



PALMERSTON NORTH CITY COUNCIL

AGENDA

**EXTRAORDINARY COMMUNITY
DEVELOPMENT COMMITTEE**

9AM, WEDNESDAY 6 JUNE 2018
COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING
32 THE SQUARE, PALMERSTON NORTH



MEMBERSHIP

Aleisha Rutherford (Chairperson)
Rachel Bowen (Deputy Chairperson)
Grant Smith (The Mayor)

Susan Baty
Gabrielle Bundy-Cooke
Lew Findlay QSM
Leonie Hapeta

Lorna Johnson
Duncan McCann
Karen Naylor
Tangi Utikere

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

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

Heather Shotter
Chief Executive, Palmerston North City Council

Palmerston North City Council

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Private Bag 11034, 32 The Square, Palmerston North



EXTRAORDINARY COMMUNITY DEVELOPMENT COMMITTEE MEETING

6 June 2018

MEETING NOTICE

Pursuant to Clause 21 of Schedule 7 of the Local Government Act 2002, I hereby requisition an extraordinary meeting of the Community Development Committee to be held at 9.00am on Wednesday, 6 June 2018 in the Council Chamber, first floor, Civic Administration Building, 32 The Square, Palmerston North, to consider the business stated below.



CHAIR

ORDER OF BUSINESS

NOTE: The extraordinary Community Development Committee meeting coincides with the ordinary meeting of the Planning and Strategy Committee meeting and the extraordinary Sport and Recreation Committee meeting. The format for the meeting will be as follows:

- Community Development Committee will open and adjourn immediately to following Planning and Strategy Committee
- Sport and Recreation Committee will open and adjourn immediately to following Community Development Committee
- Planning and Strategy Committee will open, conduct its business and then close.

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. Confirmation of Minutes

Page 7

"That the minutes of the Community Development Committee meeting of 7 May 2018 Part I Public be confirmed as a true and correct record."

6. Palmerston North Disability Reference Group - Endorsement

Page 11

Memorandum, dated 15 May 2018 from the Community Liaison Team Leader, Peter Grey.

7. Draft CBD Amenity Bylaw - confirmation of direction

Page 19

Memorandum, dated 18 May 2018 from the Policy Analyst, Peter Ridge.

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.

Chief Executive (Heather Shotter), Chief Financial Officer (Grant Elliott), General Manager, City Enterprises (Ray McIndoe), General Manager, City Future (Sheryl Bryant), General Manager, City Networks (Ray Swadel), General Manager, Customer Services (Peter Eathorne), General Manager, Libraries and Community Services (Debbie Duncan), Human Resources Manager (Wayne Wilson), General Manager, Marketing and Communications (Sacha Haskell), and Communications Advisor (name) because of their knowledge and ability to provide the meeting with advice on matters both from an organisation-wide context (being members of the Council’s Management Team) and also from their specific role within the Council.

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

Governance and Support Team Leader (Kyle Whitfield) and Committee Administrators (Penny Odell, Carly Chang and Rachel Corser), because of their knowledge and ability to provide the meeting with procedural advice and record the proceedings of the meeting.

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

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

PALMERSTON NORTH CITY COUNCIL

Minutes of the Community Development Committee Meeting Part I Public, held in the Council Chamber, First Floor, Civic Administration Building, 32 The Square, Palmerston North on 07 May 2018, commencing at 9.03am

Members Present: Councillor Aleisha Rutherford (in the Chair), The Mayor (Grant Smith) and Councillors Susan Baty, Rachel Bowen, Lew Findlay QSM, Leonie Hapeta, Lorna Johnson, Duncan McCann, Karen Naylor and Tangi Utikere.

Non Members: Councillors Brent Barrett, Adrian Broad, Vaughan Dennison, Jim Jefferies and Bruno Petrenas.

Apologies: Councillor Gabrielle Bundy-Cooke.

8-18 Apologies

Moved Aleisha Rutherford, seconded Rachel Bowen.

The COMMITTEE RESOLVED

1. That the Committee receive the apologies.

Clause 8-18 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Rachel Bowen, Adrian Broad, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

9-18 Presentation - Legacy

Representing Legacy John Faiz, Pastor Legacy Church, Jay Cootes, General Manager, Legacy Centre, Jason Belworthy, General Manager, Legacy Housing and John Crowther, Chairman, Legacy Centre gave a presentation regarding Legacy.

Legacy was a faith based organisation that offer a number of services. They work closely with other organisations such as Te Aroha Noa, Te Waka Huia and Police to assist those in need.

They host a community meal every Monday night that feeds approximately 200 people and every Thursday night provide food for approximately 40 children after school.

Legacy run the Restore programme which is a ten week programme to assist men who are coming off addiction and assist them into with healthy living, by way of employment, budget advice etc.

Legacy has also taken over the Shepherds Rest Trust work in social housing and currently have a capacity of 86 rooms and in the next four months will be

adding more. Housing is not limited to male occupants as there was a gap for this type of housing for females and also males with children.

Moved Aleisha Rutherford, seconded Leonie Hapeta.

The **COMMITTEE RESOLVED**

1. That the Community Development Committee receive the presentation for information.

Clause 9-18 above was carried 14 votes to 0, the voting being as follows:

For:

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

Note:

Councillor Lew Findlay declared a conflict of interest and withdrew from the meeting for clause 9 above.

10-18

Confirmation of Minutes

Moved Aleisha Rutherford, seconded Duncan McCann.

The **COMMITTEE RESOLVED**

1. That the minutes of the Community Development Committee meeting of 5 March 2018 Part I Public be confirmed as a true and correct record.

Clause 10-18 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Rachel Bowen, Adrian Broad, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

11-18

Review of City Ambassadors Trial

Report, dated 20 April 2018 from the Manager - Community Engagement, Ian Littleworth and the Safe Communities Coordinator, Zoe Kavanagh.

