban character of the City is recognised and a clear differentiation is provided regarding subdivision, development and servicing expectations within rural and urban areas.*

### 2.3 Operative Definitions

The term 'essential services' is used in the operative Plan to mean:

- *the Palmerston North City Council reticulated sewage and reticulated water supply systems*
- *stormwater systems*
- *electrical power and telecommunication networks.*

As described above, the management of 'essential services' is achieved through rules and performance standards in the Subdivision section of the Plan.



## 2.4 Operative Issues

The need to ensure development in the City is supported by services and infrastructure that are appropriately designed and located is a consistent issue identified throughout the Operative Plan.

The sustainable management of infrastructure is identified as general resource management issue for the City.<sup>4</sup>

The Subdivision section of the Plan<sup>5</sup> (Section 7) highlights that the effects of subdivision, which include:

- *additional demands on the capacity of essential services (network infrastructure) and existing private services; and*
- *effects on the safe and efficient functioning of network utilities and infrastructure, in particular infrastructure and physical resources of regional or national importance.*

Resource management issue 7 of this section of the Plan is most relevant to the matter of PSS and states:

*The uncoordinated and inefficient provision of infrastructure can result in potential adverse effects on urban form and the sustainable and efficient operation of infrastructure networks.*

*"The integration of land use and infrastructure planning and the effects of unsustainable greenfield expansion"* is identified as a resource management issue in the Residential Zone (Section 10).

In the North East Industrial Zone (NEIZ, section 12A) identifies the following resource management issue:

*The need for new developments within the North East Industrial Zone to be in accordance with any relevant structure plan to ensure achievement of the desired environmental outcomes and the integrated provision of infrastructure at the earliest stage of development.*

## 2.5 Operative Objectives and Policies

### City View Objectives

Section 2.5 of the Plan sets out the City View Objectives. Of particular relevance to the topic of PSS are:

**Objective 2:** *the provision of infrastructure, particularly within identified growth areas, shall be efficient, timely, environmentally sensitive and economically sustainable.*

**Objective 3:** *the integrated and efficient provision of, and access to, infrastructure, network utilities and local services is facilitated for all residents.*

**Objective 4:** *transparent and equitable funding mechanisms are in place to support the provision of infrastructure required to service growth.*

**Objective 9:** *subdivisions, building and infrastructure are designed and constructed to promote a coordinated, healthy and safe environment.*

**Objective 23:** *Infrastructure operates in a safe and efficient manner, and the effects of activities which could impact on the safe and efficient operation of this infrastructure are avoided, remedied or mitigated.*

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<sup>4</sup> Section 2.3 of the Operative Plan, issue 26.

<sup>5</sup> As amended by Plan Change 22D, heard in October 2018 and decisions issued 2019..



Outcomes for infrastructure provision are also identified in objectives in the individual zone sections of the Plan, along with policies to achieve them. These include:

#### Subdivision (Section 7)

This section includes general objectives and policies for subdivision across the City, as well as subdivision in specific locations, such as the Napier Road Industrial Precinct and North East Industrial Zone.

**Objective 1:** *To ensure that subdivision of land and buildings in urban areas is consistent with integrated management of the use, development and protection of land and other natural and physical resources.*

**Policy 1.4:** *To avoid the intensive urban subdivision of land which is subject to significant physical limitations and/or natural hazards.*

**Policy 1.7:** *To ensure that all subdivisions in the Napier Road Industrial Precinct:*

*Comply with Structure Plan 12.1 to ensure that identified infrastructure corridors and planted buffer areas are protected and that their future function is not compromised.*

**Objective 2:** *To ensure that subdivision is carried out in a manner which recognises and gives due regard to the natural and physical characteristics of the land and its future use and development, and avoids, remedies or mitigates any adverse effects on the environment.*

**Policy 2.7:** *To safeguard people from injury or illness caused by infection or contamination resulting from sewage or industrial liquid waste; and to safeguard the environment from adverse effects of sewage disposal by ensuring:*

1. *The removal of sewage and industrial liquid waste to treatment systems and/or final discharge points.*
2. *The provision of structures and systems able to accommodate the anticipated flows and withstand the anticipated loads.*
3. *The layout of the sewerage network:*
  - *adequately services each lot;*
  - *connects into the existing City Council reticulated sewerage system and conveys sewage through public service corridors in urban areas;*
  - *utilises gravity operation where feasible; and*
  - *does not unduly restrict the location of any future buildings.*
4. *The structure of the sewerage network:*
  - *has a design life of at least 80 years;*
  - *is constructed from materials suitable for the intended use;*
  - *ensures safety in operation, avoiding the likelihood of leakage and infiltration and the penetration of roots; and*
  - *avoids the likelihood of blockage.*
5. *All allotments in urban areas are to be provided with a connection to the City Council reticulated sewage system.*
6. *In rural areas including the areas identified on the Planning Maps for rural residential subdivision, sewage will be disposed of on-site in accordance with Clause G13 of the Building Code as set out in the First Schedule to the Building Regulations 1992 and the requirements of the One Plan for on-site domestic*

wastewater treatment systems, in particular the *Manual for On-site Wastewater Systems Design and Management* (Manawatu-Wanganui Regional Council, 2010).

And the size, shape and arrangement of allotments:

- recognises the physical constraints of the site;
- is capable of disposing the anticipated wastewater loads on-site;
- permits appropriate access for maintenance and servicing

**Objective 3:** To ensure that subdivision of land and buildings in rural areas is consistent with integrated management of the use, development and protection of land and other natural and physical resources and [...] avoids connection to the City's reticulated infrastructure network and consequential impacts on network efficiency and the extension and / or upgrade of the infrastructure network, including the road network

**Policy 3.1:** To enable the subdivision of rural land into allotments of 20 hectares or more, where the following matters have been recognised and provided for:

**(2):** Adequate provision must be made on-site, for water supply, including firefighting water supply, waste disposal, stormwater drainage, the disposal of sewage, and the supply of electricity, where residential occupancy is proposed.

**(6):** The subdivision and subsequent development must not require reticulated network services or an extension or upgrading of any other service or road, except where it is in the economic interest of the City and will not comprise the efficient functioning of the city infrastructure networks.

**Policy 3.2:** To avoid the subdivision of rural land into allotments of less than 20 hectares (excluding subdivisions for rural-residential purposes in areas identified for that purpose on the planning maps, and subdivisions to create an allotment for an existing surplus dwelling), unless it is demonstrated that:

**(a)(vii)** the subdivision and subsequent development will not require connection to the City's reticulated infrastructural network or an extension or upgrading of any service or road, except where it is in the economic interest of the City and will not comprise the efficient functioning of the City infrastructure networks;

**Policy 3.5:** To enable the subdivision of rural land into small allotments for rural-residential purposes in the areas identified for that purpose on the Planning Maps, where it is demonstrated that:

**(d)** The proposed subdivision is capable of being efficiently and effectively serviced by on-site water and wastewater services and the wastewater treatment system meets the requirements of the Manawatu-Wanganui Regional Council's One Plan and *Manual for On-site Wastewater Systems Design and Management* (Manawatu-Wanganui Regional Council (2010);

**Objective 5:** To ensure that the layout of subdivision and associated infrastructure for the North East Industrial Zone is of a high quality and provides a suitable framework for the achievement of the Objectives of the Zone as a whole.

**Policy 5.5:** To require all subdivisions in the North East Industrial Zone Extension Area to comply with Structure Plan Map 7.2 and ensure that:

- identified infrastructure corridors, an integrated roading network, and planted buffer areas are provided and that their future function is not compromised.
- the area develops in an integrated, efficient and connected way and occurs in a manner integrated with existing North East Industrial Zone subdivision and development.

**Policy 5.7:** To ensure that infrastructure and services to the North East Industrial Zone Extension Area are provided in a way that enables or facilitates future development opportunities and capacity requirements in the Area.

#### Residential Zone (Section 10)

**Objective 1:** To enable sustainable use and development of the Residential Zone to provide for the City's current and future housing needs.

**Policy 1.4:** To promote the efficient use of the urban infrastructure and other physical resources.

**Policy 1.5:** To ensure network infrastructure and services are available to support residential development and intensification.

#### North East Industrial Zone (Section 12A)

**Objective 1:** To meet the City's needs for land for industrial growth.

**Policy 1.1:** To provide an area of land zoned primarily for industrial purposes in the location shown as the North East Industrial Zone.

**Objective 2:** To enable industrial use and development of the Zone taking into account topography, any existing site features, natural hazards, the servicing needs of future industry and the ability for people and vehicles to move safely and efficiently through the area.

**Policy 2.1:** To ensure that the design, layout and servicing of the Existing Zone is, as far as reasonably practicable, in accordance with key design principles outlined in the Design Guide.

**Objective 3:** To promote the efficient development and use of land and associated infrastructure within the Zoned area.

**Policy 3.1:** To enable the establishment and development of industry within the NEIZ.

**Policy 3.5:** To provide for development of the North East Industrial Zone Extension Area in an integrated manner with the existing North East Industrial Zone without compromising other goals of the Plan for surrounding land.

**Policy 3.6:** To ensure in the North East Industrial Zone Extension Area design of the servicing required for the area, including roading and hazard management, is provided at the earliest stage of development.

## 2.6 Operative Rules and Other Methods

### 2.6.1 Subdivision

The following essential services are provided for in the controlled performance standards for subdivision activities in Section 7 Subdivision:

- i. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
- ii. All new lots must have sewer, stormwater and water supply services that are connected to essential services
- iii. All new essential services proposed in a subdivision must be located in public service corridors either where they are to vest in Council or service in excess of 6 lots.

Generally speaking, subdivision that does not comply with the essential services performance standards (and is not a non-complying activity) is a restricted discretionary activity. Council shall restrict its discretion to consideration of the following matters:

- the ability for Council to maintain and access the pipe in the future
- the cumulative effect of additional connections into the main trunk services
- the integration of the services into the existing City network and its effect on efficient and orderly development within urban areas
- Those matters described in Sections 108 and 220 of the RMA.

In this circumstance, a restricted discretionary activity subdivision must still comply with item (i) listed above.

Any subdivision in the NEIZ Extension Area is a restricted discretionary activity. Integration of essential services is a matter of discretion, as is the effects on the capacity of Council infrastructure.

In some parts of the Plan, additional assessment criteria are provided to assist decision makers when considering subdivisions that do not meet the essential services standards. With regard to this type of subdivision in the NEIZ, the assessment criteria are given as:

**(a) Integration of Essential Services**

- (i) *The degree to which the subdivision provides for the integration of essential services into the existing City network in a manner which is orderly and efficient and that facilitates future development and capacity requirements.*
- (ii) *The extent to which stormwater is managed utilising natural systems including water course reserve areas and utilising permeable surfaces, swales and appropriate vegetation.*
- (iii) *The extent to which innovative and / or low-impact stormwater design is integrated where appropriate and geo-technically feasible, and is designed in a way that contributes to the visual amenity of the industrial area.*
- (iv) *Whether the Council has the ability to maintain and access infrastructure and services in the future.*
- (v) *The extent to which the proposed subdivision provides for coherent and integrated internal roading network and services sufficient to ensure the entire North East Industrial Zone Extension Area is appropriately serviced.*

Further advice to applicants for subdivision in the NEIZ is given as a note to plan users, as follows:

*The preference of Council is for essential services to be provided within 30 metres of the nearest point of land being subdivided. Council will only consider the extension or provision of services located outside of a public corridor within a Scheduled North East Industrial Zoned Site where servicing from adjoining land not within a public corridor is to be used.*

In the case of subdivision activity that cannot provide essential services within 30m of the nearest point of land being subdivided, the activity is generally a discretionary activity. Assessment criteria for this type of application are as follows:

- i. Whether agreement has been reached with the Palmerston North City Council to extend or make available essential services within 30 metres of the nearest point of the land being developed.
- ii. Whether sewer, stormwater and water supply services are connected to essential services and located through a public service corridor.

### 2.6.2 Land Use

The land use provisions in the Zone sections of the Plan follow a similar structure to the subdivision rules and performance standards. The controlled activity performance standards discussed in 2.5.1 above are generally provided as permitted activity performance standards in the land use provisions. Non-compliance with the permitted activity standards are generally considered restricted discretionary activities. Assessment criteria similar to those in the subdivision section of the Plan are provided in the Zone sections for both restricted discretionary and discretionary activity land use.

## 2.7 Recent Proposed Plan Changes

Proposed Plan Change C Kikiwhenua Residential Area was notified on 19 November 2018. It aims to rezone the land between Te Wanaka Road, Pioneer Highway, and the Mangaone Stream. The Kikiwhenua Residential Area is Stage 1 of the Kakatangiata Residential Growth Area. This was formerly identified as City West, and therefore is one of the three Pressure Sewer Areas identified by Council in its PSS policy and discussed earlier in this s32 evaluation report. Plan Change C will enable the development of approximately 220 new homes.

PNCC has made a submission on Plan Change C to include a definition for Pressure Sewer System and a performance standard, objective, and assessment criterion to clarify the requirement in the Kikiwhenua Residential Area for a pressure sewer system. The amendments sought are consistent with the findings of the Water and Wastewater Servicing Assessment (Appendix 5 of the Plan Change C Section 32 Report) which recommends that pressure sewer systems are a resilient solution for mitigating liquefaction risk. The Council also considers that the performance standard, policy, and assessment criterion for PSS set out in the submission is consistent with the Palmerston North City Council draft policy for Pressure Sewer Systems (attached).

The changes to the Kikiwhenua provisions relating to PSS in the context of Plan Change D are considered to be consistent with the purpose of this plan change. The provisions proposed as part of Plan Change D reflect the changes requested by Council to Plan Change C.

## 3 Summary of Proposed Plan Change D Changes

The following changes to the Plan are proposed:

### 3.1 Proposed Definitions

Plan Change D introduces definitions for Pressure Sewer Systems and Pressure Sewer System Area, as follows:

<b><u>Pressure Sewer System</u></b>	<u>Means a sewer system where sewage is conveyed under pressure generated by multiple pump units, each located on an identified private property, to a shared pressure main.</u>
<b><u>Pressure Sewer Areas</u></b>	<u>Means the following areas where pressure sewer systems must be utilized:</u> <ul style="list-style-type: none"> <li>- <u>The North East Industrial Zone Extension Area as shown in Map 7.2.</u></li> <li>- <u>The City West Area as shown in Map 9.2.</u></li> <li>- <u>The area of land bound by Napier Road, Roberts Line, the remnant river terrace and Macpherson Grove (PT LOTS 2 3 SEC 418 TOWN OF PALMERSTON NORTH LOT 10 DP 499783, LOT 1 DP 41671, PT LOT 1 DP 25691, LOT 1 DP 16031 BLK XI KAIRANGA SD, LOT 1 DP 456688 and LOT 5 DP 74205 LOT 2 DP 456688)</u></li> </ul>

### 3.2 Proposed Issues

Ensuring that development is appropriately serviced is essential to the Council's responsibility under the RMA to manage the use, development, and protection of natural and physical resources in a way that enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety. The Council's investigations have shown that in some parts of the City, traditional wastewater infrastructure is at risk from natural hazards. In addition, the overall capacity of the reticulated wastewater system would be constrained in the event that future development in the areas identified in this Plan Change were serviced by means of traditional reticulated infrastructure. Pressure sewer systems enable the Council to manage liquification risk and other risks and costs associated with enabling infrastructure to the identified growth areas.

Plan Change D therefore proposes the following new issue in the Subdivision section,

Some parts of the urban area of the City would be better served via pressure sewer instead of traditional gravity connection to the reticulated sewage network because of liquefaction risks to traditional wastewater infrastructure, reduced installation and maintenance costs of pressure sewer systems, and the ability of pressure sewer systems to conserve downstream network capacity.

The purpose of the proposed issue statement is to highlight that the lack of a formal alternative means of connecting to the wastewater network in the urban area can have an adverse effect on delivering planned growth in the City.

The proposed issue meets the good practice guidance for resource management issues as it:

- Identifies the environmental opportunity for improvement;
- Can be addressed by the Council under its functions and responsibilities set out in the RMA;
- Is specific to the City, and specific to certain areas of the City where the natural hazard risks and other constraints are the most pronounced;
- Is succinct; and
- Sets out what is being affected, how and where.

### 3.3 Proposed Objectives

An amendment to existing Objective 3 of Section 7 Subdivision is proposed as part of this Plan Change. The amended objective reads as follows:

*To ensure that subdivision of land and buildings in rural areas is consistent with integrated management of the use, development and protection of land and other natural and physical resources and*

- *retains Class 1 and Class 2 versatile soils for use as production land*
- *retains the productive capability of rural land and recognises the valuable contribution made by class 3 soils*
- *enables small landholdings for intensive horticulture activities in the Flood Protection Zone*
- *provides for limited rural residential development on land which contains less versatile soils*
- *maintains the low density development pattern in the Moonshine Valley Rural Residential Area.*
- *provides for efficient and effective on-site services and regular maintenance*
- *avoids connection to the City's reticulated infrastructure network and consequential impacts on network efficiency and the extension and / or upgrade of the infrastructure network, including the road network and pressure sewer systems*
- *preserves or enhances rural character*



- *avoids reverse sensitivity effects*
- *enables the acquisition or disposal of land for network utilities, public works and quarrying.*

The objective is specific to the Rural Zone and makes it clear that the use of pressure sewer systems in the Rural environment is not appropriate. Reticulation of this nature is inconsistent with the character of the Rural Zone, and with the anticipated growth and development of the Zone in the medium and long term.

No other new objectives are proposed as part of Plan Change D. This is because the existing Objectives of the Subdivision Zone that apply outside of the Rural Zone, as well as operative objectives in the Zone chapters of the Plan, provide an appropriate framework within which to contemplate and deliver Pressure Sewer Systems both within Pressure Sewer Areas and outside of them (where there is a requirement for additional information to be supplied by the applicant).

The assessment at Appendix 2 demonstrates that the proposed amended Objective 3 of Section 7 is the most appropriate means of achieving the purpose of the RMA.

In addition to the amended provision, there are other objectives in Zone specific sections of the Plan that describe an environmental outcome for the servicing of land and activities to which Pressure Sewer Systems would contribute. For example, Objective 3 in the NEIZ is:

*To promote the efficient development and use of land and associated infrastructure within the Zoned area.*

### 3.4 Proposed Policies

Plan Change D includes the amendment of existing policies in the Subdivision section of the Plan. The main focus area of change is Policy 2.7 of the Subdivision section, which sets out how wastewater will be managed in order to ensure that people and the environment are safeguarded from adverse effects of contamination from sewage or industrial liquid waste.

The amendments include describing how the sewerage network will be laid out both outside and within Pressure Sewer Areas. Pressure sewer systems outside Pressure Sewer Areas are provided for in the policy suite, but only where it is feasible for geotechnical, hydraulic, engineering and safety reasons. The amendments to Policy 2.7 also include a new sub-clause describing the use of consent notices in relation to allotments reticulated with a PPS to ensure the requirement and management of on-property equipment for the PSS is identified. This is consistent with the legal advice provided prior to the instigation of PPC D.<sup>6</sup>

2.7 *To safeguard people from injury or illness caused by infection or contamination resulting from sewage or industrial liquid waste; and to safeguard the environment from adverse effects of sewage disposal by ensuring:*

1. *The removal of sewage and industrial liquid waste to treatment systems and/or final discharge points.*
2. *The provision of structures and systems able to accommodate the anticipated flows and withstand the anticipated loads.*
3. *The layout of the sewerage network:*
  - *adequately services each lot;*
  - *connects into the existing City Council reticulated sewerage system and conveys sewage through public service corridors in urban areas;*
  - *utilises gravity operation where feasible outside of Pressure Sewer Areas, except where it can be demonstrated that the use of pressure sewer systems will be feasible for geotechnical, hydraulic, engineering and safety reasons; and*

<sup>6</sup> CR Law Memorandum, 10 September 2018, paragraph 2(a).

- utilizes pressure sewer systems in Pressure Sewer Areas; and
  - does not unduly restrict the location of any future buildings.
- X. Consent notices shall be used in relation to allotments reticulated with a Pressure Sewer System to ensure the requirement and management of on-property equipment for the Pressure Sewer System is identified.

### 3.5 Proposed Rules, Methods, Performance Standards and Assessment Criteria

#### 3.5.1 Proposed Rules

The subdivision rules (section 7) of the District Plan are the principle means by which Council ensures allotments (and thereby subsequent development) are appropriately serviced for wastewater, water, stormwater, power and telecommunications. The Engineering Standards for Land Development (the Standards) set out the technical standards necessary to comply with the objectives and policies set out in Section 7 of the Palmerston North City Council's (PNCC's) District plan. The Standards contain all the relevant criteria to ensure Developers provide all the information necessary when seeking engineering approval for land development.

Section 7 sets out the rules for subdivision according to Zone. There is also a suite of rules of the back of the section that establish rules for subdivision that apply across all zones. Generally speaking, the operative plan provides for subdivision that complies with the performance standards for essential services as a controlled activity, except where subdivision in that zone or part of a zone automatically attracts a higher activity status. Non-compliance with the operative essential services provisions is usually identified as a restricted discretionary activity.

The purpose of the amendments to the rules of Section 7 is to ensure that allotments in Pressure Sewer Areas are reticulated with a PSS, and to provide a regulatory pathway where subdivision proposals in Pressure Sewer Areas do not comply with the PSS requirement. As discussed below, the regulatory pathway for non-compliance in Pressure Sewer Areas is stringent. Plan Change D proposes that subdivision in Pressure Sewer Areas that can comply with the PSS requirements attracts the same activity status as subdivision (generally controlled or restricted discretionary) in non-Pressure Sewer Areas that complies with the operative essential services performance standards.

#### 3.5.2 Proposed Performance Standards

As discussed earlier in this report, the requirements for servicing sections and land use activities is captured in the Plan by the term 'essential services'. Plan Change D proposes to amend the existing essential services standards to include reference to PSS specifically in Pressure Sewer Areas.

Only three Pressure Sewer Areas are proposed as part of PPC D. However, the amendments seek to 'future proof' the Plan by amending the essential services performance standards wherever they are currently used in Section 7. This is to ensure that in the event that more Pressure Sewer Areas are introduced in the future, there are provisions and performance standards that can ensure the purpose of these areas can be given effect to. Consequently, subdivision performance standards for the following environmental zones will be amended as part of PPC D:

- Residential Zone
- Business Zones
- Industrial and NEIZ
- Institutional Zone

Other zones not listed above but provided for in the Subdivision section of the Plan will not be subject to amendments as part of PPC D because the rules are structured to provide for subdivision in those zones as discretionary or non-complying as a default.



The proposed amendments to 'essential services' provisions in Section 7 as part of PPC D will generally be as follows:

**(a) Essential Services**

- i. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
- ii. All new lots must have sewer, stormwater and water supply services that are connected to essential services.
- iii. Wastewater in Pressure Sewer Areas shall be reticulated with a Pressure Sewer System.
- iv. Wastewater outside of Pressure Sewer Areas may be reticulated with a Pressure Sewer System where it is demonstrated this method is feasible from a geotechnical, hydraulic, engineering and safety perspective. For the purposes of (iii) above, the boundary kit and the pressure sewer pipe network located in public service corridors must be installed at the time of the subdivision and vested to Council.

All new essential services proposed in a subdivision must be located in public service corridors either where they are to vest in Council or service in excess of 6 lots.

### 3.5.3 Assessment Criteria

Decision making on restricted discretionary and discretionary activities in the Plan is assisted by the use of assessment criteria, which are considered together with the relevant objectives and policies. Where departure from the essential services performances standards triggers the need for a consent, then the Plan typically provides assessment criteria specifically for consideration of that matter. For example, Rule R7.8.2.1 establishes any subdivision in the NEIZ as a restricted discretionary activity. Integration of essential services and effects on the capacity of Council infrastructure are matters for discretion. Assessment criteria for this activity include consideration of the integration of essential services. The review of the Plan for PPC D have found that in general existing assessment criteria currently ensure that decision makers have the tools with which to assess the effectiveness of PSS proposed as part of a subdivision application in a PSS area. Therefore, no amendments to these aspects of Section 7 are proposed.

### 3.5.4 Pressure Sewer Areas Definition

Three Pressure Sewer Areas are proposed as part of PPC D. Pressure Sewer Areas are defined.

## 4 Statutory and Policy Context

### 4.1 Resource Management Act

#### 4.1.1 The Purpose of the RMA

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Section 5(2) of the Act states:

"In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

- a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- c) avoiding, remedying, or mitigating any adverse effects of activities on the environment."

#### 4.1.2 Section 32 of the RMA

Under section 32 of the RMA, any proposed district plan change must be accompanied by a report that assesses the following:

- The extent to which each objective is the most appropriate way to achieve the purpose of the RMA; and
- Whether the proposed policies and methods are the most appropriate way in which to achieve the objectives in terms of their efficiency and effectiveness.

The s32 evaluation must take the following considerations into account:

- Identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for:
  - economic growth that are anticipated to be provided or reduced; and
  - employment that are anticipated to be provided or reduced; and
- If practicable, quantify the benefits and costs referred to above; and
- Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

Clause 4A of s32 requires that the evaluation report must summarise all advice concerning the proposal received from iwi authorities and summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice. This is discussed in more detail in Part 4 of this report.

#### 4.1.3 Functions of District Councils

The Council has statutory functions under section 31 of the RMA, which include the establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.

Section 31(1)(b) requires the Council to control any actual or potential effects of the use, development or protection of land.

Methods devised by a Council to carry out its functions under s31(1) may include the control of subdivision, as provided for under s31(2) of the Act.

#### 4.1.4 The Purpose of District Plans

Section 72 of the RMA states that the purpose of a district plan is to assist territorial authorities to carry out their functions in order to achieve the purpose of the Act.

#### 4.1.5 Preparation of District Plans

Section 73 states that there must be at all times one district plan for each district prepared by the Council in a manner set out in the First Schedule of the Act.

#### 4.1.6 Matters to be Considered by Territorial Authorities

The matters to be considered by the Council when preparing or changing the Plan are set out in section 74 of the Act. This requires the Council to act in accordance with its functions under section 31, the provisions of Part 2, and its duty under section 32. Section 74(2) also sets out a number of other matters Council shall have regard to including plans and strategies prepared under other acts.

#### 4.1.7 Contents of District Plans

Under section 75(3) a District Plan must give effect to:

*(a) any national policy statement; and*

*(b) any New Zealand coastal policy statement; and*

*(ba) a national planning standard; and*

*(c) any regional policy statement.*

Under s75(4) a district plan must not be inconsistent with:

*(a) a water conservation order; or*

*(b) a regional plan for any matter specified in section 30(1).*

With regard to giving effect to the first set of National Planning Standards under s75(3)(c), timeframes apply. Different timeframes apply to different planning standards and different local authorities. City/district councils, like Palmerston North City Council, generally have five years to adopt the planning standards, with seven years for the definitions standard. If a council undertakes a full plan review within these timeframes the new plan must meet the planning standards when it is notified for submissions.

PPC D is not part of a full plan review. It seeks to make modest amendments to a discrete and small number of provisions to provide for a specific infrastructure requirement triggered at subdivision. The sections of the Plan affected by PPC D were recently reviewed in as part of the Sectional District Plan Review process.

## 4.2 National Policy Context

### 4.2.1 National Policy Statements

The RMA requires that the District Plan give effect to any National Policy Statement ("NPS"). A NPS is a document prepared under the RMA to provide objectives and policies on matters of national importance. Four National Policy Statements are in place to date, being:

- NPS on Electricity Transmission (2008)
- NPS for Renewable Electricity Generation (2011)
- NPS for Freshwater Management (2014)
- NPS on Urban Development Capacity (2016)
- The New Zealand Coastal Policy Statement 2010 ("NZCPS")

In relation to Pressure Sewer Systems, the NPS on Urban Development Capacity is most relevant. Palmerston North City is identified as a medium growth urban area in the National Policy Statement on Urban Development Capacity (NPSUDC). The NPSUDC requires local authorities to ensure there is sufficient housing and business land development capacity to meet demand. The NPSUDC recognises that urban development is dependent on infrastructure, and that decisions about infrastructure can shape urban development. It requires development capacity to be serviced with development infrastructure, meaning network infrastructure for water supply, wastewater, stormwater and land transport, to the extent it is controlled by local authorities. The NPSUDC aims to encourage the integration and coordination of land use and infrastructure planning.

