



PAPAIOEA
PALMERSTON
NORTH
CITY

PALMERSTON NORTH CITY COUNCIL

AGENDA

PLANNING & STRATEGY COMMITTEE

9AM, WEDNESDAY 8 DECEMBER 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

8 December 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. **Hearing of Submissions - Draft Support and Funding Policy** Page 7

- 6. **Confirmation of Minutes** Page 89
 "That the minutes of the Planning & Strategy Committee meeting of 10 November 2021 Part I Public be confirmed as a true and correct record."

- 7. **Proposed Plan Change J: Massey University Turitea Historic Area** Page 93
 Memorandum, presented by Michael Duindam, Principal Planner.

- 8. **Committee Work Schedule** Page 187

- 9. **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: 8 December 2021

TITLE: Hearing of Submissions - Draft Support and Funding Policy

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 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	Page No.
3.	Palmerston North Women's Health Collective	13
5.	Manawatu Rugby Union	17
9.	Environment Network Manawatu	38
10.	The Stomach – Creative Sounds Society	41
11.	Menzshed Manawatu	43
14.	PN Community Services Council	58
18.	Volunteer Central	72
19.	Manawatu Multicultural Council	75
20.	Emma Prouse and James Griffiths	81

ATTACHMENTS

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

Subm No	Submitter
1	David Paul Edge - Manawatu Annual Jazz and Blues Festival associated with Manawatu Jazz Club incJazz
2	Hinemoa Hall - Te Aroha Noa Community Services Trust
3	Jean Hera - Palmerston North Women's Health Collective
4	Amanda Isada - Volleyball NZ Inc
5	Andrea Jackson - Manawatu Rugby Union
6	Maryanne Mechen
7	Craig W McDonald - Agape Fellowship Charitable Trust
8	Jes Yap - English Language Partners
9	Madz BatachEl - Environment Network Manawatu
10	Harry Lilley - The Stomach - Creative Sounds Society
11	David Chapple - Menzshed Manawatu
12	Raewyn Persson - Parentline Manawatu
13	Cindy Lilburn - Historic Places Manawatu-Horowhenua

14	Tim Kendrew - PN Community Services Council
15	Trevor Shailer - Sport Manawatū
16	Ben Schmidt - Manawatū Tenants' Union
17	Valerie Anne Burr - Palmerston North Electric Power Station Inc
18	Kate Aplin - Volunteer Central
19	Jessica Law - Manawatū Multicultural Council
20	Emma Prouse and James Griffiths
21	Don Tietjens - Manawatū Wood Workers Guild Inc.

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 10 November 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.

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

Apologies: The Mayor (Grant Smith) and Councillor Rachel Bowen (early departure on Council Business) and Councillor Orphée Mickalad.

Councillor Lew Findlay left the meeting at 9.46am during consideration of clause 42. He was not present for clause 42.

39-21 Apologies

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The **COMMITTEE RESOLVED**

1. That the Committee receive the apologies.

Clause 39-21 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, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor and Bruno Petrenas.

40-21 Confirmation of Minutes

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The **COMMITTEE RESOLVED**

1. That the minutes of the Planning & Strategy Committee meeting of 20 October 2021 Part I Public be confirmed as a true and correct

record.

Clause 40-21 above was carried 14 votes to 0, with 1 abstention, 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 and Bruno Petrenas.

Abstained:

Councillor Rachel Bowen.

41-21 Proposal from Ngāti Hineaute Hapu Authority Kohanga Reo to relocate to Opie Reserve

Report, presented by Kathy Dever-Tod, Manager - Parks and Reserves, and Michael Duindam, Acting City Planning Manager.

Following discussion, Elected Members voted for the report to lie on the table until more information is provided on Ngāti Hineaute Hapu Authority proposed plan for the land, and Kāinga Ora's Housing Plan for the whole area.

Moved Susan Baty, seconded Karen Naylor.

The **COMMITTEE RESOLVED**

1. That the report Proposal from Ngāti Hineaute Hapu Authority Kohanga Reo to relocate to Opie Reserve (item 6) lie on the table.

Clause 41-21 above was carried 11 votes to 4, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Rachel Bowen, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Lorna Johnson, Billy Meehan, Karen Naylor and Bruno Petrenas.

Against:

Councillors Aleisha Rutherford, Zulfiqar Butt, Patrick Handcock ONZM and Leonie Hapeta.

42-21 Committee Work Schedule

Councillor Lew Findlay QSM left the meeting at 9:46am.

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The **COMMITTEE RESOLVED**

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

Clause 42-21 above was carried 14 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, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor and Bruno Petrenas.

