



PALMERSTON NORTH CITY COUNCIL

AGENDA

PLANNING & STRATEGY COMMITTEE

9AM, WEDNESDAY 11 AUGUST 2021
COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING
32 THE SQUARE, PALMERSTON NORTH

MEMBERS

Aleisha Rutherford (Chairperson)
Patrick Handcock ONZM (Deputy Chairperson)
Grant Smith (The Mayor)

Brent Barrett	Lorna Johnson
Rachel Bowen	Billy Meehan
Zulfiqar Butt	Bruno Petrenas
Renee Dingwall	Orphée Mickalad
Leonie Hapeta	

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

Heather Shotter

Chief Executive | PALMERSTON NORTH CITY COUNCIL

PLANNING & STRATEGY COMMITTEE MEETING

11 August 2021

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. The Future Use of 17 Summerhays Street - Hearing of Submissions Page 7

6. The Future Use of 17 Summerhays Street - Summary of Submissions Page 91

Memorandum, presented by Michael Duindam, Acting City Planning Manager.

7. Confirmation of Minutes Page 101

"That the minutes of the Planning & Strategy Committee meeting of 30 June 2021 Part I Public be confirmed as a true and correct record."

8. Review of the Waste Management and Minimisation Bylaw - S155 Determinations Page 107

Report, presented by Julie Macdonald, Strategy and Policy Manager.

9. Draft Trade Waste Bylaw - Approval for Consultation Page 122

Report, presented by Julie Macdonald, Strategy and Policy Manager.

10. Mitigating East Street Traffic Safety Concerns Page 193

Report, presented by Sandra King, Acting Transport & Infrastructure Manager.

11. Committee Work Schedule - August 2021 Page 205

12. 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.

[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].

SUBMISSION FROM CONSULTATION

TO: Planning & Strategy Committee

MEETING DATE: 11 August 2021

TITLE: The Future Use of 17 Summerhays Street - Hearing of Submissions

RECOMMENDATION(S) TO PLANNING & STRATEGY COMMITTEE

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

SUBMITTERS WISHING TO BE HEARD IN SUPPORT OF THEIR SUBMISSION

Submission No.	Submitter
28.	Jim Owen
40.	Manawatu Community Housing Trust
39.	Marilyn and Bruce Bulloch
42.	Beverley Greene & Donald McIntyre Campbell
10.	Karen Adams
41.	Sport Manawātū
56.	Jackie Little

ATTACHMENTS

1. Submissions [!\[\]\(2a133ebb0337313d16cc068f19494aa2_img.jpg\)](#) 
2. Procedure Sheet [!\[\]\(767ddc536c5331f5333c7801240a378b_img.jpg\)](#) 

Submission No.	Submitter
1	Amelia Shadbolt
2	Danya Anderson
3	Graeme Tong
4	Rachael Young
5	Dave Mollard, Awapuni Community Gardens
6	Anthony Behrens
7	Joshua Thompson
8	Jill Spicer
9	Jenny Loveday
10	Karen Adams
11	Karl Pearce
12	Chelsie Grace Dale
13	Raza Nayeel, Manawatu Afghan Society
14	Scott Campbell
15	Miriam Sharland
16	Debbie Rayner
17	Katie Cronin
18	Doug Strachan
19	Clint Dunstan
20	Saad Al-Harran, Youth Advocate with Disability
21	Sarah Callum
22	Ray Alcock
23	Richard Lloyd
24	Anne Podd
25	Simone Laing
26	Barrie Swailes
27	David White
28	Jim Owen
29	Jill Rapson
30	Duncan
31	Jeremy Parry
32	Suzanne Williams

Submission No.	Submitter
33	Tara Gunn
34	Graeme Fenemor
35	Mary Bridewell
36	Annette Nixon
37	John & Leonie Rickard
38	Manawatu Tenants Union
39	Marilyn and Bruce Bulloch
40	Manawatu Community Housing Trust
41	Sport Manawatu
42	Beverley Greene & Donald McIntyre Campbell
43	Lorna Margaret Albert
44	Janis Muir
45	Colin & Bernadette Plaw
46	Mervyn Leo Matthews
47	Larry Haist
48	Simon Loveday
49	Kāinga Ora – Homes and Communities
50	Imran Muhammad
51	Tomas Burleigh Behrens
52	Paul Robertson
53	Andrew Simpson
54	Toni Symes
55	Housing Advice Centre
56	Jackie Little
57	Horizons Regional Council

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Amelia Shadbolt

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
☐ False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Rezoning the rest of this land for housing.

2. My submission is that:
Yes! Do it! Housing is in such a tailspin, anything that can help get people into warm, dry homes is a huge boost for the city. Especially in this part of town - so central and handy to facilities. There are other recreational areas nearby (Memorial Park, the one on Albert St, River path etc) already.

3. I seek the following decision from Palmerston North City Council:
Rezone the land and build, build, build.

2

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Danya Anderson

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
☐ False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Terrace End Bowling Club land

2. My submission is that:
Use it for apartment-style housing. Great opportunity to create multiple occupancy (one, two and three bed flats) with common park grounds.

3. I seek the following decision from Palmerston North City Council:
If used for housing that the developer be required to maximise occupancy and reserve part of the land for garden or parklike grounds.

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
 Graeme Tong

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
 False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
 The whole site.

2. My submission is that:

The whole site should be repurposed as housing. The shortages in Palmerston North are housing not parks/green space/playgrounds. There are ample facilities within walking distance of this site. Housing will support business in the area, I know that the Summerhays dairy has suffered since the closing of the bowls club.

3. I seek the following decision from Palmerston North City Council:

Repurpose the site for housing with houses targeted towards first home buyers or residents currently unable to enter the market. Council should undertake the development itself on a not for profit basis as opposed to trading off to the private market only interested in profit. Rather than demolish the buildings as suggested they should be considered for removal even though that may be for a small sum - better funds in than spending on demolition.

4
Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Rachael Young

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
☐ False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Recreation or residential - 19 Summerhays Street

2. My submission is that:

I grew up at 12 Summerhays Street for 20 years (just across the road). It is a great place to live - great area, flea market on Saturday, corner shop, school zoned. I would be happy for more properties to be built / moved here. The reason for this is that memorial park is also right around the corner. I don't believe you need 2 parks in a 2 block radius.

3. I seek the following decision from Palmerston North City Council:

This is a great, well set up area and I am lucky to have grown up on the street for my first 20 years. Given I am now 30 and stuck with not being able to afford a first home due to the market - I would love to see more houses become available in that street for us first home buyers.

5

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Dave Mollard

Organisation you represent
Awapuni Community Gardens

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
☐ False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
The future use of 17 Summerhays Street

2. My submission is that:
This land should not be converted to residential as that will only benefit a handful of residents. This land could be made into a community green space with community gardens, an urban orchard and a playground.

3. I seek the following decision from Palmerston North City Council:

6
Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name

Anthony Behrens

Organisation you represent

N/A

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission

False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:

I support Option 1

2. My submission is that:

I support the general goals of Option 1 - although I recognise the opportunities to gather revenue through such a development, it would be good to give equal weight to affordable social housing - community investment if you like.

3. I seek the following decision from Palmerston North City Council:

I would like to see the land repurposed for high-density, council owned and affordable housing. Good design is vital and well worth the extra effort.

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Joshua Thompson

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Rezoning the land at 17 Summerhays Street as residential.

2. My submission is that:
I support repurposing the land for housing. As the lot is secluded it would be an inappropriate and unsafe place for general recreation. I believe the council should take the role of developer to ensure medium density development occurs and the maximum number of possible dwellings are created. I have no opinion on whether the dwellings created should be private or social housing.

3. I seek the following decision from Palmerston North City Council:
Rezone the land residential and take on the role of developer for the new housing.

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Jill Spicer

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Use of the land freed by the discontinuation of Terrace End Bowling Club

2. My submission is that:
This land is a rare opportunity for a creative housing project answering many of the housing, and therefore social, needs in the Palmerston North community. It is also a rare opportunity to put Palmerston North on the map, within NZ and internationally, as a creative and caring city.

3. I seek the following decision from Palmerston North City Council:
I wish the Council to consult experienced social housing groups in drawing up and implementing plans for this land. Why would you not use the expertise that is available? These groups are: - knowledgeable of the community's diverse needs in the area of social housing, - experienced in creative planning on a larger scale, - experienced in arranging diverse financial packages for diverse needs, and - experienced in building economically and sustainably.

9

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Jenny Loveday

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
The entire proposal

2. My submission is that:
I support the proposal to amend the District Plan to enable the repurposing of 17 Summerhays Street for housing. I strongly agree with Option 1, as there is an urgent need for more housing in Palmerston North. I would particularly support the City Council building social housing or enabling the construction of affordable housing. It is an excellent location for housing. I do not think the site is very suitable as a reserve or recreational area as there is no street frontage. There are other good parks nearby (Memorial Park, Milverton Park and Hokowhitu Park). It also doesn't seem very necessary to have another community centre when the Palmerston North Leisure Community Centre is nearby. While the idea of a community garden is appealing, it sounds as though the soil on the site may not be safe for food growing, and the lack of street frontage makes the site less appropriate for a community garden. Housing seems like the most appropriate option and would help meet the urgent need for more housing close to the city centre and to public transport routes.

3. I seek the following decision from Palmerston North City Council:
I would like PNCC to make the necessary amendments to the District Plan to enable the repurposing of 17 Summerhays Street for housing. I would support PNCC developing the site itself for social housing, or partnering with a developer that will construct affordable, sustainable housing.

10

18251444

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
 Karen Adams

Organisation you represent**Privacy statement****Hearings**

Please tick the box if you'd like to speak to Council in support of your submission
 True

Your submission**1. The specific parts / options of the proposal my submission relates to are as follows:**

Whether it should be used for council housing. No, it is not councils job to provide additional social housing, the last development wasted premium land and could of houses triple the amount it does now. Ratepayers should not be subsidising rents of others when we are staring down the barrel of 8 per cent rate rises over the next 3 years.

2. My submission is that:

I don't support council spending any further Ratepayers money in social housing but I do support releasing land in the city for high density housing, either social, not for profit or public. Stick to core business. Being philanthropic is for those who are flush with their own money, you and this council is not.

3. I seek the following decision from Palmerston North City Council:

No to council provided social housing. Yes to the land being released for high density social or public housing only.

15253847

11

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name

Karl Pearce

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission

False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:

Brilliant one PN City Council more vibrant social housing is a yes from me!

2. My submission is that:

I support the use of this land for Council Social Housing

3. I seek the following decision from Palmerston North City Council:

Yes to Council Social Housing on this land.

15252546

12

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Chelsie Grace Dale

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
☐ False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Rezoning Summerhays to residential

2. My submission is that:
I support changing to residential zoning

3. I seek the following decision from Palmerston North City Council:
It would be awesome to have more social housing, perhaps for the older community

13 15250573

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
 Raza Nayeel

Organisation you represent
 Manawatu Afghan Society

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
 False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
 Recreation Zone

2. My submission is that:

A number of ethnic communities have settled in Palmerston North over the years. many of these communities have easily integrated with wider communities. while, a huge part of these communities still struggle to adapt themselves, they can not participate confidently in recreation and physical activities with wider communities due to communication barrier, cultural differences and some time religious constraints. As a result, these community member prefer to stay home in isolation. They do not have proper facilities such as community centers to regularly use, for cultural classes, dance classes, community meeting, elder members gathering, social gathering, cultural events etc... this is mire observant among women, particularly Muslim women. My proposal would be, that part of this area should be considered building a recreation complex for ethnic communities, which should be run and managed by ethnic communities. This should at least consist of a number of halls, class rooms, recreation activities, meeting rooms etc. It should be a self sustained/partially funded run facility by the ethnic communities- something similar to Hancock Community house but with wider scope.

3. I seek the following decision from Palmerston North City Council:

Building an ethnic facility complex for ethnic communities which needs to be run and managed by ethnic communities board.

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Scott Campbell

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
☐ False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Use of site for housing

2. My submission is that:
Use the site for more housing

3. I seek the following decision from Palmerston North City Council:
Use the site for more housing

15
15252197
Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Miriam Sharland

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Housing on Summerhays ST

2. My submission is that:

I oppose the rezoning to residential of this block on Summerhays St. I propose a community orchard (while noting the land has previously been subject to pesticide use - this is unlikely to have been serious enough to prevent tree growth and harvest). This would address the ongoing destruction of green space within the city, prevent serious decline in biodiversity, and improve residents' mental and physical health, and improve community cohesion. If the council decides to build, I support social housing. We are losing too much green space to "executive" enormous houses. The minimum size requirements on some new developments should be illegal as they do not address the housing shortage and the lack of affordable homes in the city.

3. I seek the following decision from Palmerston North City Council:

Retain the park for community leisure use/sustainability zone as green space. Convert to a community orchard to replace the community garden lost on Crewe Crescent to property development. No on-site building is required. Introduce no-parking or resident-parking only on the road frontage to prevent increased traffic to site. Promote as an active transport destination.

16

15253094

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Debbie Rayner

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

- 1. The specific parts / options of the proposal my submission relates to are as follows:
Land use change for 17 Summerhays St Palmerston North
- 2. My submission is that:
I support changing the zoning to residential and building medium density housing on it
- 3. I seek the following decision from Palmerston North City Council:
Rezone the land to residential.

17 15253011
Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Katie Cronin

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
☐ True ☒ False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Option 4

2. My submission is that:
I would like this area kept and maybe developed into a community garden.

3. I seek the following decision from Palmerston North City Council:

18

15251092

Merle Lavin

From:
Subject:

Submission
FW: Summerhays Street submission

Your contact details

Full name

Doug Strachan

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission

False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:

Option 4: Retain for Community Purposes

2. My submission is that:

I think the city lacks a variety of things to do, particularly during wet weather. Many families take in international students, or have visitors from other towns or overseas, and it is good to have places to take them to visit. Below is my own suggestion for the site.

3. I seek the following decision from Palmerston North City Council:

Build 26 large rooms on the site, one for each letter of the alphabet. Each room is filled with objects starting with that letter. If someone in the city had, for example, a collection of elephant figurines, they might donate them to the E room. X-men would go in the X room. A piece of Rei Hamon art may come under A for art or P for pointillism or H for Hamon, so plenty of scope for making each room attractive. Some of the items would be antiques, like a washboard in the W room. People could pay \$20 to have access to all rooms, or maybe just \$5 to access 5 rooms and spend more time trying to identify why each object is in that room. Kids could fill out a sheet trying to identify things like, for example, acorns, abacuses and axolotls in the A room. These rooms would be crammed full of objects. Kids would love it.

19 15256543

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name

Clint Dunstan

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission

False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:

Converting the Summerhays Street land into residential and build medium density housing for our growing population and economy.

2. My submission is that:

I support the converting of this land into residential housing. The city is growing quickly and has a huge amount of investment still to come. The moving of 270 Airforce staff to Manawatu in 2023 will see the housing market get even more competitive and this will front foot that Issue. The building of medium density housing on this land will give some families the chance to buy their first home and give older couples or singles the opportunity to down size and free up larger homes for growing families.

3. I seek the following decision from Palmerston North City Council:

The approval to convert this land to residential and to approve the building of medium density housing to maximise the use of this piece of land.

20

15257639

Merle Lavin

From:

Submission

Subject:

FW: Summerhays Street submission

Your contact details

Full name

Saad Al-Harran

Organisation you represent

Youth Advocate with Disability

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission

True

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:

You all know that people with disability most of which are struggling hard to find decent and healthy houses to live on. We as one community have moral duty and responsibility to see them living in decent and affordable houses I strongly recommend our PNCC to build this land for them.

2. My submission is that:

I strongly support the proposal of building decent and affordable houses for an adult with special needs so that they can live a decent life and contribute in building our great city.

3. I seek the following decision from Palmerston North City Council:

I was a father and responsible citizen who makes a strong proposal for PNCC consideration of building affordable houses for the people of special needs and the above land is suitable for them.

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Sarah Callum

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
OPTION 1: THE PROPOSAL - I support the rezoning to residential.

2. My submission is that:
OPTION 1: THE PROPOSAL - I support the rezoning to residential.

3. I seek the following decision from Palmerston North City Council:
OPTION 1: THE PROPOSAL - I support the rezoning to residential.

22

15266784

Merle Lavin

From: Submission
Subject: FW: summerhayes

From:
Sent: Friday, 25 June 2021 9:07 am
To: Submission <submission@pncc.govt.nz>
Subject: summerhayes

as the submission form is unwieldly and you cannot get the form in an easily workable form and it is difficult to keep a copy, so i will email it

i expect summerhayes, to become a homeless shelter to be built maintained and operated by pncc

--
ray alcock

palmerston north - over-rated, figuratively and literally

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Richard Lloyd

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Option 1 support

2. My submission is that:
Fully support Option 1

3. I seek the following decision from Palmerston North City Council:
That the council ratify Option 1 and move forward with haste to develop appropriate housing for the city. Prefer a long term lease arrangement to sale.

24 15264079

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Anne Podd

Organisation you represent
Private home

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
My submission relates to the decision on the use of the land at 17 Summerhays Street.

2. My submission is that:
I agree strongly with the Council's proposal to make the necessary amendments to the DP to enable repurposing of 17 Summerhays Street for housing. This appears to be a perfect site for building much-needed housing. Option2 is not appropriate when there is already an identified use that will benefit the city. Option 3 In my opinion we have more than enough Parks and Reserves in the city and each extra one incurs more cost to council for their maintenance. Option 4 I admire the sentiment but I disagree with this option.

3. I seek the following decision from Palmerston North City Council:
To vote to enable repurposing of 17 Summerhays Street for housing.

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Simone Laing

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Option one in the proposed use of 17 Summerhays Street.

2. My submission is that:

I support Option 1 to re-zone and develop the land for housing. My preference would be that council develops the land into council housing as opposed to selling to developers, unless the development plan proposed by the purchaser takes into account the demand for high-density housing for lower income families. My other point would be that in the development of the land for housing, attention should be paid to traffic management, preferably with a designated entrance on Summerhays street and exit onto Ruahine street to prevent potential for hold ups in peak traffic.

3. I seek the following decision from Palmerston North City Council:

I wish the Council to select Option One for the use of Summerhays Street.

Merle Lavin

26

15278824

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
barrie swailes

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
☐ False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
invest into council housing units, social housing make it 2 story thus double the number of people you can host, we shouldn't have to wait for the government to solve the housing

2. My submission is that:

3. I seek the following decision from Palmerston North City Council:

27

15280960

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
David White

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Change of status from reserve to housing

2. My submission is that:
Reserves were designated for a purpose. They should not be changed to housing. Small easy to access reserves allow residents green space without the need to travel

3. I seek the following decision from Palmerston North City Council:
Leave this land as a reserve

Merle Lavin

28

15282446

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
 Jim Owen

Organisation you represent
 N/A

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
 True

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:

The former Terrace End Bowling Club is a relatively large block of land close to the centre of the City and so with easy access to all the facilities at hand. Economic good sense tells us that City's expanding into the countryside is expensive for Councils while necessitating increased travel for families living in these areas. It is equally well known that a considerable amount of housing in the inner City is not entirely satisfactory for the present residents with many older people living in houses which are now too large for their needs. In many cases the answer to this has been the growth of Retirement Villages and organisations such as Abbeyfield and Papaoia development. The very rapid rise in house prices has been reflected strongly in the costs of Retirement Village accommodation with one and two bedroom units now priced often well above the price an older person may get from the sale of their property. A housing development such as I suggest would lend itself to additional facilities such as possibly a small social area or outside meeting area to enhance the chances of communal cohesion.

2. My submission is that:

In light of the above, my Submission is that Council facilitate the development of the former Terrace End Bowling Club as medium/high density housing to fill the market gap I believe exists between the Retirement Village development and the Abbeyfield/Papaoia end of the market. I previously submitted on the Huia Street development along these lines and there was comment made on the ownership structure that would be best for such a development. Aimed at the part of the market I suggest likely residents will be able to pay to purchase however, as has been said before it does not matter if the cat is black or white as long as it catches mice.

3. I seek the following decision from Palmerston North City Council:

Move to convert the former Terrace End Bowling Club grounds from being designated recreational to being residential and facilitate moves in that direction.

29
15280961
Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Jill Rapson

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
I don't understand this "question". My preference is for a version of Option 4

2. My submission is that:
We do need more houses, but we also need open spaces. As housing density increases, concrete increases, and gardens decrease. The Summerhays area seems an ideal opportunity to develop a community garden or allotment-type area. Vege boxes could be installed, and allocated to keen urbanites. Fruit trees could be planted for the locals and a composting area established for vege wastes. The existing building could be retained (even partially) for storage and facilities. It is hard to see why it is so desperately in need of demolition. Also, there is no adequate vehicular access (5 m wide strips?) to the existing block for the density of housing the Council seems to be intending, necessitating purchase of the adjoining property, no 19, or some other less-suitable property.

3. I seek the following decision from Palmerston North City Council:
Option 4, but with developments.

30
15280962
Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Duncan

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
☐ False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Community Housing.

2. My submission is that:
I think community housing like the ones at Papioea Park, should be built on this site. Possibly some from 1 bedroom to 3 bedrooms would be good.

3. I seek the following decision from Palmerston North City Council:
For the community housing being built on the site to be council owned and facilitated by the council.

31 15280963
Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name

Jeremy. Parry.

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission

False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:

2. My submission is that:

Pncc should choose option 1.

3. I seek the following decision from Palmerston North City Council:

The land should be kept under council ownership, the land should be reserved for council social housing of a higher density than the surrounding properties.

Merle Lavin

32

15284563

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Suzanne Williams

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
17 summer hayes street

2. My submission is that:
Support repurpose for housing

3. I seek the following decision from Palmerston North City Council:
To go ahead with obtaining for housing

33

15275700

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Tara Gunn

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
☐ False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Use of land from old Terrace End Bowling club.

2. My submission is that:
I support the use of land for housing purposes, perhaps consider pensioner flats.

3. I seek the following decision from Palmerston North City Council:
To use the land to benefit the most needy in terms of the current housing shortage.

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15284564

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name

Graeme Fenemor

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission

False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:

Agree with recommendation of Option 1 - rezone residential and sale for development for addition to housing stock by private developers.

2. My submission is that:

Support Option 1 recommendation, for all the reasons given for Option 1. My view is that it be on sold to a private developer to build new houses, adding to the housing stock.

3. I seek the following decision from Palmerston North City Council:

Rezone to residential and sale of the unused block previous used as a bowling green at 17 Summerhays Street for private development into housing stock built in line with current district plan

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name

Mary Bridewell

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission

False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:

Housing definitely but needs to be multipurpose ideally for older citizens and the disabled ensuring the housing is fully accessible for the disabled. There isn't enough houses for the young disabled. Could be nice setup for both groups made into a lovely community

2. My submission is that:

Definitely support housing but not to property developers needs to stay in council ownership for locals

3. I seek the following decision from Palmerston North City Council:

Keep as social housing for palmerston north for older people and the independent disabled living in the community. 1 or 2 bedroom units fully excessive be best option

Merle Lavin

36-1

15284866

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Annette Nixon

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
☐ False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
OPTION 1 - use of the land for housing

2. My submission is that:

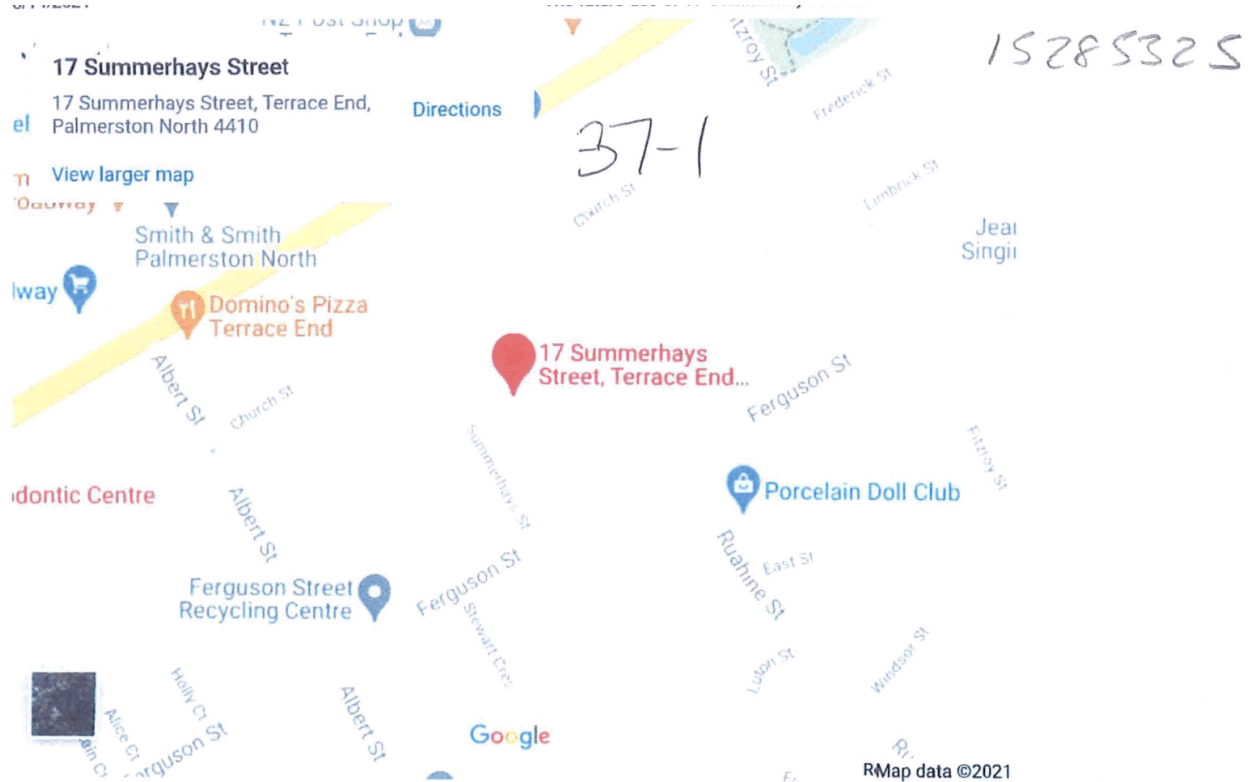
I support OPTION 1 - That the Council initiates amendments to the District Plan to enable the repurposing of 17 Summerhays St for housing. I note that no decision on the preferred delivery mechanism is suggested at this time but that sale, development or lease of the land are possibilities. My preference is for PNCC to be involved as developer in a Community Housing project that may include partnership with others, or for PNCC to continue to own the land for lease or for housing they manage. A combination offers maximum flexibility in order to meet Palmerston North's housing needs. If a mixed housing plan of individually owned sites comprising large and smaller units, along with social housing which is rented from PNCC is instigated, I would gladly see a portion of the land sold to help defray development expenses. My preference for the whole area is to be a mixed housing complex that includes shared garden space and areas to sit and meet using CO HOUSING models. Note - there is still an unmet need in the city for rental space especially when people are long term renters and find their rental now being sold with continuing rental solutions offering only exorbitantly high costs.

3. I seek the following decision from Palmerston North City Council:

I visited the site on 20 June, 2021. Existing buildings on site do not appear fit for any purpose and need to be demolished. As the Terrace End Bowling Club invested considerable funds in the development of these buildings, I presume they are expecting some reimbursement for their previous capital investment. No discussion about this has featured in this public consultation that I am aware of, or in the press. However I accept that any compensation that enables TE Bowling Club to transition to Northern and provides a putea as a contribution for the use of their Northern facilities raises a further matter to be looked at respectfully. Once this matter is resolved, and made known, a land / housing development that moves on from existing battery farming type housing crowded onto available space to include CO HOUSING principles of intentional housing around shared space is recommended. In this case the housing would be of the types I have referred to above, an opportunity for PNCC to show innovative creative responses to wellbeing through housing especially in this enclosed space. Please consider a lounge or meeting room for this community to use, albeit with a garden shed attached to encourage

36-2

people to meet and work collectively with their neighbours and surrounding neighbours. While the Leisure Centre is nearby the costs there need to be borne by large groups with funds to pay the high meeting costs. It is too expensive for a casual coffee group or garden planning meeting. For instance, a community garden and an orchard - espaliered fruit trees along the driveways in - what an example. I understand site planning would include realignment of the driveways in. PNCC has a chance to lead the way with this housing development. Be courageous and creative.



Have your say

Submissions are open until 4pm on Friday 9 July 2021.

Your contact details

Full name *

First name. Last name.

Jenna Leenie *Thickard*

Organisation you represent
(if applicable)

Postal address *

Phone *

(day)

<https://pncc.govt.nz/summerhays>

3/5

01/12/2021

Email *

37-2

Privacy statement

All submissions will be publicly available on our website, although only names and organisations will be made public (and not other contact details).

Hearings

The hearing date will be confirmed when submissions have closed.

Please tick the box if you'd like to speak to Council in support of your submission

☐

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Specify the part(s) of the proposal to which your submission relates.

OPTION 1. DEFINITE NO TO P.N.C.C Community Housing
OPTION 2. NO
OPTION 3. NO - As our Retirement Residence is
BACKING ONTO THE LAND WITH 6 FT
CORRUGATED IRON FENCE.
OPTION 4 NO

2. My submission is that:

Include whether you support or oppose the various parts of the proposal or wish to have them amended, and the reasons for your views.

WE OPPOSE THE LAND BEING USED FOR PNCC SINGLE OR
TWO STORED COMMUNITY HOUSING AS PER PAPAIDEA PLACE.
WE ALSO OPPOSE TENATED FLATS AND MULTI STORED
APARTMENT BUILDINGS.
WE WOULD PREFER PRIVATELY OWNED SINGLE STORED
RESIDENTIAL FAMILY HOMES.

3. I seek the following decision from Palmerston North City Council:

Give precise details about the decision you want the Council to make.

<https://pncc.govt.nz/summerhays>

4/5



**Manawatu
Tenants'
Union**

77 King St
Palmerston North
Phone: 027 5422 071
Email: info@mtu.org.nz
www.mtu.org.nz

Date: 5/7/21
To: PNCC
From: Manawatu Tenants' Union (MTU)
Subject: Use of Summerhayes St Land for Housing

To whom it may concern

Purpose

1. MTU submits on the public consultation on the future use of 17 Summerhays Street to encourage it to be used for public and/or affordable housing with community benefits.
2. MTU wishes to speak to this submission, and can be contacted at:
Ben Schmidt
Coordinator
Manawatu Tenants' Union
Email: info@mtu.org.nz
Phone: 027 5422 071

About MTU

3. MTU advocates and organises for tenants in the Manawatu, is a registered charity and accredited social services provider, and has strong relationships locally and nationally.