PPC D contributes to enabling the Council to meet obligations under the NPSUDC, particularly:

- |     |   |
|-----|---|
| OD1 | Urban environments where land use, development, development infrastructure and other infrastructure are integrated with each other. |
|-----|---|

PA1 Local authorities shall ensure that at any one time there is sufficient housing and business land development capacity according to:

Short Term: Development capacity must be feasible, zoned and serviced with development infrastructure.

Medium Term: Development capacity must be feasible, zoned and either:

- serviced with development infrastructure, or
- the funding for the development infrastructure required to service that development capacity must be identified in a Long Term Plan required under the Local Government Act 2002.

Long Term: Development capacity must be feasible, identified in relevant plans and strategies, and the development infrastructure required to service it must be identified in the relevant Infrastructure Strategy required under the Local Government Act 2002.

PA3 When making planning decisions that affect the way and the rate at which development capacity is provided, decision-makers shall provide for the social, economic, cultural and environmental wellbeing of people and communities and future generations, whilst having particular regard to:

[...]

- (b) Promoting the efficient use of urban land and development infrastructure and other infrastructure; and

The Council is also required to carry out and publish development capacity assessments of the actual and likely availability of development infrastructure and other infrastructure in the short, medium and long term as set out under Policy PA1.

#### 4.2.2 National Environmental Standards

The RMA requires that the District Plan give effect to any National Environmental Standards ("NES"). A NES provides technical standards, methods or requirements for matters of national importance. Five National Policy Statements are in place to date, being:

- NES for Air Quality
- NES for Sources of Drinking Water
- NES for Telecommunication Facilities
- NES for Electricity Transmission Activities
- NES for Assessing and Managing Contaminants in Soil to Protect Human Health

In relation to providing for Pressure Sewer Systems, it is considered that no NES is relevant and as such no further analysis is required as part of this report.

#### 4.2.3 Local Government Act 2002

The LGA defines the purpose, roles and responsibilities of local government. It provides a framework and powers for local authorities to determine the activities they undertake and the manner in which they undertake them.

Section 146 of the LGA 2002 states that a local authority may make bylaws for its district for the purposes of regulating one or more of the following:

- i. on-site wastewater disposal systems:
- ii. waste management:
- iii. trade wastes:
- iv. solid wastes:

Local authorities may also make bylaws for managing, regulating against, or protecting from, damage, misuse, or loss, or for preventing the use of the land, structures, or infrastructure associated with 1 or more of the following;

- i. water races:
- ii. water supply:
- iii. wastewater, drainage, and sanitation:

On 20 May 2019, consultation on the Council's proposed Wastewater Bylaw closed. The bylaw sets out the rules for connecting to the City's wastewater network. The review was prompted by the introduction of the Council-wide pressure sewer systems policy. The new bylaw incorporates new and revised aspects that support the Council's Policy on PSS. Pressure sewer systems may only be installed within the Wastewater Service Area as defined in the Wastewater Bylaw. These areas are consistent with the defined Pressure Sewer Areas.

#### 4.2.4 Horizons One Plan Context

Public or community sewage treatment plants and associated reticulation and disposal systems are identified as a physical resource of regional importance in Policy 3-1 (a)(viii) of the Horizons One Plan. Policy 3-2 of the One Plan seeks to protect regionally important infrastructure from the adverse effects of the use and development of land. Policy 3-3 requires the adverse effects of regionally important infrastructure on the environment to be managed.

The provisions in PPC D are consistent with the objectives and policies of the One Plan in respect of the management of regionally important infrastructure.

#### 4.2.5 Local Strategic Context

The Council-wide Pressure Sewer System Policy 2018 contributes to the City's goal of being an eco city, as well as an innovative and growing city. It supports the Eco City and City Development Strategies by creating a framework to allow the installation of pressure sewer systems in Palmerston North City, enabling areas of the city, including designated growth areas that would be difficult to service with a conventional gravity sewer system, to be connected to the sewer reticulation.

As described in Section 1, PPC D contributes to the City's strategic goals, and is one of a series of local measures to provide for Pressure Sewer Systems in the City. The suite of measures is as follows:

- A Council-wide policy for pressure sewer systems;
- An addendum to the Council's Engineering Standards for land Development to specifically provide the specific design and performance requirements for pressure sewer systems;
- Changes to the Council's Three Waters Service Connections Approval System, including expansion of the existing approved contractors' system for service connections to include approval of contractors for the installation of pressure sewer system components;
- Introduction of a new process for approval of suppliers of pressure sewer systems for Council;
- Development of a homeowner's guide for property owners and residents of properties that are served by a pressure system;
- Revised Wastewater Bylaw; and
- Review of subdivision conditions and consent notices relating to the provision of PSS.

## 5 Consultation

### 5.1 Legislative Requirements

Clause 3 of the First Schedule of the RMA specifies the people who must be consulted in the preparation of a plan, including plan changes. The provisions relevant to this PC22 are:

#### 3. Consultation

*(1) During the preparation of a proposed policy statement or plan, the local authority concerned shall consult—*

*(a) the Minister for the Environment; and*

*(b) those other Ministers of the Crown who may be affected by the policy statement or plan; and*

*(c) local authorities who may be so affected; and*

*(d) the tangata whenua of the area who may be so affected, through iwi authorities; and*

*(e) any customary marine title group in the area.*

*(2) A local authority may consult anyone else during the preparation of a proposed policy statement or plan.*

*(3) Without limiting subclauses (1) and (2), a regional council which is preparing a regional coastal plan shall consult—*

*(a) the Minister of Conservation generally as to the content of the plan, and with particular respect to those activities to be described as restricted coastal activities in the proposed plan; and*

*(b) the Minister of Transport in relation to matters to do with navigation and the Minister's functions under Parts 18 to 27 of the Maritime Transport Act 1994; and*

*(c) the Minister of Fisheries in relation to fisheries management, and the management of aquaculture activities.*

*(4) In consulting persons for the purposes of subclause (2), a local authority must undertake the consultation in accordance with section 82 of the Local Government Act 2002.*

#### 4B Further pre-notification requirements concerning iwi authorities

*Before notifying a proposed policy statement or plan, a local authority must—*

*(a) provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause 3(1)(d); and*

*(b) have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.*

*(2) When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with subclause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.*

## 5.2 Statutory Consultation

Clause 3 of Schedule 1 of the RMA requires local authorities to consult with a number of parties during the preparation of a proposed plan. This has been undertaken in accordance with Clause 3, with the following organisations and authorities consulted on PPC D:

Consultee	
Neighbouring District Councils	Horowhenua District Council
	Tararua District Council
	Rangitikei District Council
	Manawatu District Council
Iwi	Tanenuiarangi Manawatu Inc.
	Ngāti Apa
	Ngāti Hauiti
	Ngāti Raukawa ki te Tonga
	Rangitāne
Government Ministries	Minister for the Environment
	Any other Ministers of the Crown who may be affected, e.g. MBIE, Minister for Transport

## 5.3 Consultation on the Council's Pressure Systems Sewer Policy (2018)

In October 2018, PNCC issued a draft Pressure Sewer Systems Policy for targeted consultation to:

- Landowners/developers in the areas where Council will specify these systems
- Agents working for developers or landowners
- Builders and plumbers/drainlayers
- Suppliers of pressure sewer systems

Letters were sent to all recorded property owners located in the proposed Pressure Sewer Areas, agents working for developers or landowners as well as builders and plumbers/drainlayers on 9 October 2018. The letters invited the recipients to a workshop about the policy, to visit the policy webpage and/or phone Council about the policy. Rangitāne were contacted for their feedback following on from the Council's regular bimonthly liaison meeting.

The draft policy was available on the Council's website and the public were invited to complete brief questionnaire comprising the following questions:



*Do you support the introduction of a pressure sewer systems policy? Y/N (respondents were invited to provide details)*

*Do you envisage any practical difficulties associated with the proposed introduction of the pressure sewer systems policy? Y/N (respondents were invited to provide details)*

*How likely are you to recommend or require the installation of pressure sewer systems for developments outside of the proposed Council specified areas? (1 being unlikely to recommend and 5 being almost certain to recommend)*

Responses to the draft Council wide policy are detailed in a Memorandum dated 6 November 2018 to the Planning and Strategy Committee held on 3 December 2018. The report is included in Appendix 3 of this document. Three written submissions were received, two of which were in support. The matters raised in the submissions are summarised here:

- support the Policy as pressure sewer is an efficient way to provide a sewer service to future development areas and areas with specific challenges
- do not support the Policy as they are happy with their existing on-site sewer infrastructure, and concerned at the impact of the initial capital and ongoing operational costs
- concerned to understand whether Council would be funding the extension of the wastewater system (in City West)
- Foresaw practical difficulties with the introduction of the Policy, given the ongoing operational costs to be borne by the property owners.
- Concerns about potential issues with ownership of infrastructure in private communal accessways.

Kingsdale Park Limited made a specific submission advocating for Council to use its proposed discretion under the Policy to take over ownership of the on-property pressure sewer equipment in the development. At present the mains and laterals up to the boundary kit are vested with Council, while the on-property equipment remains in private ownership.

Rangitāne generally supported the PSS policy but questioned the potential increase in overall energy use with the PSS compared to traditional gravity systems.

In response to the feedback received, some changes were made to the Council wide policy, and these are set out in Table 1 of the report in Appendix 3. The policy was adopted by Council in December 2018.

The provisions in PPC D are consistent with the Council's Pressure Sewer Systems policy.

## 5.4 Other Engagement and Consultation

### 5.4.1 Engagement with Council Staff

PPC D has been developed with the assistance and input of Council staff from a range of disciplines, including regulatory and policy planning, and infrastructure and subdivision engineering.

### 5.4.2 Legal opinion

Council's legal advisors, CR Law, provided a memorandum Council staff in September 2018 providing recommendations and responses to a number of questions concerning Council's intended roll-out of PSS in certain areas of the City. This memo is included in Appendix 4 of this evaluation report. It provided advice on the suite of measures intended to provide for and support the roll-out of PSS, including the proposed Plan Change for PSS; Council's draft PSS policy; proposed amendments to the Council's Engineering Standards for Land Development to



provide for PSS; proposed changes to the Wastewater Bylaw; and suggested wording for conditions of subdivision resource consent to provide for PSS.

With regard to a proposed Plan Change, CR Law found:

*The Council should review issues, objectives, policies, rules, and assessment criteria in forthcoming plan changes to clearly signal to the development community that Pressure Sewer Systems are the preferred means of sewage disposal in identified areas. Directive Policy and assessment criteria will steer developers to prepare subdivision accordingly and will provide decision-makers with sufficient discretion to require Pressure Sewer Systems and impose appropriate conditions through subdivision consent decision-making. Provisions should be specifically applicable to the identified areas rather than city-wide application [...]*<sup>7</sup>

## 6 Evaluation of the Proposed Plan Change

### 6.1 How appropriate are the objectives of the Plan to achieve the purpose of the RMA?

#### 6.1.1 Summary Assessment of the Appropriateness of the Objectives

Plan Change D is an amending proposal as it amends an existing Plan. In this situation, the Act requires the proposed provisions of the private plan change to be evaluated against both the objectives of the plan change (if there are any) and the relevant objectives in the existing Plan. This is so a plan change cannot be justified based solely on its own objectives, without being consistent with the broader plan objectives. The evaluation must assess whether the new provisions will help achieve the objectives already in the plan and will not undermine them.

There is a modest amendment to existing Objective 3 of the Subdivision section proposed as part of this plan change. Other relevant objectives, principally Objective 1, 2 and 5, in the Subdivision section of the Plan are proposed to remain unchanged. This is because they are already consistent with the outcomes sought to be achieved by PPC D.

Objective 1 seeks to achieve an integrated approach to the subdivision and development in the urban area with other development. This is consistent with the strategic enablement of Pressure Sewer Systems in the urban environment, which seeks to support the growth of parts of the City that the Council wishes to support the growth and development of.

Objective 2 seeks to ensure that subdivision is carried out in a manner which recognises and gives due regard to the natural and physical characteristics of the land and its future use and development, and avoids, remedies or mitigates any adverse effects on the environment. Pressure Sewer Systems have been identified by Council as enabling certain constraints associated with urban land to be overcome in a way that supports sustainable growth. Proposed amendments to policies under Objective 2 re-affirm the Council's commitment to the deployment of PSS in Pressure Sewer Areas, and providing for PSS in other parts of the urban environment subject to meeting certain information and justification thresholds.

Objective 5 is related specifically to the NEIZ. This zone has been identified as being a Pressure Sewer Area, which is consistent with the Objective 5's goal to ensure that the layout of subdivision and associated infrastructure for the North East Industrial Zone is of a high quality and provides a suitable framework for the achievement of the Objectives for the Zone as a whole.

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<sup>7</sup> CR Law Memorandum, 10 September 2018, paragraph 2(a).

The table at Appendix 2 assesses the proposal against the Objective 3 which is proposed to be amended. The assessment uses a number of criteria to determine their appropriateness in respect of Plan Change D.

It is recommended that the operative Objective 3 be amended as proposed in order to ensure the issue identified in section 1.2 is effectively and efficiently addressed. The other relevant objectives identified above are recommended to remain as per the operative Plan.

## 6.2 Option for Achieving the Objectives

### 6.2.1 Summary of Options

The options to achieve the proposed Objective that have been considered in the development of PPC D are outlined below:

#### **Option 1: Status Quo (no change from the Operative Plan)**

This option involves retaining the existing provisions in the Plan to manage wastewater infrastructure in Palmerston North.

#### **Option 2: Identify Pressure Sewer Areas and provide specifically for them in the provisions of the District Plan**

This option involves amending Section 7 Subdivision, Section 4 Definitions and other consequential amendments in the Plan to specifically direct the requirement for pressure sewer systems in Pressure Sewer Areas, and the consideration of pressure sewer systems outside of the Pressure Sewer Areas.

### 6.2.2 Recommended Option

The table in Appendix 5 provides a summary evaluation of the options considered to achieve the proposed objective. It is considered that the most effective and efficient approach is Option 2.

## 7 Summary Assessment of the Appropriateness of the Preferred Provisions to Achieve the Objectives

Section 32(1)(b) states that in addition to examining the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act, an evaluation report must:

*“examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*

*(i) identifying other reasonably practicable options for achieving the objectives; and*

*(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*

*(iii) summarising the reasons for deciding on the provisions [...]*

*(2) An assessment under subsection (1)(b)(ii) must—*

*(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*

*(i) economic growth that are anticipated to be provided or reduced; and*

(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

The costs and benefits of each option are identified in the analysis below, followed by an assessment which meets the requirements of s32(1)(b)ii) and a32(2)(a), a32(2)(a)(i) and (ii), and s32(2)(c) as set out above.

## 7.1 Definitions

### 7.1.1 Costs and Benefits associated with the Implementation of the definitions

The following new definitions are proposed as part of PPC D:

<b><u>Pressure Sewer System</u></b>	Means a sewer system where sewage is conveyed under pressure generated by multiple pump units, each located on an identified private property, to a shared pressure main.
<b><u>Pressure Sewer Areas</u></b>	Means the following areas where pressure sewer systems must be utilized: <ul style="list-style-type: none"> <li>- The North East Industrial Zone Extension Area as shown in Map 7.2.</li> <li>- The City West Area as shown in Map 9.2.</li> <li>- The area of land bound by Napier Road, Roberts Line, the remnant river terrace and Macpherson Grove (PT LOTS 2 3 SEC 418 TOWN OF PALMERSTON NORTH LOT 10 DP 499783, LOT 1 DP 41671, PT LOT 1 DP 25691, LOT 1 DP 16031 BLK XI KAIRANGA SD, LOT 1 DP 456688 and LOT 5 DP 74205 LOT 2 DP 456688)</li> </ul>

The aim of the definitions is to provide certainty as to what is meant by pressure sewer system and where such systems are required by the Plan. The definition of pressure sewer systems is consistent with the definitions and description in the Council-wide policy for pressure sewer systems, and thus supports the Council's overall package of measures, guidance and advice for the installation of PSS in the City. The introduction of these definitions will ensure the Plan is interpreted consistently by all users. This is more efficient and effective than the status quo Plan, which does not define pressure sewer systems, or the areas in which they are required.

### 7.1.2 Economic Growth and Employment Opportunities

The use of pressure sewer systems in Pressure Sewer Areas will enable areas of the City to accommodate growth and development in a sustainable way. Therefore, the proposed package of provisions will contribute to enabling the economic growth and employment opportunities associated with the growth and development of those areas.

### 7.1.3 Risks associated with the Preferred Option

There is considered to be little risk associated with the preferred option of defining pressure sewer systems and pressure sewer areas. It will enable the plan to be interpreted and implemented effectively and efficiently by all users.

## 7.2 Policies

As part of this Plan Change it is proposed to introduce amendments to Policy 2.7 of Section 7 Subdivision. These have been described earlier in this report.

### 7.2.1 Costs and Benefits associated with the Implementation of the Provisions

There are costs associated with installing wastewater infrastructure, regardless of the method. In this instance, the Council is requiring the provision of PSS in Pressure Sewer Areas instead of the traditional gravity method. The advantages of PSS are set out in Section 1 and include efficiencies for Council in terms of preserving existing wastewater network capacity and deferring downstream network capacity upgrades due to lower peak flows. This is a substantial benefit to Council, which is seeking to attract and promote growth and manage the effects of growth sustainably within existing infrastructure. There are additional benefits to the City related to the provision of PSS in Pressure Sewer Areas as it provides an engineering solution to natural hazard constraints. As demonstrated in Section 1 of this report, PSS is more cost effective than traditional gravity means of reticulation as pipe sizes are smaller, installation depth is shallower and there is no need for grade dependency. Overall, the economic, environmental and social benefits of the implementation of policies that clearly indicate when and how sewage will be disposed of in the City outweigh the costs.

The implementation of the proposed new sub-clause will ensure that subdivision consents and post-consent legal processes can be carried out effectively and efficiently.

As discussed earlier in this report, the provision of any sort of reticulated wastewater service to development is limited to the urban areas of the City. City View objectives and the objectives and policies related to subdivision in the Rural Zone make it clear that rural subdivision is not to be reticulated to public networks. This minimises the infrastructural demands of development in the rural zone on the public networks and is also consistent with its rural character. The proposed amendment to Objective 3 of Section 7 reinforces this direction, and the existing policies and rules of the Subdivision chapter that manage rural subdivision create a regulatory framework within which reticulating rural subdivision via Pressure Sewer Systems is avoided.

### 7.2.2 Economic Growth and Employment Opportunities

The use of pressure sewer systems in Pressure Sewer Areas will enable areas of the City to accommodate growth and development in a sustainable way. Therefore, the proposed policy amendments will contribute to enabling the economic growth and employment opportunities associated with the growth and development of those areas.

### 7.2.3 Risks associated with the Preferred Option

The implementation of the proposed policies is intended to result in more efficient and effective consents processing, and the delivery of PSS in Pressure Sewer Areas. The Pressure Sewer Areas have already been identified by Council in its Council-wide Pressure Sewer System Policy 2018. To date, the status quo approach has carried with it the risk that the delivery of PSS in areas defined by Council as requiring PSS is resisted. This leads to additional processing costs for all parties, and also the risk that inappropriate wastewater infrastructure will be delivered, or growth will be hampered. There has also been the risk that Council has insufficient policy and planning methods to resist the installation of PSS outside of Pressure Sewer Areas. It is considered that there is little risk associated with the implementation of the preferred option.

## 7.3 Rules and Methods, including Assessment Criteria

PPC D introduces a new rule, R7.16.3.2, which provides for subdivision in a Pressure Sewer Area that does not provide wastewater reticulation with a Pressure Sewer System as a non-complying activity.

Other amendments to the rules related to PPC D are limited to amendments to the performance standards for essential services associated with existing rules. Essential services are defined as follows in the operative Plan:

*Essential services means*

- the Palmerston North City Council reticulated sewage and reticulated water supply systems

- *stormwater systems*
- *electrical power and telecommunication networks.*

Changes to the essential services performance standard is generally written as follows in PPC D:

**(e) Essential Services**

- i. *All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.*
  - ii. *All new lots must have sewer, stormwater and water supply services that are connected to essential services*
  - iii. *Wastewater in Pressure Sewer Areas shall be reticulated with a Pressure Sewer System*
  - iv. *Wastewater outside of Pressure Sewer Areas may be reticulated with a Pressure Sewer System where it is demonstrated this method is feasible from a geotechnical, hydraulic, engineering and safety perspective*
  - v. *For the purposes of (iii) and (iv) above, the Pressure Sewer System boundary kit and the pressure sewer pipe network located in public service corridors must be installed at the time of the subdivision and vested to Council.*
- iiiv* *All new essential services proposed in a subdivision must be located in public service corridors either where they are to vest in Council or service in excess of 6 lots.*

### 7.3.1 Costs and Benefits associated with the Implementation of the Provisions

The underlying premise of PPC D is that pressure sewer systems will be installed inside Pressure Sewer Areas, for reasons set out earlier in this report; and traditional gravity wastewater reticulation will be used outside of identified Pressure Sewer Areas. The performance standards of existing rules governing subdivision across the City are proposed to be amended to reflect this premise. The amendments also provide for the installation of Pressure Sewer Systems outside of Pressure Sewer Areas in specific circumstances, where the applicant can demonstrate that this method is feasible from a geotechnical, hydraulic, engineering and safety perspective. This provides Council decision makers with the means to require appropriate information from applicants outside of Pressure Sewer Areas wishing to install PSS. This will ensure the use of this infrastructure is consistent with the Objectives of Section 7, Subdivision, and also the City View Objectives, as well as objectives in the Zone sections of the plan.

As discussed earlier in this report, the costs to install a Pressure Sewer System is not necessarily more expensive than a traditional gravity connection to the wastewater network, and in many cases cheaper. Material costs are generally lower than for traditional connection, and trenching costs are also lower as trenches do not have to be as deep as for gravity connections. Ongoing maintenance costs can also be cheaper, as the system does not require manholes or large public pump stations.<sup>8</sup>

Pressurised systems use specially designed grinder pumps that reduce any solids into a slurry, which is then pumped into the network. Each household has a grinder pump which does average only 20 minutes/day of pumping. Homeowners are responsible for the cost to run the pump system, and these are generally very low, typically \$25-\$35 per year.<sup>9</sup>

<sup>8</sup> <https://www.ecoflow.co.nz/pressure-sewer>.

<sup>9</sup> Sewer Pump Owner's Dossier, Halswell Commons, <https://www.halswellcommons.co.nz/wp-content/uploads/2018/08/Halswell-Commons-LPS-Information.pdf>



- **Q: What is the average yearly electrical cost to operate a unit servicing the typical single typical home?**
- A typical family home uses around 600 – 800 litres of water per day. The E/One grinder pump flow rate is 40 L/min. Therefore the pump only operates 15 – 20 minutes per day, or 121.7 Hrs/year. The EOne pump is a 0.75kW motor (power consumption is typically between 500 – 600 watts).  
Therefore  $121.7\text{Hrs} \times 0.75\text{kW} = 91.3\text{kWHrs}$ .  
Electricity cost of  $\$0.26/\text{kWhr} \times 91.3 = \$24/\text{year in electricity}$ .

Figure 2: Taken from Sewer Pump Owner's Dossier, Halswell Commons

Generally, pump systems are designed with emergency storage for up to 24 hours in the event of a power failure, and the system can continue to be used during that time. However, householders are encouraged, through documentation like the Halswell Commons Dossier referenced above or owner guides, to minimise water use during that time.

PPC D introduces a new rule, R7.16.3.2, which establishes subdivision in a Pressure Sewer Area that does not provide wastewater reticulation with a Pressure Sewer System as a non-complying activity. This activity status is often reserved for those activities where the potential adverse effects are great but do not necessarily warrant prohibition. An application for a non-complying activity can be declined or granted (with or without conditions). The non-complying activity status can be useful for situations where it is intended that consents only be granted in exceptional circumstances.

The Council has taken a highly strategic and comprehensive approach to ensuring Pressure Sewer Systems are provided in Pressure Sewer Areas instead of traditional gravity connections. Allowing gravity connections in Pressure Sewer Areas would undermine the Council's strategic approach and place the sustainable growth of the Pressure Sewer Areas at risk. Consequently, the non-complying activity status is appropriate.

Using the non-complying activity status requires clear, strong, objectives and policies to be included in plans. Without this, there is a risk that the threshold to meet the second test in s104D(1)(b)) may be set too low, inadvertently allowing consents to be granted where it may not otherwise have been desirable to do so. Objective 2 and policies 2.7(1)-(3) of the Subdivision section are the most relevant when considering activities under R7.16.3.2. As proposed to be amended, Policy 2.7(3) states that pressure sewer systems will be utilised in Pressure Sewer Areas. The proposed definition for Pressure Sewer Areas is as follows:

Means the following areas where pressure sewer systems must be utilized:

- The North East Industrial Zone Extension Area as shown in Map 7.2.
- The City West Area as shown in Map 9.2.
- The area of land bound by Napier Road, Roberts Line, the remnant river terrace and Macpherson Grove (PT LOTS 2 3 SEC 418 TOWN OF PALMERSTON NORTH LOT 10 DP 499783, LOT 1 DP 41671, PT LOT 1 DP 25691, LOT 1 DP 16031 BLK XI KAIRANGA SD, LOT 1 DP 456688 and LOT 5 DP 74205 LOT 2 DP 456688)

This creates a robust framework within which to consider applications that trigger the non-complying rule and be able to reject such an application under the s104D(1)(b) test.

In parts of the urban area outside of identified Pressure Sewer Areas, the Council's preference is for the use of traditional gravity connections to the wastewater network. However, Council acknowledges that in some situations, Pressure Sewer Systems may be an appropriate, effective and efficient means of connecting to the reticulated network. PPC D therefore seeks to provide for the installation of Pressure Sewer Systems in the urban area but outside the identified Pressure Sewer Areas subject to applicants being able to provide engineering,

hydraulic and other technical information to demonstrate its suitability and its ability to provide for the health and safety of the community. This is provided for in the essential services performances standards, sub-clause (iv). The degree of discretion provided to Council decision makers in this performance standard is supported by the activity status of the associated subdivision activities, either as a matter of discretion in the case of Restricted Discretionary activities, or a matter of control for Controlled Activities.

On balance, the costs associated with the installation, maintenance and operation of pressure sewer systems are outweighed by the environmental, social and economic benefits.

### 7.3.2 Risks associated with the Preferred Option

The implementation of the proposed provisions is intended to result in more efficient and effective consents processing, and the delivery of PSS in Pressure Sewer Areas. The costs associated with the option are outweighed by the benefits. It is considered that there is little risk associated with the implementation of the preferred option.

## 7.4 Pressure Sewer Areas Definition

Pressure Sewer Areas will be defined as follows:

Means the following areas where pressure sewer systems must be utilized:

- The North East Industrial Zone Extension Area as shown in Map 7.2.
- The City West Area as shown in Map 9.2.
- The area of land bound by Napier Road, Roberts Line, the remnant river terrace and Macpherson Grove (PT LOTS 2 3 SEC 418 TOWN OF PALMERSTON NORTH LOT 10 DP 499783, LOT 1 DP 41671, PT LOT 1 DP 25691, LOT 1 DP 16031 BLK XI KAIRANGA SD, LOT 1 DP 456688 and LOT 5 DP 74205 LOT 2 DP 456688)

Pressure Sewer Areas are geographical areas where pressure sewer systems must be utilised. They have already been identified in the Council's general Pressure Sewer System Policy which was adopted in 2018. All properties requiring a wastewater connection within a Pressure Sewer Area will be obligated to install a pressure sewer system and connect to the pressure network.

### 7.4.1 Costs and Benefits associated with the Implementation of the Provisions

There are no specific costs to clearly define the Pressure Sewer Areas over and above those associated with implementing the policies described above. The benefits of defining the areas include increased clarity and certainty for developers and landowners considering development; and increased efficiency and effectiveness in the planning and subdivision process for all plan users.

