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PALMERSTON
NORTH
CITY

PALMERSTON NORTH CITY COUNCIL

AGENDA

PLANNING & STRATEGY COMMITTEE

9AM, WEDNESDAY 9 FEBRUARY 2022
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

9 February 2022

ORDER OF BUSINESS

1. Apologies

2. Notification of Additional Items

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

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

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

3. Declarations of Interest (if any)

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

4. 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. Draft Stormwater Bylaw - Summary of Submissions** Page 7
 Memorandum, presented by Julie Macdonald - Strategy & Policy Manager.
- 6. Hearing of Submissions - Draft Stormwater Bylaw** Page 15
- 7. Confirmation of Minutes** Page 53
 "That the minutes of the Planning & Strategy Committee meeting of 8 December 2021 Part I Public be confirmed as a true and correct record."
- 5. Draft Trade Waste Bylaw 2022 - Summary of Submissions** Page 59
 Memorandum, presented by Julie Macdonald - Strategy and Policy Manager.
- 6. Submission to the Palmerston North Reserves Empowering Amendment Bill (Huia Street Reserve)** Page 67
 Memorandum, presented by Jono Ferguson-Pye, City Planning Manager.
- 7. Committee Work Schedule** Page 75
- 8. 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].

MEMORANDUM

TO: Planning & Strategy Committee

MEETING DATE: 9 February 2022

TITLE: Draft Stormwater Bylaw - Summary of Submissions

PRESENTED BY: Julie Macdonald - Strategy & Policy Manager

APPROVED BY: David Murphy, Chief Planning Officer

RECOMMENDATION(S) TO COUNCIL

1. That the Committee receive the memorandum titled 'Draft Stormwater Bylaw – Summary of 9 February 2022.'
 2. That the Committee note a late submission received from Rangitāne o Manawatū will be included in the deliberations report.
-

1. ISSUE

- 1.1 The Council has now completed public consultation on the draft Stormwater Bylaw. The purpose of this memo is to provide summaries of the consultation activities and the submissions received. Further advice on the issues raised by submitters will be covered in the deliberations report to the March or April 2022 meeting of the Planning and Strategy Committee.

2. OVERVIEW OF CONSULTATION ACTIVITIES

- 2.1 The draft Stormwater Bylaw was approved for public consultation by the Council on 21 September 2021. Consultation began on 23 October 2021 and submissions closed on 23 November 2021. Delays caused by the response to the COVID-19 pandemic in 2020 meant that the review was unable to be completed before the end of the five-year review period.

- 2.2 The key consultation activities were:

- Direct email contact with key stakeholders including Horizons Regional Council and Environment Network Manawatū.
- Public notices in the Manawatū Standard and the Guardian newspapers.
- The consultation document/statement of proposal was made available on the Council's website and printed copies were available at the Customer Service Centre and all Council libraries.
- Social media posts were made on Council's Facebook and LinkedIn accounts (with posts linking to Council's website page and the online

submission form). Analytics from the two Facebook posts showed they reached a total of 5,931 people with a total of 111 engagements made.

- Emails to around 300 contacts in the building and development sector.
- Letters to around 500 property owners identified on council's GIS as having 'hydraulic neutrality' and likely to have an on-site private stormwater system.
- Discussion at the Rangitāne o Manawatū bimonthly meetings in December 2020 and August 2021.

2.3 The Council received nine submissions, with three submitters indicating that they want to speak to the Council about their submissions.

2.4 A further submission was received from Rangitāne o Manawatū after the closing date of the consultation period. Analysis of this submission will be included in the deliberations report.

3. SUMMARY OF SUBMISSIONS

3.1 Attachment one is the summary of submissions. Some of the main points raised by submitters are:

- The responsibility for the operation and maintenance of private stormwater systems should be a Council responsibility, rather than one placed on private property owners and developers.
- Support for the provisions for the responsibility for the operation and maintenance of private stormwater systems to rest on owners.
- The requirement to remove or decommission redundant private stormwater systems should depend on the proximity to the reticulated network, noting that there are associated costs to be considered.
- Educational efforts on the discharge of contaminants to the public stormwater system need to work alongside regulatory requirements.
- Support for the amendments to the bylaw to provide clear regulatory expectations for contaminants entering the City's stormwater network, which are then subject to Horizons' One Plan discharge to water rules.
- The draft bylaw does not address the problem of excess stormwater run-off that is exacerbated by the increase in imperviable surfaces.
- The definitions of private and public stormwater systems don't appear to cover Crown-owned land.
- Specific requirements recommended for fuel companies' sites that operate under management plans that address stormwater management.
- Opposition to allowing buildings to be constructed over parts of the public stormwater network due to a concern about future liability on Council.