MTU Supports using Summerhayes St Site for Housing

4. In the present housing crisis, it is imperative for the Council to support the development and intensification of housing for the public good.

Analysis of options

5. In descending order, MTU's preference of the provided options is for:
 - a. Option 1, Repurpose for housing
 - b. Option 4, Retain for community purposes.
 - c. Option 3, Develop for recreational purposes.
 - d. Option 2, Land-bank the site.

MTU Recommendations

6. In relation to the use of the housing, MTU's preference in descending order is that:

Housing is a basic human right.

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**Manawatu
Tenants'
Union**

77 King St
Palmerston North
Phone: 027 5422 071
Email: info@mtu.org.nz
www.mtu.org.nz

- a. The land be used for Council public/social housing; or
 - b. The land be used for Kainga Ora housing; or
 - c. The land be used for social housing (i.e. CHP housing); or that
 - d. The land be used for affordable housing.
7. New housing should be accessible, designed with consideration of universal design and age in place principles to encourage accessibility and recognition of needs for an aging population.
 8. Any development of "affordable" housing must have a clear definition of what affordable is, and have incentives and accountability mechanisms for ensuring that this is adhered to.
 9. We further recommend that housing be medium-high density to encourage increased development of such housing and it's potential towards addressing the housing crisis without increasing urban sprawl.
 10. We note that the location on Summerhayes is relatively central to Palmerston North town and facilities, and may thus be more suitable for public or social housing than, say, Tamakuku Terrace which is on the outskirts of Palmerston North.
 11. It is essential that consideration is made for public and common space to be accessible to any housing development, including potentially at Summerhayes St, such as play areas, parks, and community centres, for any residents to be a part of communities. Likewise, consideration must be extended to access to transport options such as bus stops.

Conclusion

12. MTU supports the development of public or affordable housing at Summerhayes St and wishes to speak to this submission.

Sincerely,

Ben Schmidt

Coordinator
Manawatu Tenants' Union

Housing is a basic human right.

2

39-1

15284121

1

2 July 2021

Future Use Of 17 Summerhays Street
 Democracy Support Officer
 Palmerston North City Council
 Palmerston North

Marilyn and Bruce Bulloch

We wish to speak to our submission.

Submission - Future Use of 17 Summerhays Street

1.The Specific Parts / Options of the proposal my submission relates to are as follows:

Our submission relates to all parts and options of the proposal.

2.Our Submission is as follows:

Option 1: The Proposal – That the Council initiates amendments to the District Plan to enable the repurposing of 17 Summerhays Street for housing, including sale, development or lease of the land, noting that no decision has been made by the council on the preferred delivery mechanism at the time.

We do not support the sale of the land. We may support the leasing of some of the land

We do not support the rezoning of the south- eastern section of the land (which is currently zoned Recreation Zone) to be rezoned Residential Zone.

The reason is that we do not support the Council's proposal for housing on all of this former Terrace End Bowling Club site. Leaving the District Plan zonings as it currently stands would allow a compromise situation of some housing to be constructed on the North-western side (the Church Street side). By our calculations only 6 or 7 conventional stand- alone dwellings could be constructed on the north-western half of the land, especially after land is sealed to allow roading access. Any constructions would need to be built in such a manner that they do not obstruct surrounding resident's views, especially eastward to the Tararua Ranges, and also, that the surrounding houses are not shaded.

The compromise solution of some housing and some green space would save the expense of a rezoning to the District Plan. Having some residents in this land-locked site would overcome the legal requirements that public parks need to be visible from a public street.

PNCC-17 Summerhays St-Submission-02-07-21

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We are opposed to the sale of this publicly-owned land. If the land was kept in public ownership the dwellings could either be rented or leased. At the end of the life cycle of these dwellings the land would still remain in Council ownership. The option of reverting the land to green space would still be available.

Option 2: Land-bank the Site

Land-banking the site could be a possible option if the land is kept in public ownership and is kept maintained and not allowed to become run-down and derelict. Given the tight supply of labour and supplies in the building industry this might work. A low key recreational or community use may arise in the near future. Existing public green spaces and parks are constantly under threat of being over- developed, especially by service groups which come up with "good ideas", (witness The Esplanade becoming over-crowded).

Option 3: Development for Recreational Purposes

We would fully support the retention or development of the land for recreational activities. We would also support a rezoning of the half of the land zoned Residential Zone to Recreation Zone. The land does not need to be a sports field, just a simple passive green space with some plantings is all that is required.

We are aware of the fact that former bowling greens sites are contaminated with toxic chemicals used to kill grass grub but this problem can be mitigated. If the site is thought fit for housing surely it would also be fit for use as public green space, not necessarily a playground or sports field. Being off the road, the site is peaceful and quiet with a view of the hills eastward. Is it possible to retain the existing former Terrace End Bowling Club building or to construct another new building of the site to enhance the use of the site?

Keeping this site as a green space for recreational uses would be good for the local residents and others who may travel to the site. There is a shortage of open green space in this older part of Palmerston North. Judging by the look of the vintage of the houses (which range from modern to early 1900's) we are guessing that there would be a diverse range of ages among the surrounding population, from the young to the elderly. We feel that their recreational needs would not be met by their having to travel across very busy roads to get to Memorial Park, Hokowhitu Park or Milverton Park.

The early town planners in Palmerston North would have surely designated this site for recreation for a good reason. The land is slightly elevated along a river terrace and would possibly have been free draining.

Option 4: Retain for Community Purposes

We would support this option of retaining the site for community use, although this option usually leads to a multitude of community groups arguing for an equal multitude of uses, ending in a stalemate.

39-3

3

We are not persuaded by the argument that the nearby Palmerston North Leisure Centre building around the corner in Ferguson Street adequately serves the nearby community. It may do so to a certain degree, but there is a lot more potential and vision to be gained by having a community hall surrounded by green space on this old bowling green site. The Leisure Centre is very industrial and utilitarian in design and location, being located adjacent to the Council Depot and the busy Ferguson Street.

The current former Bowling Club building on the site has a great feel about it, being flooded with daylight due to large windows and glass doors and its expansive outlook onto the greens. A large carpark is already in existence. Access could be improved by entering off one adjacent street and exiting out into an opposite street. Some of the old utilitarian storage buildings on the site should obviously be demolished (concrete block garage has cracks in the wall). Is the original 1908 Clubroom of heritage value and needing to be saved?

3. I seek the following decision from the Palmerston North City Council

We have a preferred list of options as follows:

Our first option is that the site be retained for recreational purposes, mainly as an informal passive green space. A through road could be constructed and the existing carpark be retained. We would like to see the retention of the existing Club Rooms or a new purpose-built hall be constructed. We think that such a scenario would also cater for those who supported Option 4 : (Retention for Community Purposes). The Residential Zone would need to be rezoned Recreation Zone

We would like to see more evidence as to why the current building needs to be demolished. Is the building structural unsound? The newer addition was built in about 1993, 28 years ago, not that old. We did notice some exposed steel which would require fire-proofing these days. Is that a problem? Some of the construction material appear cheap, such as particle board flooring and Pinex panel on the ceiling. Is the glass safety glass? All fixable. We would like see an investigation by the Council in to the Heritage status of the 1908 Clubroom.

Our Second Option is less preferred but a compromise option, as we have described in Option 1. This option would not involve any change to the District Plan which would save money and time. Some dwellings could be built on the Northern (Church Street) half of the land. The Southern side (Ferguson Street side) would be retained as a passive green space. This green space would add value to the houses. The presence of nearby housing would counter the argument that this recreation space would not have site lines from a street frontage. A through road bisecting the whole site would also give a road frontage to the green space. The local residents would also have access to the green space.

Our Third Option. We would support Option 2- Land-bank the Site. A less preferred option. If the option of Medium Density housing is taken up by developers or others in this part of Terrace End in the future more recreational land will be required than is currently available. Occupants of medium density houses will require green space for their well- being. It could be better if the site is land-banked as a green space, rather than completely built on, to keep future options open.

PNCC-17 Summerhays St-Submission-02-07-21

40



Submission to the Palmerston North City Council

15285037

On The re-zoning of the land which is currently the Terrace End Bowling Club in Summerhays Street Terrace End

Our Organisation

Name Manawatu Community Housing Trust
Address 382/382 Rangitikei Street Palmerston North

The Submission

The Manawatu Community Housing Trust objectives are to provide supportive and safe accommodation to the most disadvantaged people on low incomes in Palmerston North region who also have major support needs. This is an essential part of our service to enable tenants to have a quality of life previously not available to them.

The rents charged are below the lowest quartile and in cases of hardship are discounted. We specifically target tenants, who for various reasons are not able to find accommodation elsewhere, either because they have no references, are ex-prisoners, refugees with no tenant history.

The Trust is firm in its commitment to the "target Group" and accepts that commercial operators would not consider them as tenant. The always aim to house a mix of families, children, and individuals for whom we provide a safe environment with adequate and structured support.

In the past 12 months we have been made aware, through tenancy applications that there is not only a major rental shortage in the city but also substantial increases in the needs of the older age group in serious risk of financial and social disadvantage who we consider to be deprived, destitute and underprivileged.

This group deserves to be housed with the appropriate support services available. The service that we see to be vital is more than is currently being offered by the new housing complex at Papaioea Place.

We urge that you give serious consideration to the land being used for this group to ensure this sector in the community is respectfully catered for either directly by the PNCC or an appropriate service provider

My submission

That the land in Summerhays Street be rezoned to residential.

I would like to talk to the submission

Yours faithfully

Margaret May
Chairperson
Manawatu Community Housing Trust

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Sport Manawātū Submission on the Summerhays Proposal

General

Sport Manawātū (SM) is a charitable trust that was established in 1987 and is a provider of services and events benefiting the play, active recreation, and sport interests of Palmerston North City, Manawātū, Horowhenua and Tararua communities. In more recent times, this has extended to the Ruapehu, Rangitikei and Whanganui Districts through our leadership and coordination of the Manawatu-Whanganui Regional Sport Facilities Plan. Sport Manawātū have a long and proud track record of supporting and delivering on Council outcomes.

Play, Active Recreation and Sport

We acknowledge and thank the Palmerston North City Council as the major provider of our city's play, active recreation, and sporting parks and facilities. By investing in our sector, the Palmerston North City Council is helping to instil a lasting culture where active living matters. The work of Palmerston North City Council makes a real difference in the lives of residents. The Palmerston North City Council plays a critical role ensuring people continue to enjoy quality play, active recreation, and sporting opportunities. Equitable opportunities to participate need to be available to everyone, regardless of age, fitness level or socio-economic background.

Physical inactivity is associated with loss of productivity, health costs, as well as associated costs such as pain and suffering. Healthier, happier individuals are more likely to do well in other areas of their lives, whether it is in social or professional situations. This has a positive flow-on effect for communities and society. Research has found that in areas of activity decline, government and community-led interventions has helped reverse the trend. When the infrastructure is in place, such as aquatic facilities and parks, people are more likely to be active. Population growth in Palmerston North including our increased demographic diversity has and will continue to place pressure on how we respond to the provision of recreational infrastructure in the city and surrounding areas.

The benefits of play, active recreation, and sport

Play, active recreation, and sport is important to the lives of residents through:

Health and Wellbeing

Participation through play, active recreation and sport, recreation has an important impact on the quality of our Palmerston North residents. Participation provides opportunities to make new friends, have fun, relax, reduce stress, improve self-esteem and confidence, as well as a sense of personal achievement regardless of ages or stage of maturity and development. In fact, 74% of New Zealanders agree that sport and physical activity help build vibrant and stimulating communities.

HEAD OFFICE
Sports House, 47 Queen Street
PO Box 797, Palmerston North 4440

FEILDING OFFICE
Makino Aquatic Centre
Feilding 4702

TARARUA OFFICE
40 Denmark Street,
Dannevirke 4930

41-2

Education

Play, active recreation and sport helps to teach us respect, commitment, perseverance, and humility. Through participation we can work in a team and develop leadership and communication skills applicable to life.

Building stronger communities

Research shows that recreation makes a significant contribution to social resilience. It allows individuals to thrive, and to connect with each other. This, in turn, makes communities stronger. A society in which people are active and healthy is also more economically sound. Play, active recreation and sport provides individuals a place to belong, families and communities an opportunity to work together and our District opportunities for inspiration and celebration - breaking down barriers and building a sense of achievement and connectivity.

Economic Value

Play, active recreation and sport requires recognition and investment in the LTP to support sector outcomes. Significantly, sport and active recreation contributes \$4.9 billion or 2.3% to our annual GDP to the national economy, while the sector employs more than 53,000 New Zealanders. Play, recreation and sport is a major contributor to the physical and mental health of individuals, and to the resilience of our communities. 90 per cent of New Zealanders believe that by being active, they are in turn maintaining a good level of health and fitness, and this helps to relieve stress.

Strategic Alignment

We acknowledge that Palmerston North City Council (PNCC) decisions are underpinned by the various plans and policies which are developed to enable effective decision making.

Council planning needs to adopt a long-term approach that considers factors such as urbanisation, population growth, an aging population, and climate change to ensure play, active recreation and sport can continue to thrive amid constant change.

The council is clear in what it values through the agreed community outcomes below:

- An innovative and growing city.
- A creative and exciting city.
- A connected and safe community.
- An eco-city.
- A driven and enabling Council.

HEAD OFFICE

Sports House, 47 Queen Street
PO Box 797, Palmerston North 4440

FEILDING OFFICE

Makino Aquatic Centre
Feilding 4702

TARARUA OFFICE

40 Denmark Street,
Dannevirke 4930

41-3

The benefits of Parks and Reserves

We believe there are some fantastic opportunities to activate local parks to encourage greater access and use of our open green spaces. We would be encouraged to see these green spaces being adaptable to a variety of needs. Embedding physical activity into regular daily life is a positive way to promote good health and prevent chronic disease. Parks reinforce this important messaging, and we believe having spaces and places that provide community users with choices to create what they want, when they want and with who they want supports people with opportunities to shape their own fun, joyful experiences. Open space environments can help shape a person's motivation, confidence, physical competence, connection, and knowledge to their community surroundings.

Through its network of parks and open spaces council can be a significant catalyst for play supporting all residents. We would urge Council to give consideration through its numerous roles and services as to how the Council creates opportunities for more playful communities. An integrated planning approach through a play lens will ensure there is more opportunity to activate spaces and places and create environments that encourage physical activity through play.

We also believe there are opportunities for the community to help codesign Council owned assets through meaningful stakeholder engagement with residents likely to be affected by change. Green space can often appear sterile or caged to form-controlled environments as a way for parents to manage their children. Green space should be inviting and offer a variety of users activity choices that are not only self-directed but encourage ongoing utilisation. The opportunity exists to explore what these options may look like using community feedback, and investigate options for an asset appealing to a diverse group that may not frequent current assets? Examples of existing models are boutique parks, community gardens, or wellbeing spaces as indicated in the image below. These have proved extremely popular as residential meeting points, servicing small community gatherings and events. We feel an amazing opportunity could present itself to create the first senior play space or 'Māra Hūpara' in the city.

Summerhays Proposal and Strategic Alignment with the 10 Year Plan outcomes

Sport Manawātū outlined its support of Council's vision through the 10 Year Plan consultation process to be one of the most active communities in New Zealand. We acknowledged the Council's commitment of getting more people active. This is demonstrated in the percentage of rate payer funding allocated to our sector. The Active Communities Plan provides the blueprint to ensure we have a unified plan for play, active recreation, and sport for the city. We recognise that it will continue to build on the positive momentum of our existing partnership to increase the provision of opportunities for both participation and sporting success for the people in the city. The plan considers local, regional, and national insights, and evidenced based approaches to help identify target areas that also place an emphasis on developing appropriate measures of success.

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 Sports House, 47 Queen Street
 PO Box 797, Palmerston North 4440

FEILDING OFFICE
 Makino Aquatic Centre
 Feilding 4702

TARARUA OFFICE
 40 Denmark Street,
 Dannevirke 4930

41-4

The Active Communities Plan identifies key actions to support opportunities to be active, and importantly gives direction on providing a wide range of accessible and well-maintained outdoor and indoor facilities. As a sector, we understand the pressures on Council to make wise decisions and respond effectively to the diverse needs of city residents however it is somewhat difficult to separate needs from wants thus collective engagement to assess responses to agree on the best solution is needed.

Sport Manawātū's position on the Summerhays Proposal

We have considered several factors in forming our view on the Summerhays proposal. Classified as a local reserve, a small development on the Summerhays site may be considered special character and add significant value to the area. This may not necessarily be measured in financial terms, rather offering a green corridor that helps to reduce carbon emissions and offers a sanctuary supporting physical activity and community wellbeing. Retaining a parcel of the recreation zone may allow Council to explore a solution to a local challenge, that of resident's inability to access existing Council assets, and ensuring there is equitable distribution within this area of the city.



We do not see the Summerhays site as being surplus to outdoor recreational requirements rather we would implore the council in its decision making to secure a suitably sized area of the recreation zone for use as a residential park development. We would see this as complementary to addressing Options 1 and 4 of the consultation document. We acknowledge Council's desire to repurpose the land for housing however a key factor in our view to retain a portion of the recreation zone would be based on ensuring local residents are within an accessible proximity to open green space. This would also consider the requirements to cater for residents moving into high density housing with minimal or no back yard area.

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41-5

However, key to this approach will be the views of local residents and whether this would be considered valuable when assessed against the need to develop houses. An example of bringing Councils Play policy to life could be the use of a neighbourhood 'Playstreet' model to support public consultation and seek community feedback on the options Council are exploring. This would also have allowed the Council to use the Policy to help guide its 'Urban design response' to public space infrastructure development.

A further argument to consider in retaining a portion of the recreation zone is the Councils point that the reserve would benefit only a small number of households, and in our belief keeping an area of recreation space would provide the space and permission for those in this neighbourhood to play. Yes, there are three parks within 1km of this space, however with Ferguson, Church, and Ruahine Streets all being on extremely busy roads, the permission to play here is much greater. We also feel we need to protect, preserve, and promote play opportunities for all, so even if Council decides to develop housing, we will want to see play aspects throughout any future development.

If the Council decide to repurpose the recreation zone for housing, our desire would be that Council ensure revenue gained from the development on recreation land be committed to offsetting costs of sector programmes identified in the 10 Year Plan. As a sector, we are also conscious that once land has been relinquished, it is unlikely we will ever be in a position to get it back.



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41-6



Sport Manawātū believes the recreational value of the land is high enough to warrant it being retained by the Council. Significant investment has gone into both Milverton and Memorial Parks, serving the needs of families with young children and youth. However, very few spaces other than key destinations i.e., Esplanade support an older or diverse residential demographic.

This area could allow the Council to initiate broader ways to support other residents into physical activity. The top five activity behavioural choices include walking, inactivity, jogging, gardening and individual workout.

Finally, thank you for the opportunity in allowing us to make this submission. We would welcome the opportunity to speak to our submission in person if permissible.

Yours Sincerely

Trevor Shailer **MNZM**
Chief Executive Officer

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Sports House, 47 Queen Street
PO Box 797, Palmerston North 4440

FEILDING OFFICE
Makino Aquatic Centre
Feilding 4702

TARARUA OFFICE
40 Denmark Street,
Dannevirke 4930

42 15285231

Merle Lavin

From: Submission
Subject: FW: Future Use of 17 Summerhays Street

Sent: Tuesday, 6 July 2021 8:08 pm
To: Submission <submission@pncc.govt.nz>
Subject: Future Use of 17 Summerhays Street

Beverley Greene and Donald McIntyre Campbell

Do you want to speak to the Council in support of your submission: YES

Your Submission

1. The specific parts/options of the proposal my submission relates to are as follows:

Option 3:

Enhanced recreational opportunities
 Consistent with current land use

2: My/Our submission is that:

There is a need for a local small dog park within a 'walkable' area. This would enhance the broader local area and would benefit the rate and tax paying stakeholders within this area. There are no other small dog park areas within walkable distances to 17 Summerhays Street.

This would also be an ideal area for those seeking quiet from the ensuing traffic that is prevalent on all four sides of the site, from Ruahine, Ferguson, Church and Albert Streets.

I believe the area should be zoned as a reserve/park for small dogs to run, with options of a children's playground and with planting of native trees and bush, e.g, Harakeke and Kowhai trees to encourage more native fauna, such as Tui.

The size of the area is not a good space for sports and sports is already well catered for in Palmerston North.

3: I/We seek the following decision from the Palmerston North City Council:

It is our hope that this site becomes a community small dog area to cater to many people who cannot access Memorial Park, Milverton Park,(where dogs are forbidden), and who do not live within walkable distances to the river.

This site would also be a place that would be beneficial to those people who need a quiet outside space for their mental health and well-being.

Nga Mihi Nui

Donald McIntyre Campbell
 Beverley Greene

43 152863 51

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name

Lorna Margaret Albert

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission

False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:

I support Option 1, use 17 Summerhays Street for housing.

2. My submission is that:

Housing should be a priority for 17 Summerhays Street but not social housing. Maximise the value of this land for social housing elsewhere.

3. I seek the following decision from Palmerston North City Council:

Sell 17 Summerhays Street for development as private housing. Use the revenue from the sale to provide social housing on other pockets of land within the city.

44

15294235

Merle Lavin

From: Submission
Subject: FW: 17 Summerhays Street

I recommend that the land, formerly Terrace End Bowling Club, be developed for housing - not top end housing - housing for families of lower income earners with a small play area in the middle of the housing.

I do not support it being developed as a playground - there are perfectly good playgrounds at Milverton and Memorial Parks.

Alternatively it could be developed into social housing such as that in Kopeka Court, with a Community Room for resident's use.

Janis Muir

Merle Lavin

45-1

15305903

Subject:

FW: Summerhays Street submission

<p>Your contact details</p> <p>Full name Colin & Bernadette Plaw</p> <p>Organisation you represent</p>
<p>Privacy statement</p> <p>Hearings</p> <p>Please tick the box if you'd like to speak to Council in support of your submission False</p>
<p>Your submission</p> <p>1. The specific parts / options of the proposal my submission relates to are as follows:</p> <p>Addressing:</p> <p>Option 1; Cost, Risk and Loss. Option 3; Opportunity, Reserve criteria and Household benefit. Climate change Residual pesticide</p> <p>2. My submission is that:</p> <p>We oppose the Council proposal to make amendments to the District Plan that result in re-zoning of the Recreational Zone portion of 17 Summerhays St for the following reasons:</p> <p>Cost:</p> <p>Option 1. Has no indication of the magnitude of the "largest financial contribution from Council". There seems to be no budget associated with the proposed housing development or how many properties would be subdivided. It is not realistic to expect re-zoning to occur where the council has not presented costings where ratepayers could be expected to finance the development.</p> <p>Risk:</p> <p>Option 1. Has no reference in the proposal with regards to personal risk. Concern for families with young children where no amount of remediation could reassure a safeguard against leeching of the residual pesticides into their homes, food growing or play areas. 17 Summerhays St would be inadvisable for high density housing where the only access is a long narrow lane. Building many properties here would result in hazardous conflict between vehicle, pedestrian and cyclist access.</p>

45-2

Loss:

Option 1. Is a permanent reduction in green space and a lost opportunity to develop something not available in other city parks. All nearby parks are sports grounds or play grounds with nothing resembling the Victoria Esplanade or Bledisloe Park where there are peaceful gardens for quiet relaxation.

Opportunity:

Option 3. Has the advantage of preserving this green space for future generations and developing something unique. We would like to see Rangitāne o Manawatū design this natural green space as a park that Palmy would be proud of.

Zoning and climate change:

Option 3. Would be further enhanced by re-zoning of the Residential Zone to become part of the Recreation Zone in order to maximise the impact that Rangitāne o Manawatū could have with this combined green space. Every opportunity to plant long term green space will contribute to our collective efforts to combat Climate Change. No where in the Proposal has the impact on Climate Change been addressed.

Reserve criteria:

Option 3. The statement "would be isolated to a single sportfield" is not a desired outcome at all. There are plentiful sports and play facilities at other grounds. The "former use of pesticides" is mitigated by allowing regeneration naturally by plantings of native flora. The intent would be not as a sports or play area but as a native park.

Household benefit:

Option 3. Reducing this to an equation of households within a particular distance of a reserve is missing the point of what a unique opportunity for park development this would be.

3. I seek the following decision from Palmerston North City Council:

We would like the Council:

1. To involve Rangitāne o Manawatū at the earliest opportunity.
2. To NOT re-zone 17 Summerhays St as residential and reject Option 1.
3. To select Option 3 for the entire 17 Summerhays St section to develop for recreational purposes.

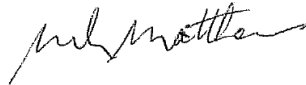
46

M. L. Matthews

To:
The Palmerston North City Council

I hereby object to the Council's proposal to rezone an area of Reserve Land, formerly occupied by the Terrace End Bowling Club, to Residential in order for that land to be used for Residential subdivision.

My objection would be met by the Council retaining as Reserve not less than 10% of the total area of the said land for the purposes of Recreation, such as a children's playground or similar.



Mervyn Leo Matthews

15309426

47

Submission on the Future Use of 17 Summerhays Street

Submitted by: Larry Haist

I do not wish to speak to this submission.

1. I wish to comment on the options outlined in the statement of proposal.
2. Option 1, housing, comes at a cost of green space. As the city in-fills and builds up, all public green space in residential areas will be exceptionally important. There appears to be a lot of land-banking in the city that could be encouraged to be used for additional residential housing. While I favour more social housing, there is the equivalent of brown field area of poor quality existing housing that could be redeveloped for this purpose.

Option 2, land-banking, is inappropriate as there is so much of this already in the city.

Option 3, recreational purposes, is attractive. If housing is to be put on the land currently zoned for such, the remainder of the site should remain as parkland. The site is not appropriate for a sports field, as it is of limited area unless use such as its previous use, bowling.

Option 4, community purposes, should be more carefully considered. The building appears to me to be an asset, not the liability your document portrays, and should be treated as such. It is unfortunate that a report on the state of the building is not available for this consultation. One of the lacks in the city is space for club rooms. Thought would need to be given to security, but this site is in a similar position to other areas subject to vandalism.

3. I seek the Council to consider closely the projected loss to future generations of green space and the adoption of option 3, or option 4 in conjunction with further information and consultation on it.

Larry Haist

8 July 2021

48

15307923

Merle Lavin**From:**

Submission

Subject:

FW: Summerhays Street submission

Your contact details**Full name**

Simon Loveday

Organisation you represent**Privacy statement****Hearings**

Please tick the box if you'd like to speak to Council in support of your submission

False

Your submission**1. The specific parts / options of the proposal my submission relates to are as follows:**

Future use of the land

2. My submission is that:

More housing is needed in central Palmy, especially affordable housing, so land banking is a bad option. Without higher density housing near the city centre, Palmy will sprawl and become too car-dependent. I would like to see the land co-developed to a high standard with community or social housing providers, not sold off to the highest private sector bidder. Good recreation and community facilities are already available nearby at Memorial park, Milverton Park and Hokowhitu domain, and a PN Community Leisure centre, so there is no need for more community or recreation uses in this location.

3. I seek the following decision from Palmerston North City Council:

Implement Option 1 - repurpose for housing.

49-1

15308618

**SUBMISSION ON THE FUTURE USE OF 17 SUMMERHAYS STREET
STATEMENT OF PROPOSAL JUNE 2021**

TO: Democracy and Governance Support Officer
Palmerston North City Council
Private Bag 11034
Palmerston North 4442
Submission made via email: submission@pncc.govt.nz

Kāinga Ora – Homes and Communities (“**Kāinga Ora**”) would like to thank you for the opportunity to submit feedback on the Statement of Proposal for the Future Use of 17 Summerhays Street June 2021 (“**Proposal**”), which is the site of the former Terrace End Bowling Club site located in Terrace End, Palmerston North. Kāinga Ora has reviewed the Proposal put forward by Palmerston North City Council (“**Council**”) and offers the following feedback.

Background

1. Kāinga Ora was established in 2019 as a statutory entity under the Kāinga Ora-Homes and Communities Act 2019. Under the Crown Entities Act 2004, Kāinga Ora is listed as a Crown entity and is required to give effect to Government policies.
2. Kāinga Ora consolidates Housing New Zealand Corporation (“**Housing NZ**”), HLC (2017) Ltd and parts of the KiwiBuild Unit and is the Government's delivery agency for housing and urban development. Kāinga Ora has two core roles:
 - a) Being a world class public housing landlord; and
 - b) Leading and co-ordinating urban development projects.¹
3. Kāinga Ora's statutory objective requires it to contribute to sustainable, inclusive, and thriving communities that:
 - a) Provide people with good quality, affordable housing choices that meet diverse needs; and
 - b) Support good access to jobs, amenities and services; and

¹ Section 13, Kāinga Ora – Homes and Communities Act 2019

49-2

- c) Otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.
4. Kāinga Ora is focused on delivering quality urban developments by accelerating the availability of build-ready land, and building a mix of housing including public housing, affordable housing, homes for first home buyers, and market housing of different types, sizes and tenures.
 5. The public housing portfolio managed by Kāinga Ora in Palmerston North comprises approximately 1,500 dwellings². As highlighted in the Public Housing Plan 2021-2024³, Palmerston North is a priority focus region for Kāinga Ora to reconfigure and increase its assets to provide efficient and effective public and affordable housing that is aligned with current and future residential demand in the area, and the country as a whole. The Public Housing Plan 2021-2024 indicates an increase in housing supply 210-320 homes in the Central Area, concentrated in Palmerston North and Whanganui.
 6. Kāinga Ora has a shared interest in the community as a key stakeholder, alongside local authorities. Kāinga Ora's interests lie in the provision of public housing to persons who are unable to be sustainably housed in private sector accommodation, and in leading and co-ordinating residential and urban development projects. Kāinga Ora works with local authorities to ensure that appropriate services and infrastructure are delivered for its developments.
 7. As such, in addition to its role as a public housing provider, landowner, landlord, rate payer and developer of residential housing, Kāinga Ora will play a greater role in urban development more generally. The legislative functions of Kāinga Ora illustrate this broadened mandate and outline two key roles of Kāinga Ora in that regard:
 - a) initiating, facilitating and/or undertaking development not just for itself, but in partnership or on behalf of others; and
 - b) providing a leadership or coordination role more generally.
 8. Notably, Kāinga Ora's statutory functions in relation to urban development extend beyond the development of housing (which includes public housing, affordable housing, homes for first home buyers, and market housing) to the development and renewal of

² Including state rental and Community Group Housing portfolio, as of June 30, 2021.

³ Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development, January 22, 2021, <https://www.hud.govt.nz/community-and-public-housing/increasing-public-housing/public-housing-plan/>

49-3

urban environments, as well as the development of related commercial, industrial, community, or other amenities, infrastructure, facilities, services or works.