### 7.4.2 Economic Growth and Employment Opportunities

The use of pressure sewer systems in Pressure Sewer Areas will enable areas of the City to accommodate growth and development in a sustainable way. Defining the proposed areas where pressure sewer systems will be required will contribute to enabling the economic growth and employment opportunities associated with the growth and development of those areas.

### 7.4.3 Risks associated with the Preferred Option

Clearly defining the areas where pressure sewer systems are required to be installed provides certainty for landowners and developers as to what type of infrastructure is required in those areas of the City. This will reduce the risk associated with uncertainty and provide for a more effective and efficient subdivision and development process.

## 8 Statutory Evaluation

### 8.1 Section 5 – Purpose

The purpose of the Act is to promote the sustainable management of natural and physical resources. In achieving the purpose of the Act, the Council must manage use and development in a way that enables people to provide for their economic social and cultural wellbeing and health and safety, while avoiding, remedying or mitigating any adverse effects of activities on the environment.

Ensuring that development is appropriately serviced in terms of wastewater infrastructure enables people to provide for their economic and social wellbeing. Providing for pressure sewer systems in Pressure Sewer Areas will enable growth in parts of the City identified as suitable for sustainable growth. The additional environmental and economic advantages of providing PSS in the areas identified as part of this Plan Change are detailed in section 1 of this report.

Establishing provisions in the District Plan that better ensure the provision of PSS in PSS Area is considered to be warranted in order to achieve the purpose of the Act.

### 8.2 Section 6 – Matters of National Importance

Section 6 of the RMA identifies matters of national importance that are required to be recognised and provided for in achieving the purpose of the Act. Section 6 of the Act requires the management of significant risks from natural hazards (s6(h)) to be recognised and provided for. Pressure sewer systems are identified as being effective in mitigation of damage risk from liquefaction as the pipe network is resilient and resistant to the effects of these types of natural hazards.

### 8.3 Section 7 – Other Matters

Section 7 of the Act requires decision makers to have particular regard to a range of matters in exercising their functions and powers under the RMA. Of particular relevance to this Plan change is Section 7(b) which requires particular regard to be had to the efficient use and development of natural and physical resources. PPC D seeks to ensure that the use and development of natural and physical resources is undertaken as efficiently as possible. For example, providing for PSS in Pressure Sewer Areas ensures efficient use of the existing capacity of the wastewater network.

### 8.4 Section 8 – Treaty of Waitangi

Section 8 of the Act requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are taken into account when achieving the purpose of the Act and have been considered as part of this plan change.

## 9 Scale and Significance

This evaluation report “*must contain a level of detail that corresponds to the scale and significance of the ... effects that are anticipated from the implementation of the proposal*” (s32(1)(c)). Scale refers to the size or magnitude of the effects, including how many people or species or other natural resources are affected, by how much, and over



how wide an area. Guidance on this component of s32 evaluations states, “where the impacts of a proposal are likely to be low, little detail will be required in the evaluation report”.<sup>10</sup>

## 9.1 Reasons for the change

The reasons for the proposed Plan Change have been outlined in Section 1 of this report. In summary, Proposed Plan Change D will ensure:

1. It is clearly signalled to the development community that PSS are the only means of sewage disposal in identified Pressure Sewer Areas of the City;
2. Pressure sewer is allowed outside of the identified Pressure Sewer Areas, subject to a range of technical criteria;
3. That Plan provisions are sufficiently clear and direct to enable decision-makers assessing and determining applications for subdivision to require PSS in identified areas of the City; and
4. That provisions clearly articulate Council’s expectations in relation to PSS to facilitate consultation and discussions between developers and Council at the subdivision design and pre-application stage.

The changes will:

- Allow more specifically for the installation of PSS;
- Specify the areas Council requires PSS to be installed; and
- Ensure that traditional gravity alternatives in those specified areas are not provided for ‘as of right’.

## 9.2 Degree of shift from the status quo

Until the relevant District Plan change is operative Council officers will continue to utilise the discretion currently allowed by the existing Plan and the direction of the Council-wide Pressure Sewer Policy 2018 to ensure that PSS are installed in the Pressure Sewer Areas. Officers will ensure this occurs by utilising standard conditions of consent for subdivisions that are to be served by PSS, including a consent notice that will detail:

- the requirement for the installation of the on-property equipment at the time of building consent
- on-going requirements of the property owner in relation to the operation and maintenance of the pressure sewer system and equipment.

PPC D seeks to formalise the Council’s District Plan tools in order to secure appropriate infrastructure outcomes across the urban areas of City. Therefore, the provisions in the proposed plan change are not considered to be a significant shift from the status quo.

## 9.3 Who and how many will be affected?

Landowners and developers in Pressure Sewer Areas will be affected. The number of individuals affected has not been quantified, but the Pressure Sewer Areas are clearly defined. Landowners and developers outside of Pressure Sewer Areas wishing to install pressure sewer systems instead of traditional gravity fed wastewater systems will also be affected as they will need to provide specific technical information to support PSS.

## 9.4 Degree of impact on, or interest from, iwi/Māori

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<sup>10</sup> A Guide to Section 32 of the Resource Management Act 1991, p.21.

Māori and non-Māori landowners in Pressure Sewer Areas will be similarly affected. There has been no specific interest from iwi or mana whenua on the roll out of Pressure Sewer Areas and the requirement for PSS.

### 9.5 When will the affects occur?

The effects of the implementation of the provisions in Plan Change D will occur as soon as development in Pressure Sewer Areas requiring wastewater services occurs.

### 9.6 Geographic scale of the effects

The primary geographic effect will be in Pressure Sewer Areas, which are clearly defined. The secondary geographic effect will be in non-Pressure Sewer Areas, where the use of pressure sewer systems over traditional gravity fed infrastructure is determined to be appropriate by decision makers considering a range of technical information that must be supplied by the applicant.

### 9.7 Types of effects

An immediate effect will be the installation of appropriate wastewater infrastructure across the City. This will enable development to take place in Pressure Sewer Areas in a way and at a rate that allows for the sustainable use of the City's wastewater network infrastructure.

### 9.8 Degree of policy risk, implementation risk or uncertainty

PPC D is well supported by a suite of other non-District Plan measures, as listed in Section 1 of this report. These other measures have been in development for some time and have involved public consultation. The technical justification for PSS in Pressure Sewer Areas is comprehensive. There is considered to be little policy risk, implementation risk or uncertainty associated with PPC D.

## 10 Conclusion

This report provides a summary assessment of PPC D consistent with s32 of the RMA. The report describes the purpose of the Plan Change and summarises an evaluation of:

- The objective and aim of the Plan Change;
- The broad plan change options;
- The proposed amendments to the policy framework to introduce new objectives and policies; and
- The proposed methods and standards.

The report concludes that the PPC D is the most appropriate way to achieve the purpose of the RMA and to give effect to the RPS. The report considers two plan change options, and concludes that the proposed Plan Change is the most appropriate.

## 11 Appendices

Appendix 1: PPC D Proposed Provisions



**PERCEPTION PLANNING**  
*your connection with the environment*

Proposed provisions associated with Plan Change D are shown in red single underline.

# SECTION 4: DEFINITIONS

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## CONTENTS

Pressure Sewer Systems

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Pressure Sewer Areas

## 4. DEFINITIONS

### NOTE TO PLAN USERS

A glossary of Maori words and terms is contained in Section 3 of this Plan.

In this District Plan, unless the context otherwise requires it:

<b>Prepared Food &amp; Beverage Outlet</b>	means a business primarily engaged in the preparation and serving of food and beverages for immediate consumption and without limiting the generality of this term includes: <ul style="list-style-type: none"> <li>• restaurants; and</li> <li>• takeaway food outlets.</li> </ul>
<b>Pressure Sewer System</b>	<u>means a sewer system where sewage is conveyed under pressure generated by multiple pump units, each located on an identified private property, to a shared pressure main.</u>
<b>Pressure Sewer Areas</b>	<u>Means the following areas where pressure sewer systems must be utilized:</u> <ul style="list-style-type: none"> <li>- <u>The North East Industrial Zone Extension Area as shown in Map 7.2.</u></li> <li>- <u>The City West Area as shown in Map 9.2.</u></li> <li>- <u>The area of land bound by Napier Road, Roberts Line, the remnant river terrace and Macpherson Grove (PT LOTS 2 3 SEC 418 TOWN OF PALMERSTON NORTH LOT 10 DP 499783, LOT 1 DP 41671, PT LOT 1 DP 25691, LOT 1 DP 16031 BLK XI KAIRANGA SD, LOT 1 DP 456688 and LOT 5 DP 74205 LOT 2 DP 456688).</u></li> </ul>
<b>Production Land</b>	means the same as the definition within Section 2 of the Resource Management Act 1991.

Proposed provisions associated with Plan Change D are shown in red single underline.

## 7. SUBDIVISION

### 7.2 Resource Management Issues

9. Some parts of the urban area of the City would be better served via pressure sewer instead of traditional gravity connection to the reticulated sewage network because of liquefaction risks to traditional wastewater infrastructure, reduced installation and maintenance costs of pressure sewer systems, and the ability of pressure sewer systems to conserve downstream network capacity.

#### **Explanation**

*Ad-hoc subdivision developments that have regard only for their own purpose can lead to a lack of road connectivity and the inefficient progression and provision of essential services. Policies and rules need to be in place so that additional roads and essential services are developed to an appropriate urban standard, in an efficient and logical manner, and that they integrate well into the City's infrastructure.*

### 7.3 Objectives and Policies

#### **OBJECTIVE 2**

**To ensure that subdivision is carried out in a manner which recognises and gives due regard to the natural and physical characteristics of the land and its future use and development, and avoids, remedies or mitigates any adverse effects on the environment.**

#### **POLICIES**

- 2.1 To require lots to have areas and dimensions to meet the needs of users and to sustain the land resource by ensuring that:
  1. Lots in the Residential Zone have the necessary area and dimensions to enable the siting and construction of a dwelling and accessory buildings, the provision of private outdoor space, service courts, vehicle access and parking in accordance with the relevant Permitted Activity Performance Standards.
  2. For all other lots, that these have the appropriate area and dimensions to enable the siting and functioning of the proposed buildings and land uses in accordance with the Permitted Activity Performance Standards of the relevant zone.
- 2.1A To encourage subdivision design and layout that will take into consideration the shape, orientation and aspect of sections so as to create building sites and outdoor amenity areas which a northward orientation to enable access to solar energy and passive solar gain.
- 2.2 To ensure that all new lots have safe and adequate vehicle access from the roading network by providing that:
  1. Every lot is to have access from a formed existing road, or a new road to be formed, to enable vehicles to enter the site with the dimensions of the access sufficient to accommodate the level of vehicle usage anticipated. The access should be designed to enable vehicles to turn within the lot and to leave it in a forward direction.

2. The construction is to be to a standard and of materials to support the anticipated traffic, require minimum maintenance and to control and dispose of stormwater runoff.
  3. Any allotment with frontage to a Major or Minor Arterial road which has no alternative means of access to an existing public road in the local network, shall have access arrangements approved by Council, in terms of an Access Management Structure Plan.
- 2.3 To ensure safe, convenient and efficient movement of people, vehicles and goods in a high quality environment with minimum adverse effects by providing that:
1. The layout of the transport network shall, as appropriate for their position in the roading hierarchy, ensure that people, vehicles and goods can move safely, efficiently and effectively, minimise any adverse effect on the environment, make provision for network utility systems and make provision for amenity values. The layout of the transport network shall:
    - provide adequate vehicular access to each lot;
    - link to, and provide for, and be compatible with the existing and future transport networks, taking into account orderly and integrated patterns of development and adjoining developments;
    - connect to all adjoining roads, providing for choice of routes where practicable;
    - identify significant destinations and provide for safe and convenient access to these by all modes;
    - encourage multi-modal street links, providing pedestrian links; and
    - provide adequate access for emergency vehicles.
  2. The development provides for a high quality public realm considering;
    - the potential for the street to be a place for recreational walking and cycling;
    - the outlook from dwellings as well as a functional place for movement;
    - the provision of street trees and other street landscaping in a coherent layout;
    - the continuity of or relationship to street landscape design of adjacent streets;
    - the integration of Water Sensitive Design principles;
    - the safety and visibility of pedestrians; and
    - the provision of any local park spaces as required by Council's public space policy and their integration into the layout.
  3. The road network stormwater control system shall protect the road, road users and adjoining land from the adverse effects of water and minimise any adverse effect on the environment.
  4. The structure of a road shall:
    - have a design life of at least 25 years based on Equivalent Design Axle, or equivalent design methods;
    - be constructed from materials suitable for the intended use;
    - maintain adequate surface smoothness; and
    - be protected from the adverse effects of surface and ground water.
  5. The road network stormwater control system shall:
    - have a design life of at least 80 years;
    - adequately convey water to an approved discharge point;
    - avoid the likelihood of leakage and infiltration and the penetration of roots;

- avoid the likelihood of blockages; and
  - provide reasonable access for maintenance.
6. Urban roads are to be well lit by specifically designed street lighting, are to be constructed to such standards and in such materials as will result in minimum maintenance having regard to the anticipated levels and types of traffic.
- 2.4 To improve land utilisation, to safeguard people, property and the environment from the adverse effects of unstable land by ensuring that:
1. Disturbance to the natural land form, existing vegetation (e.g. trees, groups of trees, notable and protected trees, vegetation or habitats), natural drainage and significant natural features is minimised and historic and cultural features are protected commensurate with achieving an efficient and aesthetically pleasing subdivision design and site layout.
  2. Earthworks withstand and remain stable under anticipated loads.
  3. When land is subdivided that the resultant lots contain safe and adequate building sites and have roading and access suitable for activities.
  4. Planning and design of earthworks is carried out after thorough investigation of the nature of the existing land, its ability to support the construction proposed and its general suitability for subdivision.
  5. Earthworks are to be designed and constructed to:
    - provide safe and adequate building platforms and foundation for roads and services;
    - provide for the adequate control of stormwater;
    - avoid the likelihood of erosion and instability;
    - not unnecessarily alter the natural landscape;
    - remain safe and stable for the duration of the intended land use;
    - not unnecessarily rely on artificial or human-built structures for stability; and where such structures are employed these shall remain safe and stable for the duration of the intended land use;
    - cater for the natural groundwater flows and be geotechnically sound;
    - avoid contamination of ground water;
    - avoid lowering ground water levels;
    - avoid or mitigate the diversion of ground water flows.
  6. In Aokautere, earthworks, and in particular the restructuring of land, are to be the subject of specific design by a registered engineer experienced in soil mechanics or geotechnical matters and shall take into account the predicted improvements to soil slope and stability which will be achieved and the impact on existing vegetation and landscape values.
- 2.5 To avoid, remedy or mitigate the adverse effects of land development by ensuring as far as possible that the carrying out of land clearance, earthworks and other construction activity does not result in:
- a dust nuisance or the discharge of other contaminants to the air;
  - the migration of silt, soil and roading material to waterways or adjoining properties;
  - damage to property from stormwater runoff.

**Explanation**

*The carrying out of land clearance, earthworks and road construction can cause adverse effects on the neighbouring environment including damage to property from uncontrolled stormwater runoff, dust nuisance from earth moving and exposed surfaces and the pollution and/or siltation of waterways with silt, soil and other*



*deleterious material.*

*This policy will achieve the objective of avoiding, remedying or mitigating adverse effects by ensuring that the development effects of subdivisions are recognised and dealt with by conditions of consent.*

- 2.6 To avoid, remedy and/or mitigate the adverse effects caused by alterations to the natural land form and removal of vegetation (e.g. trees, groups of trees, notable and protected trees, vegetation or habitats) and to enhance the amenities of the natural and built environment by requiring that:
1. Road berms and new allotments are topsoiled following earthworks and road berms sown in grass and planted.
  2. Public open space is formed, topsoiled, landscaped and planted to a level commensurate with its purpose and ease of maintenance.
  3. Earthworks are designed, built, and landscaped to avoid and/or mitigate adverse effects on the amenities of adjoining existing or potential residentially zoned areas.
- 2.7 To safeguard people from injury or illness caused by infection or contamination resulting from sewage or industrial liquid waste; and to safeguard the environment from adverse effects of sewage disposal by ensuring:
1. The removal of sewage and industrial liquid waste to treatment systems and/or final discharge points.
  2. The provision of structures and systems able to accommodate the anticipated flows and withstand the anticipated loads.
  3. The layout of the sewerage network:
    - adequately services each lot;
    - connects into the existing City Council reticulated sewerage system and conveys sewage through public service corridors in urban areas;
    - utilises gravity operation where feasible outside of Pressure Sewer Areas, except where it can be demonstrated that the use of pressure sewer systems will be feasible for geotechnical, hydraulic, engineering and safety reasons; and
    - utilizes pressure sewer systems in Pressure Sewer Areas; and
    - does not unduly restrict the location of any future buildings.
- X Consent notices shall be used in relation to allotments reticulated with a Pressure Sewer System to ensure the requirement and management of on-property equipment for the Pressure Sewer System is identified.
4. The structure of the sewerage network:
    - has a design life of at least 80 years;
    - is constructed from materials suitable for the intended use;
    - ensures safety in operation, avoiding the likelihood of leakage and infiltration and the penetration of roots; and
    - avoids the likelihood of blockage.
  5. All allotments in urban areas are to be provided with a connection to the City Council reticulated sewage system.
  6. In rural areas including the areas identified on the Planning Maps for rural residential subdivision, sewage will be disposed of on-site in accordance with Clause G13 of the Building Code as set out in the First Schedule to the Building Regulations 1992 and the requirements of the One Plan for on-site domestic wastewater treatment systems, in particular the Manual for On-site Wastewater Systems Design and Management (Manawatu-Wanganui Regional Council, 2010).

And the size, shape and arrangement of allotments:

- recognises the physical constraints of the site;
- is capable of disposing the anticipated wastewater loads on-site;
- permits appropriate access for maintenance and servicing.

### OBJECTIVE 3

**To ensure that subdivision of land and buildings in rural areas is consistent with integrated management of the use, development and protection of land and other natural and physical resources and**

- retains Class 1 and Class 2 versatile soils for use as production land
- retains the productive capability of rural land and recognises the valuable contribution made by class 3 soils
- enables small landholdings for intensive horticulture activities in the Flood Protection Zone
- provides for limited rural residential development on land which contains less versatile soils
- maintains the low density development pattern in the Moonshine Valley Rural Residential Area.
- provides for efficient and effective on-site services and regular maintenance
- avoids connection to the City's reticulated infrastructure network and consequential impacts on network efficiency and the extension and/or upgrade of the infrastructure network, including the road network and pressure sewer systems
- preserves or enhances rural character
- avoids reverse sensitivity effects
- enables the acquisition or disposal of land for network utilities, public works and quarrying.

## 7.6 Residential Zone

### 7.6.1 RULES: CONTROLLED ACTIVITIES

#### R7.6.1.1 Controlled Activities

1. Any subdivision, except a subdivision provided for in R7.6.1.1(2) below, which complies with the Performance Standards below and which is not specified in R7.6.2.1 as a Restricted Discretionary Activity, R7.6.3.1 as a Discretionary Activity, or R7.6.4.1 as a Non-Complying Activity is a Controlled Activity. Council restricts its control to the consideration of the following matters:
  - Those matters described in Sections 108 and 220 of the Resource Management Act 1991.
  - Subdivision design and layout; the size, shape and arrangement of lots, the location of design and access.
  - The layout and design of services and service connections to network infrastructure.
2. Any cross lease, company lease, boundary adjustment or unit title subdivision around existing buildings or buildings under construction which does not result in the creation of any new undeveloped separately disposable lot, cross lease, or company area or any unit, and which complies with the Performance Standards (e) and (f) below and which is not specified in R7.6.2.1 as a Restricted Discretionary Activity, R7.6.3.1 as a Discretionary Activity, or R7.6.4.1 as a Non-Complying Activity is a Controlled Activity. Council restricts its control to the consideration of the following matters:
  - Those matters described in Sections 108 and 220 of the Resource Management Act 1991.
  - Subdivision design and layout; the size, shape and arrangement of cross lease and company lease areas, units and the location and design of access.

- The layout and design of services and service connections to network infrastructure.

#### Performance Standards for Controlled Activities under R7.6.1.1

##### (a) Existing Buildings

Where any land proposed to be subdivided contains existing buildings there shall be no increase in the degree of non-conformity with any Permitted Activity standard for the Residential Zone.

##### (b) Lot Size

- In the Aokautere Development Area (refer Map 10.1), but excluding the Parklands Area,
  - each lot shall contain 400m<sup>2</sup> of contiguous developable land; and
  - the average area of lots available for residential purposes shall be at least 600m<sup>2</sup>. In calculating the average lot area, no lots over 1000m<sup>2</sup> shall be included.
- In the Aokautere Parklands Area each lot shall contain 1300m<sup>2</sup> of contiguous developable land.
- In the Ashhurst, Bunnythorpe and Longburn village residential areas – each lot must be at least 500m<sup>2</sup>.
- In the Palmerston North urban area – each lot must be at least 350m<sup>2</sup>.

##### **NOTE TO PLAN USERS**

All subdivisions in the Petersons Road, Hewitts Road, and Aokautere Village residential areas identified on Map 7.1 default to R7.6.4.1.

##### (c) Shape Factor

For subdivisions in the Aokautere Development Area or Ashhurst, Bunnythorpe and Longburn village residential areas, where the subdivision will result in more than six allotments intended for residential purposes, each allotment shall be able to contain a circle of 18 metres in diameter. In the Aokautere Development Area, the required circle shall be entirely comprised in Developable Land.

##### (d) Access

- Access to lots from a public road may be provided by way of either:
  - an access leg at least 3 metres wide forming part of the lot; or
  - a shared access consisting of up to six strips lying adjacent to one another and giving access to no more than five other lots, and in respect of which reciprocal rights-of-way are granted or reserved; or
  - an access lot or strip held in common ownership with the lot and up to five other lots; or
  - any right-of-way running with and appurtenant to the land in which the lot is comprised.
- No two or more access strips to lots may lie adjacent to one another unless easements are granted over each access strip in a manner which enables joint use of a single driveway, and a single point of access to a public road.
- The width of shared access shall be as follows:

Number of Sites	Minimum Width of Access
2 – 3	3.5 metres
4 – 6	5.0 metres

- Access shall comply with the access performance standards of R20.4.2(a) of the Land Transport Section.

(e) **Essential Services**

- i. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
- ii. All new lots must have sewer, stormwater and water supply services that are connected to essential services
- iii. Wastewater in Pressure Sewer Areas shall be reticulated with a Pressure Sewer System
- iv. Wastewater outside of Pressure Sewer Areas may be reticulated with a Pressure Sewer System where it is demonstrated this method is feasible from a geotechnical, hydraulic, engineering and safety perspective
- v. For the purposes of (iii) and (iv) above, the Pressure Sewer System boundary kit and the pressure sewer pipe network located in public service corridors must be installed at the time of the subdivision and vested to Council.

iiiiv All new essential services proposed in a subdivision must be located in public service corridors either where they are to vest in Council or service in excess of 6 lots.

**Explanation**

*The intent of performance standard (iii) is to ensure that in extending new sewer, stormwater and water supply services to a new subdivision they must connect to essential services and must be located through a public service corridor, which will be vested in Council. Please refer to Diagram 7.3A and 7.3B for examples of how this will be applied. . Performance standard (iii) requires that wastewater in Pressure Sewer Areas is reticulated with a Pressure Sewer System. Performance standard (iv) allows for Pressure Sewer Systems to be utilized outside of Pressure Sewer Areas, provided the developer can demonstrate it is feasible. The Council will take geotechnical, hydraulic, engineering and safety considerations into account when considering the use of PSS outside of Pressure Sewer Areas.*

*Where a new essential service is not located in a public service corridor, Council is concerned about its ability in the future to maintain that service. At some stage the service (pipe) will need to be fixed or replaced. If the pipe, which is covered by an easement, runs through a number of private properties, access to the easement may be difficult and quite often private landowners will have constructed fences, gardens etc. over the easement thus impeding replacement of the pipe. Although an easement is in place on the title, landowners are seldom aware of the development restrictions related to such easements and these areas still get developed. Council has continual problems with structures, fences, gardens, driveways etc. over easements and when maintenance is required, the costs to Council and the landowners are increased.*

*Additionally, where services are to be connected into the City Council reticulated systems, it is necessary to ensure these connections are efficient and sustainable. This is influenced by how services are connected. The location of services is vital to the long term efficiency of the City infrastructure networks. The provision and location of essential services through a public corridor will ensure a well-managed network and will ensure logical and orderly development outcomes in urban areas avoiding premature development before the necessary infrastructure is in place to service it.*

(f) **Esplanade Reserves**

In respect of lots less than 4 hectares in area, an esplanade reserve at least 20 metres wide shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the lot concerned.

(g) **Pacific Drive Extension Area**

All subdivisions in the Pacific Drive Extension area shown on Map 7.1B Pacific Drive Extension Area, with a lot size below 3000m<sup>2</sup> shall ensure that a water supply is able to be connected to, which at the time of subdivision is able to provide and maintain an adequate supply of potable water that:

- i. Makes provision for firefighting requirements for residential areas;
- ii. Accommodates the anticipated flows and demands on the supply; and withstand the anticipated pressure and loads.
- iii. Is able to service each lot to be created;

- iv. Is compatible with other utility systems;
- v. Avoids the likelihood of potable water contamination;
- vi. Permits appropriate access for firefighting;
- vii. Has a design life of at least 70 years;
- viii. Avoids the likelihood of leakage.

**NOTE TO PLAN USERS**

1. For any subdivision applications identified on Map 10.6.1.3 (Areas in which minimum floor levels apply) please refer to the Residential Section, R10.6.1.3 and associated Explanations. This rule relates to minimum floor levels in Amberley Avenue, Escort Grove, Rangitane Park and Racecourse Road Areas.
2. All subdivisions must comply with the National Environmental Standard for Assessing and Managing Contaminants in Soil.
3. Any subdivision and development that is located on any Site of Cultural Heritage Value, as listed in Section 17 of the District Plan, must also comply with R17.16.2.5.

**(h) Street Trees**

The layout of the subdivision and the location of any associated new or altered vehicle crossing does not require:

- (i) the removal of any tree planted on any public road, or
- (ii) modification, excavation or construction within the area directly beneath the dripline of the tree.

**Explanation**

*Street Trees make a significant contribution to the quality of the public space and character of the Residential Zone. Subdivision design that results in the removal of established Street Trees is discouraged. Council will consider applications in regard to the health and maturity of the tree, the provision of a replacement tree, and whether alternative site access arrangements are possible. As a Road Controlling Authority, the Council has the authority to refuse permission for the removal of a tree.*

**NOTE TO PLAN USERS**

For any subdivision applications in areas identified as being within the National Grid Subdivision Corridor or within 100m of the Turitea (Linton) National Grid Substation and 25m of the Bunnythorpe National Grid Substation, as identified on the Planning Maps, that is not a subdivision for the purposes of accommodating a network utility, also refer to R7.17.1.2 and R7.17.1.3.

**(i) Earthworks**

- i. Any earthworks undertaken on the land being subdivided shall comply with R6.3.6.1(b) for Permitted Activity standards.
- ii. Any subdivision within the Aokautere Development Area will be accompanied by an earthworks plan identifying any restructuring of land, earthworks or other works to create land with improved slope and soil stability necessary to enable the development of house sites, services and access ways.

## 7.7 Business Zones

### 7.7.1 RULES: CONTROLLED ACTIVITIES

#### R7.7.1.1 Controlled Activities

**The following are Controlled Activities:**

Any subdivision which complies with the Performance Standards below is a Controlled Activity in respect of:

- The size, shape and arrangement of lots, cross lease areas, company lease areas, units and access.
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.

**Performance Standards for Controlled Activities under R7.7.1.1****(a) Existing Buildings**

Where any land proposed to be subdivided contains existing buildings there shall be no increase in the degree of non-conformity with any Permitted Activity standard for the Business Zone, in which the proposed site(s) are located.