3.2 Advice on the issues raised by the submitters is not provided at this point in the bylaw review process. A further report to the Committee in March or April will include staff advice and include recommendations on any changes to the draft bylaw.


4. NEXT STEPS

4.1 Deliberations and recommendations on the draft Stormwater Bylaw will be presented to the March or April 2022 meeting of the Planning & Strategy Committee. Following any recommendations made by Committee at that meeting, the Council will be able to adopt the Stormwater Bylaw in May. The Bylaw will then come into effect later in May.

5. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide? If Yes quote relevant clause(s) from Delegations Manual 167.2	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 achievement of action/actions in Waters The action is: Complete the review of the Stormwater Drainage Bylaw	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The Stormwater Bylaw is part of Council's suite of water and waste bylaws. It supports the Waters Plan by contributing to the protection of buildings from inundation from flooding in major events, which is part of the City's provision of stormwater services.

ATTACHMENTS

- Summary of Submissions - Draft Stormwater Bylaw [↓](#) 

Summary of Submissions – draft Stormwater Bylaw 2022

1. Protection of stormwater assets and network: Private Stormwater Systems	Submission #
<p>a. Operation and maintenance of Private Stormwater Systems</p> <p>We are proposing that owners of private stormwater systems must operate and maintain these systems in a way that does not cause nuisance such as causing flooding or damage to the public stormwater network. This recognises that the overall performance of the Council's stormwater network relies heavily on private stormwater systems being properly maintained. There is a new definition for a private stormwater system. Do you support or oppose this or don't know/ have no opinion?</p>	<p>Support – 3 (subs # 1, 5 & 7) Oppose – 2 (subs # 2 & 4) Don't know/no opinion – 0</p>
<p>Have a stormwater detention tank that didn't want, presume was a council requirement to mitigate Council's failure to maintain a system to handle flows from in-fill housing.</p>	<p>2, 4</p>
<p>Clause pushes costs of stormwater management onto developers and house owners; not prepared to maintain at own expense.</p>	<p>2</p>
<p>Stormwater issues are not new but in the last 5 years has been an ever-growing issue for developers with few solutions on offer.</p>	<p>4</p>
<p>Bylaws won't help solve flooding risk, particularly the use of attenuation devices (tanks) on private property as this is a flawed philosophy.</p>	<p>4</p>
<p>Some people feign ignorance/ignore any by-laws; support Section 2.0 Access (of the Admin Manual) which allows Council officers to inspect stormwater connections etc. on private property.</p>	<p>5</p>
<p>Clarifying private stormwater systems' responsibilities will ensure the ongoing effectiveness of private systems and managing the volume and quality of stormwater entering ground and surface water.</p>	<p>7</p>
<p>b. Removing and decommissioning redundant private stormwater systems</p> <p>We are proposing that owners of private stormwater systems must remove or de-commission redundant private stormwater systems to prevent damage to the public stormwater network. There is a new definition for redundant private stormwater system. Do you support or oppose this or don't know/ have no opinion?</p>	<p>Support – 2 (subs # 2 & 5) Oppose – 1 (sub # 1) Don't know/no opinion – 1 (sub # 4)</p>
<p>Could place more pressure on City's stormwater system.</p>	<p>1</p>
<p>There are many historic 'soak holes' and would seem counter-productive to capture this stormwater for no real purpose.</p>	<p>1</p>
<p>Happy to get rid of the stormwater detention tank.</p>	<p>2</p>
<p>Support in part. If redundant systems need to be cut and capped at the boundary then support this; if Council is suggesting that they need to be cut and capped at the main, then don't support due cost difference (unfair). The</p>	<p>4</p>