9. Policy decisions made at both central and local government level have impacts on housing affordability. The challenge of providing affordable housing requires close collaboration between central and local government to address planning and governance issues to reduce the cost of construction, land supply constraints, infrastructure provisions and capacity as well as an improved urban environment.

Scope of Feedback on the Proposed Future Use of 17 Summerhays Street

10. Kāinga Ora is interested in all issues that may affect the supply and affordability of housing and has a shared interest in the community as a key stakeholder, alongside local authorities. These interests include:
 - a) Minimising regulatory barriers that constrain the ability to deliver housing development;
 - b) The provision of public housing to persons who are unable to be sustainably housed in private sector accommodation;
 - c) Leading and co-ordinating residential and urban development projects;
 - d) The provision of services and infrastructure and how this may impact on Kāinga Ora existing housing, planned residential and community development and Community Group Housing ("CGH") providers; and
 - e) Working with local authorities to ensure that appropriate services and infrastructure are delivered for its developments.
11. Kāinga Ora's approach in submitting feedback to the Proposal is to support the strategic opportunity for Council to align the future use of 17 Summerhays Street with Council's Housing Needs Assessment 2011 and Sustainable City Strategy 2010.
12. The feedback on the Proposal is also informed by the National Policy Statement on Urban Development ("NPS-UD") – which provides further direction around where growth should be located (i.e. within proximity to centres, jobs, education, amenities and services). The NPS-UD seeks to ensure that local authorities enable development capacity for housing and business — through their land-use planning and infrastructure.

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Outline of Feedback on the Future Use of 17 Summerhays Street

13. Kāinga Ora understands that the Council is currently assessing four options for the future use of 17 Summerhays Street, including:
- a) Initiate amendments to the District Plan to enable the repurposing of 17 Summerhays St for housing, including sale, development or lease of the land;
 - b) land bank the site;
 - c) develop for recreational purposes;
 - d) retain for community purposes
14. It is understood that Council's preferred option is to make the necessary amendments to the Palmerston North City Council District Plan ("**District Plan**") to enable the repurposing of 17 Summerhays Street for housing ("**Option 1**"), including the potential sale, development or lease of the land or park to enable housing to occur on the site.
15. It is recognised that Council has proposed repurposing 17 Summerhays Street for housing for a number of strategic reasons, including:
- a) The Council's Housing Needs Assessment 2011 has identified that there is increasing demand for housing in Palmerston North and there will be an additional 9,400 households in Palmerston North in twenty years⁴;
 - b) Demand for smaller typologies, including 1 bedrooms, is increasing and there is not enough supply⁵; and
 - c) The City Development Strategy 2018 describes Council has having a significant property portfolio that can be used to contribute to city growth and development, and this could include repurposing underutilised land or identifying land [...] to enable sustainable housing development and intensification.
16. Based on Kāinga Ora's review of the other options being considered by Council for the future of 17 Summerhays Street, it is understood that land-banking, developing the site for recreational purposes or retaining for community purposes would be a missed opportunity to address housing supply in a strategic location close to

⁴ Palmerston North – Housing Needs Assessment 2011

⁵ Palmerston North – Housing Needs Assessment 2011

49-5

commercial amenity and community services and provide an alternative resource for Council.

17. Kāinga Ora acknowledges that Palmerston North City is a Tier 2 urban environment and Council is a Tier 2 local authority under the National Policy Statement on Urban Development 2020 (NPS:UD) and therefore Council is required to provide at least sufficient development capacity to meet expected demand for housing and for business land over the short, medium and long term⁶ and make planning decisions that contribute to well-functioning urban environments, and enable a variety of homes that have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces⁷.
18. Kāinga Ora recognises that 17 Summerhays Street is currently partially zoned Recreational and partially zoned Residential under the District Plan, and that the site:
 - a) has historically not operated as a public open space, as the site was used by the former Terrace End Bowling Club;
 - b) is in close proximity to open space provided by the 2 large parks in walking distance, including Memorial Park and Hokwhitu Park;
 - c) is located in an existing urban environment with existing stormwater, wastewater and water supply infrastructure located in the Summerhays Street and Ruahine Street road reserves;
 - d) is in a location that is suitable for residential use as it is surrounded by residential land use and is close proximity to range of commercial amenity, community services and public transport; and therefore
 - e) provides opportunity for Council to repurpose parts of its property portfolio to increase land supply for housing in a location that is well-served by commercial amenity, services, infrastructure, and open space in Palmerston North.
19. It is within this context that Kāinga Ora supports the conversion of the site at 17 Summerhays Street into land for housing is an opportunity for Council to supply land for residential development in a strategic location (Option 1).

⁶ Policy 2 – National Policy Statement on Urban Development 2020

⁷ Policy 1 – National Policy Statement on Urban Development 2020

49-6

20. Kāinga Ora considers the site to be suitable for intensification to provide for a variety of housing typologies in an area of high accessibility and demand, strong connections to commercial amenity, services, infrastructure and open space and contribute to a well-functioning urban environment.
21. Kāinga Ora therefore seeks that Council introduce District Plan provisions that enable intensification of the site in accordance with the requirements of the NPS-UD. It is considered that there is an opportunity for Council to include amendments to the District Plan to rezone 17 Summerhays Street at the same time as plan changes that Council is required to notify by August 2022 in response to the requirements of the NPS-UD.

Summary

22. As a Crown entity and key stakeholder that is interested in all issues that may affect the supply and affordability of housing, Kāinga Ora is supportive of Council's preferred option (Option 1). Further to this, Kāinga Ora is supportive of the Proposal as a means for Council to increase housing supply and deliver on the objectives of the Sustainable City Strategy 2010. Kāinga Ora is particularly supportive of higher intensity development in this location and seeks the amendments to the District Plan that are required in order to enable housing and intensification at 17 Summerhays Street.
23. Kāinga Ora seeks to engage early with Council on any draft District Plan provisions that are proposed to enable housing on 17 Summerhays Street and any other plan changes that relate to enabling housing in the urban environment.
24. Kāinga Ora is also interested in the sale and redevelopment of 17 Summerhays Street for housing and seeks to support Council in achieving residential outcomes for the site including the delivery of a diverse range of typologies in Palmerston North to address changing demand for housing. It is requested that Council engage Kāinga Ora if and when there is an opportunity for further consultation and/or a strategic opportunity for Kāinga Ora to partner in the delivery residential outcomes for 17 Summerhays Street.

49-7

Dated this 9th day of July, 2021



Brendon Liggett,
Manager, Development Planning
Kāinga Ora – Homes and Communities

ADDRESS FOR SERVICE:

Kāinga Ora – Homes and Communities
PO Box 2628
Wellington 6140
Email: developmentplanning@hnzc.co.nz

50

15306798

Merle Lavin

From:

Submission

Subject:

FW: Summerhays Street submission

Your contact details

Full name

Imran Muhammad

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission

False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:

The future use of 17 Summerhays Street

2. My submission is that:

I strongly support OPTION 1 that the Council use this space for housing purposes. However, it would be beneficial for the city to build medium to high-density housing with low carbon urban design at this location. Access to the site may be an issue for medium to high-density housing but can be solved creatively.

3. I seek the following decision from Palmerston North City Council:

NA

51 1530 1924
Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Tomas Burleigh Behrens

Organisation you represent

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
☐ False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
OPTION 1: THE PROPOSAL

2. My submission is that:
Option 1: Conditional support. I oppose any sale or lease of the land for housing. If developed, the houses should be owned by council, and should be a mix of subsidised and non-subsidised rental homes. There is no evidence to suggest that a private developer will build enough reasonable priced homes to address the "growing demand for housing in the city". Instead they may just build the easiest thing they can - a small number of standalone, single storey dwellings. I could support a joint project between the council and Kāinga Ora to develop the site, if the land and all homes are kept in some form of public ownership.
Option 2: oppose Option 3: neutral Option 4: neutral

3. I seek the following decision from Palmerston North City Council:
The council should commit to building apartments on the land. If not, the land must be retained for other uses.

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Paul Robertson

Organisation you represent
n/a

Privacy statement

Hearings

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:

My submission relates to the future use of the Former Terrace End Bowling Club site, located at 17 Summerhays Street, Palmerston North, and namely "Option 1" of the council's proposal.

2. My submission is that:

I support "Option 1" of the council's proposal. That is, the "Council initiates amendments to the District Plan to enable the repurposing of 17 Summerhays Street for housing, including sale, development or lease of the land." However, I also wish to have further amendments/changes made as per details and the reasons I have conveyed in Section 3. I do not support Options 2, 3 or 4 (Land-bank the site, Develop for recreational purposes or Retain for community purposes, respectively.)

3. I seek the following decision from Palmerston North City Council:

Globally, there is a shortage of housing. And we all know about NZ's "housing crisis" - short supply, high demand, and the very high prices in most towns and cities throughout New Zealand, thus making it very difficult for many first home buyers to enter the market in particular. Nothing beats home ownership when it comes to obtaining a secure future, so that is what I would like to see the Summerhays land repurposed for. Social housing is needed for sure; however, accommodating that need should primarily be the responsibility of Central Government. (PNCC provides some Social Housing as well, which I understand is made available for pensioners. And that is fine.) Due to the high cost of housing generally, and developers typically building more expensive homes in the outer suburbs (Summerhill/Aokautere and Kelvin Grove) due to the high cost of land, building new infrastructure services, and so on, what I would like to see now is for council to partner with a developer to build some (relatively) 'low-cost' housing, and once completed, make it available to a specifically targeted demographic. The target demographic would be first home buyers consisting of a mix of: 1) young couples without children, 2) solo parents, 3) young couples with children, and 4) for all of the above who are on medium and lower incomes only. And perhaps also limiting sales to those under the age of 35 as well. With many mortgages being of 30 year's duration now, this will allow time for buyers to ensure they have no mortgage by the time they reach retirement age. As such, the new homes should be built in such a way as to be affordable and to make best use of the land available, whilst not compromising quality, comfort, and usability of

52-2

indoor and outdoor living spaces, and whilst also limiting impact on environment as much as possible. Consideration for environment and better sustainability should be a factor. I saw on the TV news recently that there are new stand-alone single-level, 4 bedroom homes on around 620 m² of land being built in Rolleston, Canterbury, for around \$550,000. I think PN's council and builders should easily be able build new low-cost medium-density homes for much less than \$550,000, if done right. This could be achieved by: 1) Building a mix of 2 and 3 bedroom homes, with a single internal-access car garage (with laundry in the garage), and with a short driveway space to accommodate one additional vehicle, and all built with two levels (bedrooms upstairs and the living spaces downstairs). (I am opposed to one bedroom homes being built because that does not make good use of the limited land.) 2) Making the best use of the land and to keep prices down - build sets of two adjoining homes, each with its own small and secure private back courtyard space (BBQ, dogs). And provide a larger shared green space - that is, a shared lawn where children can kick a ball around, and perhaps include a few fruit trees and some basic playground equipment for the little ones. And maybe have some space for a 'community-shared' vege garden as well. 3) Because this land is down narrow driveways off Summerhays and Ruahine Streets, both driveways should be kept as they currently are, and one-way only - access in would be from Ruahine Street, whilst the exit would be onto Summerhays Street. This would make it a safer place for the children living there, and also provide better ease with the flow of traffic at peak times. Additionally, also have a small area for limited extra car parks, for residents' visitors and for trades services' vehicles. Furthermore, this location is ideal for a medium-density housing complex for young families. There are three primary schools quite close by (Terrace End, Hokowhitu and College Street schools), and Normal Intermediate is not very far away as well. And there are two large parks/playgrounds nearby - Milverton and Memorial Parks. Not only that, with the close proximity to Terrace End shopping and two supermarkets, and a dairy very close by as well, there would be little need for distance driving to amenities, so that would help the residents save on their vehicle running costs, whilst at the same time also being better for the environment.

Environment, Sustainability and Affordability 1) Solar panels should be installed during the build process. This would benefit the environment and also make living more affordable for owners due to lower electricity bills. 2) Given the roof coverage across the entire development, rain water should be collected and stored in an underground tank. This water can be piped to all outdoor taps for garden watering and car washing, etc, thus reducing demand on the city's drinking water reservoir. This water supply could also be made ready to use by the fire service should it ever be needed. A tank overflow would be required. 3) Ensure there is adequate space for parking and storing bicycles. This could be either: a) a separate space for every house, or b) a shared and centralised, and lockable, bike shed. If the selling prices are kept below \$500,000, first-home buyers can benefit from the government's \$10,000 grant for new builds in our city. To Summerise: 1) I support "Option 1" of the council's proposal, the land to be repurposed for housing. 2) I would like to see appealing medium-density, Council-led, housing built, with developer partnership. 3) I would like to see 2 and 3 bedroom, 2-storey homes, each with a single internal access garage and small drive to accommodate one additional vehicle space. 4) I would like to see affordable housing built, selling for less than \$500,000, so first-home buyers can take advantage of the government's housing grant for new builds. 5) I would like to see quality maintained and consideration for the environment - including the installation of solar, rain water collection and storage, and space made for bicycle parking. 6) I would like to see homes built that are targeted to first home buyers - young couples and young families. 7) I have personally visited this site to inspect it and to consider my thoughts for this submission. For a bit more information about housing in Christchurch, I also wish to draw your attention to the following: More new homes are being built in Christchurch - but they're getting smaller Mar 13 2021 <https://www.stuff.co.nz/life-style/homed/real-estate/124522429/more-new-homes-are-being-built-in-christchurch-but-theyre-getting-smaller> I am more than happy to answers any questions that council may have. (Email is my preferred method of correspondence.) Thank you for reading and considering my submission Paul Robertson

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15308823

Merle Lavin

From: Submission
Subject: FW: Summerhays Street submission

Your contact details

Full name
Andrew Simpson

Organisation you represent

Privacy statement**Hearings**

Please tick the box if you'd like to speak to Council in support of your submission
False

Your submission

1. The specific parts / options of the proposal my submission relates to are as follows:
Future use of Summerhays

2. My submission is that:
I support the proposal to turn the area into a recreational area.

3. I seek the following decision from Palmerston North City Council:
It could be a beautiful park for residents. In regards to security, I feel as though an advanced security system with multiple cameras mounted high overseeing the park would be enough to deter any dodgy behaviour. A well designed park with some additional elements, perhaps such as a wee bike track for kiddies or some exercise equipment similar to the poles and bars on the river walkway East of the main bridge could make it very attractive to exercisers, families etc. Thanks

Merle Lavin

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18307018

From: Submission
Subject: FW: Future Use of 17 Summerhays Street

Sent: Friday, 9 July 2021 10:44 am
To: Submission <submission@pncc.govt.nz>
Subject: Future Use of 17 Summerhays Street

Hello

Thank you for the opportunity to provide input into the consultation on the future use of 17 Summerhays Street as per the recent letter received.

This space has been used for recreation purposes for older people for a long time. Although I am not interested in bowls I know that the ability to be able to have a short walk to a place where there was social interaction and physical activity made a huge difference to the mental health of my father-in-law.

I understand that bowls is not as popular as it was and hence the likely need why the clubs joined together. Instead there are now other opportunities that have come up that support social interaction which is so necessary for people. It may be Men's Sheds, a hall when women can come to do crafts together to donate to hospitals, or even a place for local iwi to foster Maori and Pasifika culture and events.

If the Council do not decide to maintain the grounds then accommodation should be built to provide emergency accommodation as well as a place or bail or parole to decrease the number of people who are placed in prison or minor offending or are not able to be released or bail because there is no suitable address present.

There is a shortage of housing in Palmerston North, and the council has a great opportunity to assist and support the people of Palmerston North in a practical manner for those as listed above as ones most impacted and cannot even get a step into the rental market. Their issues as research overwhelmingly finds is due to trauma from violence and intergenerational nature which leads into for many drug and alcohol addiction and this leading to crime. It would do well or the council to consider how it meets the needs of these groups to support recovery and rehabilitation of which all residents of Palmerston North benefit, not only the developers and the few who own the homes that are developed.


It is acknowledged council does not benefit in the short term with a cash windfall, however benefits in the longer term by the reduction in criminal behaviour and the impact of this on the Palmerston North Community.

It is not considered appropriate for the future of this area to be sold for development for housing only.

Thank you for the opportunity to provide input.

Toni Symes

15 307 309



55

CC11390
Housing Advice Centre
Hancock Community House
77 King Street
Palmerston North 4410
Ph (06) 358-4875
Email: info@housingadvice.org.nz
[www: housingadvice.org.nz](http://www.housingadvice.org.nz)

9th July 2021

To the Councillors of Palmerston North City Council,

The Housing Advice Centre strongly endorses the actions of the Palmerston North City Council to increase housing in the city. To that end we support amendments to the District Plan to enable the repurposing of 17 Summerhays Street for housing.

We would like to see housing here for low-income people; either through Council Social Housing or Kainga Ora or in partnership with Iwi or a Community Housing Provider or any other option that might arise.

The next best option would be to retain the land for community purposes, then develop for recreational purposes and the last option would be to land bank the site.

This area is already well developed for housing with all the appropriate infrastructure including public transport routes.

We note that this would bring about an increased density of housing in the area and ask that the council ensures that there is continuation of enough green spaces and recreational areas for residents.

Yours sincerely

Sally Babbage

Manager

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Merle Lavin

Subject: FW: Terrace End Housing development submission**From:** Jackie Little**Sent:** Friday, 9 July 2021 3:40 PM**Subject:** Terrace End Housing development submission

Hi, I would like to make a submission for the redevelopment of the former bowls club site for housing.

My thoughts on the potential use, would be to create a co-housing development, based on the proven working example of the Abbeyfield housing model. But rather than creating another one in this city for retirees, or adding to the many retirement options already available to the older person, this one should be for young adults with disabilities. It is this group in our society, who's suitable housing choices, have been sadly inadequate for far too long.

I have spoken with Susan Jenkins of Abbeyfield NZ to discuss this very idea. She informed me that Australia has indeed developed two successful housing options for this group, under their charity organisation.

Have also been in conversation with Mike Potter the CEO of Disability Connect. He was also very supportive of a good housing solution.

A co-housing development that would give its residents a sense of safety and stability, that is designed for inclusive community living in an accessible environment, is overdue for vulnerable residents in New Zealand. It would also enable wrap around services to be accessed more effectively.

This type of housing development, could further Palmerston North's profile as a innovative and inclusive city. Stepping forward to meet the needs of its most vulnerable citizens, rather than expecting people with disabilities to fit in with what the more able have already decided on.

Please read the report from Disability Connect, 'The Unmet Housing Needs of Disabled People, their Families and Whanau Research.

Would welcome any further dialogue regarding this submission.

Thank you for this opportunity in being able to have our say.

Regards

Jackie Little

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Merle Lavin**Subject:**

FW: [Request ID :##23836##] FW: Consultation on The Future Use of 17 Summerhays Street/Former Terrace End Bowling Club (Submission)

From: District Advice <District.Advice@horizons.govt.nz>**Sent:** Friday, 9 July 2021 3:19 PM**To:** Kath Olliver <Kath.Olliver@pncc.govt.nz>**Cc:** district.advice@horizons.govt.nz**Subject:** Re: [Request ID :##23836##] FW: Consultation on The Future Use of 17 Summerhays Street/Former Terrace End Bowling Club (Submission)

Hi Kath,

Thank you for the opportunity to provide feedback on the future Use of 17 Summerhays Street/Former Terrace End Bowling Club, Palmerston North.

Strategic Integration of Infrastructure with Land Use

Territorial Authorities must proactively develop and implement appropriate land use strategies to manage urban growth, and they should align their infrastructure asset management planning with those strategies, to ensure the efficient and effective provision of associated infrastructure. Please refer to Horizons [One Plan](#) Policy 3-4 to ensure any proposed changes give effect to this policy.

Natural Hazards and the One Plan

One Plan Policy for Natural Hazards:

- Objective 9-1: of the One Plan sets the overarching approach towards managing the effects of natural hazard events in the Region, as follows:

The adverse effects of natural hazard events on people, property, infrastructure and the wellbeing of communities are avoided or mitigated.

Policy 9-4: (Other types of natural hazards) states that:

the Regional Council and Territorial Authorities must manage future development and activities in areas susceptible to natural hazard events (excluding flooding) in a manner which:

- Ensures that any increase in risk to human life, property or infrastructure from natural hazard events is avoided where practicable, or mitigated where the risk cannot be practicably avoided,
- Is unlikely to reduce the effectiveness of existing works, structures, natural landforms or other measures which serve to mitigate the effects of natural hazard events, and
- Is unlikely to cause a significant increase in the scale or intensity of natural hazard events.

Please refer to Horizons Flood Hazards and the One Plan Fact Sheet: <http://www.horizons.govt.nz/publications-feedback/one-plan/part-1-regional-policy-statement/chapter-9/9-1-scope-and-background>

The purpose of this information sheet is to support staff at the Region's territorial authorities (TAs) in giving effect to the natural hazards policies in the One Plan. It assumes that you have already read Chapter 9 of the One Plan and provides additional information on the One Plan provisions relating to natural hazards, in particular flooding and Policy 9-2: Development in areas prone to flooding. Refer to the flooding comment below.

Climate change is likely to influence the frequency, scale or intensity of atmospherically influenced natural hazards such as flooding. Due to limited knowledge of the influence climate change may have on some natural hazard

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events, a precautionary approach to establishing or intensifying land use activities in areas potentially subject to natural hazards is required as well as for managing stormwater.

Flooding

This flood information which is within this property is from the PNCC Rapid model for surface and stormwater inundation. Rapid modelling is where rainfall is “dropped” onto each cell (5m Grid) of the model with basic accumulation and does not go into more complex interaction with in-stream flows and complex flow accumulation and culverts and bridges are not detailed in the model. The modelling was undertaken to provide a guide as to what areas would warrant further investigation/detailed modelling. The modelled depths are indicative and the model should not be used to set floor levels, however, areas that show as dry will most likely be dry. As the flood modelling for this property is PNCC’s information and not that of Horizons models, we cannot comment on its accuracy with respect to the flood risk to this property. PNCC’s information suggests the majority of this area is clear from the flood modelling, with exception of the western corner of the carpark and a small section on the north-eastern corner.

Horizons One Plan Policy 9-2 generally discourages new habitable buildings or extensions to existing habitable buildings in areas that are likely to be inundated during a 0.5% AEP flood event. Where the flood hazard cannot be avoided, Policy 9-2 states that the risk must be mitigated. Flood mitigation for habitable structures includes having a finished floor level that includes reasonable freeboard of 500mm above the 0.5% AEP flood surface, and ensuring that there is safe access to and from the property during a flood event. Reasonable freeboard is considered to be 500mm as per New Zealand Standard 4404:2010 – Land Development and Subdivision Infrastructure. This freeboard requirement is to account for factors which cannot be included in the model, such as waves and debris effects. If the water flow paths cannot be avoided then Horizons recommends that the finished floor levels be elevated to be 500mm above the 0.5% AEP surface as well as ensuring that safe egress and access is easily achieved (access between occupied structures and a safe area where an emergency evacuation may be carried out). The finished floor level needs to be based on the original ground level prior to any land disturbance works. Horizons can provide information on the level of inundation and recommended freeboard based on NZS 4404:2010 and Policy 9-2, however it is PNCC as the Building Consent Authority that makes the decision on appropriate freeboard and finished floor levels.

Stormwater Management (Quantity and Quality)

Horizons One Plan Rule 14-18 permits the discharge of stormwater to surface water and land, subject to compliance with conditions. The conditions include ensuring that the discharge does not cause or exacerbate the flooding of any other property and there is no erosion beyond the point of discharge unless this is not practicably avoidable, in which case any erosion that occurs as a result of discharge must be remedied as soon as possible. Care will need to be taken if stormwater is to be discharged across sloping land due to the potential for this to cause erosion. Any on-site stormwater discharges should be directed away from wastewater land application areas as this can reduce the efficiency of the wastewater system to treat wastewater. If stormwater is to be discharged via a reticulated network a consent may be required.

Urban stormwater can collect a variety of contaminants as rainwater runs over impermeable surfaces. The levels and types of contaminants vary depending on land uses.

Contaminants can include:

- Sediment;
- trace metals such as copper, lead and zinc;
- hydrocarbons from petrol and oil;
- pathogenic bacteria and viruses;
- pesticides; and
- trace organics such as phthalates and surfactants.

For information to improve the quality of stormwater runoff please refer to NIWA’s website on stormwater management - <https://niwa.co.nz/freshwater-and-estuaries/our-services/stormwater-management>

For more information about the discharge of stormwater and the One Plan rules visit our website: <http://www.horizons.govt.nz/publications-feedback/one-plan/part-2-regional-plan/chapter-14/14-6-rules->

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stormwater For more information about the discharge of stormwater please refer to One Plan Rule 14-18. If these rules cannot be achieved then a consent is required in order for this to be controlled.

Land Disturbance

Horizons One Plan Rule 13-1 permits up to 2,500m² of land disturbance per property per 12 month period, subject to compliance with conditions. These conditions include ensuring that erosion and sediment control methods are installed prior to and maintained during the land disturbance activity and ensuring that the works do not occur on land within 5 metres of the bed of a river that is permanently flowing, an ephemeral waterway (including the overland flow path ways) with an active bed width greater than 1 metre, or a lake.

For more please email our Consents Team on consents.enquiries@horizons.govt.nz or call our Horizons Duty Planner on Freephone 0508 800 800.

Liquefaction and Faults

PNCC hold the best liquefaction information for the city. To access this information, click on this link: <https://www.pncc.govt.nz/rates-building-property/property-housing/palmerston-north-and-liquefaction/>

For more information about planning and engineering guidance for potentially liquefaction-prone land, click on this link: <https://www.building.govt.nz/assets/Uploads/building-code-compliance/b-stability/b1-structure/planning-engineering-liquefaction.pdf>

Changes have been made to the Building Code to require robust foundations for liquefaction-prone ground. This change already exists in the Canterbury region, and will be extended to all of New Zealand next year, ensuring new buildings are being built safely and strongly enough to withstand liquefaction risks. For more information on building on liquefaction-prone ground: <https://www.building.govt.nz/building-code-compliance/geotechnical-education/ensuring-new-buildings-can-withstand-liquefaction-risks>

In 2018 Horizons commissioned GNS to complete Active Fault Mapping and Fault Avoidance Zones for Horowhenua and Palmerston North City. This report and mapping information has been provided to Horowhenua District Council. Any questions please contact GNS Science or myself (Sarah Carswell, Coordinator District Advice). There are no active known faults in the vicinity of this property. GNS Science's regional scale information on known active faults can be accessed on their website or clicking on this link: <http://data.gns.cri.nz/af/>

Infrastructure, Energy and Transport

Please refer to Horizons One Plan Plan Policy 3-7, which addresses encouraging energy efficient development and sustainable transport options.

Parts of Policies 3-1, 3-2, 3-4 and 3-7 are included to give effect to parts of the Regional Land Transport Strategy, which seeks to protect the strategic transport network and create opportunity for the uptake of public transport options in the future.

Proposed re-zoning will need to align with the strategic direction of the recently approved Regional Land Transport Plan (2021-2031)

<https://www.horizons.govt.nz/CMSPages/GetFile.aspx?guid=bdb49cc9-5a31-4fad-8255-2ba2755ee072&disposition=attachment> The core focus of this Plan is to provide a safe, connected and efficient land transport system that offers plenty of choice in transport modes.

The Transport Team ask that development of the roading in this area be designed in such a way that enables development of the public transport infrastructure so that growth of the network is not restricted by inadequate road layout or design. Horizons Transport are keen to continue to work with officers and provide guidance on the infrastructure needs of a public transport network.

For information on transport please contact our Transport Team on transport@horizons.govt.nz or ask for a Transport Planner on 0508 800 800.

Other Considerations

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Please view [Horizons Maps | Public Viewer](#) for more information on what Horizons holds. Select the 'District Advice – Property Enquiry' map at <https://maps.horizons.govt.nz/Gallery/> for LINZ property records, soil information, groundwater bores and Land Use Capability (LUC) as shown in the NZ Land Resource Inventory (NZLRI). For Horizons resource consent information please select the 'Regulatory Activity' map. To view 1 in 200 year modelled wet extents see our flood plain mapping at <https://www.horizons.govt.nz/flood-emergency-management/flood-plain-mapping>.

Ngā mihi | Kind regards

Sarah Carswell
On behalf of District Advice

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 & 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 available. 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, Te Marae o Hine, 32 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.
Visual Aids	A whiteboard, and computer with PowerPoint will be available for your use.
Final Consideration of Submissions	Final consideration of submissions will be at the ordinary meeting of the Planning & Strategy Committee on Wednesday 20 October 2021. 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.
Changes to this Procedure	The Committee may, in its sole discretion, vary the procedure set out above if circumstances indicate that some other procedure would be more appropriate.
Further Information	If you have any questions about the procedure outlined above please contact Susana Figlioli, Democracy & Governance Administrator, phone 06 356-8199 extension 7152 or email susana.figlioli@pncc.govt.nz .

* * * * *

MEMORANDUM

TO: Planning & Strategy Committee

MEETING DATE: 11 August 2021

TITLE: The Future Use of 17 Summerhays Street - Summary of Submissions

PRESENTED BY: Michael Duindam, Acting City Planning Manager

APPROVED BY: David Murphy, Chief Planning Officer

RECOMMENDATION TO PLANNING & STRATEGY COMMITTEE

1. That the Summary of Submissions attached to the memorandum titled 'The Future Use of 17 Summerhays Street - Summary of Submissions' presented to the Planning and Strategy Committee on 11 August 2021, be received.
-

1. ISSUE

Submissions received on the Future Use of 17 Summerhays Street will be heard at the 11 August 2021 Planning & Strategy Committee.

A Summary of Submissions has been prepared to assist members of the Planning and Strategy Committee to gain a broad understanding of the content of the submissions received.

A copy of the Summary of Submissions is included as attachment one.

2. BACKGROUND

Submissions on the Future Use of 17 Summerhays Street closed on 9 July 2021. Fifty-seven submissions were received.

The Council's preferred option in the Statement of Proposal was to make the necessary amendments to the District Plan to enable the repurposing of 17 Summerhays Street for housing.

3. NEXT STEPS

A full analysis of submissions and recommendations regarding next steps will be presented to the Planning & Strategy Committee in October 2021.

Separate statutory processes and further consultation will be required to make the necessary amendments to the District Plan should the Council decide to adopt its preferred option.

4. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide? If Yes quote relevant clause(s) from Delegations Manual 166	Yes
Are the decisions significant?	No
If they are significant do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	Yes
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 1: An Innovative and Growing City	
The recommendations contribute to the achievement of action/actions in City Growth	
The action is: Identify Council and Government land to be used for market and affordable housing	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	<p>17 Summerhays Street has been identified as potential land to be used by housing.</p> <p>Each option for the site has a varied degree to which the site will meet the social and economic wellbeing of citizens in the future. There are opportunities to support environmental and cultural wellbeing through the design of future uses for the site.</p>

ATTACHMENTS

1. The Future Use of 17 Summerhays Street: Summary of Submissions [↓](#)



Summary of Submissions: The Future Use of 17 Summerhays Street

Number who wish to speak: 9 (10, 20, 28, 38, 39, 40, 41, 42, 56)

Submissions on 17 Summerhays Street Proposal – General issues

Issue	Submission numbers	Submitter opinions/comments
Good design is vital and worth the effort	6	
Summerhays dairy has suffered since the bowling club has moved	3	
Consider the existing building for removal rather than demolition	3	<ul style="list-style-type: none"> Council may be able to get money from the building rather than costing them for demolition
Does not see why the existing building needs to be demolished	29, 39, 47	<ul style="list-style-type: none"> Would like to see more evidence to justify demolishing the existing building Would like to see an investigation into the heritage status of the 1908 Clubroom The existing building has a good feel about it, has good sunlight access and an expansive view to surrounding green space Some of the existing storage sheds are beyond repair There is a lack of space for club rooms
A designated entrance on Summerhays Street and an exit on Ruahine Street	25, 52	<ul style="list-style-type: none"> There is the potential for hold ups in peak traffic
Council could use neighbourhood 'play streets' to support public consultation and engagement	41	<ul style="list-style-type: none"> Assists in gauging views from local residents on the need and format of houses and green space This approach supports Council's objectives under the Play Policy This approach supports Council's ability to guide its urban design response to public space infrastructure development
Using the number of households within the proximity of a park is a flawed argument	45	<ul style="list-style-type: none"> This metric misses the point of what a unique opportunity a park development could be
Consider the Horizons One Plan	57	<ul style="list-style-type: none"> Particular considerations include: Integrated infrastructure provision Flooding Stormwater management Land disturbance Liquefaction Energy efficiency Sustainable transport uptake

Summary of Submissions: The Future Use of 17 Summerhays Street

Submissions on 17 Summerhays Street Proposal – Option 1: Housing

Issue	Submission numbers	Submitter opinions/comments
Supports the repurposing of the site for housing	1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14, 16, 19, 21, 23, 24, 25, 26, 28, 30, 31, 32, 33, 34, 35, 38, 40, 43, 44, 48, 49, 50, 51, 52, 55	<ul style="list-style-type: none"> • Opportunity to gather revenue • Good access to nearby amenities • More residents in that area will support nearby businesses • The City faces a housing shortage • The site is close to existing public transport routes • 270 Airforce staff will be moving to the Manawātū in 2023 will create additional pressure on housing supply • The site has not historically operated as a public open space • The site is within walking distance to two parks • The site is located within existing reticulated services • The site is surrounded by residential land use • Incorporate sustainable design into the development
Does not support the repurposing of the site for housing	5, 15, 27, 29, 39, 45, 46, 47, 54	<ul style="list-style-type: none"> • The land will only benefit a handful of residents • The size of houses in new developments does not address the housing shortage effectively • We are losing too much green space to large homes • There are no budgets or costs presented to support the proposal • The existing accesses are too narrow to service high density housing • Building many properties here would increase transport risk between vehicles, pedestrians, and bicycles • Is concerned about the potential leaching of residual pesticides into homes, food growing, or play areas as part of a housing development • The submitter's objection would be met by the retention of at least 10% of the site for recreation use, such as a playground • Access to green space will become more important as infill and increased housing density occurs in the City • Encouraging private land-bankers to develop would be more effective for creating additional housing
Supports the use of the site for social housing	6, 8, 9, 11, 12, 15, 22, 25, 26, 30, 31, 35, 36, 38, 40, 44, 48, 51, 54, 55	<ul style="list-style-type: none"> • Council should consult experienced social housing groups • Provides the opportunity to show a creative approach to wellbeing • A community lounge, shared social spaces and shared facilities (e.g. garden tool shed) should be incorporated to increase social cohesion • The site's central location lends itself better to social housing when compared to other Council-owned sites, e.g. Tamakuku Terrace • The land could be used for social housing developed by either Council, Kainga Ora or registered Community Housing Providers • Would support a mix of subsidised and non-subsidised rental accommodation owned by Council • The site could be used for emergency housing for those vulnerable to drug and alcohol addiction, domestic abuse, or parole. This type of accommodation may reduce the impact of criminal behaviour in the long term
Does not support the use of the site for Council-owned social housing	10, 37, 43, 47, 52	<ul style="list-style-type: none"> • Ratepayers should not be subsidising rents when rate increases are so high • Council should stick to core business • Supports non-Council owned social housing

Summary of Submissions: The Future Use of 17 Summerhays Street

Issue	Submission numbers	Submitter opinions/comments
		<ul style="list-style-type: none"> Use the revenue from the sale of private housing on this site to provide social housing on other land within the City There is the equivalent of area within existing social housing areas that could be redeveloped instead Social housing is the primary responsibility of Central Government
The site should be used for affordable housing	3, 4, 44, 52, 55	<ul style="list-style-type: none"> Partner with a developer to create low-cost housing Target towards young couples without children, solo parents, young couples with children all on lower or medium incomes
Council should develop the site themselves	3, 7, 36, 51	<ul style="list-style-type: none"> There is no evidence to suggest that a private developer would build enough reasonably priced homes to address the growing demand for housing Private developers are likely to develop single-storey standalone dwellings
The site should be used for medium density/apartment-style housing	2, 7, 10, 16, 19, 25, 26, 28, 31, 38, 48, 49, 50	<ul style="list-style-type: none"> There is a great opportunity to maximise occupancy and create a common park grounds onsite for the residents Medium density would provide options for first home buyers as well as residents who may want to downsize from larger homes Medium-high density increases the site's potential to respond to the housing crisis without increasing urban sprawl The site is suitable for intensification to provide for a variety of housing types Access issues to the site can be solved creatively Low carbon urban design should be incorporated into this development
Supports the use of the site for housing that is suitable and affordable for people with special needs	20, 35, 56	<ul style="list-style-type: none"> There is not enough housing for the young disabled A combination of housing for disabled and the older community is preferred, using co-housing models A good example of this form of co-housing is the Abbeyfield housing model, supported by Abbeyfield NZ and Disability Connect Refer to the Disability Connect Report '<i>The Unmet Housing Needs of Disabled People, Their Families and Whānau Research</i>'
Prefers the management of housing to be a long-term lease arrangement	23, 36	<ul style="list-style-type: none"> There is an unmet need for rental accommodation and rent security for long-term renters
Develop a portion of the site for sale to assist with the development costs of social housing for the remainder	36	<ul style="list-style-type: none"> A mixed housing complex with shared social spaces is preferred
Housing should be developed for the older community	28, 33, 35, 40	<ul style="list-style-type: none"> The increased growth and price of retirement villages in the City is a sign that there is pressure to cater for our older community wanting to downsize their living environment The trend of tenancy applications to the Manawātū Community Housing Trust suggests that there are increases in the needs of the older community who are facing financial and social disadvantage The support services available to support this group need to be more than is offered by the Papaioea Place complex
Supports owner-occupied single-storey dwellings	37	

Summary of Submissions: The Future Use of 17 Summerhays Street

Issue	Submission numbers	Submitter opinions/comments
New housing should be designed using universal design and age in place principles	38	
Public transport access should be extended to support housing on this site	38	
May support housing developed on the existing Residential Zone portion of the site and a park developed on the Recreation Zone portion	39, 41, 47	<ul style="list-style-type: none"> • Would avoid plan change costs • Subdivision design would need to avoid obstructing residents' views of the Tararua Ranges and avoid overshadowing • Would provide sections that overlook a new green space, helping the site meet parks criteria • Council could retain ownership of the residential properties for rental accommodation so that the option to revert to a park would still be available in the future • This option would provide a green space that could offset the reduced private yard space in higher density housing • Access to play at this site is not limited by crossing busy roads when compared with Memorial, Hokowhitu, and Milverton Parks • Few play spaces other than key destinations support an older or diverse residential demographic • This site could allow Council to initiate broader ways to support physical activity, e.g. walking, jogging, gardening and individual workout • Retaining a parcel of the recreation zone may allow Council to address difficulty for residents accessing existing park assets, reduce carbon emissions, and offer sanctuary for physical and community wellbeing
Revenue raised from developing recreation land should be used to offset the costs of recreation sector programmes in the Long-Term Plan	41	<ul style="list-style-type: none"> • Once land has been relinquished, it is unlikely that Council could get the land back
Consider the projected loss of green space to future generations	47, 55	
Engage with Kāinga Ora if there is an opportunity for further consultation or an opportunity to partner in the delivery of housing at this site	49	<ul style="list-style-type: none"> • Kāinga Ora is interested in any plan changes that relate to enabling housing in the urban environment • Kāinga Ora is interested in the sale and redevelopment of 17 Summerhays Street for housing

Summary of Submissions: The Future Use of 17 Summerhays Street

Submissions on 17 Summerhays Street Proposal – Option 2: Land-banking

Issue	Submission numbers	Submitter opinions/comments
Does not support land-banking the site	37, 47, 48, 49, 51, 52	<ul style="list-style-type: none"> There is enough land-banking occurring in the City already More affordable housing is needed in central Palmerston North Is a missed opportunity to address housing supply in a strategic location
Supports land-banking the site	39	<ul style="list-style-type: none"> Could be a possible option if the site was maintained May help to avoid the effects of constrained supply for labour and materials in the construction sector Provides an option that could take the pressure off citywide reserves from having to accommodate new park initiatives, such as in the Esplanade

Submissions on 17 Summerhays Street Proposal – Option 3: Recreation Use

Issue	Submission numbers	Submitter opinions/comments
Supports the use of the site for a green space/park	5, 15, 17, 27, 29, 39, 41, 42, 45, 47	<ul style="list-style-type: none"> The community green space could host community gardens, an urban orchard, and a playground Historical pesticide use would be unlikely to be serious enough to prevent tree growth and harvest This would help to address the ongoing destruction of green space in the City This would help prevent against the serious decline in biodiversity This would improve residents' physical and mental health, and support community cohesion Introduce no-parking or residents only parking only on the frontage, coupled with active transport promotion to prevent increased traffic to the site Small, easy to access reserves reduce the need to travel to access public green spaces If historical chemical use onsite does not preclude housing then it should not preclude a green space The site is peaceful and has views of the Tararua Ranges Local residents' recreation needs will not currently be met by having to cross busy roads to access Memorial, Hokowhitu, and Milverton Parks The land is slightly elevated along a river terrace and would possible have been free draining The site would have been zoned Recreation for good reason Disagrees that the site is surplus to outdoor recreational requirements There is a need for a dog park in a walkable area for the neighbourhood because Memorial and Milverton Parks prohibit dogs, and the neighbourhood is too far from the Manawatū River The size of the space is not suitable for sports and sports are already well catered for in Palmerston North
Does not believe the site is appropriate as a park	1, 3, 4, 9, 24, 37, 44, 48, 49, 52	<ul style="list-style-type: none"> There are other parks close by The City does not have a shortage of parks The site is unsafe for general recreation The soil may not be safe for a community garden There is a lack of street frontage An extra park will incur more cost to Council to develop and maintain Is a missed opportunity to address housing supply in a strategic location

Summary of Submissions: The Future Use of 17 Summerhays Street

Issue	Submission numbers	Submitter opinions/comments
Involve Rangitāne o Manawatū at the earliest opportunity to develop a park	45	<ul style="list-style-type: none"> A natural green space designed by Rangitāne o Manawatū could be developed There is the opportunity to provide a recreation experience not otherwise provided by the nearby sports grounds or playgrounds Every opportunity to plant long-term green space would contribute towards mitigating the effects of Climate Change. Submitter notes that the proposal has not addressed climate change impacts in the Statement of Proposal Plantings would assist in regenerating the site from its former use of pesticides

Submissions on 17 Summerhays Street Proposal – Option 4: Community Use

Issue	Submission numbers	Submitter opinions/comments
Supports the retention of the site for a community use	13, 17, 18, 15, 39, 47	<ul style="list-style-type: none"> A community orchard would help to replace the Crewe Crescent Community Garden that was lost to housing No on-site building is required for a community orchard The site looks ideal to host an allotment-style community garden The existing building could be retained whole or partially for storage and facilities to support a community garden Disagrees that the Palmerston North Community Leisure Centre adequately serves the nearby community, as it has no green space associated with it Notes that the 'community use' option usually leads to contested views between community groups, ending in a stalemate A large carpark already services the site
Does not support the site for community use	9, 37, 48, 49, 52	<ul style="list-style-type: none"> The Palmerston North Community Leisure Centre is nearby Is a missed opportunity to address housing supply in a strategic location
Supports a recreation complex for ethnic communities	13	<ul style="list-style-type: none"> Communication barriers, cultural differences, and religious constraints make it difficult for ethnic communities to confidently participate in wider recreation activities The complex would be similar to Hancock Community House, but with wider scope Should be run by ethnic communities
Supports a themed community museum	18	<ul style="list-style-type: none"> The City lacks a variety of things to do, particularly during wet weather Build 26 rooms on site – One for each letter of the alphabet and curate each room to have objects starting with each letter The site could generate tourism. For example, \$20 for access to all rooms or \$5 to access five rooms

Summary of Submissions: The Future Use of 17 Summerhays Street

Social Media Comments

Opinions/comments
<p>Housing</p> <ul style="list-style-type: none">• Rental properties may cost Council more to maintain than the revenue we would raise• Sell the site so that it can be developed for first home buyers• Council owned housing would be best• Build and sell housing to first home buyers with on-selling restrictions• Outsource the building of houses to Homes for People• There are access issues into the site, and housing may exacerbate speeding issues on Summerhays Street• Developing into housing will support more jobs for builders• The profits of the land sale could mean that Council may not need to increase parking fees in the City Centre• Housing is needed more than a bowling club• The site would be good for pensioner housing• There needs to be more detail about the type of housing Council has in mind• Build apartments on the site• Build private housing for first home buyers <p>Community Use</p> <ul style="list-style-type: none">• Repurpose into another sporting club• Retain the site for community use as it has a lot of history associated with it• Build a stadium on the site for big concerts <p>Recreation Use</p> <ul style="list-style-type: none">• 'Keep it green'• Supports a park that the older community can enjoy, as they do not have many activities that involve exercise

PALMERSTON NORTH CITY COUNCIL

Minutes of the Planning & Strategy Committee Meeting Part I Public, held in the Council Chamber, First Floor, Civic Administration Building, 32 The Square, Palmerston North on 30 June 2021, commencing at 9.00am

Members Present: Councillor Aleisha Rutherford (in the Chair), The Mayor (Grant Smith) and Councillors Brent Barrett, Rachel Bowen, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Bruno Petrenas and Orphée Mickalad.

Non Members: Councillors Susan Baty, Lew Findlay QSM and Karen Naylor.

Apologies: Councillor Rachel Bowen (early departure on Council Business).

Councillor Vaughan Dennison entered the meeting at 9.04am during consideration of clause 15. He left the meeting at 9.51am and entered the meeting again at 10.08am, during consideration of clause 18. He was not present for clause 14.

The Mayor (Grant Smith) was not present when the meeting resumed at 11.05am. He entered the meeting again at 11.25am during consideration of clause 18. He was not present for clause 18.1.

Councillor Rachel Bowen left the meeting at 11.46am during consideration of clause 19. She was not present for clause 19.

14-21 Apologies

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The COMMITTEE RESOLVED

1. That the Committee receive the apologies.

Clause 14-21 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Orphée Mickalad.

15-21

Public Comment

Prior to hearing the residents wishing to make public comment, the Chairperson asked the Chief Planning Officer to outline the process related to the Whiskey Creek Private Plan Change request.

The Chief Planning Officer explained that if Council accepted the proposal, there would be a full public consultation process, which included the opportunity for submissions and a public hearing under the Resource Management Act, then the commissioners would make a decision and submitters have a right of appeal.

Councillor Vaughan Dennison entered the meeting at 9.04am.

The following residents of Meadowbrook Drive appeared before the Committee and made public comment in relation to the Whiskey Creek Private Plan Change request, considered in clause 17 below:

1. Mr Ted Anderson stated that he and his wife opposed the Private Plan Change request as it would increase the risk of flooding in the area.
2. Mr John Anderson advised that the land subject to the request had experienced flooding in the past and that the proposal would affect the current residents' lifestyle and quality of life. Mr Anderson also stated that neighbours would lose the amenity of light and their view, and that wind impact should be analysed. The land is categorised by Horizons Regional Council as a zone 1 floodway.
3. Mr Tony Cade expressed his opposition to the proposed development pointing out the flood risk of the area and the adverse effects of increased traffic.
4. Ms Ruth Hodges stated her opposition to the proposal and that she looked forward to the public consultation stage. Ms Hodges explained that they had chosen to live on Meadowbrook Drive on the understanding that residential developments would not be permitted in the area due to it being a floodplain.

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The **COMMITTEE RESOLVED**

1. That the public comment from Mr Ted Anderson, Mr John Anderson, Mr Tony Cade and Ms Ruth Hodges, be received for information.

Clause 15-21 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew

Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Orphée Mickalad.

16-21 Confirmation of Minutes

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The COMMITTEE RESOLVED

1. That the minutes of the Planning & Strategy Committee meeting of 12 May 2021 Part I Public be confirmed as a true and correct record.

Clause 16-21 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Orphée Mickalad.

17-21 Whiskey Creek Private Plan Change Request

Memorandum, presented by Michael Duindam, Acting City Planning Manager.

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The COMMITTEE RESOLVED

1. That the Whiskey Creek Private Plan Change request by Flyers Investment Group Ltd, included as attachment 1 to the memorandum titled 'Whiskey Creek Private Plan Change Request' presented to the Planning & Strategy Committee on 30 June 2021, be accepted pursuant to Section 25(2)(b), Part 2 of the First Schedule of the Resource Management Act 1991.

Clause 17.1-21 above was carried 15 votes to 1, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Orphée Mickalad.

Against:

Councillor Lew Findlay QSM.

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

2. That the Whiskey Creek Private Plan Change request by Flyers Investment Group Ltd be publicly notified in accordance with Section 26, Part 2 of the First Schedule of the Resource Management Act 1991.

Clause 17.2-21 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Orphée Mickalad.

18-21

Palmerston North Housing Capacity Assessment Report - June 2021

Memorandum, presented by Michael Duindam, Acting City Planning Manager, and Peter Crawford, Economic Policy Advisor.

In discussion the Committee divided recommendation 2 from the Officer's report.

The Chief Planning Officer advised that the first paragraph of recommendation 9.3 of the Palmerston North Housing Capacity Assessment Report was already incorporated in Council Strategies. Consequently, Elected Members only voted on the second paragraph of the said recommendation 9.3.

The Committee referred recommendation 9.6 of the Palmerston North Housing Capacity Assessment Report to the review of the Rating Policy for consideration.

Councillor Vaughan Dennison left the meeting at 9.51am and entered the meeting again at 10.08am.

The meeting adjourned at 10.46am.

The meeting resumed at 11.05am.

The Mayor (Grant Smith) was not present when the meeting resumed.

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The **COMMITTEE RESOLVED**

1. That the Palmerston North Housing Capacity Assessment Report – June 2021 presented to the 30 June 2021 Planning & Strategy Committee, included as attachment 1 to this memorandum, be received.

Clause 18.1-21 above was carried 15 votes to 0, the voting being as follows:

For:

Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Orphée Mickalad.

The Mayor (Grant Smith) entered the meeting again at 11.25am.

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

2. That the housing targets in section 7.6 and recommendations in sections 9.1, 9.2, 9.4 and 9.5 of the Palmerston North Housing Capacity Assessment Report - June 2021, be adopted, and that recommendation 9.6 be referred to The Rates Review for consideration.

Clause 18.2-21 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Orphée Mickalad.

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

3. That investigations be undertaken to determine whether under-utilised reserves, including sports fields, could be partially or fully repurposed for housing.

Clause 18.3-21 above was carried 9 votes to 7, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Vaughan Dennison, Patrick Handcock ONZM, Karen Naylor and Orphée Mickalad.

Against:

Councillors Zulfiqar Butt, Renee Dingwall, Lew Findlay QSM, Leonie Hapeta, Lorna Johnson, Billy Meehan and Bruno Petrenas.

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

4. That the Urban Development Capacity Indicators 2020 Annual Report presented to the 30 June 2021 Planning & Strategy Committee, included as attachment 2 to this memorandum, be received.

Clause 18.4-21 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Orphée Mickalad.

19-21

Committee Work Schedule - June 2021

Councillor Rachel Bowen left the meeting at 11.46am.

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The **COMMITTEE RESOLVED**

1. That the Planning & Strategy Committee receive its Work Schedule

dated June 2021.

Clause 19-21 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Orphée Mickalad.

The meeting finished at 11.48am

Confirmed 11 August 2021

Chairperson

REPORT

TO: Planning & Strategy Committee

MEETING DATE: 11 August 2021

TITLE: Review of the Waste Management and Minimisation Bylaw - S155 Determinations

PRESENTED BY: Julie Macdonald, Strategy and Policy Manager

APPROVED BY: David Murphy, Chief Planning Officer

RECOMMENDATION(S) TO PLANNING & STRATEGY COMMITTEE

1. That pursuant to s.155(1) of the Local Government Act 2002 the Council determine that a bylaw is the most appropriate way of addressing the perceived problems of maximising the diversion of waste to beneficial uses; regulating and managing the operation of kerbside waste and recycling collection activities; and minimising the potential for waste to create a nuisance in public places.
2. That pursuant to s.155(2)(a) of the Local Government Act 2002 the Council determine that a standalone bylaw is the most appropriate form of bylaw.
3. That pursuant to s.155(2)(b) of the Local Government Act 2002 the Council agree that it is not anticipated that a revised Waste Management and Minimisation Bylaw would give rise to implications under the New Zealand Bill of Rights Act 1990.
4. That the Chief Executive be instructed to draft a revised Waste Management and Minimisation Bylaw which addresses the perceived problems of maximising the diversion of waste to beneficial uses; regulating and managing the operation of kerbside waste and recycling collection activities; and minimising the potential for waste to create a nuisance in public places.

SUMMARY OF OPTIONS ANALYSIS FOR

Problem or Opportunity	The Waste Management and Minimisation Bylaw 2016 is due for review and will be automatically revoked in September 2023 unless a determination is made by September 2021.
OPTION 1:	Determine that a bylaw is the most appropriate way to address the perceived problems of maximising the diversion of waste to beneficial uses; regulating and managing the operation of kerbside waste and recycling collection activities; and minimising the potential for waste to create a nuisance in public places. (Recommended)
Community Views	Initial community views on this Bylaw have not yet been sought. However, some issues, such as the scope of unsolicited mail provisions, have been raised by members of the community and have been noted in the scope of this report.
Benefits	The review timeframe will be met, and the Bylaw will not be automatically revoked in 2023. Making the recommended determinations will allow the revision of the Bylaw to proceed, and the views of the community to be sought and incorporated into a revised Bylaw.
Risks	No risks identified.
Financial	The expected costs arising from reviewing the Bylaw can be met within current budgets.
OPTION 2:	Do not determine that a bylaw is the most appropriate way of addressing the perceived problems.
Community Views	Initial community views on this Bylaw have not yet been sought.
Benefits	No benefits identified.
Risks	If the recommended determinations are not made by 26 September 2021 then the Bylaw will be automatically revoked two years later. The Council's ability to manage and regulate waste management and minimisation activities and meet the targets of the Waste Management and Minimisation Plan, would be severely limited.
Financial	There are no identified financial impacts.

RATIONALE FOR THE RECOMMENDATIONS

1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 The Council is required under the Local Government Act 2002 (the 'Act') to review the Waste Management and Minimisation Bylaw 2016 within five years of it being made. This report provides the opportunity for the review deadline to be met.
- 1.2 A bylaw review involves a determination by the Council that a bylaw is the most appropriate way of addressing the perceived problem. For this purpose, the "perceived problems" are:
 - Maximising the diversion of waste to beneficial uses and collecting data to validate waste diversion targets.
 - Regulating and managing the operation of kerbside collection activities (including private collection services) and the potential for contaminating recycling collections and damage to recycling containers.
 - Minimising the potential for waste to create a nuisance in public places.
- 1.3 Attachment 1 of this report provides further detail on the description of the problems and analyses the reasonably practical options for addressing those problems.

2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

- 2.1 The Council adopted the Waste Management and Minimisation Bylaw in September 2016. The Bylaw is required to be reviewed within five years of adoption, and thereafter every 10 years. If the Council does not make the determinations required under s.155 of the Act by 26 September 2021 then the Bylaw will be automatically revoked two years after that date.

3. DESCRIPTION OF OPTIONS

- 3.1 There are two options. The first is to make the determinations required by s.155 of the Act. These determinations are that a bylaw is the most appropriate way of addressing the perceived problems; that a standalone bylaw is the most appropriate form of bylaw; and that a revised Waste Management and Minimisation Bylaw would not likely give rise to any implications under the New Zealand Bill of Rights Act 1990 ('NZBORA').
- 3.2 The second option is to not make the determinations required by s.155 of the Act.

4. ANALYSIS OF OPTIONS

- 4.1 An analysis of the key information required for the Council to make a decision is included as attachment one to this report. This document identifies the perceived problems, the reasonably practical options, and an analysis of

those options. It also discusses what is the most appropriate form of bylaw, and whether a revised Waste Management and Minimisation Bylaw would likely give rise to any implications under the NZBORA.

- 4.2 Option one is the recommended option because it is the most appropriate way of addressing the perceived problems.
- 4.3 The analysis in Attachment 1 assessed alternative options and identified that only a bylaw provided the Council with the ability to manage and enforce restrictions on the collection of waste or recyclable materials in a practical and effective way. Furthermore, a Bylaw is the only mechanism by which the Council can institute a licensing system for private waste collectors. This enables the Council to regulate their operations (such as introducing material limits) and collect data that enables accurate calculations of progress towards the Council's waste minimisation targets. Without that ability the Council would have significantly fewer opportunities to maximise the diversion of waste to beneficial uses. Alternative approaches, such as relying solely on education or using existing legislation, are unlikely to provide the same or better levels of effectiveness.
- 4.4 Option two is not recommended. If the Committee does not determine that a bylaw is the most appropriate way of addressing the perceived problem, then the Committee will be implicitly revoking the current Bylaw. No further work on the Bylaw would be done, and unless a different decision is made later the current Bylaw would be automatically revoked in September 2023. The Council would lose the ability to enforce any of the matters it regulates under the existing Bylaw.
- 4.5 If the Committee agrees that a bylaw is the most appropriate way of addressing the perceived problem, then there are two consequential determinations to make. The first is that the form of the bylaw is the most appropriate form. The second determination is whether the bylaw gives rise to any implications under the NZBORA. Attachment 1 of this report provides analysis of these matters and recommends that the standalone form of bylaw is the most appropriate form, and that the bylaw (when drafted) is unlikely to give rise to any implications under the NZBORA.

5. CONCLUSION

- 5.1 Officers recommend that the Committee determine that a bylaw is the most appropriate way of addressing the perceived problem.
- 5.2 Officers also recommend that the Committee determine that the stand-alone form of bylaw is the most appropriate form of bylaw; that a bylaw addressing the regulation of waste management and minimisation is unlikely to give rise to any implications under the NZBORA; and that staff be directed to proceed with drafting a revised waste Management and Minimisation Bylaw for consideration by the Committee.

6. NEXT ACTIONS

- 6.1 If the Committee accepts the recommendations, then officers will proceed with the initial engagement and drafting processes. Pre-consultation activities will be conducted, including identifying key stakeholders and reaching out to them for feedback on aspects of the existing Bylaw they think should be revised or reconsidered. A draft Bylaw will be presented to the Committee in 2022 for consideration.
- 6.2 Officers have identified a number of minor issues that will be considered when drafting a revised bylaw, including:
- Refining the enforcement process for contamination of recycling containers (the “3 strikes” system) to ensure health and safety for staff implementing the system;
 - Reviewing the scope of unsolicited mail provisions, and whether material from political parties or candidates should be included or excluded as unsolicited mail for the purposes of the Bylaw;
 - Updating the Administration Manual including revising and updating the kerbside collection service coverage maps and revising the list of approved/prohibited diverted materials.
- 6.3 These issues, along with any others that may be identified by the Committee or by stakeholders during the pre-consultation community engagement exercise, will be considered during the drafting of a revised Bylaw.

7. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

- 7.1 The following pre-consultation activities are planned:
- Engagement with Rangitāne o Manawatū through the monthly Rangitāne engagement hui.
 - Media release distributed on the PNCC website and Facebook, highlighting the opportunity to raise any issues and capture general community views on the current Waste Management and Minimisation Bylaw.
 - Engagement with stakeholders including commercial waste collectors, those working in the waste management and minimisation sector, the Ministry for the Environment, Manawatū Chamber of Commerce, MidCentral DHB, and environment groups such as Environment Network Manawatū.
- 7.2 Officers will use the feedback from this initial engagement process to evaluate the current Waste Management and Minimisation Bylaw and identify changes or improvements that can be made. A revised Waste Management and Minimisation Bylaw will be brought to the Committee to

approve for public consultation. More information on that process will be provided at that time.

COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide? If Yes quote relevant clause(s) from Delegations Manual. Clause 182.2	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 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 Waste Plan	
The action is: Review the Waste Management and Minimisation Bylaw	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The review of the Waste Management and Minimisation Bylaw ensures that it continues to provide a robust regulatory framework upon which the Council can work towards achieving the outcomes of the Resource Recovery Plan and the Waste Management and Minimisation Plan.

ATTACHMENTS

1. S155 Report Waste Management and Minimisation Bylaw 2021 [↓](#) 



Waste Management and Minimisation Bylaw Review 2021

S155 Determination Report

11/08/2021

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Executive Summary

This report recommends that a bylaw is the most appropriate way of addressing the perceived problems related to waste management and minimisation activities. The Council is required by the Local Government Act 2002 to determine whether a bylaw is the most appropriate way of addressing these perceived problems. It makes that recommendation after identifying the perceived problems, and then considering the reasonable options for addressing those problems. In each case, a bylaw has been found to be the most appropriate way of addressing the problem.

This report also considers what form of bylaw is most appropriate and discusses the difference between standalone and combined bylaws. The report concludes that standalone bylaws are more appropriate, allowing for issues to be addressed independently when they are due for review, and allows for the workload of bylaw reviews to be more effectively staggered.