Moved Grant Smith, seconded Aleisha Rutherford.

The **COMMITTEE RECOMMENDS**

1. That the report Review of City Ambassadors Trial be received.

Clause 11.1 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Rachel Bowen, Adrian Broad, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

Moved Grant Smith, seconded Aleisha Rutherford.

2. That subject to funding through the 10 Year Plan the City Ambassadors Initiative continue on an ongoing basis over the summer period (December to March) with a dual focus of city safety and city vibrancy

3. That as part of its 2018/28 10 Year Plan deliberations Council give considerations to including Funding of \$34,000 per annum for the City Ambassador initiative.

Clause 11.2 and 11.3 above were carried 12 votes to 3, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Adrian Broad, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Duncan McCann, Bruno Petrenas Aleisha Rutherford and Tangi Utikere.

Against:

Councillors Rachel Bowen, Lorna Johnson and Karen Naylor.

Moved Rachel Bowen, seconded Jim Jefferies

Note:

On a motion: That the Chief Executive be instructed to report back to the Committee on the opportunities for the parking wardens to deliver the benefits identified in the City Ambassadors trial. The motion was lost 7 votes to 8, the voting being as follows:

For:

Councillors Rachel Bowen, Vaughan Dennison, Lew Findlay QSM, Jim Jefferies, Lorna Johnson, Duncan McCann and Karen Naylor.

Against:

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Adrian Broad, Leonie Hapeta, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

Moved Duncan McCann, seconded Bruno Petrenas

Note:

On a motion: That the Chief Executive be instructed look at external funding partnerships for the City Ambassador Trial/Programme. The motion was lost 7 votes to 8, the voting being as follows:

For:

Councillors Rachel Bowen, Adrian Broad, Vaughan Dennison, Lorna Johnson, Duncan McCann, Karen Naylor and Bruno Petrenas.

Against:

The Mayor (Grant Smith) and Councillors, Brent Barrett, Susan Baty, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Aleisha Rutherford and Tangi Utikere.

12-18

Committee Work Schedule

Moved Aleisha Rutherford, seconded Rachel Bowen.

The COMMITTEE RESOLVED

1. That the Community Development Committee receive its Work Schedule dated May 2018.

Clause 12-18 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Rachel Bowen, Brent Barrett, Susan Baty, Adrian Broad, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

The meeting finished at 11.14am

Confirmed 6 June 2018

Chairperson

MEMORANDUM

TO: Community Development Committee

MEETING DATE: 6 June 2018

TITLE: Palmerston North Disability Reference Group - Endorsement

DATE: 15 May 2018

AUTHOR/S: Peter Grey, Community Liaison Team Leader, Libraries and Community Services

RECOMMENDATION(S) TO COUNCIL

1. That the memorandum *Palmerston North Disability Reference Group - Endorsement* be received.
2. That Council confirm the establishment of a Disability Reference Group and formally endorse the attached terms of reference.
3. That Council give consideration to Council representation on the Disability Reference Group.

1. ISSUE

This memorandum is seeking confirmation to establish a Disability Reference Group (DRG) and endorsement of the proposed terms of reference for the DRG.

2. BACKGROUND

At the Community Development Committee meeting on 12 June 2017, a Notice of Motion presented by Cr Naylor, recommended that Council support the formation of a Disability Reference Group to advise Council on disability issues.

It was resolved:

That Council supports the formation of a Disability Reference Group to advise Council on disability issues noting that the Group's terms of reference will be subject to formal Council endorsement.

A memorandum titled "Disability Reference Group Update" was presented to the Community Development Committee at their meeting on 11 September 2017.

This memorandum provided information on similar groups operating within other local authorities and also gave an update on a proposed regional Disability Coalition being formed by Enable NZ.

It was resolved:

That the Community Development Committee receives the memorandum dated 8 September 2017 and entitled "Disability Reference Group Update" for information.

That Officers report back to Council on the outcome of the investigation by Enable NZ into the development of a disability sector advisory group and identifies any potential opportunities for Council participation.

A further update on the establishment of this Disability Coalition will be presented to the August 2018 Community Development Committee Meeting, as noted in the work schedule.

Since September 2017, and in line with the resolution from 12 June 2017, Officers have undertaken consultation with the disability sector and disabled community regarding the formation of a Disability Reference Group and the development of terms of reference.

Two open meetings were promoted through the relevant community networks; and were held on 22 February 2018 and 9 April 2018, to discuss the Reference Group formation and to develop the draft terms of reference, which are attached for Council consideration.

The meetings confirmed a strong support for a DRG to advise and provide feedback to Council from the perspective of disabled citizens of Palmerston North. Participants viewed this group as being different to the proposed Disability Coalition as it is focussed on the Council's activities relating to the City, rather the Coalition's wider scope in relation to the delivery of the National Disability Strategy objectives across the central region.

As outlined in the draft terms of reference the purpose of the DRG would be to ensure the needs of disabled people are taken into account in the context of Council's activities.

The DRG aims to provide guidance, advice and support to help inform Council planning and decision making at a strategic level, whilst also acting as a vehicle where operational issues and service gaps relating to disabilities can be identified and communicated to Council. Equally the DRG provides an opportunity for Council to test thinking from across a wide range of work areas that may intersect with the disability sector.

In order to ensure the integrity of the advice sought and given it is proposed that the DRG will comprise of a mix of disabled people, those with lived experience with disabled people and others with an interest in the sector. Each member would either represent or have the ability to report back to a sector organisation, ensuring an open conduit to the wider sector.

Responsibility for the initial selection of members will sit with Council Officers and thereafter with the DRG itself. The Chair of the DRG would be selected from within the nominated members of the DRG.