network in the road belongs to Council, if it needs to be disconnected at the main to maintain system integrity then Council needs to do it.	
Redundant private stormwater connections may be very difficult to locate; they may only manifest themselves when the public network is inspected, otherwise they will go undetected.	5
c. Owners or occupiers of water course, stopbanks or other defences to water maintain them in an operational state <i>We are proposing that owners or occupiers of water courses, stopbanks, or other defences to water to maintain them in an operational state to ensure the free flow of water and not cause or contribute to nuisance. Do you support or oppose this or don't know/ have no opinion?</i>	Support – 2 (subs # 1 & 5) Oppose – 1 (sub # 2) Don't know/no opinion – 1 (sub # 4)
Should include ensuring the council keeps its gutters free from tree litter to prevent flooding.	1
Have no idea how it is set up or operates so how would we know if operating correctly?	2
Watercourses have to be fenced and, in some cases, planted which makes it difficult to get in and maintain them.	3
No issues that stopbanks need to be maintained but not sure it is the landowner's responsibility in all cases to maintain them; agree that the landowner has a responsibility not to damage them. What maintenance is required and do stopbanks on private property need to be mowed for example?	3
With continued global warming, adverse weather events are becoming more frequent; more important that defences to water are maintained to cope with sudden heavy downpours of rain. Surplus runoff can cause flood damage to neighbouring properties.	5
The intensified urban development can exacerbate problems. As well, more buildings are being constructed on marginal land (either on a flood plain or steep slopes subject to slips).	5
2. Discharge of contaminants into the Public Stormwater System	Submission #
a. Changes to mitigate the impacts of contaminants being discharged into the public stormwater network such as ensuring discharges are passed through an approved stormwater treatment measure <i>We are proposing several changes to mitigate the impacts of contaminants being discharged into the public stormwater network such as ensuring that any discharges are passed through an approved stormwater treatment measure. We are also clarifying the requirements for Stormwater Contamination Mitigation Plans. Council needs to ensure that regulatory expectations are clear on discharges of contaminants to the network in order to mitigate any effects on receiving waterways as well as meet regional council consent requirements. Do you support or oppose this or don't know/ have no opinion?</i>	Support – 3 (subs # 1, 4 & 5) Oppose - 0 Don't know/no opinion – 1 (subs # 2)
Unknown source of water flowing into the stormwater system in Linton Street, suspect this to be drinking water.	1

Not uncommon to see people letting contaminants enter the public stormwater network by washing vehicles on roads/ driveways or pouring contaminants into channels or stormwater sumps.	3
Educational efforts have failed to make it known that stormwater is discharged to the river untreated so, besides increasing educational efforts, a regulatory backstop should be provided in the bylaw.	3
Providing the definition of 'contaminants' remains this is acceptable. Problem is that most stormwater is contaminated in some way caused by the path; care needs to be taken to ensure that this requirement is applied sensibly.	4
Does the Council regularly monitor connections to detect contamination? Or is this a Regional Council responsibility?	5
Horizons support the amendments as they provide clear regulatory expectations for contaminants entering the City's network which discharges to water and is subject to the Horizons' One Plan.	7

3. General comments

Comments	Submission #
Bylaw will be superceded by the Three Waters Reform making the (bylaw) process redundant.	1
Stormwater management is a council function and responsibility should not fall on homeowners (where the requirement was Councils without owner input).	2
Concerns about increasing stormwater peak flows – unclear how existing discharge is measured.	3
Limits in peak discharges through Stormwater Management Plan (SMP) and the engineering standards do not seem sufficient to limit the increase in stormwater generation associated with on-going urban development.	3
People may meet the SMP and Stormwater Framework (SF) requirements but then further modify the land (e.g. by increasing the hard surface area) once they have sign off. A provision in the bylaw to require that no changes be made to properties after the initial development occurs, which would increase the flow of stormwater from the property would be beneficial to prevent the SMP and SF from being circumvented.	3
Would like to see a reference to Global Warming in the bylaw's introduction.	5
This draft Stormwater by-law does not address the problem of excess stormwater run-off. Stormwater run-off and contaminants is an increasing problem due to imperviable surfaces. Disappointed that this problem was not addressed in the District Plan e.g. imperviable surfaces should be calculated as part of site coverage. In the meantime, can this by-law address this problem?	5
Why was the word "perceived" used in reference to the problem of providing a reliable and efficient stormwater system?	5
There is a reference to the NZ Bill of Rights Act 1990. Does this Bill have any place in a by-law?	5
Supports the draft bylaw as taking a wider view of the management and regulation of stormwater, will provide a clear and robust direction within PNCC's overall framework and will be able to support and complement other tools (e.g. the District Plan).	7

Through the work of Palmy's Plastic Pollution Challenge, have found a significant amount of plastic litter in open drain portions of the stormwater network e.g. Te Kowau stream. Most of this litter has no identifiable 'owner' and is difficult to place restrictions around. It is worth considering if the policy can incorporate a strategy for reduction in stormwater litter?	8
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4. Comments on definitions