The meeting finished at 9.47am

Confirmed 8 December 2021

Chairperson

MEMORANDUM

TO: Planning & Strategy Committee

MEETING DATE: 8 December 2021

TITLE: Proposed Plan Change J: Massey University Turitea Historic Area

PRESENTED BY: Michael Duindam, Principal Planner

APPROVED BY: David Murphy, Chief Planning Officer

RECOMMENDATION(S) TO COUNCIL

1. That the Massey University Turitea Historic Area Private Plan Change request by Massey University, included as attachment 1 to the memorandum titled 'Proposed Plan Change J: Massey University Turitea Historic Area' presented to the Planning & Strategy Committee on 8 December 2021, be adopted pursuant to Section 25(2)(a), Part 2 of the First Schedule of the Resource Management Act 1991.
 2. That the Massey University Turitea Historic Area Plan Change request by Massey University be notified in accordance with Section 26, Part 2 of the First Schedule of the Resource Management Act 1991.
-

1. ISSUE

The applicant, Massey University has applied for a plan change request (the request) to identify the Turitea Historic area (Massey Oval) as a heritage precinct under the PNCC District Plan. The proposed plan change aims to introduce provisions to recognise and protect the historic heritage values the Oval holds for Massey University and the wider community. No buildings are proposed to be protected under this plan change.

While it is a private plan change request, it has a significant public good element being a plan change to further protect the heritage values of Massey University.

2. BACKGROUND

If approved, the request would require a change of provisions under section 19 (Institutional Zone) of the District Plan, including a new overlay (Approximately 33,924m²) recognising the Massey University Turitea Historic Area within the Institutional zone. The rest of Massey University (the property) will remain zoned institutional. It is recommended that the plan change be adopted by Council as its own plan change, as opposed to being accepted by Council.

The plan change intends to recognise, protect and maintain heritage values and the character of the area by ensuring protection through the District Plan. This will prevent inappropriate use and development of the Oval, buildings and the landscape occurring in the future. These provisions will protect the space and how buildings front that space rather than the individual buildings that make up the Turitea Historic Area. A heritage assessment has been conducted as a part of Massey University's Section 32 analysis.

Massey University has prepared a Section 32 report which includes an analysis of consultation with Rangitāne o Manawatū and Stakeholders under Clause 3 of the First Schedule of the Resource Management Act 1991. This feedback has shaped the preparation of the plan change. Formal public consultation under the Resource Management Act will occur if Council approves the recommendations and adopts the request for public notification.

Description of Options – Legislative Context

Part 2 of the First Schedule of the RMA 1991 outlines the statutory process the Council must follow when processing a private plan change request.

Clause 25, Part 2 of the First Schedule RMA 1991 requires a local authority within 30 working days of receiving a private plan change request (subject to sufficient information being provided) to decide how to process the plan change request.

The Council may either –

- (a) Adopt the request as if it were a plan change made by the Council; or
- (b) Accept the request and proceed to publicly notify the request; or
- (c) Deal with the request as if it were an application for a resource consent;
or
- (d) Reject the request in whole or in part.

At this point in the process, Council consideration is limited to the 4 options above. It is not necessary at this time to report on the overall merits of the request. This will occur once the public notification process has occurred. Officer's recommendations will be reported as part of an officer's report to a Hearings Panel.

Under Clause 25(4) of Part 2, First Schedule RMA 1991, Council may reject a request in whole or in part, but only on limited grounds. Those grounds are:

- a) The request or part of the request is frivolous or vexatious; or
- b) The substance of the request or part of the request has been considered and given effect to or rejected by the local authority or Environment Court within the last 2 years; or
- c) The request or part of the request is not in accordance with sound resource management practice; or

d) The request of part of the request would make the policy statement or plan in consistent with Part 5; or

e) In the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years.

There is a presumption in the RMA 1991 that private plan change requests will be determined on their merits following public notification, unless one of the grounds for refusal applies. If the Council refused, or agreed to the request only in part, the person who made the request could appeal to the Environment Court against the Council's decision. The Environment Court may then make such a decision as it sees fit.

Discussion of Clause 25(4) Part 2 RMA options

Should the request be rejected in whole or in part?

An appropriate first step is to consider whether the request should be rejected. As stated above, Clause 25(4) limits the grounds for rejection to five specific criteria, which are considered separately below.

Criteria a)

The request or part of the request is frivolous or vexatious.

Officers are satisfied that the application is neither frivolous nor vexatious. A comprehensive application has been provided.

Criteria b)

The substance of the request of part of the request has been considered and given effect to or rejected by the local authority or Environment Court within the last 2 years.

This is the first time an application to protect this area within the institutional zone has been made.

Criteria c)

The request or part of the request is not in accordance with sound resource management practice.