Finally, this report considers whether the Bylaw will give rise to any implications under the NZ Bill of Rights Act. While it is too early to determine this specifically, the rights and freedoms affirmed by that Act are unlikely to be impinged by a bylaw addressing waste management and minimisation activities.

1 Purpose of the Report

This report provides elected members with information about waste management and minimisation activities to enable them to make determinations in accordance with S155 of the Local Government Act 2002.

Before a bylaw is made, the Council must determine that a bylaw is the most appropriate way of addressing the perceived problem. Therefore, this report describes the perceived problems, identifies the reasonably practical options for addressing those perceived problems, and discusses the advantages and disadvantages of each option.

This report also provides information on the most appropriate form of bylaw, and whether the bylaw option is likely to give rise to any implications for the New Zealand Bill of Rights Act 1990. These considerations will also be revisited before any draft bylaw is approved for public consultation, as the nature and content of the bylaw option may have changed during the drafting process.

2 Legislative Background

The Local Government Act 2002 requires the Council, before making a bylaw, to consider whether a bylaw is the most appropriate way of addressing a perceived problem. To meet this requirement, the Council needs to identify the perceived problem and the options for addressing that problem, assess those options, and then determine formally (via a Council resolution) whether a bylaw is indeed the most appropriate way of addressing the perceived problem. The language used here is important – a bylaw must not only be appropriate in addressing the perceived problem; it must be the **most** appropriate way.

The Council is also required to consider the form of the bylaw, and whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

3 The Perceived Problem

Council provides a kerbside collection service for general waste and recycling. It operates recycling centres to facilitate the collection and sorting of recycled materials, for on-selling to recycling companies. Council operates a waste transfer station at Ashhurst and works with other commercial operators that provide waste transfer stations at locations within the city. The Council does not operate an open landfill, but retains responsibility for the management of the closed landfills at Awapuni and Ashhurst.

While Council does not control the entire waste system within the city it is obliged under the Waste Minimisation Act 2008 to develop and regularly review its Waste Management and Minimisation Plan.

The waste management and minimisation activity relates to a number of perceived problems, including:

1. Maximising the diversion of waste to beneficial uses, and collecting data to validate waste diversion targets.
2. Regulating and managing the operation of kerbside collection activities (including private collection services), and the potential for contaminating recycling collections and damage to recycling containers.
3. Minimising the potential for waste to create a nuisance in public places.

The Council's Waste Management and Minimisation Plan sets out three goals:

- A community committed to minimising waste sent to landfill
- A community that considers, and where appropriate implements, new initiatives and innovative ways to assist in reducing, reusing and recycling wastes
- Minimise environmental harm and protect public health.

The Plan also includes a target of increasing the proportion of waste diverted from landfill from 38% to 48% by 2025. This target will be achieved by imposing material limits on waste collectors, introducing a kerbside food waste collection service (subject to investigation), introducing additional recycling services for non-residential customers, and establishing a construction and demolition facility to divert construction waste from landfill. Collectively, these actions will divert an estimated 6,800 tonnes of waste from landfill each year, once fully implemented.

Council provides several collection services, including the weekly kerbside waste collection, fortnightly recycling collection service (wheelie bin and glass crate), and a commercial food waste collection service. Some identified issues with the kerbside collection services include:

- contamination of recycling containers, which can pose health and safety risks for staff sorting recycling at the Materials Recovery Facility (MRF)
- misuse of the supplied recycling containers, which can increase costs to administer and manage the kerbside collection services.

Discarded waste in public places can create a health and safety nuisance. If waste is allowed to accumulate or is not disposed of properly, it can encourage vermin and can create unsanitary conditions. While Council has some powers under the Litter Act to deal with infringements, it is also necessary to have regard to other instances of waste in public places which are not covered by the Litter Act.

Since the adoption of the Waste Management and Minimisation Bylaw in 2016, a number of minor issues with the operation of the Bylaw have been identified, including:

- Refining the enforcement process for contamination of recycling containers (the "3 strikes" system) to ensure health and safety for staff implementing the system;
- Reviewing the scope of unsolicited mail provisions, and whether material from political parties or candidates should be included or excluded as unsolicited mail for the purposes of the Bylaw.

These aspects would be considered as part of any revised draft Bylaw that is prepared to replace the existing Bylaw.

4 Options Analysis

The Council is required by S155 of the Local Government Act 2002 to determine whether a bylaw is the most appropriate way of addressing the perceived problem. To comply with this requirement, it is necessary to analyse the reasonably practicable alternatives to a bylaw to address the perceived problem.

Perceived problems

1. Maximising the diversion of waste to beneficial uses, and collecting data to validate waste diversion targets.
2. Regulating and managing the operation of kerbside collection activities (including private collection services) and the potential for contaminating recycling collections and damage to recycling containers.
3. Minimising the potential for waste to create a nuisance in public places.

A bylaw is a viable approach to waste management and minimisation. S146(a) of the Local Government Act 2002 identifies a number of activities for which a Council may regulate via a bylaw, including solid wastes and waste management. Therefore, it is clearly envisaged by Parliament that such activities could be reasonably managed by a bylaw. This is further supported by the Waste Minimisation Act 2008, which also identifies specific functions that a waste management bylaw might cover such as prohibiting or regulating the collection and disposal of waste, and licensing collectors.

Achieving the key outcomes of maximising the diversion of waste to beneficial uses, and regulating the kerbside collection activities, could be managed either by a bylaw or by changing to a contract-based system such as is used by commercial waste collectors operating in the private sector. In those situations, an arrangement to collect waste is made directly with the customer, subject to terms and conditions imposed by the collector.

The bylaw approach has a number of advantages over the commercial contract system. Firstly, the kerbside recycling collection service is offered on a universal basis to all households within the service area, and costs are minimised through economies of scale with charges levied through a uniform annual charge on rateable properties. The need to manage service contracts with individual properties is avoided altogether. Secondly, the environmental imperatives of minimising waste and maximising diversion of waste from landfill fits better with a kerbside collection provided generally across the city. Without the need to operate on a wholly commercial basis emphasis can shift to improving the quality of recyclable materials collected, rather than maximising revenue through a simple waste collection service. Thirdly, while both the Bylaw and the commercial contract approach allow for restrictions to be imposed, the Bylaw requires any such restrictions to be included through the Administration Manual and subject to community consultation, which provides a more transparent and inclusive approach to managing waste and recycling collection issues.

Alternatively, the Council could forego a bylaw and abandon its kerbside collection service altogether, relying on commercial waste collectors to compete for customers. This would likely lead to worse outcomes for waste diversion and recycling, with few commercially-viable options to encourage private recycling collection services comparable to the existing kerbside service provided by Council. Waste volumes would likely increase, as would fly tipping, and Council would struggle to meet the targets set in the Waste Management and Minimisation Plan.

The ability to licence commercial waste collectors is only possible through a bylaw. The Commercial Waste Collector Licence was introduced in the Waste Management and Minimisation Bylaw in 2016, but has not been fully implemented. It remains a valuable tool with which Council is able to regulate the operations of commercial waste collectors, and ascertain their impact on Council's waste minimisation targets set in the Waste Management and Minimisation Plan. Without a bylaw the Council would have no way to implement such a licensing system, and this would make measuring the achievement of waste minimisation targets significantly more difficult.

Other approaches might address parts of the problem – for example, education, or use of existing legislation. Indeed, these are currently utilised alongside a bylaw to supplement and support the activity. Education is used to raise awareness of what items are permitted in recycling bins, and to encourage people to reduce, reuse and recycle materials. However, education alone is unlikely to be sufficient in managing the activity and addressing undesirable behaviours such as repeated contamination of rubbish or recycling bins. Similarly, existing legislation such as the Litter Act is useful for addressing some matters such as leaving rubbish in a public place, for which an infringement notice may be issued. However, it would not address other rubbish nuisances in public places such as accumulated refuse. Furthermore, there are difficulties with the practicality of issuing enforcement notices under the Litter Act which limit its usefulness on a widespread basis.

Recommendation

A bylaw for waste management and minimisation remains the most appropriate way of addressing the perceived problems. While some commercial waste collectors do provide alternatives for households seeking a different approach to the Council kerbside collection services, a commercially-focussed approach is unlikely to achieve the same environmental outcomes of maximising the diversion of waste to beneficial uses. Education and existing legislation, while useful, work most effectively as a complement to a bylaw. Foregoing a bylaw altogether would make enforcement of Council's requirements around the use of rubbish and recycling services impractical, with consequent difficulties for meeting waste diversion targets. Therefore, a bylaw remains the most appropriate way of addressing the perceived problems.

5 The Form of the Bylaw

Section 155(2) of the Local Government Act 2002 requires that the Council determine whether the proposed bylaw is the most appropriate form of bylaw.

There are principally two forms of bylaw – standalone, or combined. A combined bylaw brings together a range of different subjects and issues as a series of chapters within a single document. A standalone bylaw exists independently of other bylaws, and generally relates only to one subject or activity. Councils typically opt for one form or the other, though a few Councils do have both forms of bylaw. An example of a "combined" form of bylaw is Wellington City Council's Consolidated Bylaw 2008, which includes 10 chapters addressing such diverse subjects as animals, alcohol control, public places, and speed limits. Wellington City Council also have other standalone bylaws not included in their Consolidated Bylaw.

The key advantages of the combined bylaw are that it provides a single document for people to refer, and it aids consistency across different subjects for matters such as defined terms and administrative processes. The disadvantages are that it can create a large document which includes much that may not be relevant to people looking for information about a specific subject, and subsequent amendments and reviews can become difficult to manage for a combined bylaw. This last point in particular can cause difficulty. If many bylaw subjects were made into a single bylaw, then all those subjects would be required to be reviewed at the same time. If all Council's bylaws were incorporated into a single bylaw then whenever the Council is required to review its bylaws (five years initially, then every 10 years) it would effectively bring all bylaws under review.

Palmerston North City Council's current bylaws are all "standalone" bylaws. The key advantages of standalone bylaws are that they enable subjects to be treated with more detail than it might be given if the bylaws were incorporated into a single bylaw, and allows for a staggered review of bylaws when required. This last point can also help the community during consultation. A combined bylaw under review puts a large number of subjects before the community for consideration, whereas standalone bylaws reviewed in a staggered fashion allows for distinct issues to be considered separately, with appropriate time for each. Standalone bylaws also have the advantage of being subject-specific, making it simpler for a person to get the bylaw that relates specifically to the subject in which they are interested. The disadvantages of the standalone form of bylaw are that bylaws can potentially become inconsistent with each other, which can be exacerbated by the development of new bylaws several years after earlier bylaws.

Having regard for the advantages and disadvantages of both forms of bylaw, the recommended form of bylaw is the standalone form. The key disadvantage of consistency is addressed largely by comparing specific aspects across all existing and proposed bylaws during the review phase. For example, definitions can be compared across all bylaws, and where the subject permits, uniform definitions are used. The advantage of having all bylaws in a single document (the combined form of bylaw) is minimal, and is largely addressed by having all bylaws accessible from a single page on the Council's website.

6 New Zealand Bill of Rights Act

Section 155(2) of the Local Government Act 2002 also requires that the Council determine whether the proposed bylaw gives rise to any implications under the NZ Bill of Rights Act 1990 (NZBORA).

This aspect cannot be fully considered until bylaws have been drafted for consideration by Council. At that stage, a report will be made as to any concerns that the draft bylaws may create for the NZ Bill of Rights Act. However, a preliminary assessment can be made as to whether bylaws that regulate matters such as water and waste activities may give rise to implications under the NZ Bill of Rights Act. NZBORA sets out specific rights and freedoms which are protected by legislation.

These rights and freedoms include:

- Right not to be deprived of life
- Right not to be subjected to medical or scientific experimentation

- Right to refuse to undergo medical treatment
- Electoral rights
- Freedom of thought, conscience, and religion
- Freedom of expression
- Manifestation of religion and belief
- Freedom of peaceful assembly
- Freedom of association
- Freedom of movement
- Freedom from discrimination
- Rights of minorities
- Right to be secure against unreasonable search and seizure
- Liberty of the person
- Rights of persons arrested or detained
- Rights of persons charged
- Right to justice.

NZBORA states that the rights and freedoms covered by the Act “may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.” This is what must be scrutinised when considering whether the bylaws give rise to any implications under the NZ Bill of Rights Act.

While a replacement bylaw has yet to be drafted, it is not expected that a bylaw addressing the perceived problems will give rise to any implications for the rights and freedoms affirmed by NZBORA. For instance, none of the bylaws are likely to impinge on freedom of association or movement, affect the rights of minorities, or affect electoral rights.

When a draft bylaw is presented to the Council for approval before public consultation, a further report on whether it gives rise to any implications under NZBORA will be provided. That report will be able to identify any specific issues that may arise.

7 Conclusion

This report concludes that a bylaw remains the most appropriate way of addressing the perceived problems for waste management and minimisation. While there is a place for education to support changes to behaviours, education alone is unlikely to be more effective than a bylaw. Other than the Litter Act, which empowers the Council to address littering and fly-tipping issues, there is little legislation which provides for enforcement of waste management and minimisation rules.

The form of the bylaw is a choice between a “standalone” style or a combined style of bylaw. This report recommends that the standalone form of bylaw is the most appropriate form, allowing for the issues to be addressed independently when required for review. It also allows for the workload of reviews to be more effectively staggered over a longer period, rather than reviewing all aspects of a combined bylaw at the same time.

At this early stage of the process, this report does not anticipate that a bylaw addressing the issues relating to waste management and minimisation are likely to give rise to implications under the NZ Bill of Rights Act. This assessment will be reviewed when the draft Bylaw is brought to the Council for approval for consultation.

REPORT

TO: Planning & Strategy Committee

MEETING DATE: 11 August 2021

TITLE: Draft Trade Waste Bylaw - Approval for Consultation

PRESENTED BY: Julie Macdonald, Strategy and Policy Manager

APPROVED BY: David Murphy, Chief Planning Officer

RECOMMENDATION(S) TO COUNCIL

1. That the Council approve the draft Palmerston North Trade Waste Bylaw 2022 Consultation Document, included as attachment one to the report titled 'Draft Trade Waste Bylaw – approval for consultation' presented to the Planning & Strategy Committee on 11 August 2021, for consultation with the public.
2. That the Mayor and Deputy Mayor be authorised to approve minor amendments to the consultation document prior to publication.

SUMMARY OF OPTIONS ANALYSIS FOR

Problem or Opportunity	The Trade Waste Bylaw 2015 expired in May 2020 and will be automatically revoked in May 2022 unless the Council adopts a new Trade Waste Bylaw before that date. Officers have prepared a revised bylaw following determinations required by s.155 of the Local Government Act 2002 made by the Council in August 2020. The opportunity is to approve this draft Bylaw for public consultation.
OPTION 1:	Approve the draft Trade Waste Bylaw 2022 for public consultation
Community Views	Some initial feedback from key stakeholders has been received on the scope of potential changes to the Trade Waste Bylaw. There was general support for the scope of changes being considered.
Benefits	Consulting on the draft Bylaw will allow the Council to receive submissions on its proposal and progress towards adopting a new Bylaw before the current Bylaw is automatically revoked.
Risks	No particular risks have been identified.
Financial	Consultation on the draft Trade Waste Bylaw will be met within existing budgets.

OPTION 2:	Do not approve the draft Trade Waste Bylaw 2022 for public consultation
Community Views	The initial feedback from key stakeholders demonstrated general support for the continuation of the Bylaw. No feedback was received which suggested the Bylaw should be allowed to be automatically revoked.
Benefits	No particular benefits have been identified.
Risks	If the draft Trade Waste Bylaw is not approved for public consultation and an alternative draft bylaw is not approved for consultation then there will be insufficient time to adopt a replacement Trade Waste Bylaw before the current Bylaw expires in May 2022.
Financial	No particular financial implications have been identified.

RATIONALE FOR THE RECOMMENDATIONS

1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 The Trade Waste Bylaw 2015 was required to be reviewed within five years or it is automatically revoked two years after the date it was due to be reviewed.
- 1.2 As a result of delays caused by the response to the COVID-19 pandemic in 2020 the review was unable to be completed before the end of the five-year review period.
- 1.3 If the Council wishes to continue having a Trade Waste Bylaw it must replace the existing Bylaw before it is automatically revoked on 25 May 2022.
- 1.4 This report presents a draft revised Bylaw for approval for public consultation. The timeframe for consultation has been set to enable the consultation process to be completed and the revised Bylaw adopted before the current Bylaw expires.

2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

- 2.1 On 12 August 2020 the Planning & Strategy Committee made the determinations required by s.155 of the Local Government Act 2002, namely:

"That pursuant to s.155(1) of the Local Government Act 2002, the Council determines that a bylaw is the most appropriate way of addressing the perceived problem of regulating the quality and rate of trade waste discharges.

That pursuant to s.155(2)(a) of the Local Government Act 2002, the Council determines that a standalone bylaw is the most appropriate form for a trade waste bylaw.

That pursuant to s.155(2)(b) of the Local Government Act 2002, the Council agrees that it is not anticipated that a revised bylaw would give rise to any implications under the New Zealand Bill of Rights Act 1990.

That the Chief Executive be instructed to draft a revised Trade Waste Bylaw which addresses the perceived problem of regulating the quality and rate of trade waste discharges."

3. DESCRIPTION OF OPTIONS

- 3.1 The first option is to consult on the draft Trade Waste Bylaw. This would give identified stakeholders and the wider community the opportunity to make a formal submission on the revised Bylaw.
- 3.2 The second option is to not consult on the draft Trade Waste Bylaw. In the absence of any other instructions from the Council no further work would be undertaken on the Bylaw, and the current Trade Waste Bylaw would be automatically revoked on 25 May 2022.

4. ANALYSIS OF OPTIONS

- 4.1 Consulting on the draft Trade Waste Bylaw (option one) allows the community and identified stakeholders the opportunity to make a formal submission on the revised Bylaw. This follows up on the informal engagement we have already carried out. The timeframe for the consultation process enables the Council to receive written and oral submissions, deliberate on those submissions and adopt a final Bylaw before the existing Bylaw is automatically revoked in May 2022.
- 4.2 Not approving the draft Trade Waste Bylaw for consultation (option two) and allowing the existing Bylaw to be automatically revoked would leave the Council with no means to require consent before discharging trade waste. Trade premises would be free to discharge their wastewater without restrictions.
- 4.3 Option two represents a substantial risk for the Council through unregulated trade waste discharges into the wastewater treatment plant. If such discharges are not regulated and controlled then the risk of damage to the plant would increase significantly. The Bylaw also requires most trade premises to have some form of pre-treatment (such as amalgam traps and grease interceptors). Without a bylaw that regulates and monitors these requirements the quality of trade waste discharges would likely deteriorate and exacerbate the costs of wastewater treatment at the plant. Option two is not recommended.

Changes included in option one

- 4.4 A number of potential improvements to the current Bylaw were put to stakeholders, to seek their feedback. These included:

- Introducing a new category of trade waste discharge – Controlled Trade Waste – which has the same characteristics as Permitted Trade Waste but where the volume of waste discharge exceeds 5m³ per day.
- Introducing a requirement to install a permanent sink screen on all sinks in food premises (except for hand washing basins) to reduce the impact of odour complaints where food scraps collect in grease interceptors.
- Amending the requirement for tankered waste collectors so that they may hold *either* a Certificate of Registration for Offensive Trade (as currently) *or* a resource consent for their activity.
- Providing clarity around the setting of penalty charges.
- Replacing the existing charge for Biochemical Oxygen Demand (BOD₅) with a charge for Chemical Oxygen Demand (COD). Charging for COD would mean that tests for COD could be used in place of tests for BOD₅ (which are more expensive and take longer to produce results).

4.5 Most of those who responded to the Council's invitation to provide feedback on those potential changes were generally supportive. Some expressed doubts about some proposals – such as the requirement for permanent sink screens – while others sought more detail. The changes proposed in the revised Trade Waste Bylaw are based around the scope of potential changes above but have been refined following the feedback from respondents.

4.6 The significant changes proposed in the draft Trade Waste Bylaw therefore include:

- Controlled Trade Waste

A new category of trade waste – Controlled Trade Waste - is added in clause 10. This is classified as trade waste which has the same characteristics as Permitted Trade Waste, but where the volume exceeds 5m³ per day. Trade waste discharged under a Controlled Trade Waste Consent is charged a rate of \$0.502c for every unit (m³) above 5m³ per day.

The category has been added throughout the Bylaw where appropriate to ensure that other provisions that apply to trade waste discharged under a consent also apply to controlled trade waste.

- Permanent sink screens

A new provision is added at clause 16.4 giving the Council the ability to require a permanent sink screen to be fitted to sinks in food premises (except hand washing basins). While this was posited to stakeholders during the initial community engagement exercise as a mandatory requirement, the draft Bylaw proposes to make this discretionary ("may

require"). This change in position recognises that most food premises already have sink screens permanently fitted (most new sinks come with screens pre-fitted), and that the requirement should only be imposed where there is a demonstrated problem. For instance, where there are repeated complaints of odour arising from food waste being caught in a grease interceptor, the Council would be able to require a permanent sink screen to be fitted, to prevent food waste entering the grease interceptor or the wastewater system.

- Tankered wastes

Clause 25.1(a) is amended to require certification from the NZ Trade and Industrial Waters Forum (NZTIWF). Previously this certification was provided by WasteMINZ but this responsibility has now transferred to NZTIWF and so the clause is amended accordingly.

Clause 25.1(b) is amended to allow a tankered waste collector to hold *either* a resource consent or a Certificate of Registration for Offensive Trade. Currently the Bylaw requires that a Certificate of Registration is held, but most tankered waste operators in Palmerston North hold resource consents for their operations. Under s.54 of the Health Act 1956, the requirement to hold a certificate doesn't apply if a resource consent for that activity has been issued.

- Penalty charges

A new section 3.2 is included in the Administration Manual to clarify that a consent may include conditions prescribing penalty charges, along with the rates or amounts of those penalty charges. These are penalties for exceeding the physical or chemical characteristic limits set within an individual consent.

The amount and type of penalties are set on an individual consent basis. This is because the variability in consented discharges makes setting general rates or the amount of charges impractical. Factors that are considered when setting penalty charges include the specific physical or chemical characteristics controlled in that consent, the extent and seriousness of any previous discharges in excess of consented limits, the efforts of the consent holder to correct previous discharges, and the effectiveness of any penalty charges in discouraging discharges that exceed consented limits.

- 4.7 In addition, a number of consequential changes have been made throughout the Bylaw. These are generally minor, such as updating date references, and changes to job titles.
- 4.8 The form that is used to apply for a trade waste consent has been removed from the Administration Manual. While forms were included in the initial versions of administration manuals there is little benefit to this. If the form is included in the Administration Manual then it requires a resolution of the

Council before it can be changed, which is not typical for other forms used by the Council. It also makes it difficult to update forms for online use. Furthermore, the Bylaw delegates the power to officers to specify forms and procedures for the effective administration of the Bylaw. It is therefore inconsistent to include the form within the Administration Manual.

- 4.9 While it was originally considered to replace the charge for BOD₅ with a charge for COD (to take advantage of cheaper and faster testing for COD enabling more rapid response to changes in trade waste discharge quality) this change has not been included in the draft Bylaw. Officers have undertaken modelling work in an attempt to calculate an appropriate ratio for setting a charge for COD. However, we have found that substantial variability in the ratios between BOD₅ and COD makes setting a charge that is cost-neutral nearly impossible. Some dischargers would face substantially higher or lower charges than they currently pay despite no change in the specific characteristics. During initial engagement with stakeholders, we did not contemplate substantial increases in trade waste charges as a result of changing from BOD₅ to COD, so it would be unreasonable to effectively raise charges for some consent holders despite no change to their discharge or to the costs of treatment.
- 4.10 An alternative approach is to calculate a ratio across the entire trade waste discharge stream. However this would result in a significant loss of revenue for the trade waste activity of up to 30%, which would have a substantial impact on the viability of the wastewater treatment plant. This would create a significant cost for the Council with no discernible benefit.
- 4.11 Consequently, the draft Bylaw does not include a proposed limit or charge rate for COD. Officers will undertake further research and analysis to identify whether an alternative approach can be found. If a suitable method can be found, this can be incorporated into a subsequent review of the Bylaw.

5. CONCLUSION

- 5.1 Approving the draft Trade Waste Bylaw for public consultation (option one) is recommended. This will allow the process of making a new bylaw to proceed and be adopted in April 2022 before the current Bylaw is automatically revoked. The scope of the proposed changes has already been canvassed with key stakeholders, and formal consultation gives the opportunity to receive formal submissions on the proposal.

6. NEXT ACTIONS

- 6.1 If the Council approves the draft Bylaw for public consultation then the Consultation Document will be finalised for publication and the consultation process will begin.
- 6.2 The proposed consultation period is from 3 September until 5 November 2021. Under s.148 of the Local Government Act 2002 the Council must consult for at least two months on a bylaw relating to trade wastes. Hearings for oral

submissions are planned for December 2021. A final report, with officer advice on the issues raised by submitters, and recommendations on changes to the draft Bylaw for adoption, will be presented to the Planning and Strategy Committee in March 2022. If the Committee recommends the Bylaw's adoption then this will be confirmed by the Council in April 2021.

7. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

Initial Stakeholder Engagement

7.1 In June 2021 letters and emails were sent to the following identified stakeholders:

- Permitted and conditional trade waste consent holders
- Ministry of Health and Ministry for the Environment
- Horizons Regional Council and MidCentral DHB Public Health Unit
- Environment Network Manawatū and Manwatū River Source to Sea
- WaterNZ and NZ Trade and Industrial Waters Forum
- WasteTrack/Liquid Systems
- Chamber of Commerce

7.2 The letter outlined the scope of potential changes (as discussed in paragraph 4.4) and sought feedback from stakeholders. A summary of the responses received is provided as attachment two. The feedback received has been considered and incorporated during the drafting of the Trade Waste Bylaw in the consultation document in attachment one.

Formal consultation process

7.3 Under s.156 of the Local Government Act 2002 the Council is required to use the special consultative procedure if the bylaw concerns a matter identified in the Significance and Engagement Policy as being of significant interest to the public, or the Council considers that there is a significant impact on the public due to the proposed Bylaw.

7.4 While consultation on a draft trade waste bylaw is unlikely to meet either of those tests on its own, especially given the limited scope of changes proposed, the issue of wastewater is of significant interest to the community in the context of the Council's engagement on Nature Calls and decisions about the best practicable option for wastewater treatment. It seems appropriate that the special consultative procedure should be used for consultation on the draft Trade Waste Bylaw.

7.5 The Statement of Proposal is provided in attachment one. It sets out the proposal and the reasons for the proposal, along with a summary of the determinations made by the Council under s.155 of the Local Government Act 2002.

7.6 Printed copies of the Statement of Proposal and the submission form will be circulated to all of the Council's distribution points (the Customer Service



Centre and all libraries). A consultation page, including the Statement of Proposal, will be created on the Council's website. The website will include an online form for people to make a submission.

- 7.7 The proposals in the draft Trade Waste Bylaw will be promoted through social media channels, encouraging people to read the full consultation document and make a submission during the consultation period. A media release will also be prepared and provided to media outlets.
- 7.8 Letters and emails will be sent to all identified stakeholders (as listed in paragraph 7.1) with copies of the Statement of Proposal and invited to make a written submission. They will also be offered the opportunity to meet with Council officers to discuss the proposals in more detail if they wish.

COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	No
If Yes quote relevant clause(s) from Delegations Manual	
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?	Yes
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 4: An Eco City	
The recommendations contribute to the achievement of action/actions in Waters	
The action is: Complete the review of the Trade Waste Bylaw	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	Approving the draft Trade Waste Bylaw for public consultation will progress the review of the Bylaw so that it can be adopted before it is automatically revoked in May 2022.

ATTACHMENTS

- Statement of Proposal Draft Trade Waste Bylaw 2022 for Council approval [↓](#) 
- Summary of responses to initial engagement on Trade Waste Bylaw July 2021 [↓](#) 



Palmerston North City Council
Draft Trade Waste Bylaw 2022

Statement of Proposal

Introduction

This Statement of Proposal proposes to adopt a Trade Waste Bylaw that will replace the current Bylaw which will expire in May 2022. The current Bylaw was adopted in 2015 and was required to be reviewed by May 2021. Due to delays caused by the response to the COVID-19 pandemic that review was not completed.

The proposed Bylaw largely continues the current Bylaw, with some amendments and improvements. The scope of these changes are set out in the following section.

The Proposal

The proposed Bylaw and Administration Manual include a number of changes. Many are minor, but a few are more significant, and these are detailed below:

- Clause 10.1 - the addition of a new category of trade waste consent called “controlled trade waste.” This is defined as trade waste that complies with the physical and chemical characteristics of permitted trade waste but where the volume exceeds 5m³ per day. Controlled trade waste requires a consent and is subject to charges for each m³ of trade waste discharged each day that exceeds 5m³. The current volume charge for trade waste is \$0.502c per m³. This proposal does not include an increase to the volume charge rate.
- Clauses 13.8 to 13.11 – these new clauses clarify the ability of Council to consider applications to renew a trade waste consent, and the timeframes for Council to consider such applications. Currently some applications for renewal are received with little time for the Council to consider the application and request additional information from the applicant if necessary. This can lead to situations where the existing consent expires but the applicant expects to be able to continue discharging. Clause 13.9 requires applications for renewed consent to be received eight weeks prior to the expiring of an existing consent. Clause 13.10 provides for the existing trade waste discharge to continue on the same terms provided an application for renewal has been received within eight weeks of expiry. However, clause 13.11 requires the consent holder to cease discharging at the expiry of their consent if they have not lodged an application for renewal within eight weeks of the expiry of their consent.
- Clause 16.4 – this new clause provides for Council to require permanent sink screens to be fitted to any sink (except for hand washing basins) in food premises. This is included as a discretionary, rather than a mandatory requirement, where there is a risk of food waste entering the grease interceptor or the wastewater system. Where food waste is caught by the grease interceptor it can cause bad odour when the interceptor is not cleaned frequently, leading to complaints about bad odour. Permanent sink

screens may be required to be installed to minimise the risk of these complaints, and to prevent food waste from entering the wastewater system.