Further proposed processes to establish the DRG will include:

- Nomination or self-nomination (using social media, newspaper, networks) in July - August 2018.
- Council officers to select initial members according to the criteria in the Terms of Reference.
- First meeting of the DRG in September 2018, including selection of Chair
- DRG reserve the right to co-opt members to the limit of 12.

During the development of the terms of reference, the question of Councillor representation on the DRG was discussed and widely supported by participants as providing a valuable conduit to Council. This model is in line with other advisory boards and groups e.g. Digital Leaders Forum, City Centre Reference Group, Safety Advisory Board where there is also formal representation.

3. NEXT STEPS

Following approval from Council, officers will undertake the steps underlined in the Terms of Reference to establish and provide support for the DRG.

4. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	No
If Yes quote relevant clause(s) from Delegations Manual <Enter clause>	
Are the decisions significant?	No
If they are significant do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	No
Are the recommendations inconsistent with any of Council's policies or plans?	No

ATTACHMENTS

1. DRG Terms of Reference May 2018  

Peter Grey
**Community Liaison Team
Leader**

Palmerston North Disability Reference Group

1. Background and Context

Palmerston North City Council (PNCC) has resolved to establish a Disability Reference Group (DRG) to ensure that consultation takes place with people affected or interested in disability matters.

2. Terms of Reference

The purpose of these Terms of Reference is to guide the operation of the PNCC DRG. The DRG is also guided by the New Zealand Disability Strategy, which was adopted by central government in 2016:

The New Zealand Disability Strategy 2016 vision is for the Country “to be a non-disabling society – a place where disabled people have an equal opportunity to achieve their goals and aspirations, and all of New Zealand works together to make this happen”.

The DRG members accept responsibility for reviewing the Terms of Reference and updating criteria when and where appropriate. The appropriate Council Committee of Council must approve all changes to the Terms of Reference.

3. Purpose and Role

The purpose of the DRG is to ensure that the needs of disabled people are appropriately taken into account in the context of Council’s roles and priorities. This includes:

- Representing in relation to PNCC’s activities the interests, perspectives and expertise of people within our community living with impairments.
- Building strong relationships and establishing channels of communication between PNCC and disabled people living in our community.
- Providing guidance, advice, and support to inform the PNCC’s planning and decision-making processes at a strategic level as well as identifying actual and potential on the operational gaps in PNCC’s activities.

4. Membership

In selecting DRG community members PNCC will have regard to maintaining an appropriate balance of impairment types, age, gender, and ethnicity/culture (including Māori), in order to represent a range of needs and issues.

The DRG has between eight and 12 members with the ability to seek advice, feedback from the wider disability community.

The DRG is composed by at least 60% of disabled people.

Selection of community members are based on the following criteria:

- The member must represent and have the responsibility to report back to, at least one disability or community organisation that works within the PNCC's boundaries.
- The member must have experience of living with disability and/or an interest in disability issues.
- The member must contribute to the diversity of the DRG.
- A designated PNCC's Councillor is part of the DRG.
- Initial term of 1 year, then members of the DRG determine future selection process (transparent, inclusive).

5. Meetings

There will be a minimum of four meetings per year of the full DRG at a time and place agreed as suitable by the majority of the group's members.

6. Accountability

Members will contribute to specific PNCC's work areas each year, and this will be set out in an annual work programme. The work programme will be identified by Council and will be finalised and agreed upon by the members of the DRG.

The DRG will publicly present annually to the appropriate PNCC Committee. The presentation will outline the agreed work programme and progress against it.

7. Resourcing

A designated Council liaison officer supports the DRG.

PNCC is responsible for providing members with:

- An induction explaining the PNCC's function and processes, and the role of the DRG; and
- PNCC will provide appropriate venue for meetings.

8. Conflict of Interest

- Members must perform their functions in good faith, honestly and impartially, and avoid situations that might compromise their integrity or otherwise lead to conflicts of interest. Proper observation of these principles will protect the Reference Group and its members and will ensure it retains public confidence.
- Members attend meetings and undertake Reference Group activities as independent persons responsible to the Reference Group as a whole.
- Members are required to declare any actual or perceived interests to the full Reference Group. The Reference Group will then determine whether or not the interest represents a conflict, and if so, what action will be taken.
- The Chairperson will ask members to declare any actual or perceived interests at the start of each meeting.

9. Dispute Resolution

- Any disputes are to be firstly discussed with the Chairperson (or if the dispute is about the Chairperson then the Palmerston North City Council General Manager Libraries and Community Services).
- If the dispute still remains unresolved then any party is able to write to the Palmerston North City Council Chief Executive.
- Any decision made by the Chief Executive regarding the dispute will be final.

MEMORANDUM

TO: Community Development Committee

MEETING DATE: 6 June 2018

TITLE: Draft CBD Amenity Bylaw - confirmation of direction

DATE: 18 May 2018

AUTHOR/S: Peter Ridge, Policy Analyst, City Future

RECOMMENDATIONS TO COMMITTEE:

1. That the draft CBD Amenity Bylaw and Administration Manual [incorporates/does not incorporate] provisions that allows for all complaints received to be referred to a social service provider for initial assessment.
2. That the draft CBD Amenity Bylaw and Administration Manual, shown in attachments 1 and 2, be prepared as a consultation document and presented to the Community Development Committee in August 2018 for approval for public consultation.

1. ISSUE

The draft CBD Amenity Bylaw has been developed to give effect to Council's decision to address issues of intimidatory behaviour related to begging through a new or existing bylaw. Before preparing a statement of proposal for consultation, officers are seeking direction from the Committee on the extent to which the draft Bylaw should provide for a social response in addition to the regulatory response set out in the Bylaw.

2. BACKGROUND

Following the completion of the trial by MASH Trust to deliver targeted services to discourage begging in the CBD, the Council resolved in March 2017 to "address issues of intimidatory behaviour related to begging through an existing or new bylaw."