The focus of this clause is aimed at rejecting plan change requests that, for procedural reasons, are contrary to sound resource management practice. This may include where a District Plan is imminent or where for other reasons it would not be efficient to consider the request further at that time.

In this instance there are no sound resource management reasons to reject this private plan change request.

Criteria d)

The request or part of the request would make the policy statement or plan inconsistent with Part 5 RMA.

Part 5 RMA relates to National Environmental Standards, National Policy Statements, the Regional Policy Statement and Regional Plans. Officers are satisfied that the request will not make the overall District Plan inconsistent with Part 5 RMA.

Criteria e)

In the case of a proposed plan change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years.

The District Plan has been operative throughout and after the sectional review.

Summary – Clause 25(4)

Officers therefore consider that there are no grounds for rejection in whole or in part of the private plan change request based on the above RMA criteria.

Should the request be processed as a resource consent? – Clause 25(3)

The request is to recognise and protect the historic heritage values of the Turitea Historic Area at Massey University. The land is within the District Plan Institutional Zone.

The Institutional Zone and the Cultural and Natural Heritage chapter of the District Plan does not have specific layers to protect historic heritage. A resource consent allows for an activity not provided for in the District Plan. The applicant is not undertaking an activity but requesting protection of land which requires a different method (Plan Change). The application cannot be processed as a resource consent as it is requesting to change provisions in the District Plan and cannot be provided for as a resource consent application under section 87 of the Resource Management Act 1991.

A plan change request is the most appropriate process in this case.

Should the request be adopted by Council or accepted as a private plan change? Clause 25(2) (a) & (b)

Council's Revenue and Financial Policy notes that the costs relating to processing private plan changes should be recovered from applicants. This means private plan changes would typically be accepted by Council as opposed to adopted by Council.

Despite the Revenue and Financial Policy, it is recommended that this private plan change is adopted (not accepted) by the Council for the following reasons:

- a) There is a significant public good component to the private plan change request. Massey University is a publicly owned and accessible facility and the purpose of the plan change is to protect heritage, a matter of public interest. This is quite different to a private plan change that seeks to rezone a specific piece of privately owned land for urban development.

- b) Massey University is a strategic partner and the private plan change request is relatively small and discrete in nature. The proposal is unlikely to be contentious given that pre-consultation with parties indicates broad support and the proposed planning controls only apply to Massey University. Council resourcing to process this plan change is expected to be minimal. Most of the cost has already been met by the applicant, through the preparation of the plan change documentation.

It is therefore recommended that the private plan change request be adopted by Council. This means the request will proceed as a plan change with the processing costs covered by Council.

3. NEXT STEPS

If the request is adopted by Council it will then be notified for submissions. There is a possibility that the plan change could be notified on a limited basis, given the discrete nature of the request. This would streamline the plan change process and likely reduce costs to process the proposal. If the standard full notification approach was taken, additional costs would relate to public notice advertising and the potential for an increased number of submissions, which would then need to be analysed and responded to. Given the discrete nature of the plan change, submission numbers under both options are likely to be low. A notification assessment prior to notification will be required to determine whether a limited or full notification process should be undertaken.

Further consideration of issues in accordance with Section 32 of the Resource Management Act 1991 will be undertaken as part of the officer's report presented to a hearings panel. A further assessment of the plan change request will be undertaken once submissions have closed.

The hearings panel has the right to decline, approve or approve with modifications of the request.

It is recommended that the private plan change request be adopted and notified.

4. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide? Section 182 of the Delegations Manual	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	No

plans?	
The recommendations contribute to Goal 2: A Creative and Exciting City	
<p>The recommendations contribute to the achievement of action/actions in Arts and Heritage</p> <p>The actions are:</p> <p>Collaborate with the community to make heritage a visible part of city life and the cityscape.</p> <p>Review the District Plan to investigate and identify character or heritage areas.</p>	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	<p>The request will protect the social wellbeing of the area as a natural gathering place for informal recreation.</p> <p>The applicant recognises the area has ongoing use value in the educational role of the university.</p> <p>The botanical value of mature trees and the wide-open space will be retained and protected.</p> <p>The area has cultural values as it was the heart of the Manawatu Campus and served many generations.</p> <p>The applicant is working with iwi on requests outside the scope of the plan change.</p>

ATTACHMENTS

1. Turitea Historic Area Plan Change Section 32 - Final Oct 2021  

COMMITTEE WORK SCHEDULE

TO: Planning & Strategy Committee

MEETING DATE: 8 December 2021

TITLE: Committee Work Schedule

RECOMMENDATION(S) TO PLANNING & STRATEGY COMMITTEE

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

ATTACHMENTS

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