- Clause 25.1 – this clause has been updated in two places. The first is changing the organisation that certifies tankered waste collectors from WasteMINZ to the New Zealand Trade and Industrial Waters Forum. The second is to allow for tankered waste collectors to hold either a Certificate of Registration for Offensive Trade or a resource consent. Most tankered waste collectors hold a resource consent rather than a Certificate of Registration, but the current Bylaw did not recognise this. Section 54 of the Health Act 1956, which provides the requirement to hold a Certificate of Registration, stipulates that where a resource consent is held then the Certificate of Registration is not required.
- Clause 33.1 – this clause ensures trade waste consents that are issued under the current Bylaw are continued under the proposed Bylaw, but sets a limit, with consents expiring no later than two years after the commencement of the new Bylaw. This sets the date as 22 May 2024, based on the estimated commencement date for the proposed Bylaw.
- Section 3.2 of the Administration Manual – this clarifies that penalty charges can be included as a condition of a trade waste consent, including the rates payable for exceeding limits stipulated in that consent.

There are a number of minor and consequential changes throughout the proposed Bylaw and Administration Manual. For instance, dates have been updated, job titles have been updated, and where new terms have been introduced (for instance, controlled trade waste) these terms have been incorporated throughout the proposed Bylaw and Administration Manual as appropriate.

Within the Administration Manual the Introduction has been updated to reflect current practice, and the consent application form has been removed. The Bylaw already enables authorised delegated persons to specify forms and procedures for the effective administration of the Bylaw and so the form is not needed here..

A definition for Chemical Oxygen Demand (COD) has been included in the proposed Bylaw. Previously, this term (which appears elsewhere in the Bylaw) was not defined.

Reason for the proposal

The main reason for the proposal is that the current Bylaw has expired and will be automatically revoked on 25 May 2022 unless it is replaced earlier. The Council was required to complete the review of the Bylaw by 25 May 2020 but this was delayed by the response to the COVID-19 pandemic. The proposed Bylaw will therefore replace the current Bylaw so that the Council can continue to regulate trade waste

discharge. The primary method of regulation is the consent system which limits the physical and chemical characteristics of trade waste entering the wastewater treatment plant, and charges consent holders based on the composition of their discharge.

Additionally, the proposed Bylaw provides an opportunity for the Council to revise the current Bylaw and make improvements to its operation. The introduction of the controlled trade waste category, for instance, allows Council to separately identify those trade waste dischargers who are discharging relatively simple wastes, but in significantly high volumes. The creation of a new category for this type of discharge ensures that the costs arising from those high volumes are attributed correctly. Other changes are relatively minor, but provide for greater clarity, such as the changes relating to renewed consent applications and penalty charges. While these practices are generally working well, the proposed Bylaw provides an opportunity to make these requirements clearer and more transparent.

S155 Determination

Under S155 of the Local Government Act 2002, the Council is required to determine whether a bylaw is the most appropriate way of addressing the perceived problem. A report on these determinations is required to be included in this Statement of Proposal.

On 12 August 2020 the Planning and Strategy Committee received a report that detailed the perceived problems for trade waste. It also evaluated whether a bylaw was the most appropriate way of addressing the perceived problems, considered whether the form of the bylaw was the most appropriate form, and whether any such bylaws would be likely to give rise to concerns under the Bill of Rights Act 1990.

As a result of that report, the Committee made the following determinations in respect of trade waste:

1. That pursuant to s 155(1) of the Local Government Act 2002, the Council determines that a bylaw is the most appropriate way of addressing the perceived problem of regulating the quality and rate of trade waste discharges.
2. That pursuant to s 155(2)(a) of the Local Government Act 2002, the Council determines that a standalone bylaw is the most appropriate form for a trade waste bylaw.
3. That pursuant to s 155(2)(b) of the Local Government Act 2002, the Council agrees that it is not anticipated that a revised bylaw would give rise to any implications under the New Zealand Bill of Rights Act 1990.

The report is available on the Council website www.pncc.govt.nz. A full copy of the 12 August 2020 report can be provided on request.

Consultation process

Anyone can make a submission about the proposals described in this document. We encourage anyone with an interest in the issues raised to make a submission.

This Statement of Proposal, a Summary of Information, and the submission form can be found at:

- Palmerston North City Council website
<http://www.pncc.govt.nz/yourcouncil/consultations-initiatives-and-projects/consultations/>
- Customer Service Centre, Palmerston North City Council, The Square, Palmerston North; and
- City Library, The Square, Palmerston North, and the libraries at Ashhurst, Awapuni, Roslyn, Linton and Te Pātikitiki/Highbury.

You are entitled to appear before the Council and speak to your submission. Please indicate on your submission form whether you wish to do this. The Council intends to hear submissions on this proposal at a Committee meeting likely to be held in December 2021. The date and time for hearings will be confirmed in the letter acknowledging your submission, and will also be advertised in the Manawātū Standard and Guardian newspapers.

To get your submission to us, either:

Mail to: Draft Trade Waste Bylaw 2022 Submissions, Democracy and Governance Team, Palmerston North City Council, Private Bag 11034, Palmerston North 4442

Deliver to: Palmerston North City Council Customer Service Centre, 32 The Square, Palmerston North

Email to: submission@pncc.govt.nz (subject "Draft Trade Waste Bylaw 2022")

Phone: 06 356 8199

Fax to: 06 355 4115

**The submission period runs from
3 September to 4pm Friday 5 November 2021.**

Please note that all written submissions, including the contact details on the submission, will be made available to the public and media and on the Council's website, unless you request that your contact details are kept private. For further

information on this consultation please phone the Council on 06 356 8199 or email us at info@pncc.govt.nz.

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PALMERSTON NORTH CITY

PALMERSTON NORTH TRADE WASTE BYLAW

2015**2022**

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THE PALMERSTON NORTH TRADE WASTE BYLAW ~~2015~~2022

PART ONE – INTRODUCTION

1 Title

- 1.1 The title of this bylaw is the Palmerston North Trade Waste Bylaw ~~2015~~2022.

2 Purpose

- 2.1 The purpose of the bylaw is to:

- a) protect against the discharge of trade wastes to the wastewater system that might be harmful to health and safety, the environment, or the flows, velocity and capacity of sewers; and
- b) manage the loads on the wastewater system and received at the wastewater treatment plant.

- 2.2 This Bylaw regulates the discharge of trade waste to the wastewater system, operated by Palmerston North City Council or its authorised agent, including provision for the:

- a) Acceptance of long-term, intermittent, or temporary discharge of trade waste to the wastewater system;
- b) Establishment of three grades of trade waste: permitted, conditional and prohibited;
- c) Evaluation of individual trade waste discharges to be against specified criteria;
- d) Correct storage of materials in order to protect the wastewater system from spillage;
- e) Installation of flow meters, samplers or other devices to measure flow and quality of the trade waste discharge;
- f) Pre-treatment of waste before it is accepted for discharge to the wastewater system;
- g) Sampling and monitoring of trade waste discharges to ensure compliance with the bylaw;
- h) Council acceptance or refusal of trade waste discharge;
- i) Charges to be set to cover the cost of conveying, treating and disposing of, or reusing, trade waste and the associated costs of administration and monitoring;
- j) Administrative mechanisms for the operation of the bylaw; and

- k) Establishment of waste minimisation and management programmes (including sludges) for trade waste producers.

3 Commencement

- 3.1 This Bylaw will come into force on ~~1 July 2015~~ 23 May 2022.

4 Repeals

- 4.1 The Palmerston North Trade Waste ~~& Stormwater~~ Bylaw ~~2008~~2015 is repealed when this Bylaw comes into force, ~~excluding Part 4, clause 26 of that Bylaw, is repealed with effect from midnight on 30 June 2015.~~

5 Application

- 5.1 This bylaw shall apply to all trade premises and tankered wastes within Palmerston North City Council boundary where trade wastes are discharged or sourced or likely to be discharged to the wastewater system operated by the Council or its agents.
- 5.2 Pursuant to section 196 of the Local Government Act 2002 (LGA02) the Council may refuse to accept any type of trade waste which is not in accordance with this bylaw.

6 Definitions

- 6.1 For the purpose of the Bylaw and the Administration Manual, unless inconsistent with the context, the following definitions apply:

Administration Manual means the Administration Manual for the Palmerston North Trade Waste Bylaw ~~2015~~2022, as approved by the Council when the Palmerston North Trade Waste Bylaw ~~2015~~2022 was made and as amended from time to time by delegated authority under the Bylaw

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

Authorised Officer/Agent means an officer or an agent appointed by the Council and given powers to perform duties and functions under the Bylaw, and includes an enforcement officer appointed under section 177 of the Local Government Act 2002.

Biochemical oxygen demand (BOD₅) means the amount of oxygen required by bacteria to decompose a defined quantity of organic matter for a specified time, in this case 5 days, under aerobic conditions. (Explanation - this refers to the easily decomposed organic matter rather than the total organic matter, and is otherwise known as "carbonaceous" BOD in technical literature).

Biosolids	means sewage sludge derived from a wastewater treatment plant that has been treated and/or stabilized to the extent that it is able to be safely and beneficially applied to land and does not include products derived solely from industrial wastewater treatment plants.
Bylaw	means the Palmerston North Trade Waste Bylaw 2015 <u>2022</u>
Characteristic	means any of the physical or chemical characteristics of a trade waste.
<u>Chemical oxygen demand (COD)</u>	<u>means the amount of oxygen required to oxidize soluble and particulate organic matter in water.</u>
Cleaner production	<p>means the implementation on trade premises, of effective operations, methods and processes appropriate to the goal of reducing or eliminating the quantity and toxicity of wastes. "Cleaner Production" minimises and manages trade waste by:</p> <ul style="list-style-type: none"> (a) Using energy and resources efficiently, avoiding or reducing the amount of wastes produced; (b) Producing environmentally sound products and services; (c) Achieving less waste, fewer costs and higher profits.
Condensing water or cooling water	means any water used in any trade, industry, or commercial process or operation in such a manner that it does not take up matter into solution or suspension.
Conditional discharge	means a trade waste discharge that complies with consent conditions approved by the Council.
Consent	means a consent in writing given by the Council and signed by an authorised officer authorising a person to discharge trade wastes to the wastewater system.
Consent holder	means the person occupying trade premises who has obtained a consent to discharge from specified premises to the Council's wastewater system, and includes any person who does any act on behalf or with the express or implied consent of the consent holder (whether for reward or not) and any licensee of the consent holder.
Contaminant	includes any substance (including gases, odorous compounds, liquids, solids and micro-organisms) or energy (excluding noise) or heat, that either by itself or in

combination with the same, similar, or other substances, energy or heat –

(a) When discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or

(b) When discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged; or as described or contained in the Resource Management Act.

Contingency management procedures	means those procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects of these activities on the environment from an unexpected or unscheduled event resulting in discharge, or potential discharge of contaminants of concern into the wastewater system.
Council	means the Palmerston North City Council and includes any person or Committee acting under authority duly delegated by the Palmerston North City Council.
Disconnection	means the physical cutting and sealing of any of the Council's water services, utilities, drains or sewers against use by any person.
Domestic wastewater	means water or other liquid, including waste matter in solution or suspension, discharged from premises used solely for residential purposes, or wastes of the same character discharged from other premises; but does not include any solids, liquids, or gases that may not lawfully be discharged into the wastewater system.
Fees and Charges	means the list of items, terms and prices for services associated with the discharge of trade waste as adopted by the Council in accordance with the LGA 2002.
Food premises	means any premises on or at which food is manufactured, prepared, packed, stored, or handled, for sale; or on or from which food is sold; or that is used in connection with any other food premises, for the purposes of their work, by persons who work on those other food premises.
Infringement	means an infringement offence as specified by the bylaw under sections 243 and 259 of the LGA02.
Management plan	means the plan for management of operations on the premises from which trade wastes come, and may include provision for cleaner production, waste minimization, discharge, contingency management procedures, and

	any relevant industry code of practice.
Mass limit	means the total mass of any characteristic that may be discharged to the Council wastewater system over any stated period from any single point of discharge or collectively from several points of discharge.
Maximum concentration	means the instantaneous peak concentration that may be discharged at any instant in time.
Occupier	means the person occupying trade premises connected to the wastewater system.
Permitted discharge	means a trade waste discharge that meets the physical and chemical standards as defined in appendix 1 of the Administration Manual.
Person	includes a corporation sole and also a body of persons whether corporate or otherwise.
Point of discharge	is the boundary between the public sewer and a private drain but for the purposes of monitoring, sampling and testing, shall be as designated in the trade waste consent.
Potable	in relating to drinking water, means water that meets the requirements specified in the drinking-water standards.
Pre-treatment	means any processing of trade waste designed to reduce or vary any characteristic in a waste before discharge to the wastewater system in order to comply with a trade waste consent.
Premises	means either: <ul style="list-style-type: none"> (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; (b) A building that has been defined as an 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 separately occupied.
Private drain	means that section of drain between the premises and the point of connection to the Council's wastewater system.

Prohibited trade waste	means a trade waste that has prohibited characteristics as defined in appendix 2 of the Administration Manual and is not permitted to be discharged to the wastewater system.
Sewage	means water or other liquid, including waste matter in solution or suspension, discharged from a premises to a sewer and may include trade wastes.
Sewage sludge	means the material settled out and removed from sewage during the treatment process.
Sewer	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.
Significant industry	is a term to indicate the relative size of a given industry compared to the capacity of the wastewater system (including wastewater treatment plant) which services that industry as determined by Council. Industry size relates to volume and/or loads discharging into the wastewater system. Loads can be the conventional loadings of BOD ₅ and suspended solids or some other particular contaminant (e.g. nitrogen, phosphorus, boron, or chromium) which will have an effect or the propensity to have an effect on the sizing of the wastewater system, the on-going system operation and/or the quality of the treated effluent that is discharged.
Stormwater	means all surface water run-off resulting from precipitation.
Stormwater Drainage Network	means a set of facilities and devices, either natural or man-made, which are used to convey run off, reduce the risk of flooding, and to improve water quality. This includes but is not limited to open drains and watercourses, inlet structures, pipes and other conduits, manholes, chambers, traps, outlet structures, pumping stations, treatment structures and devices and overland flow paths
Tankered waste	is water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, excluding domestic wastewater discharged directly from house buses, caravans, buses and similar vehicles.
Temporary discharge	means any discharge of an intermittent or short duration. Such discharges include the short-term discharge of an unusual waste from premises subject to an existing consent.
Trade Premises	means:

- (a) Any premises used or intended to be used for any industrial or trade purposes;
- (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;
- (c) Any other premises from which a contaminant is discharged in connection with any industrial or trade process; or
- (d) Any other premises discharging waste material other than domestic wastewater; and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

Trade wastes

means any liquid, with or without matter in suspension or solution, that is or may be discharged from a trade premises to the 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 wastewater.

Wastewater

means water or other liquid, including waste matter in solution or suspension, discharged from a premises to a sewer and may include trade wastes.

Wastewater system

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

Working day

means any day of the week other than:

- (a) A Saturday, a Sunday, Wellington Anniversary Day, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day; and
- (b) A day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year.

7 Abbreviations

7.1 The following are abbreviations used within the Bylaw and the Administration Manual:

\$/kg	Dollars per kilogram
\$/L/s	Dollars per litre per second
\$/m ³	Dollars per cubic metre
oC	Degrees Celsius
B	Boron
BOD ₅	Biochemical Oxygen Demand
Br ₂	Bromine
Cl ₂	Chlorine
CN	Cyanide
COD	Chemical Oxygen Demand
DAF	Dissolved air floatation
DP	Deposited plan
DS	Dry solids
F	Fluoride
g/m ³	Grams per cubic metre
H ₂ S	Hydrogen Sulphide
HAHs	Halogenated aromatic hydrocarbons
HCHO	Formaldehyde
HCN	Hydrogen Cyanide
hr	Hour
HSNO	Hazardous Substances and New Organisms Act 1996
kg/day	Kilogram per day
L	Litre
L/s	Litres per second
LGA02	Local Government Act 2002
m ³	Cubic metre
MBAS	Methylene blue active substances
MfE	Ministry for the Environment
mg/L	Milligram per litre
mL/L	Millilitre per litre
mm	Millimetres
MSDS	Material safety data sheets
N	Nitrogen
NH ₃	Ammonia
NH ₃ -N	Ammoniacal nitrogen
P	Phosphorus
PAHs	Polycyclic (or polynuclear) aromatic hydrocarbons
PBBs	Polybrominated biphenyls
PCBs	Polychlorinated biphenyls
pH	Measure of acidity/alkalinity
RMA	Resource Management Act 1991
s	Second
SBR	Sequencing batch reactor
SO ₄	Sulphate
SS	Suspended solids concentration
TAs	Territorial authorities
UV	Ultra violet
UVT	Ultra violet transmission

PART TWO – GENERAL

8 Restrictions on discharges

- 8.1 No person may:
- a) Discharge, or allow to be discharged, any trade waste to the wastewater system except in accordance with the provisions of this bylaw or the terms of any consent granted under this bylaw;
 - b) Discharge, or allow to be discharged, a prohibited trade waste into the wastewater system;
 - c) Add or permit the addition of condensing or cooling water to any trade waste which discharges into the wastewater system unless specific approval is given in a consent;
 - d) Add or permit the addition of stormwater to any trade waste which discharges into the wastewater system unless specific approval is given in a consent; or
 - e) Use refuse or garbage grinders and macerators to dispose of solid waste from trade premises to the wastewater system unless specifically approved by the Council.
- 8.2 The Council will give written notice to the discharging party of failure to comply with clause 8.1 of the Bylaw, and the Council will require the discharging party either to comply or to cease the discharge within 20 working days or as otherwise stated in the written notice.
- 8.3 Any person discharging to wastewater system shall also comply with requirements of the Hazardous Substances and New Organisms Act 1996 and the Resource Management Act 1991.
- 8.4 Notwithstanding clause 8.1, any discharge of trade waste pursuant to a contractual agreement between the Council and the person discharging that trade waste shall be deemed to be an authorised trade waste discharge, subject to any conditions, remedies and penalties that may be described within that agreement, and no further trade waste discharge consent under this Bylaw is needed while that agreement is in force.

9 Storage, transport, handling and use of hazardous or harmful materials

- 9.1 All persons on trade premises shall take all reasonable steps to prevent the entry of any of the materials listed in clause 9.3 of the Bylaw into the wastewater system or the stormwater system, including entry as a result of leakage or spillage.
- 9.2 No person may store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance as defined by Hazardous Substances and New Organisms Act 1996 or any of the materials listed in clause 9.3 in a manner that may cause the material to enter the wastewater system or the stormwater system.

- 9.3 Materials referred to in clauses 9.1 and 9.2 are products or wastes:
- a) containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials; or
 - b) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream; or
 - c) Likely to harm the health and safety of any person or harm the Wastewater system.

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PART THREE – TRADE WASTE DISCHARGES AND CONSENTS

10 Classification of trade waste discharges

10.1 Trade waste discharges are classified as follows:

a) Permitted Trade Waste

Trade waste that complies with the physical and chemical characteristics defined in appendix 1 of the Administration Manual is permitted. Permitted trade wastes do not require Council consent prior to its discharge into the wastewater system.

b) Controlled Trade Waste

Trade waste that complies with the physical and chemical characteristics defined in appendix 1 of the Administration Manual, but where the volume exceeds 5m³ per day is controlled trade waste and requires a consent from the Council prior to its discharge into the wastewater system.

~~b)c)~~ Conditional Trade Waste

Trade waste that is not permitted trade waste or prohibited trade waste is conditional trade waste and requires a consent from the Council prior to its discharge into the wastewater system.

~~c)d)~~ Prohibited Trade Waste

Trade Waste that has any of the prohibited characteristics as defined in appendix 2 of the Administration Manual is ~~Prohibited Trade Waste~~ prohibited trade waste and cannot be discharged into the Wastewater system. No application for trade waste consent can be made for a prohibited trade waste.

10.2 Trade waste discharges that are permitted, controlled, or conditional in accordance with this clause are subject to the additional requirements as set out at Part 4 of this Bylaw.

10.3 Subject to clause 10.1, ~~T~~trade waste discharges with the characteristics of domestic waste, typically that from bathrooms and kitchens not used for commercial preparation of food, do not require consent.

10.4 The discharge of trade waste from a tankered waste trucking system requires consent under this Bylaw and is subject to the requirements of clause 25.

11 Application for a trade waste consent

11.1 No person may discharge controlled trade waste or conditional trade waste or tankered waste to the wastewater system without a consent under this bylaw issued by the Council.

11.2 Any person may apply to the Council to:

- a) Discharge (either continuously, intermittently, or temporarily) any controlled trade waste or conditional trade waste or tankered waste into the wastewater

system; or

- b) Vary the characteristics controlled by a consent to discharge that has previously been granted; or
- c) Vary the conditions of consent to discharge that has previously been granted; or
- d) Vary the method or means of pre-treatment for discharge under an existing consent;

provided that the application is in writing in the form provided, accompanied by the prescribed charges.

- 11.3 Where the trade premises produces trade waste from more than one area, separate descriptions of the trade waste and the areas concerned shall be included in any application for trade waste discharge. This applies whether or not the separate areas of a premise are part of a single or separate trade process.
- 11.4 Information requirements in respect of the application are as set out in the Administration Manual.
- 11.5 In all cases where either the consent holder or the owner of the premises changes, or there is a change of use of the premises, a new application for a trade waste discharge consent must be made. It shall be the responsibility of the consent holder or the new owner (as appropriate) to lodge the new application.

12 Grant of Trade Waste Consent

- 12.1 Within 15 Working Days (or as extended if warranted by exceptional circumstances by the Council) of receipt of an application complying with this bylaw, or the further information requested in accordance with the Administration Manual, whichever is the later, the Council shall, after considering the matters set out in the Administration Manual action one of the following in writing:
 - a) Grant the applicant a trade waste discharge consent and inform the applicant of the decision and the conditions imposed by issuing the appropriate notice of consent to the discharge; or
 - b) Decline the application and notify the applicant of the decision giving a statement of the reasons for refusal.
 - c) Notify the applicant that the discharge is classified as a permitted trade waste or prohibited trade waste under this Bylaw, and does not require or cannot obtain (in the case of prohibited trade waste) a trade waste discharge consent.
- 12.2 A trade waste consent granted in accordance with this clause may be subject to conditions, including but not limited to conditions of the kind referred to in the Administration Manual.
- 12.3 A trade waste consent granted in accordance with this clause may be conditional

on the implementation of appropriate pre-treatment systems.

- 12.4 Trade waste consents are personal to the applicant at specific premises and are not transferable to a new occupier or different premise except as provided for in clause 31.1(a) of this bylaw.

13 Duration of consent

Permitted trade waste discharges

- 13.1 Permission to discharge a “permitted” trade waste shall remain in force until:

- a) Cancellation under clause 15; or
- b) The quantity and nature of the discharge changes or is likely to change significantly to such an extent that it becomes a conditional or prohibited discharge; or
- c) The Council changes the trade waste management procedures by implementation of changed trade waste bylaw conditions or any amendment to, or replacement of, its trade waste bylaw or changes to characteristics in either appendix 1 or 2 of this bylaw; or
- d) The conditions are changed for resource consents for the wastewater system and the residuals thereof.

In the event of a change as defined in (a) – (d) above, the consent holder must apply for a trade waste discharge consent within 20 working days of the change occurring, or cease discharging the trade waste. If the trade waste discharge consent is not granted, then the discharge must cease.

- 13.2 The Council will give at least 20 working days’ notice prior to any proposed amendments to appendix 1 or 2. Wherever possible this notice will be given in writing to those with permission to discharge a permitted trade waste and those with consent to discharge controlled trade waste or conditional trade waste.

Controlled and Conditional trade waste discharges

- 13.3 Consents for a Controlled or Conditional Discharge under this bylaw shall ordinarily expire two years after the consent is granted. A consent for a term of five years may be applied for and may be approved at the discretion of the Council in the following circumstances:

- a) The nature of the trade activity, or the process design and/or management of the premises are such that the consent holder can demonstrate an ability to meet the conditions of the Consent during its term; or
- b) Cleaner production techniques are successfully being utilized, or that a responsible investment in cleaner production equipment or techniques is being made; or
- c) Significant investment in pre-treatment facilities has been made, such that a longer period of certainty for the amortizing of this investment is considered reasonable.

- 13.4 A controlled or conditional trade waste discharge consent may expire earlier if:
- Cancelled under clause 15; or
 - The consent holder fails to submit a plan in accordance with clause 13.5.
- 13.5 Within 20 working days of the adoption of amendments to appendix 1 or 2, every holder of a controlled or conditional trade waste discharge consent must submit a plan that details the changes they will make to ensure compliance with the amendments, to be implemented in a reasonable timeframe as agreed with the Council. If a plan is not submitted within 20 working days of the adoption of amendments to appendix 1 or 2, then the trade waste discharge consent will expire.
- 13.6 The re-issuing of a consent cannot be unreasonably withheld.
- 13.7 In all cases where the consent holder or the owner of the premises changes, or there is a change of use of the premises, a new application for a trade waste discharge consent must be made.

Renewal of controlled or conditional trade waste discharge consent

- 13.8 A consent holder may apply to renew a controlled or conditional trade waste discharge consent.
- 13.9 An application for a renewed consent received under clause 13.8 must be lodged with the Council no later than eight weeks before the expiry of the existing consent.
- 13.10 Notwithstanding clauses 14 and 15 of this Bylaw, where an application for a renewed consent has been received in accordance with clause 13.9, the consent holder may continue to discharge trade waste in accordance with the conditions of their existing consent until:
- The Council issues a renewed consent; or
 - The Council declines to issue a renewed consent.
- ~~13.7~~ 13.11 Where an application for a renewed consent has not been received in accordance with clause 13.9 the Council may require the consent holder to cease discharging trade waste at the expiry of their existing consent until any new consent is issued.

14 Technical review and variation

- 14.1 The Council may at any time during the term of a trade waste consent initiate a review of any condition. The reasons for a review may include:
- The level of consent holder compliance, including any accidents including spills or process mishaps;
 - Matters pertaining to the Council's resource consents for the Wastewater system;
 - Matters pertaining to the Council's environmental policies and outcomes;
 - New control and treatment technologies and processes;

- e) Any of the matters outlined in Part Four; or
 - f) Matters pertaining to the Council's legal obligations.
- 14.2 After conducting a review and considering the matters set out in the Administration Manual, the Council may vary any condition of consent to such an extent as the Council considers necessary. The Council will provide written notice of the proposed variation to the consent holder giving 20 working days to respond in writing. The Council must then consider the written response of the consent holder against the provisions of this bylaw, and if issuing a variation under 14.1 above the Council must specify the time by which the consent holder must comply with the varied conditions.
- 14.3 A consent holder may at any time during the term of a consent, by written application to the Council, seek to vary any condition of consent.

15 Cancellation of consent to discharge

- 15.1 The Council may suspend or cancel any consent or right to discharge trade waste following a 20 working day notice period, for the following reasons:
- a) For the failure to comply with any condition of the consent or the Bylaw;
 - b) For the failure to maintain effective control over the discharge;
 - c) For the failure to limit in accordance with the requirements of a consent the volume, nature, or composition of trade waste being discharged;
 - d) In the event of any negligence which, in the opinion of the Council, threatens the safety of, or threatens to cause damage to, or threatens the proper functioning of any part of the Wastewater system or the wastewater treatment plant or threatens the health and safety of any person;
 - e) If any occurrence happens that, in the opinion of the Council, threatens to cause a significant adverse effect on the environment;
 - f) In the event of any breach of a resource consent held by the council issued under the Resource Management Act 1991 that is attributable to a trade waste discharge;
 - g) For the failure to provide or update a management plan as required for a trade waste discharge consent;
 - h) For the failure to follow the management plan provisions at the time of an unexpected, unscheduled or accidental occurrence;
 - i) For the failure to pay any charges under this bylaw; or
 - j) Following a review of the technical issues considered when setting conditions of consent, or
 - k) Due to new information becoming available, or

- l) To meet any new resource consent imposed on the discharge from the Council's wastewater treatment plant, or
 - m) To meet any other legal requirements imposed on the Council
 - n) If any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the right to discharge.
- 15.2 If any process changes require more than 20 Working Days, reasonable time may be given to make the necessary changes or cease the discharge.
- 15.3 Written notice of the proposed cancellation must be provided to the consent holder giving 20 working days to respond in writing, and the Council must consider the written response of the consent holder against the provisions of this bylaw and the matters of consideration in the Administration Manual.
- 15.4 Further to clause 15.1 any trade waste consent or discharge may at any time be cancelled by written notice with immediate effect if:
- a) The discharge includes any Prohibited substance;
 - b) The Council is lawfully directed to withdraw or otherwise to terminate the consent immediately;
 - c) The consent holder, or their contractor using a Tankered waste disposal system, discharge any trade waste unlawfully;
 - d) The continuance of discharge is, in the opinion of the Council, a threat to the environment or public health;
 - e) The continuance of discharge may, in the opinion of the Council, result in a breach of a resource consent held by the Council and/or requires identified additional treatment measures or costs to seek to avoid a breach of any such resource consent.

PART FOUR – TREATMENT OF TRADE WASTE

16 Pre-treatment

- 16.1 The Council may approve a trade waste discharge subject to the provision of appropriate pre-treatment systems to enable the person discharging to comply with this bylaw. Such pre-treatment systems shall be provided, operated and maintained by the person discharging at his or her expense.
- 16.2 Grease interceptors shall be fitted in all food premises or any premises where any fat, grease or oil could be present in the trade waste discharge, and the provisions of clause 18 complied with.
- 16.3 Interceptor traps shall be fitted to waste-water discharges from commercial premises where oils, grit or other pollutants are likely to be present.
- ~~16.3~~ 16.4 The Council may require a permanent sink screen to be fitted to any sink (except hand washing basins) in a food premises to minimise the risk of food waste entering the grease interceptor or the wastewater system.

17 Amalgam traps

- 17.1 All dentists' premises must install suitable amalgam traps on all spittoons and on sink wastes used for washing dentistry equipment.
- 17.2 The consent holder is responsible for the continuing effective operation of the amalgam trap and the regular disposal of amalgam waste in accordance with the requirements of the consent.

18 Grease interceptors

- 18.1 All food premises discharging trade wastes must install a grease interceptor and must obtain a consent for its installation under the Building Act 2004, in addition to any consent for the discharge required under this Bylaw.
- 18.2 Grease interceptors for food premises must be sized with a minimum size of 750 litres and minimum capacity of 45 litres per meal and a one hour retention time as per table 1. Actual sizing may need to be determined by site specific considerations and/or professional engineering consultants. Table 1 provides minimum sizes for typical food premises.

Table 1 – Food Premise Grease Interceptors Minimum Sizes

Food Premise Size	Minimum Grease Interceptor Size
Up to 12 meals per hour	750 litres
Up to 20 meals per hour	900 litres
Up to 30 meals per hour	1350 litres
Up to 60 meals per hour	2700 litres

- 18.3 The consent holder is responsible for regularly cleaning the grease interceptor, at the intervals specified in the consent, and must have available on the premises

documentary proof of an ongoing maintenance contract for the grease interceptor with a Council-approved operator.