**(b) Size, Shape and Arrangement of Lots**

Except as provided in (a) above subdivisions must result in an arrangement of lots, cross lease and company lease areas and units capable of accommodating buildings and uses in accordance with the Permitted Activity Standards for the Business Zone, in which the site(s) are located.

**(c) Access**

Subdivisions must provide for service access and off-street parking in accordance with the Permitted Activity Standards for the Business Zone, in which the site(s) are located.

Access shall comply with the access performance standards of R20.4.2(a) of the Land Transport Section.

**(d) Essential Services**

i. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.

ii. All new lots must have sewer, stormwater and water supply services that are connected to essential services.

iii. Wastewater in Pressure Sewer Areas shall be reticulated with a Pressure Sewer System.

iv. Wastewater outside of Pressure Sewer Areas may be reticulated with a Pressure Sewer System where it is demonstrated this method is feasible from a geotechnical, hydraulic, engineering and safety perspective.

v. For the purposes of (iii) and (iv) above, the Pressure Sewer System boundary kit and the pressure sewer pipe network located in public service corridors must be installed at the time of the subdivision and vested to Council.

~~iii-iv~~ All new essential services proposed in a subdivision must be located in public service corridors either where they are to vest in Council or service in excess of 6 lots.



**(e) Roads**

Any proposed new road must be constructed in accordance with Appendix 20B in Section 20.

**NOTE TO PLAN USERS**

For any subdivision applications in areas identified as being within the National Grid Subdivision Corridor or within 100 m of the Turitea (Linton) National Grid Substation and 25 m of the Bunnythorpe National Grid Substation, as identified on the Planning Maps, that is not a subdivision for the purposes of accommodating a network utility, also refer to R7.16.2 and R7.16.3.

**7.7.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES****R7.7.2.1 Essential Services**

Any subdivision which does not comply with the Essential Services Performance Standard in R7.7.1.1(d), and which is not a non-complying activity under All Zones Rule 7.16.3.2, is a Restricted Discretionary Activity. Council shall restrict its discretion to the following matters:

- the ability for Council to maintain and access the pipe in the future.
- the cumulative effect of additional connections into the main trunk services.
- the integration of the services into the existing City network and its effect on efficient and orderly development within urban areas.
- Those matters described in Sections 108(1) and 220 of the Resource Management Act 1991

**Non-Notification**

No application under R7.7.2.1 is required to be publicly notified.

**7.7.3 RULES: DISCRETIONARY ACTIVITIES****R7.7.3.1 Discretionary Activities**

Any subdivision which is not a Controlled Activity or a Restricted Discretionary Activity is a Discretionary Activity.

**7.8 Industrial Zone and North East Industrial Zone****7.8.1 RULES: CONTROLLED ACTIVITIES****R7.8.1.1 Controlled Activities****The following are Controlled Activities**

Any subdivision which complies with the Performance Standards in below and which is not specified in R7.8.2 as a Restricted Discretionary Activity is a Controlled Activity. Council restricts its control to the following matters:

- The size, shape and arrangement of lots, cross lease areas, company lease areas, units and access.
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.
- In the North East Industrial Zone, the establishment of buffer areas.

**Non-Notification**

The following activity addressed in this section must not be publicly notified: R7.8.1.1.

**Performance Standards for Controlled Activities under R7.8.1.1****(a) Existing Buildings**

Where any land proposed to be subdivided contains existing buildings there shall be no increase in the degree of non-conformity with the Permitted Activity Performance Standards for the Industrial Zone.

- i. the Permitted Activity Performance Standards for subdivisions located in the Industrial Zone; or
- ii. the Performance Standards prescribed for Permitted and Controlled Activities for subdivisions located within the North East Industrial Zone.

**(b) Size and Arrangement of Lots**

- i. In the North East Industrial Zone, the minimum area of each lot (including lots in (a) above) except lots for access, utilities or reserves, shall be 2 hectares.
- ii. Except as provided in (a) above subdivisions must result in an arrangement of lots, cross lease areas, company lease areas and units of sufficient area capable of accommodating buildings and uses in accordance with the Permitted Activity Standards for the Industrial Zone and the North East Industrial Zone.

**(c) Access**

Subdivisions must provide for service access and off-street parking in accordance with the Permitted Activity Performance Standards for the Industrial Zone and the North East Industrial Zone, provided that the width of any access must not be less than 6 metres.

Access shall comply with the access performance standards of R20.4.2(a) of the Land Transport Section.

**(d) Essential Services**

- i. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
- ii. All new lots must have sewer, stormwater and water supply services that are connected to essential services.
- iii. Wastewater in Pressure Sewer Areas shall be reticulated with a Pressure Sewer System.
- iv. Wastewater outside of Pressure Sewer Areas may be reticulated with a Pressure Sewer System where it is demonstrated this method is feasible from a geotechnical, hydraulic, engineering and safety perspective.
- v. For the purposes of (iii) and (iv) above, the Pressure Sewer System boundary kit and the pressure sewer pipe network located in public service corridors must be installed at the time of the subdivision and vested to Council.
- ~~iv-vi.~~ All new essential services proposed in a subdivision must be located in public service corridors either where they are to vest in Council or service in excess of 6 lots.
- ~~v-vi.~~ All new lots in the North East Industrial Zone Extension Area must provide innovative / low-impact stormwater designs under the requirement for a Comprehensive Development Plan in R7.8.2.1(3) and subject to assessment criteria in R7.8.2.1(3)(a)(vi).

**Explanation**

*The intent of performance standard (d)(iii) is to ensure that in extending new sewer, stormwater and water supply services to a new subdivision they must connect to essential services and must be located through a public service corridor, which will be vested in Council. Please refer to Diagram 7.3A and 7.3B for examples of how this will be applied. Performance standard (iii) requires that wastewater in Pressure Sewer Areas is reticulated with a Pressure Sewer System. Performance standard (iv) allows for Pressure Sewer Systems to be utilized outside of Pressure Sewer Areas, provided the developer can demonstrate it is feasible. The Council will take geotechnical, hydraulic, engineering and safety considerations into account when considering the use of PSS outside of Pressure Sewer Areas.*

*Where a new essential service is not located in a public service corridor, Council is concerned about its ability in the future to maintain that service. At some stage the service (pipe) will need to be fixed or replaced. If the pipe, which is covered by an easement, runs through a number of private properties, access to the easement may be difficult and quite often private landowners will have constructed fences, gardens etc. over the easement thus impeding replacement of the pipe. Although an easement is in place on the title, landowners are seldom aware of the development restrictions related to such easements and these areas still get developed. Council has continual problems with structures, fences, gardens, driveways etc. over easements and when maintenance is required, the costs to Council*



and the landowners are increased.

Additionally, where services are to be connected into the City Council reticulated systems, it is necessary to ensure these connections are efficient and sustainable. This is influenced by how services are connected. The location of services is vital to the long term efficiency of the City infrastructure networks. The provision and location of essential services through a public corridor will ensure a well-managed network and will ensure logical and orderly development outcomes in urban areas avoiding premature development before the necessary infrastructure is in place to service it.

**(e) Esplanade Reserves**

In respect of lots less than 4 hectares in area, an esplanade reserve at least 20 metres wide shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the lot concerned.

**(f) Buffer Screen Planting within Setback Areas**

In the existing North East Industrial Zone, buffer areas are to be established along those boundaries of proposed lots adjoining Railway Road, Roberts Line, Richardsons Line and Setters Line in accordance with R12A.5.1. These buffer areas shall be planted to adequate depth and height, as outlined in the North East Industrial Design Guide, so as to provide visual screening to residents in the Rural Zone and to road users.

In the North East Industrial Zone Extension Area, buffer screen planting within building setback areas must be provided along those boundaries of proposed lots adjoining Railway Road and Rural Zone land. Buffer screen planting areas must be planted to adequate depth and height as required in R12A.6.2, so as to provide visual screening to residents in the Rural Zone and road users of Railway Road.

**(g) Roads**

Any proposed new road must be constructed in accordance with Appendix 20B in Section 20.

**(h) Earthworks**

In the North East Industrial Zone, any earthworks undertaken on the land being subdivided shall comply with R6.3.6.1(c) for Permitted Activity standards.

## **7.8.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES**

### **R7.8.2.1 Restricted Discretionary Activities**

1. Any subdivision which does not comply with the Controlled Activity Performance Standards for Existing Buildings, Minimum Lot Area, Shape Factor, Access, or Earthworks, provided it complies with the performance standards in R7.8.2.1 below.
2. Or any subdivision in the Midhurst Street Industrial Area.
3. Or any subdivision in the North East Industrial Zone Extension Area.
4. Or any subdivision in the Railway Road Industrial Enclave.

Shall be Restricted Discretionary Activity. Council will restrict its consideration to the following matters:

- The size, shape and arrangement of lots, cross lease areas, units and access.
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.
- In the North East Industrial Zone, the ability for sites to be able to accommodate activities that comply with all of the relevant performance standards for that zone.
- In the North East Industrial Zone, with reference to earthworks, the potential effects on:
  - Landscape and visual impact
  - Effects on adjoining properties including amenity values

- Impact on flood plains and flood flows
- Increase in hazard risk and effects on land stability
- Effects of erosion and sedimentation
- Effects on overland flow paths
- Effects on the National Grid
- In the North East Industrial Zone Extension Area:
  - Urban Design
  - Landscaping
  - Enhancement and management of surface water flows and overland flow paths
  - Integration of essential services
  - Natural hazards
  - Future development opportunities
  - Visual amenity
  - Effects on the capacity of Council infrastructure
  - Safe and efficient operation of the road network
  - Connectivity
  - Infrastructure and physical resources of regional and national significance
  - Hydraulic neutrality with regards to stormwater runoff

**2. The Midhurst Street Industrial Area in addition to the matters above, the following:**

- i. The extent to which the subdivision plan conforms with the Structure Plan for the Midhurst Street Industrial Area.
- ii. The extent to which the services are within public service corridors or can be conveniently accessed by the Palmerston North City Council.
- iii. The extent to which the subdivision provides for coherent and integrated internal roading network and roading and services sufficient to ensure the entire Midhurst Street Industrial Area is appropriately serviced, including provision for connectivity to other land.
- iv. The extent to which the subdivision provides for appropriate means of collection and disposal of stormwater likely to be generated following development of the entire Midhurst Street Industrial Area.
- v. The extent to which appropriate access is provided taking into account the access performance standards of R20.4.2 of the Land Transport Section, including connection to Kelvin Grove Road as required in R12.4.3(h)(iii).
- vi. The imposition of consent notices to inform future purchasers of constraints on use and development in the District Plan to protect the operational capability of the Palmerston North Airport. In addition, the imposition of consent notices to ensure amenity planting is established and maintained.
- vii. The extent to which the subdivision provides for retention of the ephemeral stream as an open swale and the extent that is designed and planted to improve biological processes and local amenity.
- viii. The extent to which the subdivision adequately maintains and enhances local amenity, provides for pedestrian access, street tree planting, amenity planting at the entrance from Kelvin Grove Road and provides amenity planting adjacent to the Linklater Block as shown in the Structure Plan.

- ix. The extent to which the application provides for works and services to provide an intersection at the access point with Kelvin Grove Road as well as improvements to Kelvin Grove Road necessary to ensure traffic safety and efficiency is not adversely affected as a result of development of the entire Midhurst Street Industrial Area.
- x. With regard to earthworks activities, the potential effects on
  - a) Landscape and visual impact
  - b) Effects on adjoining properties including amenity values
  - c) Impact on flood plains and flood flows
  - d) Increase in hazard risk and effects on land stability
  - e) Effects of erosion and sedimentation
  - f) Effects on overland flow paths

**3. In the North East Industrial Zone Extension Area in addition to the matters in R7.8.1.1 and those above (R7.8.2.1), the following performance standards and assessment criteria apply:**

**Performance Standards**

- a. All subdivision in the North East Industrial Zone Extension Area must provide (as part of the subdivision consent application) a Comprehensive Development Plan that details how the design, layout and servicing of the Area is in accordance with the North East Industrial Zone Structure Plan (Map 7.2). The Comprehensive Development Plan must describe the following:
  - i. A Context Plan:
    - a) Describing the development context of neighbouring sites and the adjacent existing industrial area as a whole.
    - b) Showing the arrangement of lots, activities, buildings, and public open space and landscape planting including that anticipated by the North East Industrial Zone Structure Plan (Map 7.2).
  - ii. A site analysis which identifies important existing conditions on the site. This will include contours, any important landscape features and the following technical analysis:
    - a) A report from one or more chartered professional engineers, or other suitably qualified persons, experienced in soil mechanics, geotechnical engineering or land contamination, as relevant, identifying geo-physical features and characteristics of the land, including potential erosion, falling debris, subsidence, slippage, alluvium or likely presence of hazardous contaminants, and the likely risks that those features or characteristics present for the land, adjoining land, or any structure likely to be constructed on the land. This report must also contain or be accompanied by:
      - any recommendations as to the design and construction of foundations that are appropriate to mitigate any characteristic or feature identified;
      - an assessment on how fill should be placed onto the land based on the sub-surface conditions;
      - any recommendations as to the necessary remediation of contaminated land;
      - a copy of any site investigations including bore logs; and
      - a certificate from the engineer or other qualified expert confirming that the analysis undertaken is in accordance with professional standards, appropriate to the risks identified and of sufficient quality in order to be relied upon as a comprehensive hazards assessment.
    - b) A report from a hydraulic engineer identifying the characteristics of the land including potential avulsion or inundation and the likely risks that those features or characteristics

present for the land and its future use. This report must also contain any recommendation as to the location, design and construction of foundations that are appropriate to mitigate any characteristic or feature identified. A copy of any site investigations including bore logs must accompany the report. The report must also demonstrate how the proposed stormwater detention / retention measures will ensure hydraulic neutrality is achieved and ensure that there is no increase in stormwater effects on surrounding areas.

- iii. A Development Scheme Plan, describing the proposed site planning and design. This will include the following:
  - a) The proposed layout and design
  - b) Allotments to be developed, their location and area
  - c) Indication of the intended activities and their location
  - d) Proposed access points to allotments
  - e) Any water course reserve areas, their proposed treatment and their potential to be integrated into an innovative and/or low-impact stormwater design
  - f) Location of on-site buffer screen landscaping
  - g) Location and type of street landscaping and street edge amenity planting treatments including footpaths, areas of planting, and integration with stormwater management
  - h) The use of on-site sustainable urban drainage systems and low impact design systems to manage the retention of stormwater
  - i) Infrastructural network servicing provision, including how the proposed infrastructure will provide for future staged development of the North East Industrial Zone Extension Area.
  - j) How the proposed road layout and design ensures connectivity to property and roads that have been developed or have the potential to be developed in the future.
  - k) Demonstration of how firefighting water supply is intended to be provided.
- iv. Programme and time frame for development, including a staging plan.
- v. An urban design statement to explain how the proposed subdivision design relates to the site, its surroundings, and how it creates a high amenity industrial area. The urban design statement shall include:
  - a) Design rationale, which provides the reasoning for the intended approach and describes how the relevant issues identified have been responded to.
  - b) How the proposed subdivision gives effect to the North East Industrial Zone Structure Plan (Map 7.2).
  - c) How the planning and design of the proposed subdivision relates to the relevant objectives and policies of the District Plan.
- vi. A statement describing whether the owner/operator of the gas transmission pipeline have been consulted regarding the protection of the gas transmission corridor and what progress has been made in securing required approvals where relevant.

#### **Explanation**

*These issues will be considered to the extent that they are relevant in each situation. The degree of emphasis given to each will depend on specific context, with the intention of achieving a well-planned, coordinated and connected industrial area.*

*The extent of documentation required will be that necessary to describe the planning and design intention and demonstrate that the relevant matters are addressed by the Comprehensive Development Plan. That will vary from subdivision to subdivision depending on the type of development, prominence of the site and the size of the area covered.*

*It might include, but will not necessarily be limited to:*

- *Context plan, describing the development context of neighbouring sites and the adjacent existing industrial area as a whole, showing the arrangement of lots, activities, public open space and landscape planting.*
- *Site and context analysis which identifies important existing conditions.*
- *Indication of the intended activities and their location.*
- *Design rationale, which provides the reasoning for the intended approach and describes how the relevant issues identified have been responded to.*

*There is no one optimal way of scoping and presenting the information for a Comprehensive Development Plan. The amount of information and type of approach will relate to the size and complexity of the subdivision. Confirmation of relevant issues and precise information requirements should be discussed with the PNCC consents team early in the Comprehensive Development Plan formulation process.*

### **Determination Clause**

In determining whether to grant consent and what conditions (if any) to impose, the Council will, in addition to the City View objectives and policies in Section 2, and the objectives and policies of Section 7 Subdivision, assess any application in terms of the following:

#### **Assessment Criteria: North East Industrial Zone Extension Area**

- a) Subdivision design and layout
  - i. The extent to which the design and layout of the subdivision gives effect to the North East Industrial Zone Structure Plan (Map 7.2).
  - ii. How the proposed subdivision, road layout and design relates to adjoining sites and areas and whether it ensures connectivity to property and roads that have been developed or have the potential to be developed in the future.
  - iii. The extent to which the subdivision and proposed road layout integrates with the existing North East Industrial Zone.
  - iv. The continuity and coherence of street trees, public open space landscaping, and the extent to which they have been integrated into the design and layout of the subdivision and the wider industrial area.
  - v. The extent to which the proposed subdivision incorporates and utilises identified water course reserves for stormwater management and as a design feature which provides increased amenity within the industrial area.
  - vi. Whether proposed stormwater detention/retention measures ensure hydraulic neutrality is achieved and that there is no increase in stormwater effects on surrounding areas.
  - vii. The extent to which paving, street landscaping and lighting treatments give effect to the hierarchy of street types established by the Structure Plan, and establish a consistent treatment along any street.
  - viii. The extent to which site contouring complements important natural features, while at the same time providing as appropriate for enhanced amenity and site functionality including stormwater management and noise control.
  - ix. The extent to which the proposed subdivision is capable of effectively and efficiently accommodating development that meets the objectives and policies of the North East Industrial Zone including those policies specific to the North East Industrial Zone Extension Area.
  - x. The extent which deviations from the Structure Plan will result in an alternative coordinated, coherent and high quality outcome that will satisfy its objectives to an equal or greater extent.
  - xi. The extent to which the proposed subdivision provides for the ongoing operation and maintenance of the gas transmission pipeline.



- xii. The extent to which any earthworks associated with the subdivision have safeguards in place to ensure that adequate protection of the gas transmission pipeline is achieved.
- b) Visual Amenity
  - i. The extent to which the subdivision contributes to the realisation of a consistent and coordinated landscape treatment in all public areas throughout the Zone, in particular that street trees have been provided at an appropriate scale in relation to the size and significance of the related street.
  - ii. The extent to which the design of the proposed subdivision facilitates the creation of high quality attractive public open spaces, including streetscapes.
  - iii. The extent to which the subdivision provides for street tree planting in accordance with the North East Industrial Zone Structure Plan (Map 7.2), and that this and associated buffer screen landscaping is achieved in a way that safely and security is maintained at entrances and intersections, road edges, and other publicly accessible areas.
  - iv. The extent to which frontage setbacks and landscape treatments along the edges of Roberts Line and Railway Road contribute to a memorable and cohesive road edge, with a landscape quality appropriate to a main city entrance route.
  - v. The extent to which the subdivision provides for the establishment and maintenance of landscape buffers adjacent to Railway Road and Rural Zone properties, as outlined in the North East Industrial Zone Structure Plan (Map 7.2).
  - vi. The extent to which Railway Road and Rural Zone boundary setbacks provide for vegetation of sufficient depth and height when mature to screen industrial buildings from the Rural Zone and road users.
- c) Integration of Essential Services
  - i. The degree to which the subdivision provides for the integration of essential services into the existing City network in a manner which is orderly and efficient and that facilitates future development and capacity requirements.
  - ii. The extent to which stormwater is managed utilising natural systems including water course reserve areas and utilising permeable surfaces, swales and appropriate vegetation.
  - iii. The extent to which innovative and/or low-impact stormwater design is integrated where appropriate and geo-technically feasible, and is designed in a way that contributes to the visual amenity of the industrial area.
  - iv. Whether the Council has the ability to maintain and access infrastructure and services in the future.
  - v. The extent to which the proposed subdivision provides for coherent and integrated internal roading network and services sufficient to ensure the entire North East Industrial Zone Extension Area is appropriately serviced.
- d) Natural Hazards
  - i. The extent to which natural hazard risks are identified and the effects are avoided or mitigated.
  - ii. The extent to which subdivision considers and implements the findings of the geotechnical report to address land stability issues and recommended mitigation measures.
  - iii. The effect any earthworks will have on natural hazard risk and/or land stability, including effects on overland flow paths, and sedimentation.
  - iv. The extent to which flood hazard avoidance and stormwater management is provided to ensure the protection of development in a 0.5% Annual Exceedence Probability flood event and ensure the hydraulic neutrality of the industrial area.
  - v. The extent to which the proposed subdivision provides for appropriate means of minimising

the generation of runoff and provides for the collection and disposal of stormwater likely to be generated following development of the site, including how the proposed infrastructure will provide for future staged development of the entire North East Industrial Zone Extension Area.

- e) Safe and Efficient Operation of the Rooding Network
  - i. Whether any adverse effects of the proposed subdivision on the safe and efficient operation of the rooding network can be effectively mitigated.
  - ii. Whether Richardsons, Setters Line or Roberts Line have been upgraded to a full industrial standard.
  - iii. The extent to which appropriate access is provided taking into account the access performance standards of R20.4.2(a) of the Land Transport Section.
  - iv. To have particular regard to pedestrians and cyclists.
- f) On-going operational capability of the Palmerston North Airport
  - i. The extent to which future purchasers need to be informed of constraints on the use and development in the District Plan to protect the operational capacity of the Palmerston North Airport.

**NOTE TO PLAN USERS: R7.8.2.1(3)**

- 1 All subdivisions must supply a Comprehensive Development Plan as required by R7.8.2.1(3) of the District Plan.
- 2 Additional consents may be required from the Manawatu-Wanganui Regional Council, for activities including land disturbance and vegetation clearance. Plan users are encouraged to contact the Regional Council directly for information about One Plan requirements.
- 3 All subdivisions must comply with the National Environmental Standard for Assessing and Managing Contaminants in Soil.
- 4 It is advised that the applicant contact the appropriate power, telecommunications and gas companies to determine the feasibility of connecting to their services.

**4. In the Railway Road Industrial Enclave in addition to the matters above:**

- i. The extent to which any proposed access arrangement provides for the safe and efficient operation of the road network.
- ii. The extent to which the proposed allotments are capable of accommodating permitted activities in accordance with the performance standards.

**Non-Notification (except for Restricted Discretionary Activities that do not comply with R7.8.1.1(h) earthworks):**

- i. No application under R7.8.2 is required to be publicly notified.
- ii. Consents will not be required from any affected party.

**Performance Standards for Restricted Discretionary Activities under R7.8.2.1**

**(a) Essential Services**

- i. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
- ii. Wastewater in Pressure Sewer Areas shall be reticulated with a Pressure Sewer System.
- iii. Wastewater outside of Pressure Sewer Areas may be reticulated with a Pressure Sewer System where it is demonstrated this method is feasible from a geotechnical, hydraulic, engineering and safety perspective.
- iv. For the purposes of (iii) and (iv) above, the Pressure Sewer System boundary kit and the pressure sewer pipe network located in public service corridors must be installed at the time of the subdivision and vested to Council.

**NOTE TO PLAN USERS**

It is advised that the applicant contact the appropriate power, telecommunication and gas companies to determine the feasibility of connecting to their services. The preference of Council is for essential services to be provided within 30 metres of the nearest point of land being subdivided. Council will only consider the extension or provision of services located outside of a public corridor within a Scheduled North East Industrial Zoned Site where servicing from adjoining land not within a public corridor is to be used.

**(b) Esplanade Reserves**

In respect of lots less than 4 hectares in area, an esplanade reserve at least 20 metres wide shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the lot concerned.

**(c) Subdivision below 2 hectares in the North East Industrial Zone or in the North East Industrial Zone Extension Area, for the purposes of excising from sites lawfully established activities.**

Lots below 2 hectares in the North East Industrial Zone or the North East Industrial Zone Extension Area may be created as a Restricted Discretionary Activity for the purposes of creating lots around lawfully established land use activities in existence prior to 23 April 2018. The balance lot shall have a minimum area of 2 hectares.

**(d) Lots in the Midhurst Street Industrial Area**

The maximum site area of each lot shall be 7500m<sup>2</sup> except for access, utilities, reserves, or a balance lot.

**R7.8.2.2 Any subdivision which is not a Non-Complying Activity and which does not comply with the Controlled Activity Performance Standard (R7.8.1.1(d)(ii)) Essential Services is a Restricted Discretionary Activity.**

Council will restrict its discretion to the following matters

- the ability for Council to maintain and access the pipe in the future.
- the cumulative effect of additional connections into the main trunk services.
- the integration of the services into the existing City network and its effect on efficient and orderly development within urban areas.
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.

**Non-Notification**

No application under R7.8.2.2 is required to be publicly notified.

**R7.8.2.3 Subdivision within the Napier Road Industrial Precinct**

Any subdivision within the Napier Road Industrial Precinct (as shown on Structure Plan 12.1) that is not provided for in R7.8.3.1 or R7.8.4.1 and which complies with the performance standards below is a Restricted Discretionary Activity.

Council will restrict its discretion to the following matters:

- a) The size, shape and arrangement of lots, cross lease areas, units and access.
- b) Those matters described in Sections 106, 108 and 220 of the Resource Management Act 1991.
- c) The ability for sites to be able to accommodate activities that comply with all of the relevant performance standards of R12.8.1.
- d) The degree to which the design and layout of the subdivision is in accordance with Structure Plan 12.1 in respect of:
  - i. Provision, design and location of the identified local roading network
  - ii. Establishment of Planted Buffer Areas.



- iii. The design and level of flood protection.
- iv. The design of stop-banks or engineered floodwalls established as part of the required flood protection measures.
- v. The re-vegetation of the adjoining remnant river terrace and visual effects associated with the altered elevation of the remnant river terrace.
- vi. The approval of New Zealand Transport Agency as the Road Controlling Authority for Napier Road (State Highway 3).
- vii. Location and design of access onto Napier Road (State Highway 3).
- viii. Access to the stormwater detention pond.

### Performance Standards for restricted Discretionary Activities under R7.8.2.3

#### (a) Existing Buildings

Where any land proposed to be subdivided contains existing buildings there shall be no increase in the degree of non-conformity with the Permitted or Controlled Activity performance standards for the Industrial Zone.

#### (b) Size and Arrangement of Lots

- i. Except as provided in (a) above subdivisions must result in an arrangement of lots, cross lease areas, company lease areas and units of sufficient area capable of accommodating buildings and uses in accordance with the Permitted and Controlled Activity performance standards for the Industrial Zone.
- ii. All subdivisions must not result in an average lot size of greater than 5000m<sup>2</sup>, excluding lots for access, utilities or reserves.

#### (c) Access

Compliance with R7.8.1.1(c).

#### (d) Essential Services

- i. All essential services shall be available for connection within 30 metres of the nearest point of the land being subdivided.
- ii. All new lots must have sewer, stormwater and water supply services that are connected to essential services.
- iii. Wastewater in Pressure Sewer Areas shall be reticulated with a Pressure Sewer System.
- iv. Wastewater outside of Pressure Sewer Areas may be reticulated with a Pressure Sewer System where it is demonstrated this method is feasible from a geotechnical, hydraulic, engineering and safety perspective.
- v. For the purposes of (iii) and (iv) above, the Pressure Sewer System boundary kit and the pressure sewer pipe network located in public service corridors must be installed at the time of the subdivision and vested to Council.

#### (e) Planted Buffer Areas

Planted buffer areas are to be established along those boundaries of proposed lots that front or adjoin Napier Road, Lot 5 DP 74205 and Lot 4 DP 74205 in accordance with R12.5.1 (b). These planted buffer areas shall be planted to an adequate width and height and constructed at an adequate gradient, as outlined within R12.8.3(b).