A report providing advice in relation to section 155 of the Local Government Act 2002 – which requires the Council to determine whether a bylaw is the most appropriate way of addressing the perceived problem; whether the proposed bylaw is the most appropriate form of bylaw; and whether the proposed bylaw gives rise to any implications under the NZ Bill of Rights Act 1990 – was presented to the Committee in December 2017. Based on that

advice, the Council resolved “That a CBD Amenity Bylaw is the most appropriate option to address the adverse effects on amenity values of the CBD resulting from nuisance behaviour that may be associated with begging and other anti-social activities (as described in the S155 Local Government Act 2002 Determination Report attached in Appendix 1).”

3. DESCRIPTION OF DRAFT CBD AMENITY BYLAW

The draft CBD Amenity Bylaw was developed by Cooper Rapley for the Council, in conjunction with Council officers. The approach arrived at was designed to give effect to Council’s decision to address issues of intimidatory behaviour related to begging through an existing or new bylaw, while minimising the potential risk of any such bylaw being inconsistent with the NZ Bill of Rights Act 1990 (NZBORA). The section 155 report presented to Council in December 2017 provided analysis of the NZBORA issues. Of particular note was the risk of direct or indirect discrimination on the basis of employment status.

The draft Bylaw is based around receiving and investigating complaints, which can be made in relation to three identified nuisance behaviours. These are:

- (a) begging in a public place in a manner that is likely to cause harassment, alarm, or distress to any reasonable person; or
- (b) behaving in a way that causes an unreasonable interference with the peace, comfort, or convenience of any person; or
- (c) occupying a public place for an unreasonable period of time:
 - (i) that affects the reasonable operation of private businesses adjoining that public place; or
 - (ii) otherwise unreasonably reduces the area available for pedestrian use.

These behaviours expand the scope of Council’s original resolution beyond intimidatory behaviour related to begging. The reason for this, as was explained in December, is to ensure a clear separation between offences that the Police have jurisdiction over – intimidation is an offence under the Summary Offences Act 1981, for which the Police can prosecute, but which the Council has no power to act on – and those matters in which the Police do not generally intervene (i.e. nuisance), but in which the Council may play a role. Council has the power under the Local Government Act 2002 to make a bylaw to protect the public from nuisance, and it is in reliance on this power that the draft Bylaw can be made. A further reason for expanding the scope of the initial resolution to include the three identified nuisance behaviours is to minimise the risk that the draft Bylaw could be found to be inconsistent with the NZBORA. A bylaw that was solely focussed on begging could be found to be discriminatory on the basis of employment status, on the basis that people who beg are more likely to be unemployed than those who do not beg. By expanding the scope of the behaviours that the Bylaw addresses to include people who are causing an unreasonable interference with the peace, comfort or convenience of any person, or who

are occupying a public place for an unreasonable period of time, there is a much smaller risk of the draft Bylaw being found to be inconsistent with the NZBORA.

The draft Bylaw and Administration Manual proposes that a Council officer will investigate complaints received in relation to these three identified nuisance behaviours. The scope of the investigation will vary depending on the nature of the complaint and its specific circumstances. However, the Administration Manual identifies certain matters to be included in any investigation, in addition to attempting to speak with the complainant and the person complained against:

- a) The circumstances of the alleged nuisance behaviour;
- b) The personal circumstances of the person accused of nuisance behaviour;
- c) Any previous or active complaints received by Council from the same complainant;
- d) Any previous or active complaints received by Council regarding the behaviour of the same person;
- e) Any written notice to move on or desist issued under the Bylaw to the same person and the compliance or non-compliance with any such notice;
- f) The nature of the conduct;
- g) Any other relevant matter.

Upon completing the investigation, an officer will prepare a report and make a recommendation to either issue a notice to move on or desist from the identified behaviours, or to not issue a notice and close the complaint. A decision will then be made based on the report and recommendations.

If the decision is made to issue a notice, then this notice will be served on the person complained against in person. A notice may include a requirement to move on from the identified area. The draft Bylaw sets out a control area that represents the maximum area in which a notice can be in effect, but each notice would set the area to which it applies at the smallest area necessary to achieve the necessary change in behaviour. A notice may also include a requirement to desist from identified nuisance behaviours, as appropriate. The officer will explain what the notice means and what the person is required to do, how to access social services or other assistance in complying with the notice, and how to object to the notice.

If the person chooses to object to the notice, they can lodge that objection with the officer when the notice is served, who will take down the necessary information to enable the objection to be considered. An objection can be lodged up to five working days after the notice is served, and can be made in writing or on-line, over the phone or in person at the Customer Services Centre. The notice continues in effect while the objection is being considered.

A Council officer will consider the objection, and will request a written response from the original decision maker. A hearing may be called, if necessary, and the objector will have the right to attend and address that hearing. The officer has three days to determine the objection and decide to either affirm the notice, cancel the notice, or amend the conditions of the notice.

If a notice cannot be served, then it lapses one week after the decision is made. The maximum duration of any notice is three months.

Once in effect, a person is required to comply with the terms and conditions of the notice. If a person does not comply with a notice issued under the draft Bylaw, then they will be in breach of the Bylaw. The Council can choose to prosecute a person for a breach of the Bylaw through the District Court. The Council has no other powers to require compliance with the terms of the notice.

If the Council is successful in its prosecution of a person, then the person may be convicted. The judge can choose to set a fine upon conviction, which is set at a maximum of \$20,000, in accordance with section 242(4) of the Local Government Act 2002. However, in practice, the fine is likely to be much lower, possibly a few hundred dollars or even less.