- 18.4 Consent holders must use a Council-approved/licensed tanker operator to dispose of grease interceptor waste.
- 18.5 The Council may inspect the grease interceptor in accordance with a regular programme, and more frequently if it has failed previous inspections.

19 Dilution of trade waste

- 19.1 The person discharging shall not add or permit the addition of any potable or condensing water, cooling water, or stormwater to any trade waste discharge in order to vary the level of the any characteristics of the waste unless specific approval is given by the Council in a consent.

20 Mass limits

- 20.1 Wastewater quality may be determined either by:
 - a) Measuring the concentrations of the characteristics alone; or,
 - b) Measuring both the mass and the concentrations of its characteristics.
- 20.2 A trade waste discharge consent may impose controls on a trade waste discharge by specifying mass limits for any characteristic.
- 20.3 Any characteristic permitted by mass limit shall also have its maximum concentration limited to the value in appendix 1 of the Administration Manual unless approved otherwise.
- 20.4 When setting mass limit allocations for a particular characteristic the Council shall consider:
 - a) The operational requirements of and risk to the Wastewater system, and risks to occupational health and safety, public health, and the ultimate receiving environment;
 - b) Whether or not the levels proposed pose a threat to the potential, planned or actual beneficial reuse of Biosolids or sewage sludge;
 - c) Conditions in the Wastewater system near the trade waste discharge point and elsewhere in the Wastewater system;
 - d) The extent to which the available wastewater treatment plant capacity was used in the last financial period and is expected to be used in the forthcoming period;
 - e) Whether or not the applicant uses Cleaner Production techniques within a period satisfactory to the Council;

- f) Whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for wastewater treatment plant capacity;
- g) Any requirements of the Council to reduce the pollutant discharge of the Wastewater system;
- h) How great a proportion the mass flow of a characteristic of the discharge will be of the total mass flow of that characteristic in the Wastewater system;
- i) The total mass of the characteristic allowable in the Wastewater system, and the proportion (if any) to be reserved for future allocations; and
- j) Whether or not there is an interaction with other characteristics which increases or decreases the effect of either characteristic on the sewer reticulation, treatment process, or receiving water (or land).

PART FIVE – SAMPLING, TESTING AND MONITORING

21 Flow metering

- 21.1 Metering to measure the flow rate and volume of discharge may be required by the Council in accordance with the Administration Manual.

22 Estimating discharge

- 22.1 In premises where there is no flow meter or similar apparatus, or the flow meter is out of repair or ceases to register, or where in the opinion of the Council the flow meter has been tampered with, the Council will estimate the rate and quantity of trade waste discharge in accordance with the Administration Manual.

23 Sampling and analysis

- 23.1 Sampling, testing and monitoring may be undertaken by the Council in accordance with the Administration Manual.
- 23.2 All authorised officers or authorised agents of the Council may enter any premises believed to be discharging trade waste, as provided in section 172 of the LGA02, in order to determine any characteristics of any actual or potential discharge by:
- a) Taking readings and measurements;
 - b) Carrying out an inspection;
 - c) Observing any occurrence of accidental discharge and clean-up; and/or
 - d) Taking samples for testing, of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.

24 Monitoring

- 24.1 The Council will monitor and audit any trade waste discharge to determine compliance with this Bylaw. Monitoring will be in accordance with the Administration Manual.

PART SIX – OTHER DISCHARGES

25 Tankered wastes

- 25.1 Any person wishing to operate a tankered waste trucking system within Palmerston North City Council Boundaries and/or wishing to discharge into the Palmerston North wastewater system must:
- a) be certified by ~~WasteMinz~~ New Zealand Trade and Industrial Waters Forum (NZTIWF) as complying with the Liquid and Hazardous Wastes Code of Practice; ~~and~~
 - b) ~~either hold a Certificate of Registration for Offensive Trade Health (Offensive Trade) Licence issued by the Council and comply with the conditions of that licence~~ either hold a Certificate of Registration for Offensive Trade Health (Offensive Trade) Licence issued by the Council and comply with the conditions of that licence ~~and/or hold a resource consent under the Resource Management Act 1991 for the tankered waste collection service; and~~
 - c) hold a consent to discharge trade waste under this Bylaw.
- 25.2 The Council may accept tankered wastes for discharge at an approved location, subject to:
- a) Tankered waste being fully documented including:
 - (i) A description of the type of waste;
 - (ii) The name of discharger and location;
 - (iii) The source, date and time of collection;
 - (iv) The volume of waste collected; and
 - (v) The identification number and vehicle registration number;
 - b) Tankered waste shall be analysed to determine its character if the contents of the waste are not known. Specialist advice on pre-treatment or acceptance may be required. The cost of all analysis and advice shall be borne by the consent holder;
 - c) Tankered waste is not to be picked up and transported to the disposal site until appropriate arrangements, documentation and method for disposal have been determined by the Council;
 - d) To prevent cross-contamination between tanker loads, the tanker shall be thoroughly washed prior to collecting a load for disposal into the Wastewater system; and
 - e) 24 hours' notice shall be given to the Council for the disposal of wastes other than those sourced from domestic septic tanks.
- 25.3 Waste collected for disposal must be treated in accordance with the conditions of the trade waste discharge consent before disposal.
- 25.4 Any person disposing of, or causing to be disposed, tankered waste either by incorrect disclosure of contents (characteristics or amount) or dumping into the Council Wastewater system other than in the prescribed location and in accordance with the trade waste discharge consent, will be in breach of this bylaw.

26 Disinfected/super chlorinated water

- 26.1 No water used during the repair or construction of water mains may be discharged into the Council wastewater system, stormwater drainage network, or adjacent water courses without the prior written approval of the Council.
- 26.2 Any water used during the repair or construction of water mains shall be de-chlorinated prior to its discharge under clause 26.1 of the Bylaw.

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PART SEVEN – BYLAW ADMINISTRATION

27 Review of decisions

- 27.1 If any person is dissatisfied in relation to any decision by the Council made under this Bylaw, any person may deliver by notice in writing to the ~~Water and Waste Services Manager~~ Chief Executive of the Council a request for review of that decision. The request shall be lodged within 20 working days of the decision by the Council. The ~~Water and Waste Services Manager~~ Chief Executive shall review all relevant documentation and make a final decision.

28 Accidents and non-compliance

- 28.1 The person discharging shall inform the Council immediately on discovery of any accident or incident including spills or process mishaps which may cause a breach of this bylaw.
- 28.2 In the event of any accident or incident occurring when the person holds a conditional trade waste discharge consent, a review or cancellation under clause 14 or 15 of the Bylaw may be initiated by the Council.
- 28.3 In the event of an accident or incident occurring on the premises of a permitted trade waste discharge, an application for trade waste discharge consent may be required.

29 Charges, payments and costs

- 29.1 The Council may set fees and charges for any approval, permission, consent or any other service required by this Bylaw following public consultation and in accordance with section 150 of the LGA02. Schedule 1 of the Bylaw contains a list of charges that may be imposed. The amounts of the charges are determined by Council from time to time.
- 29.2 All charges shall be invoiced in accordance with the Council standard commercial practice. The invoice shall provide each person discharging with a copy of the information and calculations used to determine the extent of any charges and fees due, in regards to a discharge.
- 29.3 The person discharging shall be deemed to be continuing the discharge of trade waste and shall be liable for all charges, until written notice of disconnection is given to the Council.
- 29.4 All fees and charges payable under this bylaw shall be recoverable as a debt. If the person discharging fails to pay any fees and charges under this bylaw the Council may cancel their consent to discharge and may disconnect service.
- 29.5 The Council may recover costs pursuant to the following sections of the Local Government Act 2002:
- (a) Section 151, for the recovery of costs incurred by the Council in relation to activities consented under this Bylaw;

- (b) Section 176, on conviction, for the costs of remedying damage associated with a breach of this Bylaw.

30 Delegations

- 30.1 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.
- 30.2 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) including, without limitation:
- a) Specify forms and procedures for the effective administration of the bylaw;
 - b) Make any decision or determination required in this bylaw in order to administer it;
 - c) Decisions regarding whether or not a consent should be granted, and the terms and conditions of that consent;
 - d) Decisions regarding suspension, withdrawal or removal of a consent;
- 30.3 The Council by resolution may amend the Administration Manual. Before amending the Administration Manual, the Council must consult appropriately and in accordance with the Local Government Act 2002 with any person that it considers may be affected by the proposed amendments and give those persons a reasonable opportunity to provide feedback on the proposed amendments before they come into effect. The Council must have regard to that feedback before making any final decision on the proposed amendments.
- 30.4 All ~~forms~~, specifications or methods for this bylaw must be in writing and kept in a publicly available Administration Manual for this bylaw called the Trade Waste Bylaw Administration Manual.
- 30.5 Every exercise of a power of delegation under this clause must be reported to Council if not exercised by Council by resolution, provided that failure to report does not invalidate the exercise of the delegate's power.

31 Transfer or termination of rights and responsibilities

- 31.1 A trade waste consent to discharge shall be issued in the name of the given consent holder. The consent holder shall not, unless written approval is obtained from the Council:
- a) Transfer to any other party the rights and responsibilities provided for under this bylaw, and under the Consent;
 - b) Allow a point of discharge to serve another premise, whether directly or indirectly; or
 - c) Allow wastewater or trade waste from any other party or premises to be discharged at the consent holders' point of discharge.
- 31.2 Renewal of a trade waste consent on change of ownership of premises shall not be unreasonably withheld if the characteristics of the wastewater remain unchanged.
- 31.3 The person discharging shall give 48 hours' notice in writing to the Council of their requirement for disconnection of the discharge connection and/or termination of the discharge consent, except where demolition or relaying of the discharge drain is required, in which case the notice shall be within seven working days. The person discharging shall notify the Council in writing of the new address details for final invoicing.
- 31.4 On permanent disconnection and/or termination, at the Council's discretion, the person discharging may be liable for trade waste charges to the end of the current charging period.
- 31.5 When a person discharging ceases to occupy premises from which trade wastes are discharged into the wastewater system, any consent granted shall terminate but without relieving the person discharging from any obligations existing at the date of termination.

32 Service of documents

- 32.1 Any notice or other document required to be given, served or delivered under this bylaw to a person discharging may (in addition to any other method permitted by law) be given or served or delivered by being:
- a) Sent by pre-paid ordinary mail, courier, or facsimile, or email to the person discharging at their last known place of residence or business;
 - b) Sent by pre-paid ordinary mail, courier, or facsimile, or email to the person discharging at any address for service specified in a consent to discharge;
 - c) Where the person discharging is a corporate body, sent by pre-paid ordinary mail, courier, or facsimile, or email to, or left at its registered office; or
 - d) Personally served on the Person discharging.

32.2 If any notice or other document is:

- a) Sent by post it will be deemed received on the third day (excluding weekends and public holidays) after posting;
- b) Sent by facsimile or email and the sender's facsimile or email machine produces a transmission report indicating that the facsimile or email was sent to the addressee, the report will be prima facie evidence that the facsimile or email was received by the addressee in a legible form at the time indicated on that report; or
- c) Sent by courier and the courier obtains a receipt or records delivery on a courier run sheet, the receipt or record of delivery on a courier run sheet will be prima facie evidence that the communication was received by the addressee at the time indicated on the receipt or courier run sheet, or left at a conspicuous place at the trade premises or is handed to a designated person(s) nominated by the consent holder then that shall be deemed to be service on, or delivery to the consent holder at that time.

32.3 Any notice or document to be given, served or delivered shall be signed by an authorised officer.

33 Transitional Provisions

33.1 Every existing trade waste consent shall continue in force as if it were a consent under this bylaw until it reaches the expiry date specified in that consent provided that no consent shall run beyond 22 May 2024. ~~30 June 2019~~.

PART EIGHT – ENFORCEMENT

34 Offences

- 34.1 Every person or consent holder or owner or occupier of trade premises or licensee who:
- a) Fails to comply or acts in contravention of any provision of this bylaw;
 - b) Breaches the conditions of any consent to discharge granted pursuant to this bylaw; or
 - c) Fails to comply with a notice served under this bylaw,
- commits an offence under section 239 of the LGA02, and is liable to a fine as specified in section 242 of the LGA02, or the issue of an Infringement notice under section 245 of the LGA02.
- 34.2 In all cases the Council may recover costs associated with damage to the Council Wastewater System or Stormwater drainage network or breach of this bylaw in accordance with sections 175 and section 176 of the LGA02.
- 34.3 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 LGA02.

SCHEDULE 1 – TRADE WASTE CHARGES

Introduction

Fees and charges are set by Council resolution following public consultation in accordance with the LGA02. This may be done by the annual planning process, fee setting or a similar transparent public process in accordance with the LGA02.

In the following table the Council states what categories it will charge, or may charge, under the tenure of this bylaw.

Table 2 – Administrative Charges	
Category	Description
2.1 Connection fee	Payable on application for connection to discharge.
2.2 Compliance monitoring	The costs incurred by the Council for inspections, sampling and analysis of trade waste discharges.
2.3 Disconnection fee	Payable following a request for disconnection from Wastewater system.
2.4 Trade Waste application fee	Payable on an application for a trade waste discharge.
2.5 Consent Processing Fee	Payable when the costs of processing the consent exceed the Trade Waste application fee.
2.6 Re-inspection fee	Payable for each re-inspection visit by the Council where a notice served under this bylaw has not been complied with by the trade waste discharger.
2.7 Special rates for loan charges	Additional rates for servicing loans raised for the purposes of constructing or improving the Wastewater system.
2.8 Temporary Discharge fee	Payable prior to receipt of temporary discharge.
2.9 Annual Trade Waste charges	<p>An annual management fee for a Trade Waste discharge to cover the Council's costs associated with for example:</p> <ul style="list-style-type: none"> (a) Administration; (b) General compliance monitoring; (c) General inspection of trade waste premises; (d) Use of the Wastewater system. <p>This charge may vary depending on the trade waste sector and category of the discharger.</p>

Table 2 – Administrative Charges (continued)	
Category	Description
2.10 Rebates for Trade Premises within the District	<p>Reduction in fees is provided for in section 150(2). Section 150(4) of the LGA02 states that the fees prescribed by the Council shall not provide for the Council to recover more than the reasonable cost incurred by the Council for the matter for which the fee is charged.</p> <p>In no event shall the resultant charge be less than the Council's Wastewater charge for the equivalent period.</p>
2.11 New or Additional Trade Premises	Pay the annual fees and a <i>pro rata</i> proportion of the various Trade Waste charges relative to flows and loads.

Table 3 – Trade Waste Charges	
Category	Description
3.1 Volume	Payment based on the volume discharged $\$/m^3$
3.2 Flow rate	Payment based on the flow rate discharged $\$/L/s$
3.3 Suspended solids	Payment based on the mass of suspended solids $\$/kg$
3.4 Organic loading	Biochemical oxygen demand or chemical oxygen demand $\$/kg$
3.5 Bacterial reduction	Payment based on the amount of removal or reduction required.
3.5 Nitrogen	Payment based on the defined form(s) of nitrogen $\$/kg$
3.6 Phosphorous	Payment based on the defined form(s) of phosphorous $\$/kg$
3.7 Metals	Payment based on the defined form(s) of the metal(s) $\$/kg$
3.8 Transmission	A charge based on the inhibiting nature of the trade waste to UV light used by the Council's disinfection process
3.9 Screenable solids	Payment based on the mass of screenable solids $\$/kg$
3.10 Toxicity charge	Payment based on the defined form(s) of the toxic substance(s) $\$/kg$ and/or $\$/m^3$
3.11 Incentive rebate	A rebate for discharging materials beneficial to the Council's Wastewater system $\$/kg$ and/or $\$/m^3$
3.12 Depreciation	Operating cost related to capital and normally spread across the volume and mass charges
3.13 Capital	Apportioned upfront or term commitment capital cost of specific infrastructure required to accommodate a trade waste discharge consent

Table 4 – Tankered Waste charges	
Category	Description
4.1 Tankered Wastes	Set as a fee(s) per tanker load, or as a fee(s) per cubic metre, dependent on trade waste category
4.2 Toxicity	Payment based on the defined form(s) of the toxic substance(s) $\$/kg$ and/or $\$/m^3$

4.3	Nutrient removal and bacterial reduction	Payment based on the amount of removal or reduction required.
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PALMERSTON NORTH CITY

PALMERSTON NORTH TRADE WASTE BYLAW

~~2015~~2022

Administration Manual

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Part One – Introduction

The purpose of this Administration Manual is to provide material complementary to the Trade Waste Bylaw by bringing together those aspects which may otherwise be included in the Bylaw, but which are of a technical or administrative nature, or operational matters that are more likely to be amended before the Bylaw is reviewed. In taking this approach, it 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 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. ~~Amendments to this document will be authorised either by the General Manager for City Networks or the Water and Waste Services Manager.~~

Part Two – Information Requirements for Consent Application

- 1.1 The applicant must ensure that the application and every other document conveying required information is properly executed.
- 1.2 The Council may require a consent application to be supported by an independent report/statement completed by a suitably experienced and external auditor to verify any or all information supplied by the applicant, and this may include a Management Plan.
- 1.3 Every consent application shall be accompanied by the applicable application fee.
- 1.4 The Council will acknowledge the consent application in writing within 5 working days of the receipt of the application.
- 1.5 On receipt of any trade waste consent application the Council may:
 - (a) Require the applicant to submit any additional information which it considers necessary for the purpose of approving a consent;
 - (b) Require the applicant to submit a management plan to the satisfaction of the Council; and
 - (c) Have the discharge sampled, tested or monitored.
- 1.6 The Council will notify the applicant of any further information requirement within 10 working days of receipt of the application.

Part Three – Consideration Criteria for Consent Applications

2.1 In considering any application for a trade waste consent and any conditions on such a consent, the Council will take into consideration the quality, volume, and rate of discharge of the trade waste in relation to:

- (a) The health and safety of the Council staff, agents and the public;
- (b) The limits and/or maximum values for characteristics of trade waste as specified in appendices 1 and 2 of the Administration Manual;
- (c) The extent to which the trade waste may react with other trade waste or domestic wastewater discharge to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the Wastewater system etc.;
- (d) The flows and velocities in the sewer, or sewers and the material or construction of the sewer or sewers;
- (e) The capacity of the sewer or sewers and the capacity of any wastewater treatment plant, and other facilities;
- (f) The nature of any wastewater treatment process and the degree to which the trade waste is capable of being treated in the wastewater treatment plant;
- (g) The timing and balancing of flows into the Wastewater system;
- (h) Any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of sewage sludge, beneficial use of Biosolids, and any discharge to air, (including the necessity for compliance with any resource consent, discharge permit or water classification);
- (i) The effect of the trade waste discharge on the ultimate receiving environment;
- (j) The conditions on resource consents for the Wastewater system and the residuals from it;
- (k) The possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the Wastewater system and the environment;
- (l) Consideration for other existing or future discharges;
- (m) Amenability of the trade waste to pre-treatment;
- (n) Existing pre-treatment works on the premises and the potential for their future use;
- (o) Cleaner production techniques and waste minimisation practices;

- (p) Requirements and limitations related to sewage sludge disposal and reuse;
- (q) Control of stormwater;
- (r) Any management plan; and
- (s) Tankered waste being discharged at an approved location/s.

DRAFT FOR CONSULTATION

Part Four – Conditions of Trade Waste Consent

3.1 A trade waste discharge consent may be subject to such conditions that the Council considers appropriate, including but not limited to:

- (a) The particular public sewer or sewers to which the discharge will be made;
- (b) The maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
- (c) The maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or Mass Limits;
- (d) The period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
- (e) The degree of acidity, or alkalinity of the discharge at the time of discharge;
- (f) The temperature of the trade waste at the time of discharge;
- (g) The provision by, or for the consent holder, at the consent holder's expense, of screens, grease traps, silt traps or other pre-treatment works to control trade waste discharge characteristics to the consented levels;
- (h) The provision and maintenance at the consent holder's expense of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
- (i) The provision and maintenance of a sampling, analysis and testing programme and flow measurement requirements, at the consent holder's expense;
- (j) The method or methods to be used for the measuring flow rates and/or volume and taking samples of the discharge for use in determining the amount of any trade waste charges applicable to that discharge;
- (k) The provision and maintenance by, and at the expense of, the consent holder of such meters or devices as may be required to measure the volume or flow rate of any trade waste being discharged from the premises, and for the testing of such meters at the expense of the consent holder;
- (l) The provision and maintenance, at the consent holder's expense of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices;
- (m) At times specified, the provision in a Council approved format by the consent holder to the Council of all flow and/or volume records and results of analyses (including pre-treatment by-products e.g. sewage sludge disposal);
- (n) The provision and implementation of a management plan;

- (o) Risk assessment of damage to the environment due to an accidental discharge of a chemical;
- (p) Waste minimisation and management;
- (q) Cleaner Production techniques;
- (r) Remote control of discharges;
- (s) Third party treatment, carriage, discharge or disposal of by-products of pre-treatment of trade waste (including sewage sludge disposal);
- (t) Requirement to provide a bond or insurance in favour of the Council where failure to comply with the consent could result in damage to the Council Wastewater system, its treatment plants, or could result in the Council being in breach of any statutory obligation; and
- (u) Remote monitoring of discharges.

3.2 A trade waste consent may include conditions prescribing penalty charges, and the rates or amounts of those penalty charges, to be payable for exceeding any limits stipulated in that consent that relate to:

- (a) physical or chemical characteristics; and
- (b) maximum concentrations of chemical characteristics

Part Five – Sampling, Testing and Monitoring

FLOW METERING

- 4.1 Metering (to measure the flow rate and volume of discharge) may be required by the Council in any of the following circumstances:
- (a) On discharges when there is not a predictable relationship between a metered water supply to the premises, and the discharge of trade waste;
 - (b) When the Council will not approve a method of flow estimation; or
 - (c) When the discharge from particular premises represents a significant proportion of the total flow/load received by the Council.
- 4.2 The consent holder is responsible for the supply, installation, reading and maintenance of any meter required by the Council for the measurement of the rate or quantity of discharge of trade waste. These devices shall be approved by the Council but shall remain the property of the consent holder.
- 4.3 Records of flow and/or volume must be available for inspection at any time by the Council, and shall be submitted to the Council at prescribed intervals by the consent holder in a format and method approved by the Council.
- 4.4 Meters must be located in a position approved by the Council and should be readily accessible for reading and maintenance. The meters shall be located and installed according to the manufacturer's installation instructions.
- 4.5 The consent holder shall arrange for on site calibration of the flow metering equipment and instrumentation by a person and method approved by the Council upon installation and at least once a year thereafter to ensure its performance. The meter accuracy should be $\pm 10\%$ but with no greater a deviation from the previous meter calibration of $\pm 5\%$. A copy of independent certification of each calibration result shall be submitted to the Council.
- 4.6 Should any meter, after being calibrated, be found to have an error greater than that specified in section 4.5 of the Administration Manual as a repeatable measurement, the Council may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of the Council but not exceeding 12 months, and the consent holder shall pay or be credited a greater or lesser amount according to such adjustment.

ESTIMATING DISCHARGE

- 4.7 In premises where no meter or similar apparatus is required to be provided, the Council may require that a percentage of the water supplied to the premises (or other such basis as seems reasonable) be used for estimating the rate or quantity of flow for the purposes of charging.

- 4.8 In premises where a meter or similar apparatus is required and that meter is out of repair or ceases to register or is removed the Council shall estimate the discharge for the period since the previous reading of such meter (based on the average of the previous 12 months charged to the Person discharging) and the person discharging shall pay according to such estimate. Provided that when by reason of a large variation of discharge due to seasonal or other causes, the average of the previous 12 months would be an unreasonable estimate of the discharge, then the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the person discharging shall pay according to such an estimate.
- 4.9 Where in the opinion of the Council a meter has been tampered with, the Council (without prejudice to the other remedies available) may declare the reading void and estimate discharge as provided above.

SAMPLING AND ANALYSIS

- 4.10 As determined by the Council, sampling, testing and monitoring may be undertaken to determine if:
- (a) A discharge complies with consent conditions and /or the provisions of the bylaw;
 - (b) A discharge is to be classified as Permitted, Conditional, Controlled or Prohibited;
 - (c) A discharge complies with the provisions of appendix 1 of the Administration Manual for Permitted Discharge and any consent to discharge; and
 - (d) Trade waste consent charges are applicable to that discharge.
- 4.11 The taking, preservation, transportation and analysis of the sample shall be undertaken by an authorised officer or agent of the Council, or the person (or their agent) discharging in accordance with accepted industry standard methods, or by a method specifically approved by the Council.
- 4.12 The Person discharging shall be responsible for all reasonable costs of the sampling and analysis.
- 4.13 Where a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute may be submitted to a mutually agreed independent arbitrator.

MONITORING

- 4.14 The Council is entitled to monitor and audit any trade waste discharge for compliance. The sampling procedure will be appropriate for the trade waste and the analysis. For permitted or conditional discharges monitoring may include any of the following:

- (a) The Council or its authorised agent will take the sample and arrange for this sample to be analysed in an approved and accredited laboratory by agreed and approved analytical methods;
- (b) The Council will audit the sampling and analysis carried out by a self-monitoring trade waste discharger. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process;
- (c) The Council will audit the sampling and analysis carried out by an approved testing laboratory. Inter-laboratory checks are to be part of this process; or
- (d) The Council will audit the trade waste consent conditions including any Management Plans.

4.15 At the discretion of the Council all costs of monitoring, sampling and analysis shall be met by the consent holder.

4.16 Normally a single grab or composite sample is sufficient. If required the grab or composite sample can be split equally into three as follows:

- (a) One portion of the sample goes to the trade waste discharger for appropriate analysis and/or storage;
- (b) A second portion of the sample shall be analysed at a laboratory approved by the Council; and
- (c) A third portion of the sample is retained by the Council for 20 working days, for additional analysis if required.

4.17 Due consideration will be applied to any changes that could occur in retained trade waste samples and provisions to mitigate against changes will be adopted where practicable.

4.18 In all cases the samples shall be handled in an appropriate manner such that the characteristics being tested for are, as far as reasonably possible, preserved.

4.19 All samples shall be preserved, handled, transported and delivered to an approved laboratory according to best practice and approved standards.

APPENDICES

Appendix 1 – Permitted discharge characteristics

1. Introduction

- 1.1. The nature and levels of the characteristics of any trade waste discharged to the Council system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the Council as part of an approval to discharge a trade waste.
- 1.2. The Council shall take into consideration the combined effects of trade waste discharges and may modify the following acceptable characteristics for individual discharges.
- 1.3. The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the Council.

2. Physical characteristics

2.1. Flow

- a) The 24 hour flow volume shall be less than 5 m³.
- b) The maximum instantaneous flow rate shall be less than 2.0 L/s.

2.2. Temperature

- a) The temperature shall not exceed 40 °C.

2.3. Solids

- a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm.
- b) The suspended solids content of any trade waste shall have a maximum concentration which shall not exceed 2000 g/m³. For significant Industry this may be reduced to 600 g/m³.
- c) The settleable solids content of any trade waste shall not exceed 50 mL/L.
- d) The total dissolved solids concentration in any trade waste shall be subject to the approval of the Council having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.
- e) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of wastewater in the drainage system or treatment plant shall not be present.

2.4. Oil and grease

- a) There shall be no free or floating layer.
- b) A trade waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed 200 g/m³ as petroleum ether extractable matter when the emulsion is stable at a temperature

of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw Wastewater, throughout the range of pH 6.0 to pH 10.0.

- c) A trade waste with oil, fat or grease unavoidably emulsified, which in the opinion of the Council is biodegradable shall not exceed 500 g/m³ when the emulsion is stable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw wastewater throughout the range of pH 4.5 to pH 10.0.
- d) Emulsified oil, fat or grease shall not exceed 100 g/m³ as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw wastewater throughout the range of pH 4.5 to pH 10.0.

2.5. Solvents and other organic liquids

- a) There shall be no free layer (whether floating or settled) of solvents or organic liquids.

2.6. Emulsions of paint, latex, adhesive, rubber, plastic

- a) Where such emulsions are not treatable these may be discharged into the sewer subject to the total suspended solids not exceeding 1000 g/m³ or the concentration agreed with the Council.
- b) The Council may determine that the need exists for pre-treatment of such emulsions if they consider that trade waste containing emulsions unreasonably interferes with the operation of the treatment plant e.g. reduces % UVT (ultra violet transmission).
- c) Such emulsions of both treatable and non-treatable types shall be discharged to the sewer only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public Sewer.

2.7. Radioactivity

- a) Radioactivity levels shall not exceed National Radiation Laboratory Guidelines.

2.8. Colour

- a) No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the treated wastewater discharge consent.

3. **Chemical characteristics**

3.1. pH value

- a) The pH shall be between 6.0 and 10.0 at all times.

3.2. Biochemical Oxygen Demand (BOD₅)

- a) The BOD₅ of any waste may be restricted where the capacity for receiving and treating BOD₅ is limited. A BOD₅ restriction may be related to Mass Limits.
- b) Where there is no treatment system for organic removal the BOD₅ shall not exceed 1000 g/m³. For significant industry this will be reduced to 600 g/m³.

4. Maximum concentrations

- 4.1. The maximum concentrations permissible for the chemical characteristics of an acceptable discharge are set out in Table 1, Table 2 and Table 3.

Table 1 – General chemical characteristics

(Mass limits may be imposed, refer to clause 20 of the Bylaw).

<i>Characteristic</i>	<i>Maximum concentration (g/m³)</i>
MBAS (Methylene blue active substances)	500
Ammonia (measured as N)	
– Free ammonia	50
– Ammonium salts	200
Kjeldahl nitrogen	200
Total phosphorus (as P)	50
Sulphate (measured as SO ₄)	500
	1500 (with good mixing)
Sulphite (measured as SO ₂)	15
Sulphide – as H ₂ S on acidification	5
Chlorine (measured as Cl ₂)	
– Free chlorine	3
– Hypochlorite	30
Aluminum (dissolved)	100
Iron (dissolved)	100
Boron (as B)	25
Bromine (as Br ₂)	5
Fluoride (as F)	30
Cyanide – weak acid dissociable (as CN)	5

Table 2 – Heavy metals

(Mass limits may be imposed, refer to clause 20 of the Bylaw).