#### (f) Re-vegetation of the Remnant River Terrace within the Napier Road Industrial Precinct

Any subdivision that will require or result in the recontouring of the remnant river terrace identified on Structure Plan 12.1 will be required to re-vegetate the terrace in appropriate native species.

**(g) Flood Protection**

- i. Flood mitigation measures shall be established that will prevent inundation from a 0.2% annual exceedence probability flood event (1 in 500 year flood).
- ii. The flood mitigation measures shall include a minimum floor level of 37.56 metres on the industrial lots and a minimum ground level at the road boundary of 37.26 metres in terms of MSL Moturiki Datum 1953 such that the Napier Road Industrial Precinct is capable of achieving a gravity flow stormwater system towards the proposed stormwater detention pond shown on Structure Plan 12.1.
- iii. Flood mitigation measures shall include perimeter stop-banking or engineered floodwalls to RL 38.1 in terms of MSL Moturiki Datum 1953.
- iv. Should engineered floodwalls be constructed as an alternative to perimeter stop-banking they must provide a minimum factor of safety of 1.5 against any structural failure mode (including sliding, overturning or foundation failure). The engineered floodwall shall be designed and constructed in accordance with the relevant New Zealand Standards and to the satisfaction of the Palmerston North City Council.

**(h) Stormwater Detention Area**

The stormwater detention pond to be constructed as part of the development of the Napier Road Industrial Precinct whose general location is indicated on Napier Road Industrial Precinct Structure Plan 12.1 shall have street frontage and practical access for maintenance purposes.

**Assessment Criteria**

In determining whether to grant consent and the conditions that should be imposed, if any, Council reserves its discretion to an assessment of the extent to which the application meets the objectives and policies of the Subdivision Section and the following:

- a. The degree to which the subdivision is consistent with the Napier Road Industrial Precinct Structure Plan 12.1 in relation to the provision of Planted Buffer Areas and the identified local roading network.
- b. Whether the local roading network is designed and constructed in accordance with Council's Engineering Subdivision Standards.
- c. The extent to which the existing access to Napier Road is upgraded and designed and constructed in accordance with the New Zealand Transport Agency requirements and is of a standard sufficient to accommodate traffic generated by the future industrial development of the entire Napier Road Industrial Precinct.
- d. The extent to which the Napier Road Industrial Precinct develops as an integrated and efficient industrial precinct that specifically provides for small to medium sized industrial activities. In particular, ensuring infrastructure and access are addressed at the earliest opportunity and in a way that ensures all future development can be accommodated.
- e. The extent to which the Planted Buffer Areas provide effective visual screening to the occupiers of Lots 4 and 5 DP 74205 and visual enhancement of the landscape character and amenity values of Napier Road and the land identified as a future urban growth zone within Council's Urban Growth Strategy.
- f. The effectiveness of the initial establishment and maintenance of the Planted Buffer Areas.
- g. The extent to which the remnant river terrace is re-vegetated to mitigate the adverse visual effects associated with the altered elevation of the river terrace.
- h. That all buildings and structures are provided with flood mitigation measures that will prevent inundation from a 0.2% annual exceedence probability flood event (1 in 500 year flood).
- i. That a stormwater system is designed and installed sufficient to manage stormwater generated by the future industrial development of the entire Napier Road Industrial Precinct and total catchment area that drains to the west and northwest corner of the Napier Road Industrial Precinct.

- j. The extent to which the design of the stop-banks or engineered floodwalls and planted buffer areas ensure the successful establishment of appropriate planting and minimises the visual impact of the stop-banks or engineered floodwalls, while also ensuring the stop-banks or engineered floodwalls retain their primary water retentive function.

### **7.8.3 RULES: DISCRETIONARY ACTIVITIES**

#### **R7.8.3.1 Discretionary Activities**

Any subdivision which is not a Controlled Activity, Restricted Discretionary Activity or Non-Complying Activity is a Discretionary Activity.

#### **R7.8.3.2 Any Subdivision in the North East Industrial Zone that seeks access to Richardsons Line, Setters Line or Roberts Line**

Any subdivision in the North East Industrial Zone that creates allotments seeking access to Richardsons Line, Setters Line or Roberts Line before the road is upgraded to a full industrial standard that meets Council's standards for land development is a Discretionary Activity.

In determining to grant consent and what conditions if any to impose, the Council will, in addition to City View objectives in Section 2 and the North East Industrial Zone objectives and policies, assess any application in terms of the following assessment criteria:

##### **Assessment Criteria**

- i. Whether any adverse effects of the proposed access on the safe and efficient operation of the roading network can be effectively mitigated.
- ii. The extent to which appropriate access is provided taking into account the access performance standards of R20.4.2(a) of the Land Transport Section.
- iii. Whether the road or part of the road or intersection requires upgrading to full industrial standard.
- iv. Whether the approval of the Palmerston North City Council as the roading controlling authority has been obtained.

#### **R7.8.3.3 Any Subdivision within the North East Industrial Zone Extension Area that cannot comply with R7.8.1.1(d)**

Any subdivision within the North East Industrial Zone Extension Area that cannot comply with R7.9.1.1(d) is a Discretionary Activity.

In determining to grant consent and what conditions if any to impose, the Council will, in addition to City View objectives in Section 2 and the North East Industrial Zone objectives and policies, assess any application in terms of the following assessment criteria:

##### **Assessment Criteria**

- i. Whether agreement has been reached with the Palmerston North City Council to extend or make available essential services within 30 metres of the nearest point of the land being developed.
- ii. Whether sewer, stormwater and water supply services are connected to essential services and located through a public service corridor.
- iii. Assessment criteria contained in R12A.6.2(k).
- iv. Those matters described in Sections 108 of the Resource Management Act 1991.

### **7.8.4 RULES: NON-COMPLYING ACTIVITIES**

#### **R7.8.4.1 Any subdivision within the Napier Road Industrial Precinct that does not comply with the following performance standards of R7.8.2.3 is a non-complying activity.**

- (b)(ii) Average lot size

- (e) Planted Buffer Areas
- (f) Re-vegetation of the Remnant River Terrace within the Napier Road Industrial Precinct
- (g) Flood Protection
- (h) Stormwater Detention Areas

**R7.8.4.2 Any subdivision in the North East Industrial Zone Extension Area seeking access to Railway Road is a non-complying activity.**

**R7.8.4.3 Any subdivision in the Braeburn Industrial Area is a non-complying activity.**

## 7.9 Institutional Zone

### 7.9.1 RULES: CONTROLLED ACTIVITIES

#### R7.9.1.1 Controlled Activities

Any subdivision which complies with the Performance Standards below and which is not specified in R7.9.3.1 below as a Discretionary Activity is a Controlled Activity. Council restricts its control to the consideration of the following matters:

- The size, shape and arrangement of lots, cross lease areas, company lease areas, units and access.
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.

#### Performance Standards for Controlled Activities under R7.9.1.1

##### (a) Existing Buildings

Where any land proposed to be subdivided contains existing buildings there shall be no increase in the degree of non-conformity with any Permitted Activity standard for the Institutional Zone.

##### (b) Size, Shape and Arrangement of Lots

Except as provided in (a) above, subdivisions must result in an arrangement of lots, cross lease and company lease areas and units able to accommodate buildings and uses in accordance with the Permitted Activity Standards for the Institutional Zone.

##### (c) Access

Subdivisions must provide for service access and off-street parking where required by the Permitted Activity Standards for the Institutional Zone.

Access shall comply with the access performance standards of R20.4.2(a) of the Land Transport Section.

Subdivisions shall not have frontage or access to the Pahiatua Track.

##### (d) Essential Services

- i. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
- ii.
  - a. All new lots must have sewer, stormwater and water supply services that are connected to essential services
  - b. All new essential services proposed in a subdivision must be located in public service corridors either where they are to vest in Council or service in excess of 6 lots.

iii. Wastewater in Pressure Sewer Areas shall be reticulated with a Pressure Sewer System.

v. Wastewater outside of Pressure Sewer Areas may be reticulated with a Pressure Sewer System where it is demonstrated this method is feasible from a geotechnical, hydraulic, engineering and safety perspective.

vi. For the purposes of (iii) and (iv) above, the Pressure Sewer System boundary kit and the pressure sewer pipe network located in public service corridors must be installed at the time of the

subdivision and vested to Council.

**(e) Esplanade Reserves**

In respect of lots less than 4 hectares in area, an esplanade reserve at least 20 metres wide shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more.

**(f) Roads**

Any proposed new road must be constructed in accordance with Appendix 20B in Section 20.

## **7.9.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES**

### **R7.9.2.1 Essential Services**

Any subdivision which does not comply with the Essential Services Performance Standard in R7.9.1.1(d)(ii) is a Restricted Discretionary Activity. Council shall restrict its discretion to the following matters:

- the ability for Council to maintain and access the pipe in the future.
- the cumulative effect of additional connections into the main trunk services.
- the integration of the services into the existing City network and its effect on efficient and orderly development within urban areas.
- Those matters described in Sections 108(1) and 220 of the Resource Management Act 1991.

### **Non-Notification**

No application under R7.9.2.1 is required to be publicly notified.

## **7.9.3 RULES: DISCRETIONARY ACTIVITIES**

### **R7.9.3.1 Discretionary Activities**

Any subdivision which is not a Controlled Activity or a Restricted Discretionary Activity is a Discretionary Activity.

## **7.16 All Zones**

### **NOTES TO PLAN USERS**

It is advised that the applicant contact the appropriate power, telecommunication and gas companies to determine the feasibility of connecting to their services.

## **7.16.1 RULES: CONTROLLED ACTIVITIES**

**R7.16.1.1 Any Subdivision for the purpose of accommodating any network utility where the maximum area of the allotment does not exceed 200m<sup>2</sup> is a controlled Activity in respect of:**

- The size, shape and arrangement of the lot and access.
- Those matters described in Sections 106, 108 and 220 of the Resource Management Act 1991, provided the network utility concerned is a Permitted Activity or resource consent has been granted.

## **7.16.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES**

**R7.16.2.1 Any Subdivision within a Flood Prone Area identified on the Planning Maps is a Restricted Discretionary Activity, with regard to:**

- Flood Hazard Avoidance or Mitigation

- Functional Necessity
- The matters described in sections 108 and 220 of the Resource Management Act 1991
- Effects on adjoining properties from the displacement of floodwaters

Provided it complies with the following Performance Standard:

**Performance Standard**

**(a) Flood Hazard Avoidance or Mitigation**

Compliance with Restricted Discretionary Activity Performance Standards of R22.8.2.1(a) and (b).

**Determination Clause**

In determining whether to grant consent and what conditions if any to impose, Council will in addition to the City View objectives in Section 2 and the Natural Hazard objectives and policies, assess any application in terms of the following assessment criteria:

**Assessment Criteria**

**(a) Flood Hazard Avoidance or Mitigation**

- The extent to which flood hazard avoidance has been investigated as a preference to flood hazard mitigation;
- The extent to which any more than minor adverse effects on the effectiveness of existing flood hazard avoidance or mitigation measures, including works and structures within River and Drainage Schemes operated by the Manawatu-Wanganui Regional Council, natural landforms that protect against inundation, and overland stormwater flow paths, are avoided;
- The extent to which adverse effects on existing structures and activities are avoided or mitigated;
- The likelihood and consequences of the proposed flood hazard mitigation measures failing;
- The consequential effects of meeting the requirements of R22.6.2.1 Performance Standard (b), above, including but not limited to landscape and natural character and urban design, and the displacement of floodwaters onto adjoining properties;
- The proposed ownership of, and responsibility for maintenance of, the flood hazard mitigation measures including the appropriateness and certainty of the maintenance regime.

**(b) Functional Necessity**

- The extent to which alternative locations for new occupied structures or activities have been considered;
- The extent to which new habitable structures or activities cannot be reasonably located in an alternative location;
- The extent to which there is a functional necessity to locate habitable structures or activities within a Flood Prone Area.

**NOTES TO PLAN USERS**

- Subdivision of land within a Flood Prone Area, identified on planning Maps must be undertaken in accordance with Section 22 - Natural Hazards. Land use and development can only be undertaken in accordance with R22.6.
- When considering applications for resource consent, the Council will have particular regard to expert flood hazard advice provided by Horizons

**R7.16.2.2 Any Subdivision within the National Grid Subdivision Corridor**

Any Subdivision within the National Grid Corridor identified on the Planning Maps shall be a Restricted Discretionary Activity where it complies with the performance standard below. Council shall restrict its discretion to consideration of the following matters to:

- The size, shape and arrangement of lots, cross lease and company lease areas, units and access



- Those matters described in Sections 108 and 220 of the Resource Management Act 1991
- Effects on and from the National Grid, including provision for the on-going operation, maintenance, development, and planned upgrade of the National Grid, and access to the National Grid
- Whether the design and construction of the subdivision allows for earthworks, and future buildings and structures to be situated in a complying position and an ability to comply with the safe separation distance requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001)
- The risk of electrical hazards affecting public or individual safety, and the risk of property damage
- Technical advice provided by the operator of the National Grid
- The nature and location of any vegetation to be planted in the vicinity of National Grid Lines.

Provided it complies with the following Performance Standard:

**Performance Standard**

- (a) Every allotment shall be capable of containing within its net site area a building platform for a principal building which is located entirely outside of the National Grid Yard.

**Explanation**

*R7.16.2.2 seeks to promote the design of subdivisions and land use development in a manner that enables the efficient use of land around transmission lines without introducing sensitive activities or structures that would inhibit the operation, access, maintenance or upgrade of the National Grid, including any support structures.*

**NOTES TO PLAN USERS**

1. In order to establish safe clearance distances, consultation with Transpower NZ may be necessary.
2. Rules relating to earthworks activities within the National Grid Yard are set out in Section 6 – General Rules (Earthworks) of the District Plan, and the National Grid Subdivision Corridor is defined in Section 4- Definitions.

**R7.16.2.3 Any Subdivision in proximity to a National Grid Substation**

Any Subdivision within 100m of the Turitea (Linton) National Grid Substation and 25m of the Bunnythorpe National Grid Substation is a Restricted Discretionary Activity, with regard to:

- The extent to which the subdivision may adversely affect the efficient operation, maintenance, upgrading and development of the substation;
- The extent to which the proposed subdivision design and layout enables appropriate separation distances between future sensitive activities, development and the substation;
- Technical advice provided by the National Grid Operator
- Location, height, scale, orientation and use of the proposed building platform or structure as it relates to the National Grid
- Any other measures proposed to avoid or mitigate potential adverse effects, including reverse sensitivity effects, on the substation.

**NOTES TO PLAN USERS**

1. In addition to the above, all activities (whether listed or not) located under or adjacent to transmission lines must comply with the New Zealand Electrical Code for Electrical Safe Distances (NZECP34:2001) and Electricity (Hazards from Trees) Regulations 2003. Compliance with the District Plan does not ensure compliance with the Code.

**Explanation**

*R7.16.2.2 seeks to promote the design of subdivisions and land use development in a manner that enables the efficient use of land around substations without introducing sensitive activities or structures that would inhibit the operation, access, maintenance or upgrade of the substation.*

**Non-Notification**

- i. No subdivision application under R7.16.2.3 is required to be publicly notified.
- ii. Transpower New Zealand Ltd. will be considered an affected party unless written approval from them is provided.

#### **R7.16.2.4 Subdivision Requiring Access onto a State Highway or a Limited Access Road**

**Any subdivision that creates one or more allotments requiring vehicular or foot access to a road identified in Appendix 20A of the Land Transport Section as a State Highway or a Limited Access Road is a Restricted Discretionary Activity where:**

- a. The subdivision complies with the Performance Standards for Controlled Activity subdivisions of the relevant zone; and
- b. The subdivision is not otherwise and Discretionary on Non-Complying Activity Subdivision.

The Council restricts its discretion to the consideration of the following matters:

- The approval of New Zealand Transport Agency, as road controlling authority for State Highways and Limited Access Roads; or the Palmerston North City Council for any Limited Access Roads not controlled by New Zealand Transport Agency.
- The safe and efficient function of State Highways and Limited Access Roads.
- Location and design of access onto the State Highway network or Limited Access Road.
- Whether alternative legal access to public road exists.

#### **R7.16.2.5 Subdivision of an allotment containing a scheduled Historic Heritage Item identified in Appendix 17A and sites identified in Appendix 17B**

**Any subdivision of an allotment that contains a Building or Object of Cultural Heritage Value, as set out in Appendix 17A of the Plan, or that contains an Object or Site of Cultural Heritage Value to Tangata Whenua, as set out in Appendix 17B of the Plan is a discretionary Restricted Discretionary Activity.**

The Council will restrict its discretion to the following matters:

- a. The location and design of lots.
- b. The effects of the proposed subdivision on the heritage values of the listed building, object or site.
- c. The protection and conservation of the heritage item, or surroundings or curtilage associated with the heritage item or historic site.

### **7.16.3 RULES: NON-COMPLYING ACTIVITIES**

#### **R7.16.3.1 Any Subdivision that Does Not Comply with the Performance Standard of R7.16.2.2, shall be a Non-Complying Activity**

##### **Notification**

For the purposes of notification, Transpower New Zealand Ltd shall be an affected person.

#### **R7.16.3.2 Any subdivision in a Pressure Sewer Area that does not provide wastewater reticulation with a Pressure Sewer System shall be a non-complying activity.**



Appendix 2: Assessing the Appropriateness of the Objectives of Proposed Plan Change D

Operative objective 3 of Section 7 Subdivision is proposed to be amended to ensure pressure sewer systems are not enabled in the Rural environment of the City.

Text	Proposed Objective
Objective 3	<p>To ensure that subdivision of land and buildings in rural areas is consistent with integrated management of the use, development and protection of land and other natural and physical resources and:</p> <p>[...]</p> <ul style="list-style-type: none"><li>• avoids connection to the City's reticulated infrastructure network and consequential impacts on network efficiency and the extension and/or upgrade of the infrastructure network, including the road network <u>and pressure sewer systems</u></li></ul> <p>[...]</p>
Relevance	
Directly related to resource management issue?	<p>Yes, this is related to the resource management issue, which is identified as Proposed Issue 9 in the Subdivision section of the Plan. This issue makes it clear that the provision of PSS is limited to the urban environment of the City.</p> <p><u>Some parts of the urban area of the City would be better served via pressure sewer instead of traditional gravity connection to the reticulated sewage network because of liquefaction risks to traditional wastewater infrastructure, reduced installation and maintenance costs of pressure sewer systems, and the ability of pressure sewer systems to conserve downstream network capacity.</u></p> <p>It is also directly related to City View objectives 7 and 8, and Resource Management Issues 1, 3 and 5 of the Subdivision section of the Plan.</p>

Will achieve one or more aspects of the purpose and principles of the RMA?	Yes. As proposed, Objective 3 will contribute to protecting the character of the rural environment, and minimise the impact of rural development on the public utility network.
Relevant to Māori environmental issues? (sections 6(e), 6(g), 7(aa), 8)	The proposed amendment to the objective is not inconsistent with Māori environmental values.
Relevant to statutory functions or to give effect to another plan or policy (i.e., NPS, RPS)?	The proposed objective is relevant to the Council's statutory functions under s31(a) of the RMA. It is also consistent with the Council's obligations under the RPS, which identifies public or community sewage treatment plants and associated reticulation and disposal systems as a physical resource of regional importance in Policy 3-1 (a)(viii) of the Horizons One Plan. The proposed objective and associated provisions is also consistent with the direction of Policy 3-2 of the One Plan, which seeks to protect regionally important infrastructure from the adverse effects of the use and development of land, and also with the requirement to ensure the adverse effects of regionally important infrastructure on the environment is managed.
<b>Usefulness</b>	
Will effectively guide decision-making?	The proposed amendment to the objective ensures that decision makers can ensure that rural development is appropriately serviced with on site systems and not by means of pressure sewer systems.
Meets sound principles for writing objectives? (specific; state what is to be achieved where and when; relate to the issue; able to be assessed)	Yes, the objective states what needs to be considered and the structure of the provisions for servicing rural allotments ensures that it is understood where Pressure Sewer Systems are not appropriate.
Consistent with other objectives?	Yes, this objective is consistent with other objectives in the Plan.
<b>Achievability</b>	
Will it be clear when the objective has been achieved in the future? Is the objective measurable and how would its achievement be measured?	The implementation of the objective is ongoing.

Is it expected that the objective will be achieved within the life of the Plan or is it an aspirational objective that will be achieved sometime in the future?	Yes, it is expected that the implementation of the provisions will occur in the lifetime of the current plan.
Does the council have the functions, powers, and policy tools to ensure that they can be achieved? Can you describe them?	Yes. As explained in this s32 report, the proposed plan change is one of a suite of measures able to be implemented by Council to ensure PSS are installed in Pressure Sewer Areas, enabled in other urban areas, and not provided for in the rural environment.
What other parties can the Council realistically expect to influence to contribute to this outcome?	The Council can influence developers to ensure they understand the implications of the proposed provisions and the reasons for them. The Council has already been in consultation with the development community in respect of the draft Council-wide policy on PSS in Pressure Sewer Areas.
What risks have been identified in respect of outcomes?	There is a small risk that some developers will push against the requirement for on site wastewater servicing in the rural environment. However, the Plan provides a clear regulatory pathway with which to make decisions that are consistent with the overall policy framework and intensions of the Council in respect of PSS in Pressure Sewer Areas.
<b>Reasonableness</b>	
Does the objective seek an outcome that would have greater benefits either environmentally or economically/socially compared with the costs necessary to achieve it?	Yes. The benefits to the City include greater certainty regarding infrastructure requirements in specific areas of the City. This in turn will support and sustain growth in appropriate areas of the City and provide for the installation of infrastructure in parts of the City that will be environmentally and cost effective and efficient for ratepayers and developers. These outweigh the costs, which are largely focused on pursuing and engaging with the Schedule 1 process.
Who is likely to be most affected by achieving the objective and what are the implications for them?	The achievement of the objective will mostly affect developers and landowners. In addition to the provisions in the Plan Change, the Council will support the installation of PSS infrastructure through technical advice and guidance provided in the Council-wide PSS policy, the Engineering Code of Practice and legal instruments such as consent notices on titles.

Appendix 3: Memorandum to Planning and Strategy Committee, 3  
December 2018, by Robert van Bentum, Transport and  
Infrastructure Manager



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## MEMORANDUM

**TO:** Planning and Strategy Committee

**MEETING DATE:** 3 December 2018

**TITLE:** Wastewater Pressure Sewer Policy

**DATE:** 6 November 2018

**PRESENTED BY:** Robert van Bentum, Transport & Infrastructure Manager, Infrastructure

**APPROVED BY:** Ray Swadel, Acting Chief Infrastructure Officer

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### RECOMMENDATION(S) TO COUNCIL

1. That the Palmerston North City Council Pressure Sewer Systems Policy, as attached to the memorandum dated 6 November 2018 and titled 'Wastewater Pressure Sewer Policy' be adopted with the suggested amendments.

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### 1. ISSUE

- 1.1. Officers are seeking approval for the adoption of the Pressure Sewer Policy following consultation and some minor amendments.
- 1.2. The draft Policy was presented to this Committee on 1 October 2018. That report outlined the background to and benefits of the implementation of a pressure sewer systems policy. The Committee and Council approved targeted consultation on the draft policy. The period of consultation has been completed in accordance with the timeline set out and feedback has been received. The feedback has been assessed and some minor changes made to the Policy. Officers are seeking approval for adoption of the final version of the policy.

### 2. BACKGROUND

- 1.3. A pressure sewer policy has been prepared to support implementation of pressure sewer networks within the City by ensuring a consistent quality of installation which meet minimum performance standards and in a way that minimises future maintenance costs and risks to Council.



- 1.4. In the absence of any policy, it is difficult for staff to ensure infrastructure is installed consistently to meet minimum performance standards and in a way that minimises future maintenance costs and risks to Council.
- 1.5. The wider benefits of installing pressure sewer systems in new growth areas on the fringe of the city were detailed in the earlier report. The policy will enable Council to require the implementation of pressure sewer systems in a consistent and integrated manner.

### 3. CONSULTATION AND ENGAGEMENT PROCESS

- 3.1 The consultation process undertaken for the policy was as set out in the October 2018 report and included a consultation workshop, letters, email communication all supported by a dedicated consultation area on the Council website.
- 3.2 As detailed in the previous report Council officers assessed the relevant stakeholders for the Policy and determined these to comprise:
  - Landowners/developers in the areas where Council will specify these systems
  - Agents working for developers or landowners
  - Builders and plumbers/drainlayers
  - Suppliers of pressure sewer systems
- 3.3 A specific page was set up on the PNCC web page about the draft policy ([WWW.PNCC.GOV.T.NZ/PRESSURESEWER](http://WWW.PNCC.GOV.T.NZ/PRESSURESEWER)). The page included the following:
  - General information about the pressure sewer systems and the draft Policy
  - The draft Policy
  - The draft design guidelines (which will be linked the Engineering Standards for Land Development)
  - Maps of the proposed Pressure Sewer Areas
  - The form to provide feedback on the Policy
- 3.4 Letters were sent to all recorded property owners located in the proposed Pressure Sewer Areas, agents working for developers or landowners as well as builders and plumbers/drainlayers on 9 October 2018. The letters invited the recipients to a workshop about the Policy, to visit the Policy webpage and/or phone Council about the policy.

- 3.5 Suppliers of pressure sewer systems were contacted directly about the process, and asked if they wished to attend the workshop.
- 3.6 Rangitane were contacted for their feedback following on from the regular Council Bimonthly liaison meeting.
- 3.7 On 11 October 2018 an advertisement appeared in the Manawatu Guardian inviting anyone interested to attend a workshop on the Policy. The advertisement also invited people to visit the Policy webpage and/or phone Council about the Policy.
- 3.8 The information workshop about the pressure sewer was held on 17 October 2018. It was attended by 18 people, comprising a mix of property owners, developers/developer's agents and suppliers.
- 3.9 Over the feedback period Council staff fielded six phone calls about the draft Policy.
- 3.10 The preferred method of feedback was via the electronic form on the website. This feedback channel was promoted at the workshop and during phone calls. The form sought specific feedback on the following:
  - Support for the introduction of the Policy
  - The attractiveness of the installation of pressure sewer systems to the stakeholders
  - Any practical difficulties with the Policy perceived by the stakeholders
- 3.11 Feedback was also noted during the workshop or any phone calls as appropriate. Feedback was also accepted via email from parties who had been directly approached (Rangitane, suppliers).
- 3.12 The engagement period finished and the opportunity to provide feedback closed on 2 November 2018. A total of three (3) submissions were received via the web form.

#### 4. SUMMARY OF FEEDBACK

- 4.1 Of the three written submissions received, two were in support of the introduction of the Policy while the third was against.
- 4.2 Key matters raised by the submissions:
  - support the Policy as pressure sewer is an efficient way to provide a sewer service to future development areas and areas with specific challenges
  - do not support the Policy as they are happy with their existing on-site sewer infrastructure, and concerned at the impact of the initial capital and ongoing operational costs

- concerned to understand whether Council would be funding the extension of the wastewater system (in City West)
  - Foresaw practical difficulties with the introduction of the Policy, given the ongoing operational costs to be borne by the property owners.
  - Concerns about potential issues with ownership of infrastructure in private communal accessways.
- 4.3 There was a specific written submission from Kingsdale Park Limited. The submission advocated for Council to use its proposed discretion under the Policy to take over ownership of the on-property pressure sewer equipment in the development. At present the mains and laterals up to the boundary kit are vested with Council, while the on-property equipment remains in private ownership.
- 4.4 Phone enquiries provided no specific feedback for or against the Policy as they were mostly requests for clarification about specific details of the Policy and its proposed implementation.
- 4.5 Rangitane generally supported the Policy, but questioned the potential increase in overall energy use with the pressure sewer system compared to traditional gravity systems.
- 4.6 Feedback from the suppliers mostly concerned technical issues relating to the associated design standards as opposed the Policy itself. One of the suppliers stated their systems could work with waste disposal units, contrary to the Policy.
- 5. CHANGES TO AND FINALISATION OF THE POLICY**
- 5.1 As a result of the consultation and feedback received a number of minor changes are proposed to the Policy. These are summarised in Table 1 below.