4. ANALYSIS

Rationale for the proposed approach

While the proposed system of complaint, investigation, notice, objection and prosecution is cumbersome, there are good reasons for setting out such a comprehensive process. When assessing whether a bylaw was the most appropriate way of addressing the perceived report, the report prepared by Cooper Rapley for the Council assessed the approach used by other Councils, including Auckland, Hamilton, Nelson and Napier. Their advice was that:

“...there is an appreciable risk that those examples could constitute unjustified restrictions on the right to freedom of expression and freedom from discrimination because those bylaws:

- a) Are not spatially defined to areas of particular concern, and so apply to all public places;
- b) Automatically criminalise behaviour in public places based on conduct that is incapable of precise definition;
- c) Do not respect the importance of public places as an area for all members of the community;
- d) Do not provide a staged and proportionate enforcement process;
- e) Do not provide a process to make and determine objections to decisions made under the bylaws’ authority.

It is considered that in the above examples, liability under the bylaw could be triggered based on poorly defined actions or behaviours. This may be an inappropriately uncertain standard to trigger liability while using a public place.” In short, the legal view obtained by the Council is that measures put in place by some other Councils are inadvisable, due to the risk of them constituting unjustified restrictions on the right to freedom of expression and freedom from discrimination.

To address these concerns, the proposed bylaw includes several distinctive features, namely:

- It is spatially limited. The Control Area set out in the draft Administration Manual is closely based on the area identified by MASH Trust during their 2016/17 trial where most begging was found to occur. By limiting the area closely, the risk that the Bylaw constitutes an unreasonable restriction on the freedom of movement is minimised. It is further minimised by ensuring that any notice issued under the bylaw would set any spatial restrictions particular to that case, and would be the smallest possible restriction to address the nuisance behaviour. The investigation and notice system also enable the Council’s response to be more targeted and proportionate than a simple blanket ban on behaviours in a given area.
- It does not automatically criminalise behaviour in public places. By requiring a complaint in the first instance, with an investigation to occur before any action is taken, there is a presumption of innocence. It also allows the specific concerns to be established and clarified, where they might otherwise be inferred or assumed. The investigation gives the person complained against an opportunity to explain their actions, and the objections process minimises the risk that a person might be unjustly targeted by complaints.
- It respects the importance of public places as an area for everyone. Where the bylaws used by other Councils could result in people being ejected or banned from a public place almost immediately, the proposed bylaw requires that a case be made in the first instance. Following investigation, if a notice is issued, the extent of any ban is minimised to the smallest possible restriction to address the nuisance behaviour. This recognises that banning a person generally from an important public place such as the CBD, where many necessary services may be located, potentially creates an injustice. A notice to move on can be more targeted or could include conditions that allow for those services to be accessed even while the notice is otherwise in effect.
- It is proportionate and provides a staged enforcement process. The investigation and notice system ensures that each response to a complaint is appropriate and proportionate, by requiring the officer to consider the particulars of each complaint, and set the restrictions of any notice issued as a result of that investigation accordingly. The notice system gives the person a reasonable opportunity to alter their behaviour, before any further enforcement action, such as prosecution is taken.

- It provides a process to make and determine objections. The draft bylaw includes the ability for a person to object to a notice they have received. The process for objections is streamlined as much as possible to allow for a quick decision to be made, but it ensures that decisions are as robust as possible.

In addition, the process as set out in the draft Bylaw and Administration Manual provides a documented and evidenced-based chain of decision-making to support eventual legal action through the courts. Without this process, any prosecutions are likely to founder for lack of sufficient evidence, or demonstration of Council's decision-making efforts.

Limitations of the proposed approach

There are several limitations or unknowns arising from this draft Bylaw, which will affect the efficacy of the proposal and its ability to address the issue of begging and other nuisance behaviours. These have already been discussed more generally in previous reports, but are addressed more directly here with regard to the draft Bylaw:

- The key limitation is enforcement, referring broadly to all parts of the process where the Council takes action. For instance, while an officer can issue a notice, there is little that can be done if the notice cannot be served (i.e. if the person cannot be located) or if the person chooses to ignore the notice and not comply with its conditions. The only course of action remaining to the Council in that situation is to prosecute that person in court. A prosecution will likely cost the Council several thousand dollars, and the outcome is very uncertain. The likelihood of success, while improved by a robust process as set out in the draft Bylaw, is still low. The recent experience of Napier City Council, which initially pursued a prosecution of three people charged with begging but later withdrew the charges, illustrates the difficulties that would be faced by any similar prosecution. However, if the Council chooses not to prosecute, then the draft Bylaw, whatever its shape or form, will likely have no effect at all. Even if the Council is successful in seeking a conviction and a fine, that itself may not prove a deterrent if the fine is simply ignored and not paid.
- If a complaint is received with insufficient detail to either identify the person complained against, or if the complaint is anonymous, then it may be impractical to conduct an appropriate investigation. If the investigation cannot be adequately completed, then the complaint will be closed and the Council will be unable to take any further action.
- The act of issuing and serving notices is likely to place the Council officer in an aggressive or confrontational situation, which could create health and safety risks for the officer. It will be necessary to provide that officer with suitable training and support to manage aggressive situations and to defuse escalating behaviour.
- There is a potential risk that a notice may be issued to the wrong person. This could arise if the information given in the complaint is incorrect or insufficient. While this possibility remains an unlikely risk, if it did arise there is the potential for significant impact on the

person affected. This risk would be largely mitigated by a robust investigation process. However, this will introduce additional limitations – the investigation may take longer to minimise the risk of an improper outcome, or it could introduce a very high test to be met that may precludes many complaints from proceeding.