The definition of a Certificate of title needs to cover all categories of ownership, not just freehold title.	3
The definitions of Private and Public Stormwater Networks don't seem to, collectively, cover Crown-owned land. Some Crown-owned land is not open to the public, e.g. Linton Camp, Manawatu Prison, parts of the Police station, schools at certain times of the day. Being open to the public seems to be a critical element of whether a place is a public place or not.	3
The definition of Stormwater contamination mitigation plan would be made comprehensive by inserting 'or other' after 'residential' so that the definition would read: 'Stormwater contamination mitigation plan means a plan for commercial or residential or other premises ...' so that facilities such as the public hospital, schools, the military camp and prison are all covered.	3
Council needs to define maintenance and describe what an acceptable and unacceptable open watercourse looks like. Assume this rule also applies to the Council needing to maintain their own open-drain network?	3
Note a reference to "Stormwater attenuation measure" under Section 5 definitions (p.17) of the By-law but there is no reference to this measure in the draft By-law.	5
That the stormwater bylaw contains the following provision: No stormwater from a stormwater pipe may enter private or public property that gives cause to or results in, flooding or eroding of the receiving land.	6

5. Improvement suggestions to specific bylaw clauses

Clause 7.1(d) the words 'identified by Council' should be repositioned so that they cover both overland flow paths and flood plains, i.e. 'Obstruct any overland flow paths or flood plains identified by the Council or flood plains with any material....'	3
Clause 11.3 needs to be rearranged to mean what it is supposed to mean.	3
Clause 12.1 , the 'and' between 'Council staff' and 'public' should be 'or' as action shouldn't require the health and safety of both staff and the public to be put at risk. Either one should be sufficient to trigger the requirement specified in the clause.	3
Clauses 12.1 and 12.2 aren't about preparing a Stormwater contamination mitigation plan (title of this section); suggest a new heading 'Responding to contaminant discharges' or similar.	3
Support the intent of the section but seek clarity that:	9

SUBMISSION FROM CONSULTATION

TO: Planning & Strategy Committee

MEETING DATE: 9 February 2022

TITLE: Hearing of Submissions - Draft Stormwater Bylaw

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.	Chris Teo-Sherrell	21
4.	Grant Binns	24
10.	Rangitāne o Manawatū	42

ATTACHMENTS

1. Submissions [!\[\]\(2cbb40928a34ecf5ce700a63c52aa374_img.jpg\)](#) 
2. Procedure Sheet [!\[\]\(3ce668af77d7d4613bd5f40b461563b3_img.jpg\)](#) 

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 08 December 2021, commencing at 9.04pm

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, Orphée Mickalad and Bruno Petrenas.

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

Apologies: Councillors Lew Findlay QSM, Orphee Mickalad and Rachel Bowen (for lateness).

Councillor Rachel Bowen entered the meeting at 9.05am during consideration of clause 43. She was not present for clause 43.

43-21 Apologies

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The COMMITTEE RESOLVED

1. That the Committee receive the apologies.

Clause 43-21 above was carried 13 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, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor and Bruno Petrenas.

Councillor Bowen entered the meeting 9.06am.

44-21 Hearing of Submissions - Draft Support and Funding Policy

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The COMMITTEE RESOLVED

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.

Clause 44-21 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 Committee considered submissions on the Draft Support and Funding Policy together with supporting oral statements including additional tabled material.

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

Menzshed Manawatu (11)

Mr David Chapple spoke to the submission and made the following additional comments:

- Looking to almost double the size of their building and they could not see in the policy, once it is completed, what their rent will be based on. They are hoping it will be based on the existing area.
- With regards to the Council assistance to the Menzshed for their additions, it was advised in the 2017/18 Annual Budget that the Council would investigate the costings to the Menzshed upgrade to be considered as part of the 2018/28 Long Term Plan. An update on progress for this was requested.

Palmerston North Community Services Council (14)

Mr Tim Kendrew and Ms Emma Ochei spoke to the submission and made no additional comments.

There were no more submitters available to speak. The Chair adjourned Item 5 Hearing of Submissions – Draft Support and Funding Policy and moved to Item 6 Confirmation of Minutes.