**Table 1. Summary of Proposed Changes to the Pressure Sewer Policy**

Change identified	Identified where	Change to section	Change concept	Reason/advantages of change
Definition of when PNCC will take over on-property equipment	Workshop	5.2	Add wording that this may be done where there is wider network benefit for city, but maintain overall discretion.	Provision of clarity
Introduction of two or three strikes policy for damage caused by residents	Supplier feedback	5.3.3	Set this up in bylaw and refer to it.	Instead of resident being charged first time they are warned the first time with a letter, then charged for a repeat offence.
One unit per title	DP change discussions	5.4.1	Delete	Contradicts combination of DP and the other



				provisions of the policy
Location of boundary kits and landscaping	DP change discussions	5.4.2	Instead of stating policy refer to design guidelines and back up in the by law.	Landscaping covered by requirement for the chamber not be covered in any way should be in the design guidelines. As should the boundary kit location requirements
Look at conflict between policy and design guidelines	Supplier feedback	Appendices	Tidy up by getting rid of text on diagram	Typical system diagram shows depth of main approx. 2.5m, but the design guideline states 1.5m deep max cover.
Link point of discharge with Wastewater Bylaw	Internal review	Definitions 5.2.1.1, 5.2.1.2 and 5.2.2	Cross refence the definition of point of discharge with the Bylaw, and use term instead of current wording.	Consistency with way other items are addressed in the Policy.

5.2 With these changes the policy is considered finalised and ready for adoption. Feedback that was reviewed, but did not result in any changes to the Policy is detailed in Table 2 below.

**Table 2. Summary of Feedback Proposed Changes to the Pressure Sewer Policy**

Proposal	Identified where	Background	Reason for no change to policy
Ownership of pipes in ROWs	Web submission	Review whether this is adequately covered	No change to current practice which is to request an easement in favour of PNCC. If the pipe is private then no easement requirement. No requirement in the policy.
Clarify when the policy is to be implemented	General flavour of feedback	Some feedback was phrased as if it assumed that owners would be forced to put in the systems immediately and/or PNCC might pay for this.	Covered by the statement that the main infrastructure will be constructed at the time of subdivision. The policy already details responsibility and cost apportionment.
Overall increased total energy use in developments served by pressure sewer	Rangitane	Covered in District Plan – Residential Zone Section (10), Objective 3: Housing development is energy efficient, resilient and environmentally sustainable	Covered in District Plan
EcoOne systems can cope with waste disposal units	Supplier feedback	Review whether this requires any change	The ability of the units to cope does not change the driver for excluding food waste

## ITEM 9



PALMERSTON NORTH CITY COUNCIL

**6. OTHER ISSUES FROM FEEDBACK**

- 6.1 The feedback from Kingsdale Park Limited effectively requests Council use the proposed discretion in the Policy to take ownership of the on-property pressure sewer equipment in the Kingsdale Park development. Although the submission does not specifically state this, representatives from the organisation attended the workshop and subsequently signalled their intention to request Council to take over ownership.
- 6.2 The submission sought confirmation of whether Council would retrospectively issue consent notices on properties in developments where pressure sewer systems have already been approved to serve the development. It then goes on to provide reasoning as the benefits of the pressure sewer system located at Kingsdale Park.
- 6.3 Consent notices cannot be respectively issued. In terms of the Policy the decision on whether Council accepts responsibility for on-property equipment outside of the Pressure Sewer Areas will be made at the sub-division stage. This would only occur in response to a specific proposal from a developer that addresses the criteria in the Policy.
- 6.4 The Policy provides PNCC with the discretion to take responsibility for ownership of on-property equipment retrospectively. However, Officers consider there to be no compelling reason for this to occur for the following reason:
- The pressure system installed in Kingsdale Park was the solution chosen to provide wastewater services to facilitate re-zoning of rural land. There was and still is no clear wider benefit to the community of Palmerston North City from PNCC taking over ownership of the on-property equipment.

**7. NEXT STEPS**

- 7.1 Following confirmation of the decision on the adoption of the final Policy, those who provided feedback will be advised of the outcome of their feedback.

**8. SUPPORTING DOCUMENTATION FOR POLICY ADOPTION**

- 8.1 To ensure effective implementation of any adopted Policy, updates and changes to a range of other Council documents are required along with confirmation of final version of several new documents and processes as follows:
- Engineering Standards for Land Development: Required to detail the specific design and performance requirements specific for pressure sewer systems.
  - Council Three Waters Service Connections Approval System: The existing approved contractors' system for service connections will be expanded to include approval of contractors for the installation of pressure sewer system components.

- New process for approval of suppliers of pressure sewer systems for Council.
- New homeowner's guide for property owners and residents of properties that are served by a pressure system.

## 9. DISTRICT PLAN AND BYLAW AMENDMENTS

- 9.1 To create a regulatory framework which is consistent with and supportive of the Policy several changes to the District Plan and Wastewater Bylaw have been identified as necessary.
- 9.2 The District Plan will need to be amended to allow more specifically for the installation of PSS systems, to specify the areas where Council requires that they are installed and ensure that traditional gravity alternatives are not allowed. Initial work has commenced on a specific plan change for this.
- 9.3 Until the relevant District Plan change is operative Council officers will utilise the discretion currently allowed by the existing Plan to ensure that pressure sewers are installed in the areas required by Council. Officers will ensure this occurs by utilising standard conditions of consent for subdivisions that are to be served by pressure sewer systems, including a consent notice that will detail:
- the requirement for the installation of the on-property equipment at the time of building consent
  - on-going requirements of the property owner in relation to the operation and maintenance of the pressure sewer system and equipment.
- 9.4 The Wastewater Bylaw will need to be amended to align with the Policy and provide support to the Policy. The changes will be completed as part of the upcoming review of the Wastewater Bylaw.

## 10. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>No</b>
If Yes quote relevant clause(s) from Delegations Manual <Enter clause>	
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>

## ITEM 9



PALMERSTON NORTH CITY COUNCIL

Are the recommendations inconsistent with any of Council's policies or plans?		<b>No</b>
The development of the Policy, supporting processes and the changes to the related the associated Council documents will be funded by operational budgets.		
The recommendations contribute to Goal 4: An Eco City		
The recommendations contribute to the outcomes of the Eco City Strategy		
The recommendations contribute to the achievement of action/actions in the Three Waters Plan		
<p>The actions include:</p> <p>A pressure sewer policy is developed to support wastewater bylaw reviews to mandate pressure sewer implementation in NEIZ and City West zones</p> <p>Provide for the safe collection, treatment and disposal of the city's wastewater</p> <p>Provide infrastructure for growth</p>		
Contribution to strategic direction	<p>This Policy contributes to the goal of being an Eco City, as well as an innovative and growing City. It supports the Eco City and City Development Strategies by creating a framework to allow the installation of pressure sewer systems in Palmerston North City. This will enable areas of the City, including designated growth areas that would be difficult to service with a conventional gravity sewer system, to be more cost effectively connected to the sewer reticulation. It enables Council to provide more resilient sewerage services at a lower overall cost to the City when compared with traditional gravity systems. It will allow Council to realise significant reductions in peak flow enabling deferral of major network capacity upgrades and it provides distributed sewage storage in the network in the event of a service outage.</p>	

**ATTACHMENTS**

1. Feedback on Draft Pressure Sewer System Policy [!\[\]\(7a8011739ec4e250e2f89a547d75fb0a\_img.jpg\)](#) [!\[\]\(07dce76283bf618e2364d95ae0021e26\_img.jpg\)](#)
2. Final Pressure Sewer System Policy (including changes from draft) [!\[\]\(44ee86b940d3a0ca166486da8985875e\_img.jpg\)](#) [!\[\]\(2262b99b3a4953f9b3dfd64b89c00d2e\_img.jpg\)](#)

Name	Do you support the introduction of a pressure sewer systems policy?	Please tell us why	Do you envisage any practical difficulties associated with the proposed introduction of the pressure sewer systems policy?	Please tell us what you think those difficulties would be.	How likely are you to recommend or require the installation of pressure sewer systems for developments outside of the proposed Council specified areas?	Please tell us why you selected that answer.	In which group do you classify yourself?
Greg McVicar	No	<p>We are happy with what we have. Insufficient time to read document and work out what the Council is proposing. Does council propose to extend their waste water system to the boundaries of each property at their cost?</p> <p>We are continuing to read the proposed policy and collect some technical details on the pressure sewer system.</p> <p>Please include us in all future discussions. relating to. the proposed pressure sewer system and any proposed District Plan changes.</p>	Yes	Cost and future maintenance	1	Cost and Maintenance and possible Council remote control	Landowner in proposed mandatory pressure sewer systems area
Kingsdale Park Limited (Murray Guy)	Yes	<p>A policy for pressure sewer systems is supported because these systems are efficient and appropriate in areas of the city's development. They are likely to be used for more future areas of development within the city boundary, and consistency and certainty of their efficient use and maintenance would logically be managed by PNCC. A policy will achieve this with certainty.</p>	Yes	<p>The policy appears silent on the issue of infrastructure in ROW's with respect to PNCC's responsibility. Easements created would appear logical, in favour of PNCC( similar to power supply easements).</p> <p>Another issue is the management/ responsibility of assets( septic tank and electronics) currently installed on private property, prior to this policy. Would PNCC retrospectively issue a consent notice to bring these existing situations under total PNCC management as proposed in the policy.</p>	5	<p>Kingsdale Park was granted consent in August 2008 for the development of a further 118 residential lifestyle sections( in addition to the existing 15). 20 individual pressure sewerage units are connected to PNCC's sewerage network, and another 20 sections are currently being physically developed, including their pressure sewerage units. A further 78 sections will be developed in the near future in addition to these. Thus a policy is very important given the past, immediate and future installations of pressure sewerage units by Kingsdale Park Limited and "the aim of the policy is to provide guidance for the provision of waste water services .....that are, or may be in the future serviced by pressure sewerage services"</p> <p>Kingsdale Park was an early adopter of Pressure sewerage systems which dovetailed with its company ethos of environmental principles and practices. The strategic context of the policy "is to contribute to the goal of being an eco city, as well as an innovative and growing city". The Kingsdale Park development mirrors and typifies this policy goal.</p> <p>The off site removal of sewerage from Kingsdale Park's environmental residential lifestyle sections is appreciated by the residents both current and future, and is definitely viewed as a community benefit. There are no overloaded clay subsoil effluent systems , with associated foul odours and environment degradation in the Kingsdale Park development, as a result of this.</p>	Developer or developer's agent
Peter Hurdle	Yes	<p>After reading all the data on pressure system it looks as though it's the most effective and efficient way to deal with waste water and sewage disposal in that particular area due to the liquefaction etc.</p>	Yes	<p>There maybe some opposition to it as there will be extra costs involved as opposed to a gravity system as well as the ongoing electricity and maintenance costings.</p>	3	<p>Well not sure really but I guess if these pressure systems are being recommended to be used in these areas by Council and Engineers etc it must be better for the environment and the long term future of the City in general.</p>	Landowner in proposed mandatory pressure sewer systems area



Appendix 4: Memorandum to Helen Churton from Nicholas Jessen  
and Lester Houghton, CR Law



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## MEMORANDUM

**TO:** Helen Churton  
**FROM:** Nicholas Jessen/Lester Houghton  
**DATE:** 10 September 2018  
**SUBJECT:** Pressure Sewer Systems

### Summary of recommendations

1. Thank you for your instruction in this matter. We have been asked to provide recommendations and responses in relation to various questions concerning the Council's intended roll-out of Pressure Sewer Systems in certain areas of Palmerston North.
2. The following summarises our recommendations:
  - (a) The Council should review issues, objectives, policies, rules, and assessment criteria in forthcoming plan changes to clearly signal to the development community that Pressure Sewer Systems are the preferred means of sewage disposal in identified areas. Directive Policy and assessment criteria will steer developers to prepare subdivision accordingly and will provide decision-makers with sufficient discretion to require Pressure Sewer Systems and impose appropriate conditions through subdivision consent decision-making. Provisions should be specifically applicable to the identified areas rather than city-wide application;
  - (b) Amendments to the Council's Engineering Standards for Land Development to provide for Pressure Sewer Systems should include a note that limits the use of the design to Pressure Sewer areas or where otherwise permitted by resource consent. Conditions of subdivision consent should be specific as to whether gravity reticulated or Pressure Sewer Systems are required for subdivision;
  - (c) We have no issue with the proposed changes to the Wastewater Bylaw. We understand that the bylaw is intended to be complementary to other mechanisms. We suggest Council consider expanding the changes to the Bylaw so as to specify conditions in relation to owners' responsibilities. This may avoid the need for agreements with trade premises or other users.
  - (d) We have reviewed the draft Agreement. We consider that the elements of the Agreement can be captured within ongoing subdivision consent conditions and consent notices such as to bind all the subsequent owners of the land and this will provide a more streamlined approach than individual agreements. We have

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prepared and included in this advice a draft condition for your consideration to demonstrate how this could be achieved.

#### District Plan matters

3. The Council's power to compel the installation of Pressure Sewer Systems through subdivision relies on the Council's ability to impose conditions on subdivision consents. Although Pressure Sewer Systems may be generally welcomed by developers in identified areas, it will be appropriate in any case that the District Plan clearly articulates the requirement and provides policy guidance that can be relied on by decision makers when imposing conditions.
4. District Plan provisions should be reviewed to ensure that there is sufficient clarity and direction in the statement of issues, objectives, policies and methods to enable a decision-maker on subdivision applications to require Pressure Sewer Systems. Language that is neutral as to servicing requirements, for example "...where feasible", are generally broad but do not provide clarity that the pressure sewer systems will be required in specified areas or that gravity reticulation is not available. District Plan provisions that clearly articulate expectations are also advisable to facilitate consultations between the developer and the Council in the subdivision design/ pre-application stage.
5. In relation to the City-West growth area and Napier Road, District Plan provisions can be developed that are targeted to the particular areas as and when plan changes progress. It will be appropriate for the Policy and Strategy team to develop balanced provisions as these opportunities through future plan changes (we understand there are "several" possible plan change processes on foot).
6. The subdivision provisions of the North East Industrial Zone Extension Area have recently been made operative. It will be appropriate as part of one of the aforementioned plan change processes to consider whether amendment is required to subdivision provisions in Section 7.9 of the District Plan. For example, performance standard (d) of rule 7.9.1.1; development scheme plan requirements under rule 7.9.2.1; performance standard (a)(iii); and assessment criteria (c) relating to the integration of essential services. Also consider policy 5.1.
7. Review and amendment of provisions referred to at [6] above is not urgent. We are satisfied that there is sufficient breadth in the Council's existing discretion for the North East Industrial Zone Extension Area that would enable the Council to work with developers at pre-application stage and, if necessary, require pressure sewer systems through subdivision.
8. It is recognised that pressure sewer areas will be identified in the Wastewater Bylaw following review. We suggest that cross-references from the District Plan to the Bylaw areas should be avoided, in favour of specific identification of those areas in the District Plan. This can be easily achieved, by linking provisions to structure plan areas, which we understand will align to the pressure waste areas. This is already the case in relation to the North East Industrial Zone Extension Area.
9. It is understood that the Council will not favour Pressure Sewer Systems in areas outside of identified Pressure Sewer areas unless compelling evidence is provided that the approach is

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feasible based on geotechnical, hydraulic, financial, environmental, and safety considerations. This more restrictive approach will also require consideration of whether city-wide subdivision provisions require any amendment to articulate this expectation.

10. Because it is expected that careful analysis of the provision framework will be provided as part of those future processes, we do not wish to be prescriptive in our advice as to the specifics of amendments that should be advanced. We consider that a careful identification of provisions requiring amendment will be a relatively uncomplicated process for the Council's strategy and policy team, working in conjunction with Infrastructure.
11. If there are additional obligations within the Wastewater Bylaw that are not captured within the District Plan (possibly a requirement for a permit under the Bylaw), then the Council might consider reasonable cross-referencing via advice notes in the District Plan.

#### Engineering Standards

12. It is understood that design and installation of Pressure Sewer Systems will be the responsibility of the property developers and shall be required to comply with (among other things) the Council's Engineering Standards for Land Development ("ESLD") which will be updated to provide for Pressure Sewer Systems. It is expected that compliance with the Council's ESLD's will be a requirement imposed by conditions on the subdivision consent.
13. We suggest that the Council should review template conditions for subdivision consent to ensure that where conditions require compliance with the ESLDs, the conditions are specific as to what specific sewer engineering outcome is required, in particular whether gravity reticulation or a Pressure Sewer System is required.
14. Review of the ESLD may also be appropriate to ensure that the document is clear that Pressure Sewer Systems are only available where specifically permitted or required by consent conditions or where the development is within the identified pressure sewer areas. Methods and policies in Chapter 7 (subdivision) of the District Plan link to the ESLDs as an illustration of good subdivision engineering practice, however in circumstances where the appropriateness of the Pressure Sewer System is area specific, the limitations of that option should be clearly identified in the ESLDs to avoid confusion.

#### Wastewater Bylaw issues

15. Any changes to the Wastewater Bylaw are complementary, rather than the primary means of advancing the Council's Pressure Sewer Policy. The potential benefit of requiring Pressure Sewer Systems through the Bylaw is that it can *fill any gaps* in terms of what parts of the Policy will be difficult to achieve through subdivisions of land.
16. We generally support the proposed amendments to the Wastewater Policy as identified in your letter of instruction. We note that the amendments are by no means final, and detailed review of any bylaw amendment will be necessary. It will be important that the Wastewater Bylaw does not replicate the function of the subdivision consent process.
17. In addition to proposed amendments, it may be worth considering whether the Bylaw should require Pressure Sewer System users to obtain Permits under the Bylaw which can

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identify property owners' ongoing maintenance responsibilities. This should be considered in respect of both Trade Premises installations and the maintenance obligations of residential users within the identified areas. For example, this could be the most appropriate place to prohibit the discharge of listed items, and the use of domestic waste disposal systems.

18. There are no other obvious opportunities to compel Trade Premises owners or residential property owners to comply on an ongoing basis with general maintenance requirements to preserve the Council's network. Maintenance "agreements" could prove to be an undue administrative burden without regulatory support, whereas obligations set out in the Bylaw or a permit issued under the Bylaw would be clear and enforceable, and more streamlined overall. Permits can be required before any discharge to the Council's network is allowed.

#### **Mechanical requirements relating to pressure sewage connections**

19. Outlined below are certain matters that need to be covered to ensure appropriate conditions may be contained in Resource Consents (Subdivision) to cover off matters relating to Pressure Sewer Systems. We have considered the draft Agreement you have prepared and have attempted to provide a slightly more streamlined process utilising Section 221 of the Resource Management Act 1991. You will note this Section provides for the following:
  - (a) Section 221(1): Where a subdivision consent is granted subject to a condition to be complied with then *on a continuing basis*.
  - (b) Section 221(4)(b): Every consent shall be deemed to be a covenant running with the land when registered under the Land Transfer Act and shall, notwithstanding anything to the contrary in Section 105 of the Land Transfer Act 1952, *bind all subsequent owners of the land*. [Our emphasis added]
20. We consider it is possible to remove the need for separate agreements with each land owner and deal with the matter by way of a Consent Notice which, as referred to above, will bind all subsequent owners of the land.
21. A possible condition of subdivision resource consent is as follows:

#### **"Condition**

A Consent Notice shall be required by the Palmerston North City Council pursuant to Section 221 of the Resource Management Act 1991 and registered over the Certificates of Title for all Lots of the subdivision, such Consent Notice recording the following:

*The Lot is to be connected to the Palmerston North City Council's sewer using a Pressure Sewer System in accordance with all Palmerston North City Council standards and requirements. The Pressure Sewer System, constituting the following:*

- (a) *Control/Alarm Panel;*
- (b) *Pump Control Cable;*
- (c) *Collection Tank/Pump Unit;*

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- (d) Property Discharge Line;
- (e) Electrical Cable;
- (f) Electrical Distribution Box;
- (g) House Drains;

*("the Pressure System Equipment"), shall be installed on the Lot at the sole cost of the registered proprietor in accordance with Palmerston North City Council standards and requirements.*

*The Pressure System Equipment shall be installed and connected to the Palmerston North City Council's sewer prior to:*

- (a) A final Code Compliance Certificate pursuant to the Building Act 2004 issuing in relation to any building constructed on the Lot; and
- (b) The occupation of any habitable building constructed on the Lot.

*The connection of the Pressure System Equipment to the Palmerston North City Council's sewer and completion of the required quality assurance and as/built requirements of the Palmerston North City Council shall be deemed to constitute vesting of ownership (without compensation) of the Pressure System Equipment in the Palmerston North City Council.*

*The Palmerston North City Council, together with its employees, agents and contractors shall have access to the Lot for the purposes of inspecting, renewing, repairing, modifying, upgrading and replacing the Pressure System Equipment subject to reasonable notice of the intention to enter the Lot for the purpose having first been given. Should there be an emergency or the operation of the Pressure System Equipment is having or is likely to have immediate and damaging effect on the Palmerston North City Council's sewer then access may be taken immediately without such reasonable notice.*

*In the event that the registered proprietor of the Lot requests the Palmerston North City Council to relocate the Pressure System Equipment, for example as a result of further building on the Lot, a subdivision or in the event that the registered proprietor requests the Palmerston North City Council to install a new Pressure System Equipment prior to the usable life of the existing Pressure System Equipment coming to an end, then in the event the Palmerston North City Council determines to do so, this shall be at the sole cost of the registered proprietor of the Lot.*

*In the event the registered proprietor of a Lot leases the Lot or enters into a tenancy agreement in relation to the Lot or otherwise gives occupation of the Lot to a party other than the registered proprietor then the registered proprietor shall ensure the occupier is aware of the obligations contained herein and all those relating to the Pressure Sewer Connection.*

*The registered proprietor of the Lot agrees, in relation to the Pressure Sewer System to be bound by and comply with the Palmerston North City Council's standards and requirements in relation to Pressure Sewer Systems being the following Palmerston North City Council documents as may be varied, modified, updated or amended from time to time and which may be found on the Palmerston North City Council website – [www.pncc.govt.nz](http://www.pncc.govt.nz).*

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- *Pressure Sewer Policy;*
- *Pressure Sewer Systems Home Owners Guide as varied or amended from time to time or any policy, system, standard or by-law established in substitution thereof;*
- *Engineering Standards for Land Development as varied or amended from time to time or any policy, system, standard or by-law established in substitution thereof;*
- *Wastewater By-law and Administration Manual as varied or amended from time to time or any policy, system, standard or by-law established in substitution thereof;*
- *Tradewaste By-law and Administration Manual as varied or amended from time to time or any policy, system, standard or by-law established in substitution thereof."*

22. We look forward to receiving your comments in relation to the draft condition.

#### **Palmerston North City Council Policy Document – Draft**

23. We are generally satisfied with the content of the draft policy document. The policy document will require further amendment to reflect the approach that is ultimately settled on in relation to various matters identified within this advice. For example, section 5.3.3 provides that waste disposal systems will not be allowed but does not specify a legal mechanism. If the Council prefers to regulate the responsibilities of the users in Pressure Sewer areas, for example the responsibilities in 5.3.2, then the policy could be amended to reflect that.
24. We are uncertain what is meant by section 5.4.3 concerning "legal access". We do not consider this paragraph is necessary.

#### **Next steps**

25. There are several pieces to the puzzle to ensure a successful roll-out. We are confident that the approach is sound, however it is clear that further refinement will be required as the procedural elements are developed in further detail.
26. We look forward to your feedback and working with you further on these issues.

Yours faithfully

**CR LAW**



**Nicholas Jessen**

Partner

[njessen@crlaw.co.nz](mailto:njessen@crlaw.co.nz)

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Appendix 5: Options Summary for Proposed Plan Change D

Assessment Criteria	Option 1 – Status Quo (no change from the Operative Plan)	Option 2 – Identify Pressure Sewer Areas and provide specifically for them in the provisions of the District Plan
<b>Costs</b> (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	<p>The Operative provisions do not clearly signal to the development community that pressure sewer systems (PSS) are the only means of sewage disposal in identified Pressure Sewer areas of the City. This could result in costs to the Council in seeking to secure required infrastructure through contentious planning processes and likewise to the development community.</p>	
Council	<p>The status quo provisions are not consistent with the Council's wider policy and strategy regarding pressure sewer systems in specified areas of the City.</p>	Financial cost to Council to undertake the Plan Change.
Community		Financial cost to development community and other interested parties in engaging in plan change process.
Industry		
Environmental, Social, Economic, Cultural	<p>In the absence of District Plan provisions, it is difficult for regulatory decision makers to ensure appropriate infrastructure will installed consistently to meet minimum performance standards and in a way that minimises future maintenance costs and risks to Council.</p>	



PERCEPTION PLANNING  
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Assessment Criteria	Option 1 – Status Quo (no change from the Operative Plan)	Option 2 – Identify Pressure Sewer Areas and provide specifically for them in the provisions of the District Plan
<p><b>Benefits</b> (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)</p> <p>Council</p> <p>Community</p> <p>Industry</p> <p>Environmental, Social, Economic, Cultural</p>	<p>No change to the status quo plan, with which users are familiar.</p>	<p>PPC D will support the Council's pressure sewer policy that has been prepared to support implementation of PSS networks within the City. These measures will ensure a consistent quality of installation which meet minimum performance standards and in a way that minimises future maintenance costs and risks to Council.</p> <p>Clearly signals to the development community that PPS are the only means of sewage disposal in identified Pressure Sewer Areas of the City. This will reduce time and cost incurred by developers and Council in determining obligations and requirements in terms of infrastructure in Pressure Sewer Areas.</p> <p>Will allow for PSS where it is considered appropriate outside of the identified PPS Areas and improve the City's resilience in respect of wastewater infrastructure in certain areas.</p> <p>Will ensure that Plan provisions are sufficiently clear and direct to enable decision-makers to effectively and efficiently assess and determine applications for subdivision to require PSS in identified areas of the City; and</p> <p>Will ensure provisions clearly articulate Council's expectations in relation to PSS to facilitate consultation and discussions between developers and Council at the</p>

Assessment Criteria	Option 1 – Status Quo (no change from the Operative Plan)	Option 2 – Identify Pressure Sewer Areas and provide specifically for them in the provisions of the District Plan
		subdivision design and pre-application stage, also contributing to an effective and efficient resource consenting process for all parties.
Effectiveness	This option is not effective in achieving the proposed objective, or other objectives in the Plan that seek to ensure infrastructure is appropriate and contributes to the health, safety and wellbeing of people living and working in the City.	This option is effective in achieving the proposed new objective, and other objectives related to infrastructure.
Efficiency	There is the potential for the status quo option to result in costs in terms of process, engagement with developers, and the installation of inappropriate services. These benefits of retaining the status quo are outweighed by the costs.	The benefits of having district plan provisions that are aligned with the Council's broader policy relating to PSS and the Council's engineering code of practice outweigh the costs of securing the provisions in the plan through the Schedule 1 process.
Risks	The Council has sufficient information about the subject matter of the provisions to pursue amending the Plan as suggested in PPC D.	
Conclusions	This option is not considered the most effective or efficient way of addressing the resource management issue identified and achieving the proposed objectives.	This option is considered the most effective and efficient way of addressing the resource management issue identified and achieving the proposed objectives.



## MEMORANDUM

**TO:** Planning and Strategy Committee

**MEETING DATE:** 5 August 2019

**TITLE:** Organisational Approach to Environmental Sustainability

**DATE:** 6 July 2019

**PRESENTED BY:** Tom Williams, Chief Infrastructure Officer  
David Murphy, City Planning Manager

**APPROVED BY:** Sheryl Bryant, General Manager - Strategy & Planning  
Tom Williams, Chief Infrastructure Officer

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### RECOMMENDATION TO PLANNING AND STRATEGY COMMITTEE

1. That the Memorandum dated 6 July 2019 and titled “Organisational Approach to Environmental Sustainability” be received.

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#### 1. ISSUE

There have been a number of requests for reports on environmental sustainability, including the most recent calling for a report on a Science and Sustainability Champion. The purpose of this report is to provide an overview of the organisation’s approach to environmental sustainability that addresses the issues raised in previous resolutions of Council. The approach taken is one of integration to ensure that environmental sustainability is embedded across the organisation to maximise ownership and responsibility.

#### 2. BACKGROUND

The following instructions have been made:

“That the Chief Executive be instructed to report on Council’s environmental sustainability plans and progress including reducing transport and plastic waste” (Council 25 March 2019).

“That the Chief Executive be instructed to report annually on the Council’s Emissions Reduction and Management Plan” (Planning and Strategy 6 May 2019).

“That the Chief Executive be instructed to report on the proposal to create a Science and Sustainability Champion in the organisation, with recommendations for any necessary action” (Committee of Council 20 May 2019).

### 3. ORGANISATIONAL APPROACH

#### Strategic Context

Goal 4 of Council’s Strategic Direction is to be an Eco-City with a target of 25% reduction in carbon emissions by 2028. To achieve this, the Council has adopted an Eco-City Strategy and 5 plans covering three waters, waste, energy, biodiversity and sustainable practices. These plans have a major strategic theme of sustainable practices to ensure that these practices are embedded throughout Council’s business. The Council has also adopted the Waste Minimisation Plan. In addition, the organisation has developed and reported on the Council’s Emissions Management and Reduction Plan to ensure that the organisation is working towards the target set by the Council. The Council has also approved a programme for year 2 of the Long-Term Plan for the development of a low carbon road map.

#### Environmental Sustainability Programme and Champions

To implement this strategic direction, the Executive Leadership Team has approved an environmental sustainability programme that focuses on its planning, building, and operations activities. Part of this programme established a cross-functional working group from across the organisation as well as those staff who have particular responsibilities for environmental sustainability. This working group reports to the Sustainability Leadership Group who is taking oversight of the implementation. The Leadership Group comprises second tier managers who can best influence the delivery of this programme. In effect the staff working group and the leadership group are acting as environmental sustainability champions.

#### Partnerships

While to date, the focus has been on the organisation, the road map will provide further direction on the approach with the community. Discussions have also been held with Massey University and Horizons Regional Council about how we can work together to achieve our mutual goals in this area. Horizons Regional Council is taking a lead on a regional climate change strategy and will have held a forum (24 July) by the time this report is considered by the Committee. Palmerston North City Council and Massey University have discussed the future of the Living Lab and will be co-hosting an unconference on climate change with the intention to include iwi and the relevant managers and staff with environmental responsibilities from major organisations. This will guide further research and action in this area. These relationships with Horizons Regional Council and Massey University are particularly important for accessing any scientific knowledge where required.

The Council has been a long-standing member of ICLEI and more recently signed up to the Local Government Leaders' Climate Change Declaration to ensure that the organisation is able to keep abreast of best practice. In addition, we are applying the United Nations Sustainable Development goals to drive the Palmy Global Ambassador Programme as part of the Council's Global Partnerships.

#### Integration and Implementation

In establishing the operational framework for the organisation's approach to environmental sustainability consideration has been given to the cultural context that this operates within. To achieve the integrated Strategic Direction of Council, the organisation is taking an integrated approach to implementation to ensure that environmental sustainability is embedded in all parts of the organisation. Having a single champion has not been an effective approach in the past as it centralises ownership in one person resulting in slow implementation with sub-optimal ownership across the organisation and mixed results in embedding change into business as usual.

The diagram attached as an appendix is a summary of the Council's and organisation's approach to sustainability. The yellow boxes represent Council's Strategic Direction, the blue boxes represent the organisation's response through its operations and the green boxes represent the external drivers through best practice opportunities and legislative constraints.

#### **4. NEXT STEPS**

- 4.1 Report on environmental sustainability, including transport and plastic waste: The initial focus will be on reporting on the monitoring of Council's Strategic direction. This includes Goal 4 Eco-City. We will then be in a position to assess whether further detailed reporting is required. It is important to note, the integrated nature of the strategic direction and that these goals have an inter-dependency in meeting the purpose of local government in achieving Community Wellbeing.
- 4.2 Report annually on the Council's Emissions Management and Reduction Plan: This report provides Council with an update on progress on the organisation's operations.
- 4.3 Science and Sustainability Champion: The organisation has established a number of champions conducive to its culture. This has oversight at the highest level. In discussion with Massey University and Horizons Regional Council, access to the science is able to be achieved through partnerships such as the Living Lab.

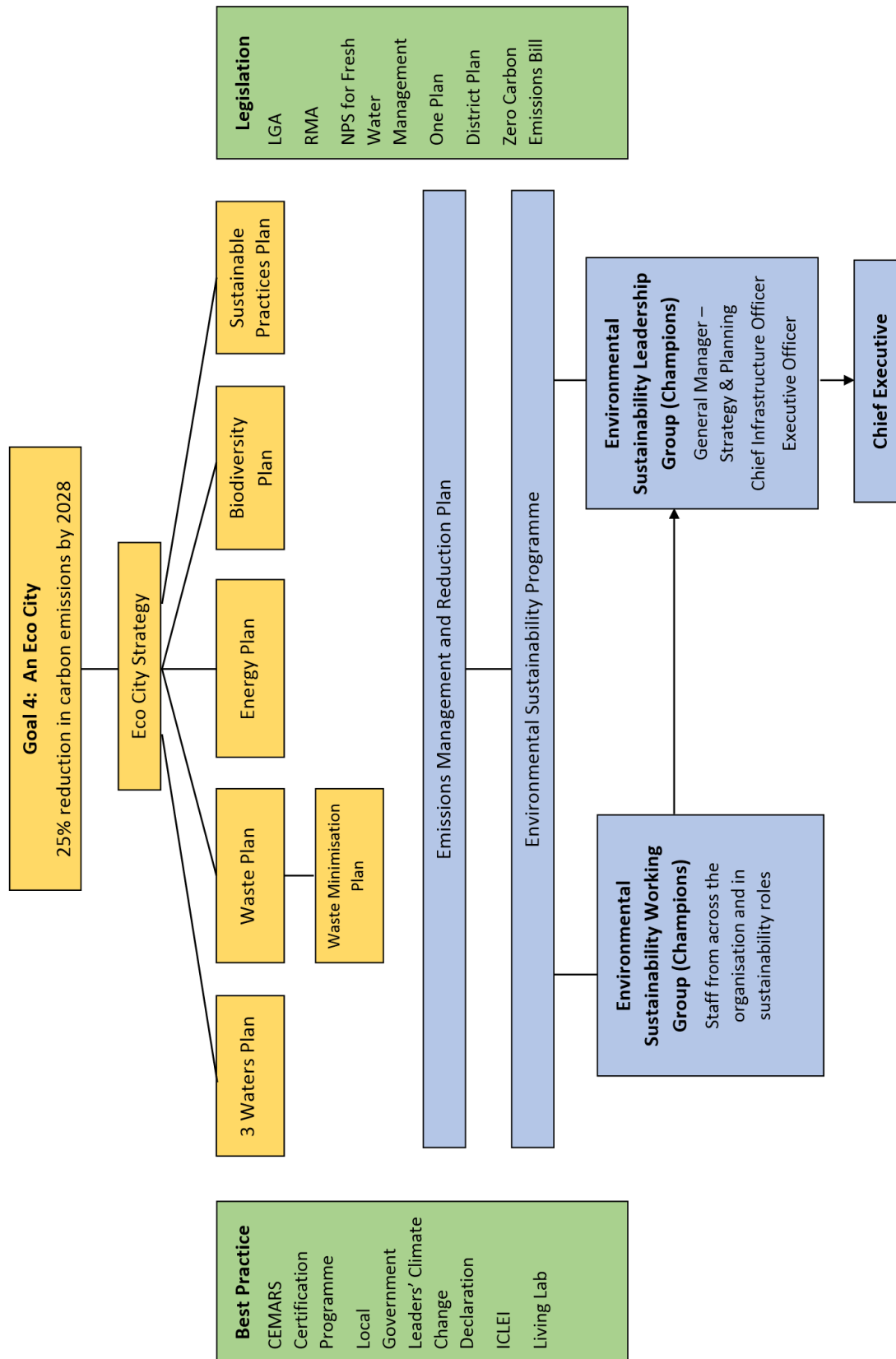
#### **5. COMPLIANCE AND ADMINISTRATION**

Does the Committee have delegated authority to decide?	Yes
If Yes quote relevant clause(s) from Delegations Manual <Enter clause>	

Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 4: An Eco City	
The recommendations contribute to the outcomes of the Eco City Strategy	
The recommendations contribute to the achievement of action/actions in the Sustainable Practices Plan	
The action is: "Help foster more sustainable behaviours and practices will help Council achieve its other sustainability goals, such as the reduction of energy, waste and carbon emissions."	
Contribution to strategic direction	The organisations approach to environmental sustainability is designed to deliver on Council's Goal of being an Eco-City and its target to achieve a 25% reduction in carbon emissions.

### ATTACHMENTS

1. Environmental Sustainability Model for Implementation [↓](#) 





## MEMORANDUM

**TO:** Planning and Strategy Committee

**MEETING DATE:** 5 August 2019

**TITLE:** Draft Venues Policy for consultation

**PRESENTED BY:** Julie Macdonald, Strategy & Policy Manager

**APPROVED BY:** Sheryl Bryant, General Manager - Strategy & Planning

### RECOMMENDATION(S) TO PLANNING AND STRATEGY COMMITTEE

1. That the Draft Venues Policy (attachment 2 of the memorandum titled 'Draft Venues Policy for consultation' dated 5 August 2019) is approved for consultation.
2. That the Chairperson and Deputy Chairperson of the Planning and Strategy Committee be given delegated authority to approve minor amendments to the Draft Venues Policy prior to consultation.

### 1. ISSUE

In June 2019 the Planning and Strategy Committee resolved that the Draft Venues Policy be approved for consultation, subject to (among other things) the inclusion of 'sponsors' to Guidelines 1-3 of the draft. The original Draft Venues Policy proposed in June is attachment 1 of this report.

Staff consider that the amended draft may breach the Bill of Rights Act (BORA) and have therefore paused the consultation process to allow this issue to be resolved. Section 19 of BORA states that everyone has the right to freedom from discrimination on the grounds of discrimination in the Human Rights Act (HRA). Prohibited grounds under the HRA include political opinion and religious belief.

Because the Committee had delegated authority to adopt the draft for consultation, this matter must be addressed by the Planning and Strategy Committee, rather than by Council. Council received this information at its June meeting.

### 2. BACKGROUND

In October 2018 the Council resolved that: "[t]he Chief Executive develop a PNCC Venues Policy which includes hireage and allowable uses of PNCC venues". This resolution followed

multiple deputations from people objecting to the Council hosting the New Zealand Defence, Industry and National Security Forum at Central Energy Trust Arena.

In June 2018 the Planning and Strategy Committee considered the Draft Venues Policy proposed for consultation. That report outlined the process undertaken to develop the Draft Policy as well as the rationale for each part of the policy proposed for consultation. That material is not reproduced here but is part of the June 2018 Committee agenda.

The Committee resolved (refer clause 42.19):

“1. That the Draft Venues Policy (attachment 1 of the memorandum titled ‘Draft Venues Policy for consultation’ dated 8 April 2019) is approved for consultation, subject to editing ‘a main purpose’ to ‘a purpose’, and inclusion of ‘sponsors’, in Guidelines 1-3 and subject to ‘to the extent that this impact would outweigh the financial or other benefit of the activity or event’ is deleted from point 4 on Page 5 of the draft policy.

2. That the Chairperson and Deputy Chairperson of the Planning and Strategy Committee be given delegated authority to approve minor amendments to the Draft Venues Policy prior to consultation.”

### 3. DISCUSSION

This section will address the proposed changes to the Draft Venues Policy in turn. These changes include both the resolutions made by the Committee in June, as well as a further recommendation by staff.

#### 3.1 *Change of wording from ‘a main purpose’ to ‘purpose’ in Guidelines 1-3 (attachment 1) (resolved by Committee)*

This change has been incorporated into the proposed Draft Venues Policy (August 2019) (attachment 2). This change broadens the scope of the proposed policy.

#### 3.2 *Deletion of the words ‘subject to the extent that this impact would outweigh the financial or other benefit of the activity or event’ from Guideline 4 of the Draft Policy (attachment 1) (resolved by Committee)*

This change has been incorporated into the proposed Draft Venues Policy (August 2019) (attachment 2). This is a relatively minor amendment and staff are comfortable that this change does not have any material significance to the meaning of the proposed draft.

#### 3.3 *Inclusion of ‘sponsors’ in Guidelines 1-3 (attachment 1) (resolved by Committee)*

The amendment made by Committee relating to the inclusion of sponsors in the guidelines is more problematic. Staff consider that this change can be added as (new) Guidelines 2 and 4 (attachment 2) without any legal issues arising. However, the addition of sponsors to the



proposed guideline about events ‘in public’ does raise some concerns. As amended in June, the guideline would be:

“3. Bookings will not be accepted where a ~~main~~ purpose of an activity or event, ~~or of any sponsor of an event or activity~~, is religious worship, party political advocacy (for example, of a single political party), or the promotion of misinformation<sup>1</sup> AND the event or activity would be able to be overheard by members of general public (for example, in the Central Library’s Event Central).”

Legal advice on the change resolved at Committee suggests that this provision may be unjustifiably discriminatory and a breach of BORA.

Staff therefore propose that guidance about event sponsorship is limited to the guidelines relating to the (new) Guidelines 2 and 4 shown in red (attachment 2).

#### 3.4 *Legality of Guideline 3 (attachment 1) (raised by staff)*

The purpose of the proposed Guideline 3 was to guard against people feeling unwelcome or excluded from community venues. Staff have now sought further advice about the proposed guideline and have concluded that Guideline 3 may be unjustifiably discriminatory.

Staff therefore propose that Guideline 3 in the original draft is replaced with the following Guideline 5 (the new numbering reflects the other changes made to the draft) (shown in red in the Draft Venues Policy (August 2019) in attachment 2):

“5. When deciding whether to accept a booking for an activity or event in an area able to be overheard by members of the public (for example, the Central Library’s Event Central) staff will assess whether an event or activity may unreasonably disrupt the ability of other members of the community to use the venue. Unreasonable disruption could include the amount and duration of noise, or whether the purpose of an activity or event is the promotion of misinformation<sup>2</sup>. This is to ensure that council venues remain inclusive and welcoming of the whole community.”

## 4. SUMMARY

Staff have updated the proposed Draft Venues Policy as resolved by the Committee in June. However, one of the items resolved by Council would be unjustifiably discriminatory. The proposed consultation on the Policy has therefore been delayed to allow the Committee to resolve this issue.

<sup>1</sup> ‘Misinformation’ is defined as false or inaccurate information, especially that which is deliberately intended to deceive.

<sup>2</sup> ‘Misinformation’ is defined as false or inaccurate information, especially that which is deliberately intended to deceive.

An additional change to the Draft Venues Policy is recommended by staff following the consideration of further legal advice. The amended Draft Venues Policy (August 2019) is attachment 2 of this memo with the changes marked in red.

## 5. NEXT STEPS

If the draft policy is approved for consultation, then staff will consult with the community on the draft and there will be an opportunity for Councillors to hear submissions. Information about any potential operational implications will also be reported when the draft policy, with any proposed amendments, is recommended for adoption.

It is anticipated that there will be five broad groups of external stakeholders who may wish to contribute to consultation on the draft policy:

- 1) Venues whose agreements with Council will be guided by the Policy
- 2) Rangitāne o Manawatū and other strategic partners of Council
- 3) Potential users of Council venues
- 4) Interest and advocacy groups
- 5) The wider Palmerston North community

A variety of methods and materials will be used to invite feedback and engagement on the draft policy, including:

- posters for venues
- an online interactive map
- attendance at meetings (e.g. with community centres and CCOs)
- direct mail
- various social media tools
- attendance at events



The delay in going out for consultation will mean that hearings of submissions and deliberations will now occur after the election of the new Council.

## 6. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	Yes
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If Yes quote relevant clause(s) from Delegations Manual 168.4		
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 5: A Driven and Enabling Council		
The recommendations contribute to the outcomes of the Driven and Enabling Council Strategy		
The recommendations contribute to the achievement of action/actions in Not Applicable		
Contribution to strategic direction	By contributing to the operation of Council venues, and venues where Council has an influence, the policy will contribute to all of Council's goals, and will be an enactment of the Council's principle of <i>Governorship</i> (Goal 5: Driven and Enabling Council).	

## ATTACHMENTS

1. Draft Venues Policy June 2019 [↓](#) 
2. Draft Venues Policy August 2019 [↓](#) 

Draft Venues Policy

June 2019

## Introduction

The Council provides opportunities for commercial and community groups to run functions, meetings, and events in a variety of venues in Palmerston North. The Council understands that use of any of these venues may be interpreted as endorsement of these events and activities. Council has, therefore, developed this policy to guide decision-making about the use of any venue which is Council-owned or where Council has an influence in operations<sup>1</sup>.

This policy, therefore, guides Council's decision-making regarding the following:

1. Council-owned and operated commercial venues (Conference and Function Centre and Central Energy Trust Arena)
2. Council-owned and operated community venues (the Central Library, Youth Space, community libraries, and bookable space at Central Energy Trust Wildbase Recovery)
3. Venues operated by the cultural Council Controlled Organisations (Te Manawa, the Regent Theatre, the Globe Theatre, and Caccia Birch)
4. Community-operated venues on Council land (community centres, The Stomach, Hancock Community House, and Square Edge, and community-owned buildings on Council land).

## Strategic context

The Council's vision for Palmerston North is *small city benefits, big city ambition*. Council's goals are for:

- An innovative and growing city
- A creative and exciting city
- A connected and safe city
- An eco city
- A driven and enabling Council

The Palmerston North City Council's provision of, or support for, a variety of venues spans three of these goals:

Goal 2: A creative and exciting city	Goal 3: A connected and safe community	Goal 4: An eco city
<ul style="list-style-type: none"> <li>•Conference and Function Centre</li> <li>•Central Energy Trust Arena</li> <li>•Te Manawa</li> <li>•Regent Theatre</li> <li>•Globe Theatre</li> <li>•Caccia Birch</li> <li>•Community venues on Council land</li> <li>•Square Edge</li> <li>•The Stomach</li> </ul>	<ul style="list-style-type: none"> <li>•Community centres</li> <li>•Central Library and community libraries</li> <li>•Community venues on Council land</li> <li>•Hancock Community House</li> </ul>	<ul style="list-style-type: none"> <li>•Central Energy Trust Wildbase Recovery</li> </ul>

<sup>1</sup> The term 'venue' is used in this policy to mean any of the bookable meeting or function spaces described in the introduction above.

This policy contributes to the achievement of all of Council's goals, and is an enactment of the Council's principle of *Governorship*:

*We will act in the public interest as responsible and ethical stewards of the city and the infrastructure assets and resources under our control, ensuring they are used efficiently and effectively to deliver public value now and into the future.*

*(Goal 5: A driven and enabling council)*

### Policy objectives and goals

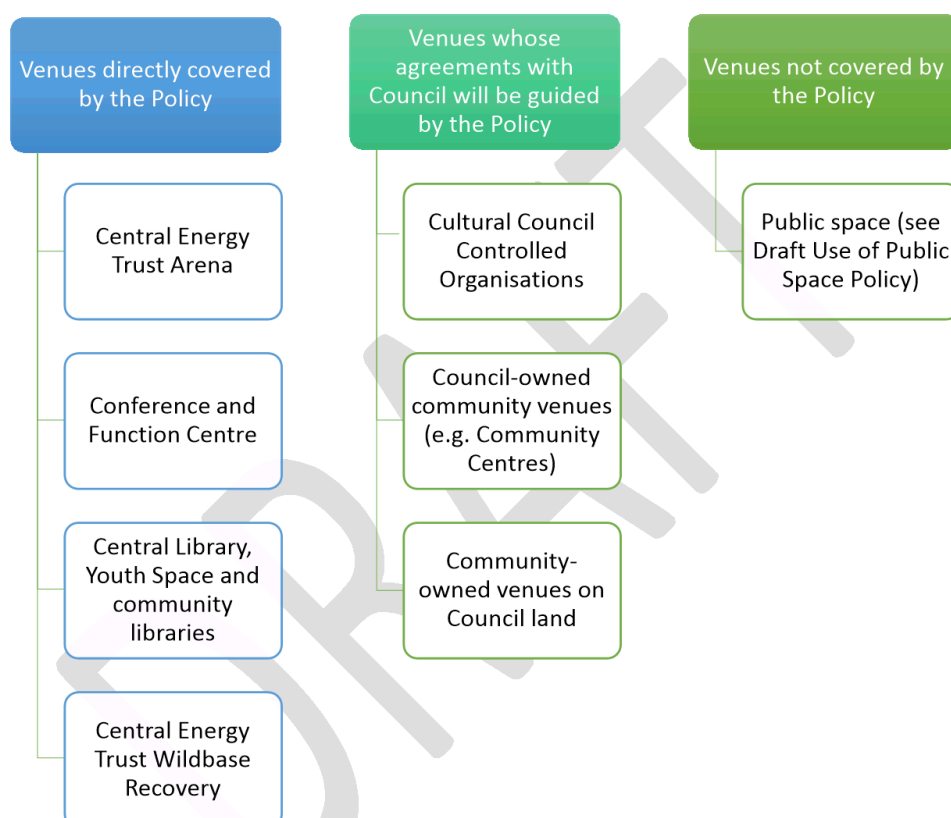
The purpose of the policy is to provide guidance for decisions about the use of Council-owned venues, and community-owned venues on Council land, to achieve the following objectives:

- Support the strategic goals which govern each of the venues within the scope of this policy;
- Enact Council's *Governorship* principle;
- Provide decision-makers with clear and accessible processes;
- Provide transparent decision-making for the public.

## Guidelines

### General

Each of the venues covered by this policy has its own operational policies and procedures which guide their use. This policy provides additional guidance for decision-making.



## Decisions about the use of venues

Venues directly covered  
by the Policy

1. Bookings will not be accepted where a **main purpose** of an activity or event is to promote:
  - a. controversial weapons<sup>2</sup>
  - b. tobacco
  - c. fossil fuels
  - d. casino gambling
2. Bookings will not be accepted where a **main purpose** of an activity or event is in direct opposition to the freedom from discrimination guaranteed by the Bill of Rights Act 1990, as defined under the Human Rights Act, 1993<sup>3</sup>.
3. Bookings will not be accepted where a **main purpose** of an activity or event is religious worship, party political advocacy (for example, of a single political party), or the promotion of misinformation<sup>4</sup> **AND** the event or activity would be able to be overheard by members of general public (for example, in the Central Library's Event Central).
4. Bookings may not be accepted where an activity or event may have a significant negative impact on the reputation of Palmerston North or Palmerston North City Council, to the extent that this impact would outweigh the financial or other benefits of the activity or event.
5. Advice from Council's strategic partners, including Rangitāne o Manawātū and MidCentral Health DHB, may be requested to inform decisions.

<sup>2</sup> As guided by New Zealand's commitment to the Convention for Certain Conventional Weapons (CCW).

<sup>3</sup> The protections offered under the Bill of Rights Act 1990, as defined in the Human Rights Act 1993, include freedom of discrimination on the grounds of sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, and age, political opinion, employment status, family status, and sexual orientation. The explicit strategic direction of the Council is to promote inclusion and community connection, and therefore the proposal is for this policy to reinforce freedoms identified under the Act. It should be noted that this guideline would not impact on the ability of any group to use a venue covered by this policy unless the express purpose of its activity was to limit or marginalise some part of the community identified here.

<sup>4</sup> 'Misinformation' is defined as false or inaccurate information, especially that which is deliberately intended to deceive.



Venues whose agreements with Council will be guided by the Policy

6. The guidelines 1 and 2 (above) will be incorporated into the letter of expectation which forms the basis for the statement of intent agreed between Council and each CCO.
7. The guidelines 1 and 2 (above) will be incorporated in the management agreement reached with all Council-owned community venues.
8. The guidelines 1 and 2 (above) will be incorporated into any new or renewed lease agreement for any community-owned venue on Council land.

### Administration

Information about the implementation of this policy will be available on the Council's website, and on the Venues and Events Palmerston North website.

All venues must be managed in accordance with the relevant Council's bylaws, policies, and plans, and with other governing legislation (including the Resource Management Act 1991 and the Reserves Act 1977).

### Monitoring

The implementation of this policy will be monitored and reported to Council by June 2021.

Draft Venues Policy

August 2019

## Introduction

The Council provides opportunities for commercial and community groups to run functions, meetings, and events in a variety of venues in Palmerston North. The Council understands that use of any of these venues may be interpreted as endorsement of these events and activities. Council has, therefore, developed this policy to guide decision-making about the use of any venue which is Council-owned or where Council has an influence in operations<sup>1</sup>.

This policy, therefore, guides Council's decision-making regarding the following:

1. Council-owned and operated commercial venues (Conference and Function Centre and Central Energy Trust Arena)
2. Council-owned and operated community venues (the Central Library, Youth Space, community libraries, and bookable space at Central Energy Trust Wildbase Recovery)
3. Venues operated by the cultural Council Controlled Organisations (Te Manawa, the Regent Theatre, the Globe Theatre, and Caccia Birch)
4. Community-operated venues on Council land (community centres, The Stomach, Hancock Community House, and Square Edge, and community-owned buildings on Council land).

## Strategic context

The Council's vision for Palmerston North is *small city benefits, big city ambition*. Council's goals are for:

- An innovative and growing city
- A creative and exciting city
- A connected and safe city
- An eco city
- A driven and enabling Council

The Palmerston North City Council's provision of, or support for, a variety of venues spans three of these goals:

Goal 2: A creative and exciting city	Goal 3: A connected and safe community	Goal 4: An eco city
<ul style="list-style-type: none"> <li>•Conference and Function Centre</li> <li>•Central Energy Trust Arena</li> <li>•Te Manawa</li> <li>•Regent Theatre</li> <li>•Globe Theatre</li> <li>•Caccia Birch</li> <li>•Community venues on Council land</li> <li>•Square Edge</li> <li>•The Stomach</li> </ul>	<ul style="list-style-type: none"> <li>•Community centres</li> <li>•Central Library and community libraries</li> <li>•Community venues on Council land</li> <li>•Hancock Community House</li> </ul>	<ul style="list-style-type: none"> <li>•Central Energy Trust Wildbase Recovery</li> </ul>

<sup>1</sup> The term 'venue' is used in this policy to mean any of the bookable meeting or function spaces described in the introduction above.