It is assumed that the draft Bylaw would require the creation of a new role, either full or part time. The amount of work required is as yet unknown, as it will be determined largely by the volume of complaints received and the amount of work required to investigate those complaints, serve notices, monitor for compliance and, if necessary, manage the prosecution of cases. The estimated staff cost could range from \$25-30k for a part time role, up to approximately \$50-60k for a full time role. In addition, an operational budget would be required to enable prosecutions to proceed. The size of that budget would be determined by the number of prosecutions anticipated. Assuming a minimum of two prosecutions in the first year, at a tentative cost of \$5000 per prosecution, the minimum cost for the first year would be \$10k. On top of staff costs, this gives a minimum likely cost of \$35-40k. These costs would increase if more prosecutions were required, or if the work requirement for the role required more than part-time hours.

5. DIRECTION SOUGHT

The draft Bylaw and Administration Manual as they currently stand make no accommodation for people who may have mental health concerns or other social issues. As the MASH Trust trial demonstrated there are often many social causes and factors present amongst those who beg or whose behaviour may create a nuisance. Throughout the drafting process officers have explored options to include provisions within the otherwise regulatory framework that allow for alternative approaches for those people where a social intervention may be more appropriate. Without an alternative approach there is an increased risk that some people may be subject to a notice to move on or desist from behaviour with no regard to the mental health issues that may lay behind that behaviour.

Officers are seeking direction from Councillors on whether the draft Bylaw should incorporate provisions that allow for a social response either in addition to, or in place of, a more regulatory response. Two options have been explored.

The first option is to allow for the officer to refer the person complained against to a relevant social service provider. This could be an action complementary to issuing a notice under the Bylaw, but it is primarily envisaged as a means to encourage a person to seek assistance from a social service provider. This option comes with a number of issues and limitations, however. Firstly, it may create ethical issues for an officer to be making an assessment or judgement of another person's health or wellbeing needs, particularly where that officer may not have sufficient information to make an appropriate assessment. Even if the officer was trained as a social worker, making assessments of this nature are potentially beset with risks. Secondly, there is no ability to compel any person to work with the

provider they have been referred to; neither is there any obligation on the social service provider to engage with the person they have been referred. This also creates potential funding issues for providers who may receive referrals without the necessary funding.

The second option is to pass all complaints to a social service provider in the first instance. This could address part of the concern with the first option, by leaving any decision about whether a person should be offered social assistance to an appropriately qualified social service provider. It also reinforces the “staged” approach, which was identified in Cooper Rapley’s S155 determination report as an important aspect to ensure responses to complaints were appropriate and proportionate. However, it would likely require the Council to provide funding to whichever provider it initially referred these complaints, which would increase the overall cost of implementing the Bylaw. Also, it could extend the time taken before Council could make a decision on whether or not to issue a notice – if the provider identified that no action was required on their part, and returned the complaint back to the Council, it is likely that several days would have passed, further complicating the timeliness of the proposed system. Finally, this option is contingent on a provider being willing to receive and assess these complaints in the first place.

If Councillors are supportive of incorporating provisions that allow for a social response into the draft Bylaw, then officers recommend that they should make a resolution accordingly. While both options have limitations, officers recommend that the second option is, on balance, the most effective approach. However, it would be contingent on identifying a provider that would be willing to receive and assess these complaints for the Council. If Councillors are supportive of this approach, then officers will make initial approaches to appropriate providers to ascertain whether they would be willing to participate.

6. NEXT STEPS

If the Committee directs officers to incorporate provisions into the draft Bylaw that allow for a social response then the draft Bylaw and Administration Manual will be revised accordingly. Officers will also make initial contact with relevant social service providers to sound them out on the possibility of their being involved with the Bylaw process. This information can then be communicated back when the draft Bylaw is next presented to the Committee.



A consultation document will be prepared for approval for public consultation. A communications and consultation plan will also be prepared, and included in the next report to the Committee. This will outline how officers recommend the Council should engage with the community on this draft Bylaw.

7. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide? If Yes quote relevant clause(s) from Delegations Manual 168.2	Yes
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Are the decisions significant?	No
If they are significant do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	No
Are the recommendations inconsistent with any of Council's policies or plans?	No

ATTACHMENTS

1. Palmerston North CBD Amenity Bylaw 2018 - discussion draft [↓](#) 
2. Palmerston North CBD Amenity Bylaw 2018 Administration Manual - discussion draft [↓](#) 

Peter Ridge
Policy Analyst



PALMERSTON NORTH CITY

PALMERSTON NORTH CBD AMENITY BYLAW 2018

PNCC V8 CBD Amenity Bylaw

Palmerston North CBD Amenity Bylaw 2018

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Palmerston North CBD Amenity Bylaw 2018

PART 1 INTRODUCTION

1 TITLE

- 1.1 The Title of this Bylaw is the Palmerston North CBD Amenity Bylaw 2018.

2 PURPOSE

- 2.1 This Bylaw is made under the authority of the Local Government Act 2002 for the purposes of addressing nuisance in public places in Palmerston North, with a particular emphasis on the Central Business District, so that the effects of nuisance on the amenity of pedestrians, road users, and retailers are remedied, while ensuring that access to and use of public places is not unreasonably restricted.

3 COMMENCEMENT

- 3.1 This Bylaw will come into force on 3 December 2018.

4 INTERPRETATION

- 4.1 In this Bylaw:

Administration Manual	means the Palmerston North CBD Amenity Bylaw 2018 Administration Manual passed by resolution of the Council at the same as making this Bylaw and as amended from time to time by delegated authority under this Bylaw.
Authorised Delegate	means the persons or bodies identified in clause 7.3 of this Bylaw.
Begging	means asking another person for money or goods, for personal use.
Bylaw	means the Palmerston North CBD Amenity Bylaw 2018.
Control Area	means the area specified in Part 2 of the Administration Manual.
Council	means Palmerston North City Council.
Desist	means to stop doing a specified thing.
Move on	means to cease remaining at or in occupation of a specified place.