45-21

Confirmation of Minutes

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The **COMMITTEE RESOLVED**

That the minutes of the Planning & Strategy Committee meeting of 10

November 2021 Part I Public be confirmed as a true and correct record.

Clause 45-21 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 adjourned at 9.28am.
The meeting resumed at 9.39am.

44-21 Hearing of Submissions – Draft Support and Funding Policy

The Chair returned to Item 5 Hearing of Submissions – Draft Support and Funding Policy.

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

The Stomach – Creative Sounds Society (10)

Mr Harry Lilley spoke to the submission and made the following additional comments:

- The principles behind the policy seem appropriate and really support the attempt to bring more clarity and consistency to the allocation of funding and resources for community and for-purpose organisations.
- The recognition of rental support in this policy is okay and it is good to see it included. Would like to ensure that Council clarifies how this is going to be factored into the funding decision making processes in the future. Potential adverse outcomes from the community sector if this is not handled properly.
- Support the key points raised by the Palmerston North Community Services Council, particularly regarding the Community Development Small Grants Fund and changing the wording of that.
- Support section 5.6. It seems pretty open-ended and more clarity is needed to explain the purpose.

Emma Prouse and James Griffiths (20)

Ms Emma Prouse spoke to their submission and made the following additional comment:

- The size of the grant should dictate the level of reporting required (and the level of the financial audit required).

Environment Network Manawatū (9)

Ms Helen King and Mr Selwyn Yorke spoke to the submission and made no additional comments.

Te Ha o Hine-ahu-one, Palmerston North Women's Health Collective (3)

Ms Jean Hera spoke to the submission and made no additional comments.

Manawatu Tenants' Union (16)

Mr Ben Schmidt spoke to the submission and made no additional comments.

46-21

Proposed Plan Change J: Massey University Turitea Historic Area

Memorandum, presented by Michael Duindam, Principal Planner.

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The **COMMITTEE RECOMMENDS**

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.

Clause 46-21 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.

47-21

Committee Work Schedule

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The **COMMITTEE RESOLVED**

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

Clause 47-21 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 10.36am

Confirmed 9 February 2022

Chairperson

MEMORANDUM

TO: Planning & Strategy Committee

MEETING DATE: 9 February 2022

TITLE: Draft Trade Waste Bylaw 2022 - Summary of Submissions

PRESENTED BY: Julie Macdonald - Strategy and Policy Manager

APPROVED BY: David Murphy, Chief Planning Officer

RECOMMENDATION(S) TO PLANNING & STRATEGY COMMITTEE

- 1. That the Committee receive the summary of submissions to the draft Trade Waste Bylaw 2022.**
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1. ISSUE

The Council has carried out public consultation on the draft Trade Waste Bylaw. The purpose of this memo is to provide a brief summary of the consultation process and the issues raised by submitters. Further advice will be provided to the Committee in April on the issues raised by submitters as part of the deliberations process.

2. RESPONSES TO CONSULTATION

The draft Trade Waste Bylaw was approved for public consultation by the Council on 25 August 2021. Consultation began on 2 October and written submissions closed on 3 December 2021. A minimum two-month consultation period was required by s.148 of the Local Government Act 2002 (this consultation provision applies specifically to trade waste).

The consultation document was made available on the Council's website, and printed copies were available at the Customer Service Centre, and at all of Council's libraries. A letter or email was sent to all identified stakeholders:

- Current trade waste consent holders and permitted trade waste dischargers
- Ministry of Health (including the Associate Minister 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.

A total of seven written submissions were received during the consultation period. Only one person has indicated that they wish to make an oral submission as well.

The consultation period was promoted on social media channels, with posts on Facebook. A total of 4,891 people were reached through Facebook, with just 20 clicks through to the linked website.

3. SUMMARY OF SUBMISSIONS

Attachment one includes a full summary of submissions, and identifies the issues raised by submitters. Advice on the issues raised by submitters is not provided at this point in the process. A further report to the Committee in April will be provided that outlines officer advice in respect of the issues raised by submitters, and recommendations for the Committee with regards to any changes that may be needed.

4. NEXT STEPS

Officers will prepare advice on the issues raised by submitters in the deliberations report that will be presented to the Planning and Strategy Committee in April. Following any recommendations made by Committee at that meeting, the Council will be able to adopt the draft Trade Waste Bylaw in May. The Bylaw would then come into effect later in May.

5. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide? If Yes quote relevant clause(s) from 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 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	The Trade Waste Bylaw is part of our suite of water and waste bylaws. It supports the Waters Plan by contributing to the safe collection, treatment and disposal of trade waste, which is a component of the city's wastewater.

ATTACHMENTS

1. Trade Waste Bylaw - Summary of Issues Raised by Submitters [!\[\]\(ce77bba2916ff045bdb9f4584b191293_img.jpg\) !\[\]\(b31d4eff00ee94d2cc889725763ab186_img.jpg\)](#)

MEMORANDUM

TO: Planning & Strategy Committee

MEETING DATE: 9 February 2022

TITLE: Submission to the Palmerston North Reserves Empowering Amendment Bill (Huia Street Reserve)

PRESENTED BY: Jono Ferguson-Pye, City Planning Manager

APPROVED BY: David Murphy, Chief Planning Officer

RECOMMENDATION(S) TO COUNCIL:

1. That the Committee receive the Submission to the Palmerston North Reserves Empowering Amendment Bill, as attached to the report presented to the 9 February 2022 Planning & Strategy Committee.
 2. That the Committee note that the Submission to the Palmerston North Reserves Empowering Amendment Bill will be approved by the Mayor under delegation (clause 192.6 of the Delegations Manual) as there is insufficient time for the submission to be referred to the Council for approval.
 3. That the Committee note that in accordance with clause 192.6 of the Delegations Manual, the final submission will be reported for approval by the Council at the next available opportunity.
-

1. ISSUE

Parliament is currently considering the Palmerston North Reserves Empowering Amendment Bill (the Bill). Submissions to the Bill close 18 February 2022.

Given the closing date for submissions, there was insufficient time for the submission to be referred to the Council for approval.

This memo presents a submission for the Planning and Strategy Committee to consider and discuss, prior to formal approval by the Mayor under delegation.

The submission has been reported to the Planning and Strategy Committee for consideration and discussion given the sensitive nature of the topic and to seek to ensure a single Council position is presented to the Environment Committee that is considering the Bill.

2. BACKGROUND

The Bill relates to land at the Huia Street Reserve (the 'land'). The Council currently holds the land under the Palmerston North Reserves Act 1922 (the former Act). The land held under the former Act cannot be sold.

The Bill provides the mechanism for the future sale or development of the land for housing if it becomes surplus to Council requirements by amending the Palmerston North Reserves Empowering Act 1966 (the principal Act).

Following a formal public consultation process (October 2020), the Council adopted the recommendations from the Planning and Strategy Committee to support the amendment of the Palmerston North Reserves Empowering Act 1966 and instructed the Chief Executive to engage with relevant Government agencies to initiate the necessary amendments to legislation to enable the sale or development of the land.

In order to amend a local Act a local authority must introduce a local bill to Parliament. To enable this the Council drafted the Bill and followed the preliminary procedures as outlined in standing orders, which consisted of:

1. A public notification process (completed by Council in August 2021).
2. Evidence of the consultation process involved the Chief Executive making a declaration to the House of Representatives (October 2021).

Tangi Utikere, as the Member of Parliament for Palmerston North, supported and is promoting the Palmerston North Reserves Empowering Amendment Bill through Parliament on behalf of Council.

3. NEXT STEPS

Parliament: The Bill has been introduced to Parliament and has progressed through to its first reading. The next step is consideration by the Environment Committee. The Committee normally has six months to consider and report back recommendations on the Bill to the House of Representatives. If passed the Bill is likely to come into effect in the second part of 2022.

Council: Mayor to approve the submission under delegation prior to lodgement with the Environment Committee. Note the submission states Council wishes to appear before the Environment Committee to speak to its submission.

4. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide? If Yes quote relevant clause(s) from 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 plans?	No
The recommendations contribute to Goal 1: An Innovative and Growing City	
The recommendations contribute to the achievement of action/actions in the 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	Council needs to be much more responsive in how it provides for housing opportunities and supports greater choice of housing typology.

ATTACHMENTS

1. Council Submission on the Palmerston North Reserves Empowering Amendment Bill [↓](#) 

COMMITTEE WORK SCHEDULE

TO: Planning & Strategy Committee

MEETING DATE: 9 February 2022

TITLE: Committee Work Schedule

RECOMMENDATION(S) TO PLANNING & STRATEGY COMMITTEE

1. That the Planning & Strategy Committee receive its Work Schedule dated February 2022.

ATTACHMENTS

1. Committee Work Schedule - February 2022 [↓](#) 