This policy contributes to the achievement of all of Council's goals, and is an enactment of the Council's principle of *Governorship*:

*We will act in the public interest as responsible and ethical stewards of the city and the infrastructure assets and resources under our control, ensuring they are used efficiently and effectively to deliver public value now and into the future.*

*(Goal 5: A driven and enabling council)*

### Policy objectives and goals

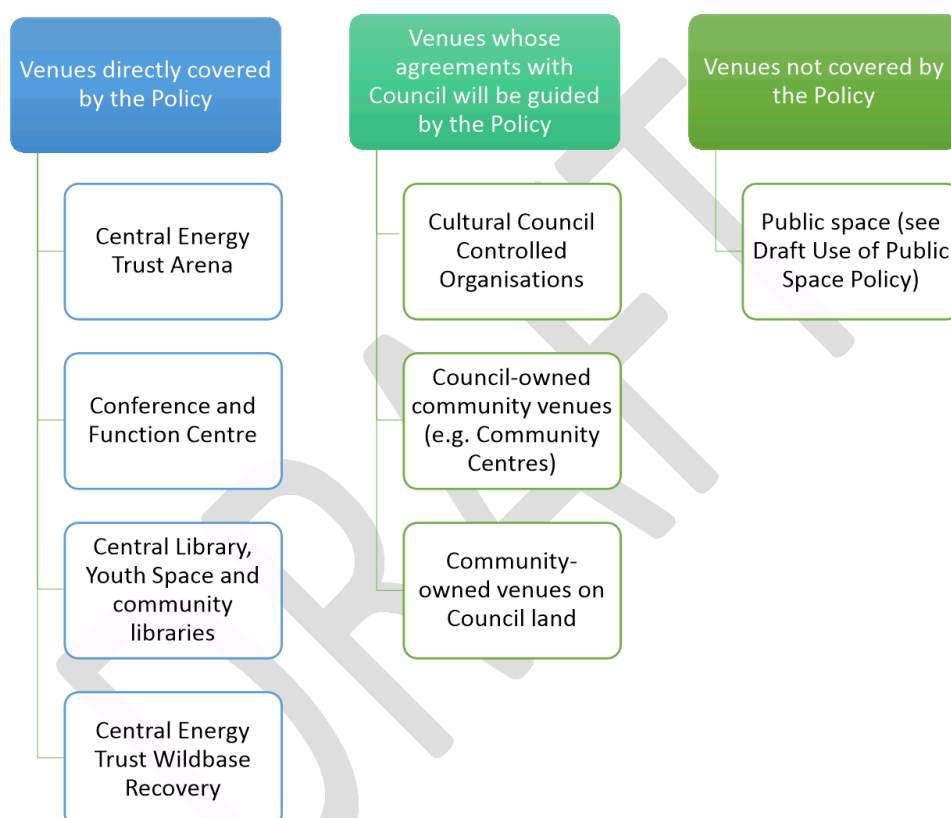
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  - a. controversial weapons<sup>2</sup>
  - b. tobacco
  - c. fossil fuels
  - d. casino gambling
2. Bookings will not be accepted where **any sponsor** of an activity or event engages in the production or promotion of:
  - a. controversial weapons
  - b. tobacco
  - c. fossil fuels
  - d. casino gambling
3. Bookings will not be accepted where a **main purpose of an activity or event** is in direct opposition to the freedom from discrimination guaranteed by the Bill of Rights Act 1990, as defined under the Human Rights Act, 1993<sup>3</sup>.
4. Bookings will not be accepted where the publicly stated position **of any sponsor** of an activity or event is in direct opposition to the freedom from discrimination guaranteed by the Bill of Rights Act 1990, as defined under the Human Rights Act, 1993.

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- ~~5. Bookings will not be accepted where a main purpose of an activity or event is religious worship, party political advocacy (for example, of a single political party), or the promotion of misinformation<sup>4</sup>. **AND** the event or activity would be able to be overheard by members of general public (for example, in the Central Library's Event Central).~~
5. When deciding whether to accept a booking for an activity or event in an area able to be overheard by members of the public (for example, the Central Library's Event Central) staff will assess whether an event or activity may unreasonably disrupt the ability of other members of the community to use the venue. Unreasonable disruption could include the amount and duration of noise, and whether the purpose of an activity or event is the promotion of misinformation<sup>5</sup>. This is to ensure that council venues remain inclusive and welcoming of the whole community.
6. Bookings may not be accepted where an activity or event may have a significant negative impact on the reputation of Palmerston North or Palmerston North City Council, ~~to the extent that this impact would outweigh the financial or other benefits of the activity or event.~~
7. Advice from Council's strategic partners, including Rangitāne o Manawatū and MidCentral Health DHB, may be requested to inform decisions.

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8. The guidelines 1 ~~and 2~~ to 4 (above) will be incorporated into the letter of expectation which forms the basis for the statement of intent agreed between Council and each CCO.
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### Monitoring

The implementation of this policy will be monitored and reported to Council by June 2021.



## MEMORANDUM

**TO:** Planning and Strategy Committee

**MEETING DATE:** 5 August 2019

**TITLE:** Palmerston North City District Plan: Proposed Plan Change B - Napier Road Residential Area Extension

**PRESENTED BY:** David Murphy, City Planning Manager

**APPROVED BY:** Sheryl Bryant, General Manager - Strategy & Planning

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### RECOMMENDATION(S) TO PLANNING AND STRATEGY COMMITTEE

1. That Palmerston North City District Plan: Proposed Plan Change B – Napier Road Residential Area Extension be approved for public notification under clause 5, schedule 1 of the Resource Management Act 1991.
2. That the Chairperson and Deputy Chairperson of the Planning and Strategy Committee be authorised to make minor amendments to Palmerston North City District Plan: Proposed Plan Change B – Napier Road Residential Area Extension prior to public notification under clause 5, schedule 1 of the Resource Management Act 1991.

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### 1. ISSUE

Palmerston North City District Plan: Proposed Plan Change B – Napier Road Residential Area Extension (Plan Change B) has been prepared to ensure the District Plan gives effect to the City Development Strategy and Housing Needs Assessment.

Plan Change B is required to be approved by the Planning and Strategy Committee for public notification.

### 2. BACKGROUND

The Plan Change B site was subject to a number of submissions seeking rezoning as part of the Sectional District Plan Review. The planning advice at that time was that further analysis was required before a rezoning could be considered, particularly given the difficult stormwater issues that affect the site.

The City Development Strategy states that:

*As well as the Hokowhitu Residential Area, Council will work with landowners at **Napier Road (emphasis added)** and Flyers Line, where small greenfield additions can be made without the need for substantial new infrastructure*

Part of the site is currently zoned industrial but is used for a retirement village that obtained resource consent. It is appropriate that this site is rezoned residential to align with the consented land-use.

The technical analysis to support Plan Change B is included in the accompanying Section 32 Report.

A copy of Plan Change B is included as Attachment 1.

### 3. NEXT STEPS


Publicly notify Plan Change B for submissions and further submissions and then hold a hearing to make decisions on submissions, if necessary.

### 4. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide? If Yes quote relevant clause(s) from Delegations Manual 182	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 outcomes of the City Development Strategy	
The recommendations contribute to the achievement of action/actions in the Housing and Future Development Plan	
The action is: Rezone land and review of District Plan provisions to ensure land supply continues to exceed demand by 20%	
Contribution to strategic direction	As well as the Hokowhitu Residential Area, Council will work with landowners at Napier Road (emphasis added) and Flyers Line, where small greenfield additions can be made without the need for

	substantial new infrastructure
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**ATTACHMENTS**

1. Plan Change B: Napier Road Residential Extension Area (attached separately) 



## REPORT

**TO:** Planning and Strategy Committee

**MEETING DATE:** 5 August 2019

**TITLE:** Priority Intersection and Safety Treatments Across City

**PRESENTED BY:** Robert van Bentum, Transport & Infrastructure Manager

**APPROVED BY:** Tom Williams, Chief Infrastructure Officer

### RECOMMENDATION(S) TO COUNCIL

1. That Council receive the report outlining the current approach and options for maintaining, enhancing or reducing investment in intersection safety improvements.
2. That Council endorse the Officer recommendation to adopt Option 1 being the maintenance of the current level of investment safety improvements for the 2018-2021 three year NZTA funding cycle.

### SUMMARY OF OPTIONS ANALYSIS FOR INTERSECTION SAFETY IMPROVEMENTS

<b>Problem or Opportunity</b>	A high proportion of traffic crashes on the Palmerston North network occur at intersections. Council has programmes in place to address the causes of crashes by completing safety improvements at intersections that encourage safer driving practices and reduce risks to road users. This report outlines the current approach and outlines options for either decreasing or increasing investment in programmes to deliver improved safety outcomes at intersections.
<b>OPTION 1:</b>	Council maintains the current level of investment in safety improvements.
Community Views	The community have not been specifically consulted but are generally supportive of Council's focus on improving safety.
Benefits	Reduced incidence of deaths and serious injuries. The approach is consistent with national policy direction.
Risks	There are few risks associated with adopting a proactive approach to improved safety outcomes.
Financial	Council has an established annual programme of work (Programme

	279 – Minor Road Projects - (\$879,000) that invests in targeted safety improvements. The size of the programme balances safety outcomes with other transport system outcomes.
<b>OPTION 2:</b>	Council increase the level of investment in safety improvements
Community Views	The community has not been consulted.
Benefits	Enhanced implementation of safety improvements over time leading to even greater reductions in deaths and serious injuries.
Risks	There are few risks associated with adopting a proactive approach to improved safety outcomes.
Financial	Council would need to increase its investment in intersection safety upgrades and ensure there are adequate resources for delivery. It is unlikely that NZTA would approve any additional funding.
<b>OPTION 3:</b>	Council reduce the level of investment in safety improvements.
Community Views	The community has not been consulted.
Benefits	Reduced investment would provide additional funding for non-safety related outcomes.
Risks	There is a risk of a measurable increase in the incidence of deaths and serious injuries. There is also likely to be a community backlash if safety concerns are not seen to be addressed as traffic volumes and the incidence of crashes increases over time.
Financial	The net savings will be small but may allow other capital programmes of work to be advanced more quickly within Council's overall infrastructure investment programme.
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommended option contributes to the outcomes of the Connected Community Strategy	
The recommended option contributes to the achievement of action/actions in the Strategic Transport Plan	
The action is: Improve intersection safety, structural integrity and traffic flow on primary freight, over-dimension, overweight and emergency service routes with context sensitive design.	
Contribution to strategic direction	Safety upgrades at intersections have the primary aim of reducing deaths and serious injuries, often with secondary benefits in terms of increased intersection efficiency and reduced travel delays. Further,

they improve roading layouts for vulnerable users, cyclists and pedestrians as more modern design philosophy addresses historic shortcomings associated with vehicle centric approach.

## **RATIONALE FOR THE RECOMMENDATIONS**

### **1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY**

- 1.1 Nationally there has been an upward trend in road deaths and serious injuries over the past 6-8 years. Recently the Government has moved to address this problem through the release of a draft Road Safety Strategy 2020-2030 entitled “Road to Zero”. The new strategy sets a target of achieving a 40% reduction in road transport deaths and serious injuries across the country. Last year there were 6 fatal crashes and 23 serious injury crashes across the Palmerston North network. Historically a high proportion of all crashes occur at intersections and therefore intersection safety improvements are accorded a high priority in the allocation of funding.
- 1.2 The March 2019 meeting of the Planning and Strategy Committee considered a report outlining options for a safety upgrade of the intersection of Monrad Street with Ronberg and Pencarrow Streets. Alongside the resolution to approve a roundabout solution for the intersection, the Committee approval the following resolution:
- 1.3 “That the Committee requests a further report to the Planning and Strategy Committee outlining priority intersections across the city and what safety treatments are planned”.
- 1.4 This report provides some background to intersections within the network and how they are controlled, as well as the current challenges and the proposed approach to improving safety outcomes at an affordable cost while not compromising traffic movement efficiency.

### **2. BACKGROUND**

- 2.1 There are more than 1550 intersections in the Palmerston North transport network. There are no traffic controls in place at over 550 of these intersections which are largely tee junctions. The type and number of traffic controls in place at the remaining intersections comprise:
  - Give way and/or Stop signs are installed at 692 intersections (note, does not include some boundary roads or slip lanes)
  - Roundabouts have been installed in 44 intersections

- Traffic signals have been installed at 34 intersections with 3 additional dedicated pedestrian signals
- 2.2 While safety is critical in determining the requirement for and the type of traffic control other important factors include:
- The importance of the intersection within the network in terms of efficient flow of vehicles e.g. traffic flow across high volume intersections is improved with roundabouts
  - The level of conflict between different transport modes, such that higher levels of control will be implemented where there are multiple modes in conflict e.g. pedestrian, people on bikes and vehicles
  - The speed environment such that almost all intersections on high speed open roads e.g. State Highways, side or connecting roads will have give way or stop signs installed
- 2.3 The pattern of intersection control that has been adopted and implemented in Palmerston North reflects both legislative requirements as well as principles and requirements adopted by Council including:
- The legislative requirement that all cross-road intersections must be provided with some form of traffic control
  - Roundabouts have been prioritised for intersections with traffic volumes greater than 5000 vehicles per day where efficient movement of vehicles is a priority
  - Traffic signals have been implemented largely on the cross-road junctions on the dual carriageways within the city aside from selected intersections in and around the square
  - Low cost safety measures such as improved signage, road markings, splitter islands and refuges are employed at intersections to improve intersection visibility, improve driver awareness and provide safety for pedestrians.
- 2.4 Roundabouts offer significant safety benefits largely due to their effectiveness at reducing traffic speeds if well designed. Roundabouts also provide for efficient traffic movement and as a result have been prioritised for use on the collector road network where movement priority needs to be balanced with safety. Design standards for roundabouts have made significant advances in recent years. The large style roundabouts with multiple lanes, are being replaced with more compact designs that provide greater safety for pedestrians and cyclists.
- 2.5 Since 2004 sixteen roundabouts have been added to the City's network (an average of 1 per year) and three existing roundabouts have been upgraded to current design



standards. The cost of a roundabout varies from \$300,000 to \$600,000 depending on the complexity of the road network and other services to be managed.

- 2.6 Traffic signals have been used on major arterial roads or in areas with heavy pedestrian flows. The most recent traffic signals to be added to the network are at Tremaine Avenue and North Street. While traffic signals offer significant safety benefits they are not as effective as roundabouts in reducing injury severity as approach speeds can be high when collisions occur, which can lead to fatal or severe injuries to vehicle occupants.
- 2.7 Rural intersections, particularly crossroads, have specific safety problems because approach speeds are typically high. The most cost-effective solutions are usually a combination of improved signage and road markings. Higher level treatments such as roundabouts, improved channelisation or realignment of approach roads tend to be high cost due to the higher design standards associated with the high approach speeds.
- 2.8 It is not considered necessary to treat all intersections, and many intersections particularly in low speed residential environments will remain acceptable as uncontrolled intersections. There is however demand from the community for strategic interventions that promote low and safe speeds in residential areas. Council has previously funded a programme of work called Local Area Traffic Management to address perceived localised speed and safety issues. However due to other funding priorities there is no currently no dedicated funding for such a programme.

### 3. CURRENT SAFETY PROGRAMME APPROACH

- 3.1 Intersection safety related projects are identified through a range of channels including:
  - Annual reviews of death and serious injury statistics
  - Network efficiency and safety studies
  - Reviews of KBase requests for service
  - Consultation with other network users and agencies including NZTA, Police, Horizons Regional Council and user groups
- 3.2 For each safety or intersection issues identified, Council Officers undertake an assessment to confirm the validity of the concern, the level of risk, the recommended approach for treatment (as recommended by NZTA) and develop a priority ranking. The intervention is then added to the programme list to be considered during each annual plan and long term plan consultation.

- 3.3 Council has approved funding in Programme 279 Minor Road Projects (2019/20 budget \$879,000) for achieving safety improvements at intersections, however this programme is also called on to fund a range of other safety related work such as railway level crossings, pedestrian crossing and cycle infrastructure. Given the significant call on this budget, typically only a small number of safety interventions can be advanced each year.
- 3.4 Where more substantive investment (above \$300k for an individual project) is required separate programmes have been approved by Council through its Annual and Long Term Plan processes. Current targeted intersection safety programme budgets included in the current LTP include:

**Table 1 – Planned safety upgrades (City centre Streetscape and subdivision roads excluded)**

Programme Number	Year	2019-20 Budget	Location and treatment	Key Drivers
1090	2019/20	\$456,000	Richardsons Line Roberts Line – upgrade to industrial standard	Road capacity
1183	2019/20	\$1,294,000	Stoney Creek Road SH3 – Realignment of intersection (part of school safety upgrade)	Parking and safety
1578	2019/20	\$650,000	Monrad Street Ronberg/Pencarrow – Installation of Roundabout	Safety
1362	2019/20	\$100,000	Roberts Line Railway Road – Installation of right turn bay	Safety / Heavy traffic movement
167	2020/21	\$100,000	James Line Kelvin Grove Road – Right turn bay	Safety
324	2020/21	\$40,000	Park Road Cook Street – Traffic signals	Cycle safety
684	2021/23	\$102,000	No 1 Line Longburn Rongotea Road – Upgrade of rural crossroads	Heavy traffic movement safety
839	2022/23	\$0	Rangitikei Street Featherston Street – Land purchase for future upgrade	Traffic movement efficiency
910	2020/21	\$0	Ferguson Street with Pitt Street and Linton Street – Signals, possible turn restrictions	Movement on inner ring road

1359	2020/21	\$0	Hillary Crescent Cambridge Ave – Improved geometry	Safety
1040	2023/24	\$0	Napier Road Roberts Line – Active Transport improvements	Active transport safety

3.5 Programme 279 has an annual budget of just over \$800,000 and most small-scale safety improvements are completed under this programme. Typically, the budget is over-committed, and it can take some years for projects to be progressed, because of the wide range of other transport safety interventions funded from the programme.

**Table 2 Intersection Treatments under Programme 279**

Location	Treatment	Expected cost \$k
Pioneer West Lyndhurst	Turn restrictions, chanelisation	\$97
Walding Taonui	Turn restrictions, chanelisation	\$40
Various citywide	Install cycle phases	\$41 p.a.
Keith Mihaere	Improved road layout at roundabout	>\$300 – Needs own programme
Te Awe Awe Albert	Roundabout Improvements	\$250
College Albert Churchill	Install Roundabout	>\$300 – Needs own programme
Broadway Victoria	Roundabout Improvements	To be reported to Council with options
Parkland Manson	Intersection improvements	\$60
Tutaki Kelvin Grove	Intersection improvements	\$45
Victoria Church	Improved pedestrian layout at roundabout	\$75
Broadway Albert	Improved pedestrian layout at roundabout	\$75
Franklin/Ascot/Churchill	Improved layout	\$50
Milson/Fairs/McGregor	Minor pedestrian improvements	\$25

Bunnythorpe Roundabout	Improved layout	Not scoped
Church West	Improved layout	Not scoped
Church Fitzroy	Splitter Island	\$25
Kairanga Bunnythorpe/Te Ngaio	Threshold treatment	Not scoped
College Maxwell	Splitter Island	\$25
Te Matai/Riverside	Improved layout	Not scoped
Pitt/Bourke/Cuba	Pedestrian protection at signals	Not scoped
Apollo Gemini	Improved layout	Not scoped
Featherston Heretaunga	Roundabout or signals	\$250+

#### 4. ANALYSIS OF OPTIONS

##### 4.1 Option 1 - Maintain Current Level of Investment

4.2 Council has achieved significant improvements in its urban network over recent years. While part of this has been in response to urban growth, the focus of creating a safer network has also been a driving force. Council currently has a performance measure in the LTP which targets annual and 5 year rolling average reductions in deaths and serious injuries over time. Such measures align both with Council Strategic Goal 3 of A connected and safe community, as well as the alignment with NZTA's recently unveiled "Road to Zero" national road safety strategy currently out for consultation.

4.3 The current level of funding for road safety projects is significant if the dedicated intersections projects are included. The programme of work is fully supported by NZTA at current levels of investment and is undertaken within the low-cost low risk programme category agreed through the Regional Land Transport Plan. This sets modest expectations in terms of business case justification and simplifies implementation.

4.4 The minor road safety programme 279, is heavily over-subscribed given the wide range and variety of users and interventions funded from this programme. Some of the categories of work currently funded from the programme include minor intersection safety upgrades, pedestrian safety initiatives, cycling improvements, urban bus stop improvements, rural bus safety, mobility access as well as railway level crossing contributions. NZTA is supportive of the programme at current funding

levels and has approved current levels of funding in the current 3-year Regional Land Transport Plan.

- 4.5 There is steady growing demand from the community for more investment in road safety initiatives. This is partly due to the increasing congestion and conflicts between different modes on the transport network. In addition, there are increasing requests for Council investment in creation of slower speed environments in residential streets and high place value urban areas e.g. CBD and neighbourhood centres. Currently aside from specific placemaking programmes, the only programme with scope for funding such initiatives is Programme 279 Minor Road Safety Improvements.
- 4.6 While the programme of intersection and minor road safety responds to specific death and injury statistics, the evidence basis for some of the interventions and programme priorities is not as strong as it could be. A strong evidence basis and clear prioritisation process is required to ensure projects and programmes are targeted to interventions which reduce crash and injury risk. This work still needs to be developed and will be required to support funding requests in the next 3-year Regional Land Transport Plan.
- 4.7 **Option 2 - Increase Level of Investment**
- 4.8 Any additional funding allocation to intersection and road safety initiatives will either need to be fully funded by Council, given the NZTA funding for LTP period is fixed, or be funded by reallocating funding from another programme of work. While re-allocation is possible, this will require consultation and agreement with NZTA.
- 4.9 NZTA have signalled that funding is fixed for the current three-year RLTP within the Ten-Year Plan and there are very limited opportunities for increasing or changing the programme. In addition, any projects over \$1 million in capital cost will require a properly formulated business case to be developed and again this is not likely to be approved for funding in the current 3-year funding cycle.
- 4.10 As outlined while there is a significant backlog of safety interventions the evidence basis is still being developed to support the justification for investment and priority. With the improved safety mapping and visualisation of data being developed by NZTA and the Ministry of Transport, it will be possible to more appropriately focus works programmes and justify investment to NZTA.

**Figure 1 – Spatial Plot of Intersection Level of Service Safety**



- 4.11 An example of the type of spatial data now available is provided in Figure 1. This has been generated from the new Network Operating Framework and shows intersections with crash problems. The measure used is LoSS (Level of Safety Service) which compares local intersections with similar intersections around the country based on volumes, road type and crash history. The coloured dots represent problem locations rated on a 1-5 basis with level five the highest category, shown by black dots, indicating intersections that need further investigation, prior to any
- 4.12 Council Officers have identified the need to improve the evidence basis of the safety programme, both to ensure investment achieves the optimum safety benefits but also ensure that NZTA continue to support the programme of work. The current capital works programme is proving challenging to deliver given the available in-house, consultant and contractor resource base in the region, so higher levels of investment will exacerbate this issue.
- 4.13 While it is possible to reallocate and increase safety focussed funding, Officers do not recommend this occurs until there is a better prioritised and integrated

programme of work, which can support applications to NZTA for enhanced levels of funding.

#### 4.14 **Option 3 - Decrease Current Level of Investment**

- 4.15 A decrease in the level of investment in safety improvements across the network would seriously hamper Council Officers ability to meet both community expectations around investment in safety initiatives and respond to the increasing conflicts between different modes as congestion within the city increases. In addition, there is a risk that the lower level of investment will fail to achieve the targeted reductions in fatal and serious injuries adopted by Council as KPIs in its LTP.
- 4.16 The current minor road safety budget is significantly over-subscribed, such that only a small number of minor safety treatments can be implemented in any one year. Reducing funding will extend the timeframes under which safety and intersection improvements can be made, requiring staff to further prioritise work and decline to respond to many requests for safety improvements from the community.
- 4.17 Reducing funding on road safety and intersection improvements will free up funding for other Council priorities within the LTP. If funding is re-allocated to activities other than transport, then the available funds will be only 50% of the total budget given the NZTA subsidy funding.
- 4.18 Officers do not recommend that the current level of investment is reduced, largely because of the potential negative impacts on safety outcomes and the limited financial benefit if funding is allocated to another activity outside transport.

### 5. **SUMMARY**

- 5.1 Council has an extensive programme of targeted safety upgrades at priority intersections supplemented by a programme of minor road safety works. While the interventions often also deliver efficiency improvements the programmes are primarily aimed at achieving a reduction in deaths and serious injuries.
- 5.2 Current safety programme budgets are over-subscribed and given the increasing congestion and conflicts between various modes in the transport system, the pressure on funding is only likely to increase. Given that the current level of funding is supported by NZTA, Officers do not support a reduction in the level of investment although it may allow funding to be reallocated to other priority activities, noting that non-riding investment would receive only 50% of the funds reallocated.
- 5.3 The current programme of work has been approved by NZTA and is sufficiently challenging to deliver given the constraints in the consultancy and contracting environment. Further increases in funding may result in poorer value outcomes and be delayed by resourcing issues.

- 5.4 Data collection, analysis and presentation techniques for developing an optimised safety programme of work are evolving. Resources such as the network operating plan and roads and streets framework which are currently under development will provide a more rigorous and integrated process for identifying safety improvements. Council Officer are active in adopting these approaches so that more robust programmes of works can be developed to inform the next Activity Management Plan prior to the next LTP.
- 5.5 Increasing the investment in intersection safety in the short term is not recommended, both due to in-house staff, consultant and contractor capacity constraints, but also because any increase in funding is unlikely to be matched by funding from NZTA during the current 3-year funding cycle.
- 5.6 Officers recommend that Option 2 be adopted, and efforts focussed on improving the data capture, analysis and presentation of safety challenges to inform better targeted and prioritised programmes of work for the next long-term plan and Regional Land Transport Plan (RLTP).

## 6. NEXT ACTIONS

- 6.1 If Council endorses Option 2 which supports the current level of investment, staff will prioritise improving the data capture, analysis and presentation of safety information and challenges to inform better targeted and prioritised programmes of work in the lead up to the next Long-Term Plan (LTP) and Regional Land Transport Plan (RLTP).

## 7. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

- 7.1 No community engagement has occurred at this time.

## COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide? If Yes quote relevant clause(s) from Delegations Manual <Enter clause>	No
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



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**ATTACHMENTS**

Nil



## COMMITTEE WORK SCHEDULE

**TO:** Planning and Strategy Committee

**MEETING DATE:** 5 August 2019

**TITLE:** Committee Work Schedule

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### RECOMMENDATION(S) TO PLANNING AND STRATEGY COMMITTEE

1. That the Planning and Strategy Committee receive its Work Schedule dated August 2019.

### ATTACHMENTS

1. Work Schedule [↓](#) 

## PLANNING & STRATEGY COMMITTEE

### COMMITTEE WORK SCHEDULE – AUGUST 2019

Item No.	Estimated Report Date	Subject	Officer Responsible	Current Position	Date of Instruction/ Point of Origin
1.	TBA March-April 2019 May-June 2019	Pedestrian Safety Action Plan	Chief Infrastructure Officer	Clarification of consultant recommendations being undertaken	21 November 2016 clause 76.2 3 September 2018 clause 56.2
2.	May-June 2019	Progress on Review of City Signs report	General Manager – Strategy and Planning	On track	13 December 2018 clause 81.2
3.	June August 2019	PNCC Venues Policy	General Manager – Strategy and Planning		1 October 2018 Clause 63.1
4.	May-June 2019	Draft Waste Management and Minimisation Plan 2019 – deliberation on submissions	Chief Infrastructure Officer	Moved to June due to amount of submissions received	
5.	August September 2019	Policy for use of public space (final)	General Manager, Strategy and Planning	Preparing consultation	3 December 2018 clause 79.3
6.	TBA-August 2019	Priority intersections and safety treatments across City	Chief Infrastructure Officer		4 March 2019 clause 7.4
7.	August September 2019	Report on Council's environmental sustainability plans and progress including reducing transport emissions and plastic waste.	General Manager, Strategy and Planning	Part of report on Goal 4: Eco City to Council	Council 25 March 2019 clause 22.2
8.	TBA 2020	Effectiveness of Council's Youth Engagement	General Manager		Council 25 March 2019

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			Strategy and Planning		Clause 22.3
9.	TBA August 2019	Report on proposal to create a Science and Sustainability Champion in the organisation	General Manager, Strategy and Planning Chief Infrastructure Officer		Committee of Council 20 May 2019 clause 8.8
10.	September 2019	Pedestrian Safety Issues quarterly report	Chief Infrastructure Officer		5 June 2019 Clause 40.3
11.	December 2019	Smokefree Outdoor Areas Policy Review	General Manager, Strategy and Planning		5 June 2019 Clause 45.2
12.	TBA	Palmerston North Civic and Cultural Precinct Masterplan – timeline and costings including library options	General Manager, Strategy and Planning	Library options to be developed	1 April 2019 clause 16.1
13.	TBA September 2019	Solutions on the issues identified in the Dogwood Way petition	Chief Infrastructure Officer		6 May 2019 clause 24.2
14.	TBA February/March 2020	District Plan and school travel	General Manager, Strategy and Planning		6 May 2019 clause 32.3
15.	June 2019 March 2020	Concept plan regarding the play activity in The Square	General Manager, Strategy and Planning	Links to Masterplan. Needs to follow play policy.	Committee of Council 28 May 2018 clause 3.10
16.	May 2020	Emissions Reduction and Management Plan	General Manager, Strategy and Planning		6 May 2019 clause 27.3