Nuisance behaviour

includes:

- (a) begging in a public place in a manner that is likely to cause harassment, alarm, or distress to any reasonable person; or
- (b) behaving in a way that causes an unreasonable interference with the peace, comfort, or convenience of any person; or
- (c) occupying a public place for an unreasonable period of time:
 - (i) that affects the reasonable operation of private businesses adjoining that public place; or
 - (ii) otherwise unreasonably reduces the area available for pedestrian use.

Public Place

means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether the owner or occupier of the place is lawfully entitled to exclude or reject any person from it.

Written Notice

means a notice in writing to desist or move on, and issued under this Bylaw in accordance with the processes, terms and conditions set out in the Administration Manual.

PART 2 CONTROL OF NUISANCE

5 CONTROL OF NUISANCE IN PUBLIC PLACES

- 5.1 An Authorised Delegate may determine on reasonable grounds that a person is causing a nuisance behaviour in a public place in the Control Area.
- 5.2 In the event that an Authorised Delegate determines that a nuisance behaviour has been caused in the Control Area, an Authorised Delegate may issue the person concerned with a written notice to move on or desist. The written notice may include reasonable conditions to ensure the nuisance behaviour is remedied.
- 5.3 No person may contravene the conditions of a written notice to move on or desist that has been served on them in accordance with this Bylaw.

6 OBJECTION TO WRITTEN NOTICE TO MOVE ON OR DESIST

- 6.1 A person may object to a written notice issued under clause 5 within five working days of being served with such notice by:
 - a) Communicating to the Authorised Delegate that served them with the notice that they wish to object to the notice and by completing a written objection with the assistance of that Authorised Delegate;
 - b) Delivering a written objection to Council;
 - c) Presenting themselves personally at Council reception and recording their objection in writing with the assistance of a Council staff member, if required.
 - d) By calling the Council's Call Centre, and recording a verbal objection with the Call Centre.
- 6.2 An objection received under clause 6.1 must be determined by an Authorised Delegate in accordance with the Administration Manual.
- 6.3 An objection to a written notice does not suspend the effect of the notice under this Bylaw.
- 6.4 A written notice that has conditions amended by a determination under clause 6.2 must be issued as if it were a notice given under clause 5.2 of this Bylaw.

**PART 3
ADMINISTRATION**

7 ADMINISTRATION MANUAL AND DELEGATIONS

- 7.1 The Council has passed a resolution at the same time as making this Bylaw adopting the Administration Manual. All matters over which the Administration Manual defines, regulates, controls or prohibits related to this Bylaw, are matters that this Bylaw leaves to be addressed by resolution of Council under section 151(2) of the Local Government Act 2002.
- 7.2 The Council may by resolution amend the Administration Manual. Before amending the Administration Manual the Council will consult in accordance with the decision-making requirements of section 82 of the Local Government Act 2002.
- 7.3 The following are Authorised Delegates under this Bylaw:
- a) Council by resolution;
 - b) The Chief Executive of Council;
 - c) Every person granted delegated authority by the Chief Executive in relation to this Bylaw; and;
 - d) Any other person authorised to exercise a power under the Bylaw pursuant to Council's Delegations Manual or resolution of Council.
- 7.4 Authorised Delegates may exercise any power, function, or duty under this Bylaw or carry out any act, other than those expressly required to be by Council resolution, in order to achieve its effective administration on behalf of the Council including, without limitation:
- a) Receiving complaints in accordance with the process set out in the Administration Manual;
 - b) Determining whether an individual has caused a nuisance behaviour in accordance with the decision making process set out in the Administration Manual;
 - c) Prepare a report outlining what action, if any, is proposed in accordance with the assessment criteria set out in the Administration Manual;
 - d) Serve a written notice to move on or desist to any person on any terms and conditions in accordance with the Administration Manual;
 - e) Make any decision or determination required in this Bylaw in order to administer it.
- 7.5 All forms, specifications, standard conditions or methods for this Bylaw must be in writing and kept in the Administration Manual for this Bylaw and shall be available to the public.
- 7.6 Every exercise of a power of delegation under this clause must be publicly reported at least annually to Council if not exercised by Council by resolution, provided that failure to report does not invalidate the exercise of the Authorised Delegate's power.

**PART 4
ENFORCEMENT**

8 OFFENCES AND PENALTY

- 8.1 Every person who breaches clause 5.3 of this Bylaw commits an offence under section 239 of the Local Government Act 2002 and is liable to a fine as specified in section 242 of the Local Government Act 2002.
- 8.2 Council may issue infringement notices, in such forms of and for such amounts as are authorised in any regulations made under section 259 of the Local Government Act 2002.



PALMERSTON NORTH CITY

PALMERSTON NORTH CBD AMENITY BYLAW 2018

Administration Manual

PNCC V8 CBD Amenity Bylaw

Palmerston North CBD Amenity Bylaw 2018 - Administration Manual

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PART ONE - INTRODUCTION

The purpose of this Administration Manual is to support the administration of the Palmerston North CBD Amenity Bylaw 2018 (the "**Bylaw**"), to provide information to the public about decision making processes under the Bylaw, and to provide standard forms for the administration 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 Council's website alongside Council's Bylaws. A hard copy can be provided on request.

This Administration Manual may 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 by the General Manager for the Customer Service Unit.

PART TWO – PROCESSES FOR RECEIVING AND DETERMINING COMPLAINTS AND OBJECTIONS

1 COMPLAINTS

- 1.1 Council must provide information on its website as to how a complaint of an alleged breach of the Bylaw can be lodged with Council.
- 1.2 Complaints will be received by Council in writing in the form provided at Form 1 in this Administration Manual. Complaints may be received by Council via telephone or in person, provided the information required by Form 1 is obtained by Council.