Metal	Maximum concentration (g/m³)	Metal	Maximum concentration (g/m³)
Antimony	10	Manganese	20
Arsenic	5	Mercury	0.05
Barium	10	Molybdenum	10
Beryllium	0.005	Nickel	10
Cadmium	0.5	Selenium	10
Chromium	5	Silver	2
Cobalt	10	Thallium	10
Copper	10	Tin	20
Lead	10	Zinc	10

Table 3 – Organic compounds and pesticides

Compound	Maximum concentration (g/m³)
Formaldehyde (as HCHO)	50
Phenolic compounds excluding chlorinated phenols	50
Chlorinated phenols	0.02
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (includes insecticides, herbicides, fungicides and excludes organophosphate,	0.2 in total

organochlorine and any pesticides not registered for use in New Zealand)	
Organophosphate pesticides	0.1

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Appendix 2 – Prohibited characteristics

1. Prohibited characteristics

- 1.1. Any discharge has prohibited characteristics if it has any solid liquid or gaseous matters or any combination or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:
 - a) Interfere with the free flow of wastewater in the Wastewater system;
 - b) Damage any part of the Wastewater system;
 - c) In any way, directly or indirectly, cause the quality of the treated wastewater or residual Biosolids and other solids from any wastewater treatment plant in the district to which the waste was discharged to breach the conditions of a consent issued under the Resource Management Act, or water right, permit or other governing legislation;
 - d) Prejudice the occupational health and safety risks faced by Wastewater workers;
 - e) After treatment be toxic to fish, animals or plant life in the receiving waters;
 - f) Cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance; or
 - g) Have a colour or colouring substance that causes the discharge from any Wastewater treatment plant to receiving waters to be coloured.
 - h) Is likely to impact the health and safety of Council staff, agents and the public
- 1.2. A discharge has prohibited characteristics if it has any characteristic which exceeds the concentration or other limits specified in appendix 1 unless specifically 'Approved' for that particular consent.
- 1.3. A discharge has a prohibited Characteristic if it has any amount of:
 - a) Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
 - b) Liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in appendix 1), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with Wastewater;
 - c) Asbestos;
 - d) The following organo-metal compounds:

- i. Tin (as tributyl and other organotin compounds);
- e) Any organochlorine pesticides;
- f) Genetic wastes: being all wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act. The material concerned may be from premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
- g) Any health care waste prohibited for discharge to a Wastewater system by NZS 4304 or any pathological or histological wastes; or
- h) Radioactivity levels in excess of the National Radiation Laboratory Guidelines.
- i) Cytotoxic waste, liquid antibiotics or any pharmaceutical waste.

Note: Appendix 3 – Trade Waste Consent Application Form has been removed

Summary of responses to initial engagement on Trade Waste Bylaw

We contacted stakeholders and interested parties about the initial steps of the Trade Waste Bylaw review in June 2021. The purpose was to outline the scope of some potential changes that officers had identified and seek their feedback on those ideas. It also provided an opportunity for additional issues to be identified by stakeholders or ideas to be suggested.

List of stakeholders

The stakeholders contacted included:

- Permitted and conditional trade waste consent holders
- Ministry of Health and Ministry for the Environment
- Horizons Regional Council and MidCentral DHB Public Health Unit
- Environment Network Manawatū and Manawatū River Source to Sea
- WaterNZ and NZ Trade and Industrial Waters Forum
- WasteTrack/Liquid Systems
- Chamber of Commerce

Scope of change

The scope of potential changes included the following:

1. The introduction of a Controlled Trade Waste category. The purpose of this new category of trade waste discharge is to provide for more targeted charging where the characteristics of the discharge are primarily the same as domestic wastewater, but where the flow or volume exceeds the permitted daily flow of 2.0L/s or 5m³. This new category would therefore impose a charge on the total volume, as measured either by a flow meter (where one exists) or by estimate based on water usage as measured by a water meter.
2. The introduction of a requirement to install a permanent sink screen on all sinks in food premises (except for hand washing basins). The purpose of this requirement is to reduce the impact of odour complaints that arise where food scraps are collecting in grease interceptors. Sink screens block food waste from entering the grease interceptors and reduce the cleaning burden for businesses. Most new sinks come fitted with sink screens, and the intention is to ensure that food premises install these low-cost devices (approximately \$20/ea) to reduce the incidence of odour complaints.
3. Amend the requirement for tankered waste operators to hold a Certificate of Registration for Offensive Trade to include an exemption where the operator holds a resource consent for their operations. Most tankered waste operators hold an existing resource consent, so this proposal would adjust the Bylaw to reflect existing practices. This exemption is provided by s.54 of the Health Act 1956.
4. Providing clarity around setting of penalty charges. Currently these are set on a case-by-case basis through the issue of a trade waste consent, and can apply to specific discharge characteristics such as flow/volume or organic loading. The intention is to specifically identify the characteristics on which penalty charges may be set, and identify the process for setting those charges and imposing them through the trade waste consent process.
5. Replacing the existing charge for Biochemical Oxygen Demand (BOD₅) with a charge for Chemical Oxygen Demand (COD). We currently test both BOD₅ and COD but only charge based on the BOD₅ result. The test method for BOD₅ is more time consuming which means that charges often lag the results by several weeks. The test method for COD is much faster, meaning that the results can then be used to calculate the charges within hours or days. The

charge for COD would be set at a comparable ratio to BOD₅ so this would not result in a change in the total value of the charge for dischargers. Rather, it simply allows a faster and more accurate test to be used to calculate the charge.

Responses from stakeholders

The following is a summary of the key points raised by stakeholders in respect of the potential changes identified by officers.

Potential change	Stakeholder responses
Introduction of a Controlled Trade Waste category	<p>Most were generally supportive of this proposal. Water NZ noted that flow-based charging for larger customers supports the principal that industrial dischargers pay a fair share of treatment costs. Environment Network Manawātū also supported this approach, but suggested emphasis should also be added on expecting operators to reduce trade waste.</p> <p>While most expressed support there were some who were unsure whether the new category would apply to them, or were concerned about increased charging based on flow or volume.</p> <p>Fonterra noted that their Mako Mako Road site can stagger their discharge over 24 hours to keep within the existing flow rate. However their Research and Development Facility doesn't have that ability and can discharge a high volume in a short space of time. Fonterra are therefore seeking further information on how this would apply in practice and what charges would apply.</p> <p>Chamber of Commerce collated responses from several members and expressed similar views to Fonterra, seeking more information on how this would affect charges.</p>
Introduction of a requirement to install a permanent sink screen on all sinks in food premises	<p>Some stakeholders asked for more information about the specifications of sink screens, such as dimensions or costs. One respondent believed that a sink screen was unnecessary when a grease interceptor was already installed, as this captured food waste before it entered the wastewater system.</p> <p>Chamber of Commerce expressed general support for this idea, as it would remove or reduce suspended solids and BOD loading to</p>

	wastewater. However, they (and others) noted that the requirement should be extended to residential properties as well, to reduce overall presence of food waste in wastewater.
Amend the requirement for tankered waste operators to hold a Certificate of Registration	Few of the responses addressed this potential change, but those that did were in support, including the NZ Trade and Industrial Waters Forum and Chamber of Commerce.
Providing clarity around setting of penalty charges	<p>There was general support for this potential change. The Chamber of Commerce noted that many businesses already have penalty charges in their consents, and don't see an impact unless the specific charges increase.</p> <p>Water NZ also expressed support for this idea, noting that this could set an example for other Councils struggling to address non-compliance in trade waste discharges.</p>
Replacing the existing charge for BOD ₅ with COD.	<p>Responses collated by the Chamber of Commerce were generally supportive, noting that switching to COD monitoring and charging would potentially enable dischargers to continuously monitor their own trade waste. However, there were also questions about how the charges would change when switched from BOD₅ to COD.</p> <p>Fonterra supported this change, agreeing with the reasons officers provided for making the switch from BOD₅ to COD.</p>

Officers have already provided initial responses directly respondents on some of these queries:

With regards to setting specific charges (for the suggested Controlled Trade Waste Category, COD, and penalty charges), any changes to the current charges would only be made through a formal consultation process. This is typically through the annual Fees and Charges process where trade waste fees are reviewed and any proposed changes subject to public consultation. While the Trade Waste Bylaw may propose a change to the basis for setting charges (for instance, COD), the specific rate of charge will be set by a formal consultation process as part of a specific Fees and Charges exercise.

With regards to the rate of charge for COD, it was the intention to set any new charges for COD by way of a comparable ratio to BOD₅. This means that while the unit charge may be different, the total charge should be comparable to the existing amount paid for BOD₅. The purpose is not to raise the charge, but to change the basis on which it is calculated. Subsequent to this response, we are no longer recommending a change from BOD₅ to COD based charging.

With regards to the proposed Controlled Trade Waste category, the expectation is to apply the existing charge of \$0.502c/m³ per day. This charge is not proposed to increase as part of this Bylaw review, but may be subject to change during the ordinary annual review of fees and charges.

Other issues raised by stakeholders

A number of additional issues were raised by stakeholders, which have been noted by officers. For these issues, a response is provided below:

Issue	Response
Promote the use of more environmentally-friendly detergents	We can consider this message as part of education programmes to address the quality of wastewater discharges.
More emphasis on expecting dischargers to reduce the volume of trade waste	<p>This is partly addressed by the creation of the controlled trade waste category where the dischargers are charged for every m³ of trade waste they discharge.</p> <p>To encourage reducing volumes, the Council could adopt a policy of increasing volume charges at the annual review of fees and charges. Increasing volume charges could act as a disincentive towards discharging high volumes.</p>
<p>Should the bylaw stipulate that trade waste be pre-treated to effectively the same standard as domestic wastewater?</p> <p>Are there components other than food waste (e.g. phosphorus in cleaning products) that could be progressively reduced over time?</p>	<p>This has not been included in the draft Bylaw as it represents a significant departure from the existing approach, and would require substantial additional work to investigate the impacts and requirements on trade waste dischargers.</p> <p>These issues have been noted and can be considered as part of the Council's regulatory response to the outcomes of the Nature's Call project. The Trade Waste Bylaw will be undergoing a further review within five years that will take into account decisions made around the wastewater treatment and disposal options as part of the Nature's Call project. That further review would present the best opportunity to consider whether additional or higher expectations regarding the composition or pre-treatment of trade waste will be necessary.</p>

REPORT

TO: Planning & Strategy Committee

MEETING DATE: 11 August 2021

TITLE: Mitigating East Street Traffic Safety Concerns

PRESENTED BY: Sandra King, Acting Transport & Infrastructure Manager

APPROVED BY: Sarah Sinclair, Chief Infrastructure Officer

RECOMMENDATION(S) TO COUNCIL

That the Council consider, and determine the appropriate response, from the following options for installation of permanent traffic safety treatments in East Street:

1. Reschedule the timing for the installation of permanent safety treatments for East Street from Financial Year 2023-24 (Year 3) as planned to Financial Year 2021-22 (Year 1), by either:
 - a) Providing additional capital new funding of \$100,000, OR
 - b) Re-prioritising the existing programme to shift other projects of higher safety risk into Years 2 and 3.

OR

2. Provide additional funding (up to \$24,000) to install temporary safety treatments in East Street in Financial Year 2021-22 (Year 1) immediately, and proceed to install permanent safety treatments as planned in Financial Year 2023-24 (Year 3).

OR

3. Retain Status Quo and install permanent safety treatments in East Street as planned in Financial Year 2023-24 (Year 3).

SUMMARY OF OPTIONS ANALYSIS FOR

Problem or Opportunity	<p>Residents of East Street have raised concerns about traffic safety on the street and presented a petition to the Council requesting action. This petition had 22 signatures; 21 signatures from residents of East Street and 1 signature from a resident in Fitzroy Street.</p> <p>Council officers have previously investigated safety concerns and concur that safety issues exist on East Street. To address concerns, permanent safety treatments have been included in Programme 279 City-wide Minor Transport Improvements in the</p>
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	10-Year Plan 2021-31. The safety improvement programme is the result of an approved prioritisation process by funding partner Waka Kotahi (NZTA), and the works on East Street are prioritised for Financial Year 2023-24 (Year 3) with other roads of higher safety risk being funded for safety treatments in Financial Year 2021-22 and 2022-23.
OPTION 1:	<p>Reschedule the timing, and provide additional funding, for the installation of permanent safety treatments for East Street from Financial Year 2023-24 (Year 3) as planned to Financial Year 2021-22 (Year 1), by either:</p> <p>a) Providing additional capital new funding of \$100,000, OR</p> <p>b) Re-prioritising the existing programme to shift other projects of higher safety risk into Years 2 and 3.</p>
Community Views	<p>21 East Street and 1 Fitzroy Street residents have signed a petition outlining traffic concerns and requesting the installation of safety measures. Wider community views are unknown.</p> <p>The petition does not specify when the safety treatments should be installed. It is presumed residents' preference would be to install safety treatments immediately given the safety concerns raised and the level of support for the petition.</p>
Benefits	Earlier installation of safety treatments means that East Street safety concerns are mitigated two years earlier than scheduled. Slowing traffic speed and providing safe crossing areas will provide immediate improvements to road and pedestrian safety.
Risks	Scheduling of city-wide safety improvements is based on a safety assessment and prioritisation process which is approved by Waka Kotahi (NZTA). Changing the order of the improvements will require the Council to revisit the schedule and any change may not be supported by Waka Kotahi (NZTA). This could lead to the Council fully funding the project. One or two more serious higher priority safety treatments would be delayed due to rescheduling, unless the Council opts to provide additional funding for this work (Option 1a).
Financial	<p>The cost of Option 1 is \$100,000 (includes yet to be approved 51% co-funding from Waka Kotahi), which is currently included in Programme 279 – City-wide Minor Transport Improvements in Financial Year 2023-24 (Year 3 of the 10-Year Plan 2021-31).</p> <p>Moving this project into Year 1 would require other higher prioritised safety treatments to be rescheduled into Years 2 and 3, unless the Council opts to fully fund the work as additional capital expenditure outside of Waka Kotahi (NZTA) funding.</p>

OPTION 2:	Provide additional funding (up to \$24,000) to install temporary safety treatments in East Street in Financial Year 2021-22 (Year 1) immediately and proceed to install permanent safety treatments as planned in Financial Year 2023-24 (Year 3).
Community Views	<p>21 East Street and 1 Fitzroy Street residents have signed a petition outlining traffic concerns and requesting the installation of safety measures. Wider community views are unknown.</p> <p>The petition does not specify when the safety treatments should be installed. It is presumed residents' preference would be to install safety treatments immediately given the safety concerns raised and the level of support for the petition.</p> <p>East Street residents have also expressed concerns within the petition about the level of street noise experienced from speeding vehicles – the temporary option would typically generate more noise on the road.</p>
Benefits	Temporary safety treatment products are readily available from suppliers and can be easily installed. By doing temporary treatments officers can test whether the treatments change driver behaviour which could inform the permanent changes planned to occur in in 2023/24.
Risks	<p>Temporary safety treatment products (platforms) are made of rubber and typically generate more noise on the road. More noise may exacerbate the noise concerns expressed by the residents.</p> <p>This option also sets a precedent and the Council may be challenged by the community to respond similarly to future safety improvement requests.</p> <p>Temporary treatment will also add to the workload of officers which would likely impact the timing for delivery of higher priority planned projects.</p>
Financial	There are two temporary safety treatment options available that cost between \$19k to 24k. Funding has not been specifically provided for in the 10-Year Plan 2021-31 for the installation of temporary safety treatments, as such additional capital new funding would be required for this work. This additional funding will be 100% funded by the Council as the additional capital expenditure sits outside of the safety programme submitted to Waka Kotahi (NZTA).
OPTION 3:	Retain Status Quo and install permanent safety treatments in East Street as planned in Financial Year 2023-24 (Year 3).
Community Views	21 East Street and 1 Fitzroy Street residents have signed a petition outlining traffic concerns and requesting the installation of safety measures. Wider community views are unknown.

	The East Street residents petition does not specify when the safety treatments should be installed. It is presumed residents' preference would be to install safety treatments immediately given the safety concerns raised and the level of support for the petition. However, this will be installed in year 3.
Benefits	Safety concerns are planned to be mitigated across the city in order of priority ranking. There is no disruption to the works schedule and safety concerns are addressed in order of priority as approved by Waka Kotahi (NZTA). Slowing traffic speed and providing safe crossing areas in priority order will provide incremental improvements to road and pedestrian safety across the city.
Risks	Dangerous traffic behaviour continues along East Street for a further two years, posing an ongoing risk to community safety through the prioritisation process. The Council is perceived as not responding to community need when requested.
Financial	The cost of Option 3 is \$100,000 (includes yet to be confirmed 51% co-funding from Waka Kotahi) and this funding is included in Programme 279 – City-wide Minor Transport Improvements in Financial Year 2023-34 (Year 3 of the 10-Year Plan 2021-31).

RATIONALE FOR THE RECOMMENDATIONS

1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 The Council operates a prioritised process for road safety improvements across the city in order to access Waka Kotahi (NZTA) co-funding of 51% (current financial assistance rate) toward the cost of the works. Prioritisation of road safety improvements has been made based on high-risk locations across the city.
- 1.2 Council officers are aware of traffic safety issues on East Street, and as such appropriate safety treatments for East Street have been included in the Council's 10-Year Plan 2021-31, with improvement work on East Street scheduled to be completed in 2023/24 (Year 3). This work has a budget of \$100,000 of which \$49,000 is allocated as Council share of funding.
- 1.3 At the time of writing this report, Waka Kotahi (NZTA) have not yet confirmed funding for this road safety improvement programme of work. There is a risk that the current plan is not fully funded.
- 1.4 A petition presented to the Planning and Strategy Committee on 12 May 2021 from Mr Andrew Simpson highlighted residents' concerns about traffic safety on East Street. The petition outlines safety concerns due to perceptions of increased traffic volumes, increased speed, loud vehicles, and failure of vehicles to navigate corners safely. (To view the petition, refer to minutes and

attachments of the Planning and Strategy Committee meeting held on 12 May 2021).

- 1.5 Mr Simpson has asked the Council to install speed bumps and median barriers to address the safety concerns raised in the petition. The petition has been signed by 21 East Street and 1 Fitzroy Street residents.
- 1.6 The Planning and Strategy Committee resolved *"That the public comment from Mr Andrew Simpson be received for information"* and *"That the Chief Executive report back on road user behaviour, including temporary and permanent options for mitigating safety concerns in response to the petition of East Street residents to the Planning & Strategy Committee in August 2021"*.
- 1.7 The presentation of the petition and subsequent Committee instruction provides an opportunity for the Council to re-consider the timing of planned improvement work. This decision needs to carefully consider the impacts of any changes to the schedule given the prioritisation and funding approval yet to be endorsed by Waka Kotahi (NZTA).

2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

- 2.1 The Council's low cost/low risk road safety improvement work has been included in Programme 279 City-wide – Minor Transport Improvements for the 10-Year Plan 2021-31. This programme provides for the construction/implementation of low cost/low risk safety improvements including minor engineering works associated with community programmes, pedestrian/cycle facilities, traffic calming, sight benching and lighting improvements (historically called Minor Safety).
- 2.2 The programme requires specific approval of Waka Kotahi (NZTA) before commencement. At the time of preparing this report the Council has not yet received confirmation of funding approval from Waka Kotahi (NZTA). Officers advise at the time of writing this report that Waka Kotahi (NZTA) have received bids for the low cost/low risk programme across the country that exceed overall budget allocation, and through the moderation process, a reduction to our low cost/low risk programme is likely. Officers anticipate confirmation of funding from Waka Kotahi (NZTA) in late August 2021.
- 2.3 Within the low cost/low risk programme, the Minor Transport Improvements programme is subject to Waka Kotahi (NZTA) co-funding approval and has the following proposed funding allocation for the next 3 years:

	2021/22	2022/23	2023/24
PNCC Funding	800,000	644,117	689,439
Waka Kotahi Subsidy	832,653	670,408	717,579
Total	1,632,653	1,314,525	1,407,018

- 2.4 The Council had previously identified traffic safety concerns in East Street and has scheduled work in the street for completion in 2023/24. The safety improvement work includes the installation of permanent safety treatments (two raised asphalt platforms and refuge islands). This work has been assessed and ranked according to need.
- 2.5 The prioritisation process for safety improvement works is relatively complex and is guided and approved by Waka Kotahi (NZTA). Safety improvements are assessed and ranked in order of safety, risk, need and available funding. Careful consideration of order of priority is made alongside the competing demands of all other safety improvements required in the city. As a result, East Street safety improvements is one of approximately 50 projects planned for the city over the next three years.
- 2.6 Road Safety improvements proposed this year in high risk areas include:
 - 2.6.1 Raised pedestrian crossings at Highbury Avenue Shops, Takaro School (Brighton Avenue/Highbury Avenue), Te Kura o Wairau (Highbury Avenue), Rugby Club (Raymond Street, Bunnythorpe), St Peters College (Rennie Avenue) and Milson School (Fairs Road).
 - 2.6.2 Pedestrian refuges at Shamrock Street/Pioneer Highway and along Fitzroy Street (at Main, Church and Ferguson Streets).
 - 2.6.3 Traffic calming along Havelock Avenue (combined raised platforms and pedestrian refuge islands).
- 2.7 In response to the East Street residents' petition and subsequent Council resolution, Council officers completed traffic surveys on East Street on 25 May 2021. Compared with survey results taken in 2016 the results show that traffic volumes remain within acceptable limits, however the traffic speeds remain high at 56.5km/h (2021) and 58.4km/h (2016).
- 2.8 Council officers consider the permanent safety treatments (two raised asphalt platforms and refuge islands) as planned for East Street in 2023/24 remain appropriately prioritised and timed solutions to address safety concerns, in the light of the newer data.

3. DESCRIPTION OF OPTIONS

- 3.1 **Option 1. Reschedule the timing for the installation of permanent safety treatments for East Street from Financial Year 2023-24 (Year 3) as planned to Financial Year 2021-22 (Year 1) by either:**
 - a) **Providing additional capital new funding of \$100,000, OR**
 - b) **Re-prioritising the existing programme to shift other projects of higher safety risk into Years 2 and 3.**

- 3.2 Permanent safety treatments involve the installation of two raised asphalt platforms midblock and concrete refuge islands at the entrances of the street.
- 3.3 Installing East Street safety improvements earlier than scheduled would require the Council to:
 - 3.3.1 Provide additional capital new funding (100% funded by the Council)
OR
 - 3.3.2 Reprioritise the safety improvement ranking process and seek approval for change from Waka Kotahi (NZTA). We anticipate that approval from Waka Kotahi (NZTA) for changing the priority order of safety projects will require the Council to provide strong justification.
- 3.4 **Option 2. Provide additional funding to install temporary safety treatments in East Street in Financial Year 2021-22 (Year 1) immediately and proceed to install permanent safety treatments as planned in Financial Year 2023-24 (Year 3).**
- 3.5 Temporary safety treatments involve the installation of rubber raised platforms including two 9-metre-long humps and four rubber refuge islands in Year 1.
- 3.6 Permanent safety treatments would be installed as scheduled in Year 3. This involves the installation of two raised asphalt platforms midblock and concrete refuge islands at the entrances of the street.
- 3.7 **Option 3. Retain Status Quo and install permanent safety treatments in East Street as planned in Financial Year 2023-24 (Year 3).**
- 3.8 Proceed as planned with the installation of permanent safety treatments in Year 3 of the 10-Year Plan 2021-31. This involves the installation of two raised asphalt platforms midblock and concrete refuge islands at the entrances of the street.

4. ANALYSIS OF OPTIONS

- 4.1 Traffic safety concerns have been highlighted by 21 residents along East Street and 1 resident in Fitzroy Street. A petition request has been received by the Council to install safety measures to slow traffic speeds. The petition does not specify when the safety treatments should be installed, however, it has been presumed residents' preference would be to install safety treatments as soon as practicable given the safety concerns raised and the level of support for the petition.
- 4.2 Council officers confirm that permanent safety treatment works along East Street are required to mitigate the concerns raised relating to both speed and user safety. There is currently provision in Council's 10-Year Plan 2021-31 to undertake safety treatment works along East Street in Financial Year 2023-24 (Year 3 of the 10-Year Plan 2021-31). The key issue is timing of proposed treatment works.

- 4.3 Options 1a and 1b both provide for permanent safety treatment works to be undertaken along East Street this financial year, 2021-22 (Year 1), two years earlier than planned.
- 4.4 Option 1a provides for these works to be undertaken in addition to the road safety programme of works already developed, subject to the Council providing additional new capital funding of \$100,000. This new funding will be required to be 100% funded by the Council, as additional works exceeding funding caps (yet to be confirmed) will not be co-funded by Waka Kotahi (NZTA).
- 4.5 Option 1b provides for these works to be undertaken instead of other high priority projects already planned in Year 1. Should the Council proceed with this option, other safety projects (adding up to the same value) identified as high risk will need to be reprioritised into Years 2 and 3. This will require strong justification to change the priority order of the current safety programme, which may not be supported by Waka Kotahi.
- 4.6 Option 2 provides for temporary safety treatments in East Street this financial year, 2021-22 (Year 1), until permanent treatments are installed as planned in 2023-24 (Year 3). The rubberised temporary treatments products generate more noise than the permanent solution and may exacerbate noise concerns already expressed by residents. Additional new capital funding in the order of \$19,000 to \$24,000 is required by the Council to install these temporary treatments. This new funding will be required to be 100% funded by the Council, as additional works exceeding funding caps (yet to be confirmed) will not be co-funded by Waka Kotahi (NZTA). This temporary option also sets a precedent for the Council to respond in a similar way to other safety improvement requests across the city. It also adds to the overall programme workload associated with installation and ongoing maintenance (degradation of the product over time).
- 4.7 Option 3 provides for the status quo to remain, where the installation of permanent safety treatments in East Street will continue as planned in Financial Year 2023-24 (Year 3). This requires no change to the Council funding commitments, and safety concerns across the city will be mitigated in order of priority. The risk of this option is that traffic speeds continue to be a problem and the risk of safety to users remains for the next two years.
- 4.8 It is also important to note that there is a risk that earlier installation of safety treatments associated with Options 1a and 2 could be perceived as overriding the formal prioritisation process the Council has followed with Waka Kotahi (NZTA). As such, the timing and recommended safety treatment outlined in Option 3 follows the process and outcome the Council has agreed with Waka Kotahi (NZTA).

4.9 SUMMARY TABLE

Option	Financials	Benefits	Risks
<p>1) Reschedule the timing for the installation of permanent safety treatments for East Street from Financial Year 2023-24 (Year 3) as planned to Financial Year 2021-22 (Year 1) by either:</p> <ul style="list-style-type: none"> a. Providing additional capital new money of \$100,000, OR b. Re-prioritising the existing programme and shift other projects of higher safety risk to Years 2 and 3. 	<p>\$100,000 unfunded budget</p> <p>Will require either new capital funding to be provided for Financial Year 2021-22 (Year 1), or reprioritisation of the existing programme to shift other projects into Years 2 and 3.</p>	<p>Immediate response and realisation of safety improvement benefits.</p>	<p>Overrides agreed prioritisation process, submitted to Waka Kotahi</p> <p>Additional funding ensures other more serious safety improvements remain as scheduled.</p>
<p>2) Provide additional funding to install temporary safety treatments in East Street immediately and proceed to install permanent safety treatments as planned in Financial Year 2023-24 (Year 3).</p>	<p>\$19,000 to \$24,000 unfunded budget</p> <p>Will require new capital funding to be provided for Financial Year 2021-22 (Year 1)</p> <p>\$100,000 existing funding in 2023-24 (Year 3) for permanent works.</p>	<p>Immediate response and realisation of safety improvement benefits.</p>	<p>Overrides agreed prioritisation process. Sets a precedent for future requests.</p>
<p>3) Retain status quo and install permanent safety treatments in East</p>	<p>\$100,000 existing funding in 2023-24 (Year 3).</p>	<p>Benefits occur in 2023-24 as planned.</p>	<p>In line with agreed prioritisation</p>

Street as planned in Financial Year 2023-24 (Year 3).			process.
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5. CONCLUSION

- 5.1 In consideration of the community views, costs, benefits, and risks across the city, Council officers consider the permanent safety treatments planned for East Street in 2023/24 are appropriately prioritised and timed solutions to address traffic safety concerns.
- 5.2 However, given the community concerns expressed in relation to traffic safety along East Street, Council officers recommend that the Council consider all the options outlined in this report and determine the appropriate response to address safety improvements.

6. NEXT ACTIONS

- 6.1 Communicate the outcomes of the Council decision to Mr Simpson.

7. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

- 7.1 N/A

COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	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
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the outcomes of the Connected Community Strategy	
The recommendations contribute to the achievement of action/actions in the Safe Community Plan	
The action is: The Council is committed to increasing and promoting safety in a range of areas including the design of city streets.	
Contribution to	Installing permanent traffic safety treatments in East Street will

strategic direction and to social, economic, environmental and cultural well-being	slow traffic speed and provide safe crossing areas, effectively improvement road and pedestrian safety.
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ATTACHMENTS

Nil

COMMITTEE WORK SCHEDULE

TO: Planning & Strategy Committee

MEETING DATE: 11 August 2021

TITLE: Committee Work Schedule - August 2021

RECOMMENDATION(S) TO PLANNING & STRATEGY COMMITTEE

1. That the Planning & Strategy Committee receive its Work Schedule dated August 2021.

ATTACHMENTS

1. Committee Work Schedule August 2021 [↓](#) 

PLANNING & STRATEGY COMMITTEE

COMMITTEE WORK SCHEDULE – AUGUST 2021

Item No.	Estimated Report Date	Subject	Person Responsible	Current Position	Date of Instruction/ Point of Origin
1.	August – 2021 February 2022	Draft Procurement Policy targeting social and environmental impact	Chief Financial Officer	Policy with senior management	19 August 2019 Clause 54.3
2.	August 2021	Draft Trade Waste Bylaw	Chief Planning Officer	In progress	12 August 2020 Clause 27-20
3.	August 2021	Report on road user behaviour and options for mitigating safety concerns on East Street	Chief Infrastructure Officer		12 May 2021 Clause 10-21
2.	August September 2021	Community Support Policy – Draft for consultation	Chief Planning Officer		
3.	October 2021	The Future Use of 17 Summerhays Street: Deliberations on Submissions	Chief Planning Officer		
4.	October 2021	The Future Use of Huia Street Reserve – Update Report	Chief Planning Officer		
5.	TBA	Transport Portfolio	Councillor Brent Barrett		
6.	December 2021	Draft Trade Waste Bylaw – Hearing and Summary of Submissions	Chief Planning Officer		
7.	TBC 2022	Draft Waste Management and Minimisation Bylaw – Approval for Consultation	Chief Planning Officer		
8.	June December 2022	Palmerston North Civic and Cultural Precinct Masterplan – options	Chief Planning Officer	Seeking expressions of interest to progress report Project setup	1 April 2019 clause 16.1

Oasis # 13971441