2 INVESTIGATION OF COMPLAINT

- 2.1 Every complaint received by Council in accordance with clause 1 above will be referred to an Authorised Delegate.
- 2.2 Upon receipt of a complaint in accordance with clause 2.1 above, an Authorised Delegate will investigate the complaint including attempting to speak with the complainant and with the person accused of nuisance behaviour.
- 2.3 The matters to be ascertained in the investigation of a complaint in accordance with clause 2.2 above include, but are not limited to:
 - a) The circumstances of the alleged nuisance behaviour;
 - b) The personal circumstances of the person accused of nuisance behaviour;
 - c) Any previous or active complaints received by Council from the same complainant;
 - d) Any previous or active complaints received by Council regarding the behaviour of the same person;
 - e) Any written notice to move on or desist issued under the Bylaw to the same person and the compliance or non-compliance with any such notice;
 - f) The nature of the conduct;
 - g) Any other relevant matter.
- 2.4 If there are active complaints about the same person, those complaints will be consolidated into the same investigation by the same Authorised Delegate.

3 REPORT ON INVESTIGATION

- 3.1 The Authorised Delegate will prepare a report that outlines the findings of the investigation and must refer to the matters to be ascertained in clause 2 above.
- 3.2 The report will also outline options for dealing with the complaint which may include:
 - a) To dismiss the complaint, and notify the complainant that the complaint has been investigated and dismissed;
 - b) To issue a written notice to move on or desist to the person accused of nuisance behaviour and to notify the complainant of that outcome.

4 DECISION ON REPORT

- 4.1 Following receipt and consideration of a report prepared in accordance with clause 3, an Authorised Delegate under the Bylaw must decide whether to adopt one of the proposed steps outlined in the report or whether to take any other step that the Authorised Delegate considers appropriate in all the circumstances.
- 4.2 That decision must be in writing and signed by the Authorised Delegate.

5 WRITTEN NOTICE TO MOVE ON OR DESIST

- 5.1 Any written notice to move on or desist issued under the Bylaw must be in the form provided in this Administration Manual at Form 2.
- 5.2 A notice issued under clause 5.2 of the Bylaw must be personally served on the specified person and must also give an explanation of the terms and conditions of the notice, the implications for that person, information on how to access social services or other assistance in complying with the notice, and how to object to the notice.
- 5.3 A notice issued under the Bylaw must include an expiry date which must not be greater than three months from the date it is served.

6 OBJECTION TO WRITTEN NOTICE TO MOVE ON OR DESIST

- 6.1 An objection received by Council in accordance with clause 6.1 of the Bylaw will be provided to an Authorised Delegate who will be responsible for determining the objection.
- 6.2 The first step in determining the objection will be to ask for a written response to the objection from the Authorised Delegate who served the notice.
- 6.3 Following consideration of the written response referred to in clause 6.2 above, the Authorised Delegate will decide if a formal hearing is required to determine the objection, and if so, the nature of that hearing. The objector will be notified of that decision personally.
- 6.4 The Authorised Delegate must determine the objection, within three days of its receipt by the Council, by either affirming the notice, cancelling the notice, or amending the condition of the notice with or without a hearing with due regard to the interests of natural justice.

- Name _____

Date _____

FORM 2
WRITTEN NOTICE TO [MOVE ON / DESIST] [select one]
UNDER CBD AMENITY BYLAW 2018

To *[name]*

1. This document is a written notice issued to you on behalf of the Palmerston North City Council ("**Council**") pursuant to the CBD Amenity Bylaw 2018 (the "**Bylaw**").
2. This document requires you to move on from the area defined below and/or desist from the identified behaviours for a period of *[not exceeding 3 months]* from the date of this notice in accordance with the following conditions:

Identified behaviours (if applicable): _____

[insert conditions]

- a.
- b.
- c.
- d.

This document limits your rights only to the extent outlined in those conditions.

3. The area that this document applies to is *[address]*, commonly known as *[common description]* (the "**Area**").
4. This document has been issued in response to the following behaviour:
[describe behaviour]
 - a.
 - b.
 - c.
 - d.
5. Council has investigated that behaviour and has determined that the behaviour constitutes a nuisance behaviour as defined in this Bylaw.
6. A breach of the conditions of this document is a criminal offence under the Bylaw and may be prosecuted by the Council in the District Court.
7. You can object to this document within 5 working days by either:
 - a. Communicating your objection to the Authorised Delegate that served this notice on you, who will assist you to record your objection in writing.
 - b. Writing to Council and raising an objection to the written notice to move on. Written objections can be sent to Palmerston North City Council, 32 The Square, Palmerston North, or hand-delivered to Council's Customer Services Centre.

- c. Presenting yourself personally at Council's Customer Services Centre and asking for a staff member to assist you to record your objection in writing.

Following the receipt of an objection, Council will make contact with you to arrange for your objection to be determined in accordance with the Bylaw Administration Manual. That determination may be made with or without a hearing, depending on the circumstances.

- 8. Upon serving you personally with this document, Council's Authorised Delegate will explain its contents to you and also explain way that you can access social services in Palmerston North. We encourage you to make contact with those social service providers. The providers include the following:
 - a.

Date

Name:

Authorised Delegate

This document was served on _____

By _____ at _____ on _____

[method of service] [Time] [date]

PART THREE – CONTROL AREA

The Control Area includes all Public Places within the area bounded by the following roads and highlighted yellow in the map below:

Ferguson Street from Pitt Street to Princess Street
 Bourke Street from Ferguson Street, along Pitt Street to Cuba Street
 Cuba Street from Pitt Street to Rangitikei Street
 Rangitikei Street from Cuba Street to The Square
 The Square from Rangitikei Street, along Broadway Ave to Princess Street
 Princess Street from Broadway Ave to Ferguson Street.

Where the border of the Control Area falls on a road, the Control Area includes that road and the public places adjoining both sides of the road:

