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# **PALMERSTON NORTH CITY COUNCIL**

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## **AGENDA**

# **STRATEGY & FINANCE COMMITTEE**

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**9AM, WEDNESDAY 22 MARCH 2023**

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

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# MEMBERS

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Vaughan Dennison (Chair)  
Karen Naylor (Deputy Chair)  
Grant Smith (The Mayor)

Mark Arnott  
Brent Barrett  
Lew Findlay (QSM)  
Patrick Handcock  
(ONZM)  
Leonie Hapeta

Lorna Johnson  
Orphée Mickalad  
William Wood  
Kaydee Zabelin

AGENDA ITEMS, IF NOT ATTACHED, CAN BE VIEWED AT

[pncc.govt.nz](http://pncc.govt.nz) | Civic Administration Building, 32 The Square  
City Library | Ashhurst Community Library | Linton Library

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**Waid Crockett**

Chief Executive | PALMERSTON NORTH CITY COUNCIL

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Te Marae o Hine | 32 The Square  
Private Bag 11034 | Palmerston North 4442 | New Zealand  
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# STRATEGY & FINANCE COMMITTEE MEETING

22 March 2023

## 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. **Petition: Over-utilisation of land – Kāinga Ora Housing Development at 16-24 South Street, Palmerston North** Page 7
  
6. **Hearing of Submissions: Amendments to the Traffic and Parking Bylaw 2018 (Light Motor Vehicle Prohibitions)** Page 9
  
7. **Hearing of Submissions: Railway Land Reserve - Proposal to grant a licence to Tekton Limited** Page 13
  
8. **Proposal to grant a licence to Tekton Limited - Summary of Submissions** Page 51  
 Memorandum, presented by Bryce Hosking, Acting Chief Infrastructure Officer.
  
9. **Amendment to the Traffic and Parking Bylaw 2018 (Light Motor Vehicle Prohibitions) - Summary of Submissions** Page 59  
 Memorandum, presented by Stacey Solomon, Policy Analyst.

## REPORTS

10. **Quarterly Performance and Financial Report - Period Ending 31 December 2022** Page 107  
 Memorandum, presented by Scott Mancer, Finance Manager, Sue Kelly, Manager - Project Management Office and Andrew Boyle, Head of Community Planning.
  
11. **Treasury Report - 6 months ending 31 December 2022** Page 173  
 Memorandum, presented by Steve Paterson, Strategy Manager - Finance.

- 12. Speed Management Plan - endorsement of scope and draft objectives and policies** Page 185

Memorandum, presented by Peter Ridge, Senior Policy Analyst.
- 13. Review of the Palmerston North Animals and Bees Bylaw 2018 - s.155 LGA Determination** Page 205

Report, presented by Stacey Solomon, Policy Analyst.
- 14. Adderstone Reserve - Decision on proposal to change part to housing** Page 251

Report, presented by Kathy Dever-Tod, Group Manager - Parks and Logistics.
- 15. Part Waterloo Park - Proposal to exchange land** Page 267

Report, presented by Kathy Dever-Tod, Group Manager - Parks and Logistics.
- 16. 53A and 55 Totara Road - Proposal to grant a lease to Manawātū Archery Club Incorporated** Page 279

Memorandum, presented by Bryce Hosking, Acting Chief Infrastructure Officer.
- 17. 5 Andrew Avenue - Proposal to grant a lease on Council land to The Scout Association of New Zealand** Page 283

Memorandum, presented by Bryce Hosking, Acting Chief Infrastructure Officer.
- 18. 53 Waldegrave Street - Proposal to grant a lease to Te Whare o ngā Wāhine Women's Centre Incorporated** Page 287

Memorandum, presented by Bryce Hosking, Acting Chief Infrastructure Officer.
- 19. 16 Featherston Street (part of Takaro Park) - Proposal to continue supporting the Takaro Sports Club by notifying the intention to grant community occupancy lease of Council land** Page 291

Report, presented by Bryce Hosking, Acting Chief Infrastructure Officer.

20. **21 Guildford Street (part of Ashhurst Village Valley Centre), Ashhurst - Proposal to continue supporting the Ashhurst Community Trust by renewing exclusive community occupancy of Council land** Page 313

Report, presented by Bryce Hosking, Acting Chief Infrastructure Officer.

21. **Elected Member Expenditure 2021/22** Page 335

Memorandum, presented by Scott Mancer, Finance Manager.

22. **Committee Work Schedule** Page 341

23. **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].

## PRESENTATION

TO: Strategy & Finance Committee

MEETING DATE: 22 March 2023

TITLE: Petition: Over-utilisation of land – Kāinga Ora Housing Development at 16-24 South Street, Palmerston North

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## RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE

1. That the Strategy & Finance Committee receive the petition 'Over-utilisation of land – Kāinga Ora Housing Development at 16-24 South Street, Palmerston North' for information.
- 

## SUMMARY

Presentation of a petition 'Over-utilisation of land – Kāinga Ora Housing Development at 16-24 South Street, Palmerston North'.

The petition is as follows:

Kāinga Ora is building 10 double storey houses, **2 joined per section** at 16-24 South Street, Palmerston North. **No garage space** would be provided for the tenants of the houses. These houses will overlook neighbours' properties offering **no privacy**. Kāinga Ora will cram families into these small houses. These 10 houses will bring additional utilities, without upgrade to **plumbing/sewage**. **Noise and traffic** will increase, and **PNINS/central city workers'** parking is horrendous as is. This is not consistent with South Street which is predominantly made of single dwelling homes.

We ask for this to be reconsidered to allow 4 houses to be built.

The petition has been signed by 38 people.

## ATTACHMENTS

NIL





## SUBMISSION FROM CONSULTATION

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** Hearing of Submissions: Amendments to the Traffic and Parking Bylaw 2018 (Light Motor Vehicle Prohibitions)

### RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE

1. That the Strategy & Finance 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
<a href="#">5</a>	Amanda Linsley (Manawatu Business Chamber)
<a href="#">30</a>	Quinton Keyser
<a href="#">52</a>	Jessie Buckley
<a href="#">85</a>	Chris Teo-Sherrell
<a href="#">118</a>	Scott Bennett
<a href="#">128</a>	Ebey Prince
<a href="#">193</a>	Daniel Walmsley
<a href="#">209</a>	Charli Hedley
<a href="#">210</a>	Brad Ritchie
<a href="#">234</a>	Denise McLean (Townshend Joinery)
<a href="#">248</a>	Lachlan Riddiford
<a href="#">251</a>	Jack Townend

<a href="#">253</a>	Antony Everson
<a href="#">258</a>	Tony Gore
<a href="#">259</a>	Inspector Phillip Ward (NZ Police)
<a href="#">284</a>	Graeme Allomes
<a href="#">285</a>	Susan Allomes

## ATTACHMENTS

1. Submissions (attached separately) 
2. Procedure Sheet [↓](#) 

## Procedure Sheet Hearing of Submissions

### **Presenting your submission**

You have indicated a wish to present your submission before a Committee of Councillors; you can do this either in person or online. You may speak to your submission yourself or, if you wish, arrange for some other person or persons to speak on your behalf.

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

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

### **Time Allocation**

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

### **Who will be there?**

The Strategy & Finance Committee will hear the submissions. The Committee is comprised of Elected Members as identified on the frontispiece of the Agenda.

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

### **Agenda**

An Agenda for the meeting at which you will be speaking will be publicly available at least two working days prior to the meeting. It will be published on the Palmerston North City Council website ([Agendas and minutes](#)) and available to view at the Customer Service Centre. The Agenda lists the submissions in the order they will be considered by the Committee, although there may be some variation to this.

### **Venue**

The meeting will be held in the Council Chamber, First Floor, Civic Administration Building, Te Marae o Hine, 32 The Square, Palmerston North.

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

<b>Tikanga Maori</b>	You may speak to your submission in Maori if you wish. If you intend to do so, please contact us no later than four days before the date of the meeting (refer to the 'Further Information' section below). This is to enable arrangements to be made for a certified interpreter to attend the meeting. You may bring your own interpreter if you wish.
<b>Visual Aids</b>	A whiteboard, and computer with PowerPoint will be available for your use.
<b>Final Consideration of Submissions</b>	Final consideration of submissions will be at the ordinary meeting of the Strategy & Finance Committee on Wednesday 10 May 2023. The media and public can attend these meetings, but it will not be possible for you to speak further to your submission, or participate in the Committee deliberations.
<b>Changes to this Procedure</b>	The Committee may, at its sole discretion, vary the procedure set out above if circumstances indicate that some other procedure would be more appropriate.
<b>Further Information</b>	If you have any questions about the procedure outlined above please contact Natalya Kushnirenko, Democracy & Governance Administrator, phone 06 356 8199 extension 7106 or email <a href="mailto:natalya.kushnirenko@pncc.govt.nz">natalya.kushnirenko@pncc.govt.nz</a> .

## SUBMISSION FROM CONSULTATION

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** Hearing of Submissions: Railway Land Reserve - Proposal to grant a licence to Tekton Limited

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### RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE

1. That the Strategy & Finance 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.

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

Submission No.	Submitter
<a href="#">17</a>	Karl Ratahi

### ATTACHMENTS

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





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**From:** Submission  
**Subject:** FW: Consultation

**From:** Tyler Berge  
**Sent:** Friday, 13 January 2023 8:41 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Consultation

Hi there,

I am just emailing in regards to the proposed new license of the Tekton Ltd. High ropes course. I believe that the license should be renewed as it's such a great use of space in our city. It encourages young people to get out and try something new and exciting in the outdoors. We don't have a lot of activities like this in Palmerston North and there's so much empty space on Railway Land that isn't being used. I think the high ropes course is an amazing thing for kids and their families and supports people getting out of their comfort zones. I wish when I was younger there were more opportunities like this for kids to try out and I really hope that the license can be renewed so more people can enjoy it.

Kind regards,

Tyler Berge

**From:** Submission  
**Subject:** FW: Consultation

**From:** jordan hopewell  
**Sent:** Friday, 13 January 2023 9:38 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Consultation

To whom this may concern, I am emailing through my words of support for Todd Karipa and his high ropes course in Palmerston North. I am in full support of Todd keeping this course open for the people of the Manawatu region and beyond. I think it gives a lot of people the opportunity to go out of there comfort zone and try something new and is an awesome idea for the community. I myself have done this course and think it was such a cool idea to open in the heart of Palmy, I had a ball of a time and Todd was the best guide, easy and patient towards people of all ability's. It would so great to see this lease renewed for future generations and I hope it happens.

Kind regards, Jordan

**From:** Submission  
**Subject:** FW: Consultation

**From:** Tawhai Kururangi  
**Sent:** Friday, 13 January 2023 9:54 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Consultation

Tēna Kōe

I am writing this email in support that the lease for the high ropes course located on the railway land be renewed.

This ropes course is valuable to the city of Palmerston North, not only does it offer great team building exercises for levels of experience and fear but it teaches self confidence and trust. It's also beneficial to the wider Manawatu region and beyond creating fun and memorable moments for adults and children.

Again I am in SUPPORT of this lease being renewed.

Heoi ano  
Tawhai Kururangi

**From:** Submission  
**Subject:** FW: High ropes course

-----Original Message-----

Sent: Wednesday, 18 January 2023 1:51 pm  
To: Submission <submission@pncc.govt.nz>  
Subject: High ropes course

Hi

I'm not sure if submissions have all that much power, but I just wanted to say that I'm in favour of it. I think it's a great idea.

Regards

Terri Standish

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**From:** Submission  
**Subject:** FW: High Ropes course license renewal on Railway Land Reserve

---

**From:** Joshua Stewart  
**Sent:** Wednesday, 18 January 2023 3:11 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** High Ropes course license renewal on Railway Land Reserve

I am in favour of renewing this license for the high ropes course to continue to operate on the Railway land reserve.

As a high school teacher, we use this course as part of our Physical Education courses and value this experience for our students.

The operator is a highly skilled individual with much experience in this area. There is not another course like this that is as accessible for us locally.

I know there was a lot of effort put in to get this up and running, and I would hate to see this pulled down so quickly after its construction.

Regards,

Josh Stewart

**From:** Submission  
**Subject:** FW: High ropes

**From:** Cory Stephens  
**Sent:** Wednesday, 18 January 2023 5:42 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** High ropes

I would be against it as to what gain is there for PN never seen it open or anyway to contact them.  
Is just pointless been there really.  
Unless they can show will make it accessible for public at a reasonable family friendly price and times.

Cheers  
Cory Stephens



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**From:** Submission  
**Subject:** FW: High ropes

**From:** Kelly Rutherford  
**Sent:** Wednesday, 18 January 2023 7:00 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** High ropes

We have just done the high ropes in Taupo and they were absolutely incredible!! If we could have them in use in Palmy, that would be amazing. I've noticed them in the railway land but never seen in use

## 8

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**From:** Submission  
**Subject:** FW: Proposed new licence at Railway Land Reserve

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**From:** Thomas Sun  
**Sent:** Monday, 16 January 2023 9:08 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Proposed new licence at Railway Land Reserve

Kia ora

I was writing to submit my support for the renewal of license to Tekton Limited to operate the high ropes course at Railway Land reserve. Todd does an amazing place with these high ropes and hope he is able to continue to share his love of getting active with the public for longer

Nga mihi  
Thomas Sun

Sent from [Mail](#) for Windows

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**From:** Submission  
**Subject:** FW: Proposed new licence at Railway Land Reserve

**From:** Ria Pugmire  
**Sent:** Wednesday, 18 January 2023 2:51 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Proposed new licence at Railway Land Reserve

It seems a waste of this special space to be leasing it to a commercial venture that is neither attractive, nor able to be used by the majority of the public, nor does it even seem to be used much at all! I'm fond of the Railway Land, and the existing skate park is a wonderful community space. I'd love to see this extended to include public workout equipment, and/or a juniors skate park or playground, to help enrich this as a family space for all ages.

Thank you

**From:** Submission  
**Subject:** FW: Proposed new licence at Railway Land Reserve

**From:** Elisabet Schwamm  
**Sent:** Wednesday, 18 January 2023 8:55 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Proposed new licence at Railway Land Reserve

Hi,

I'm emailing to oppose the renewal of the license for the high ropes course. Like many have said on the Facebook post, in the 6yrs I've lived in Palmy, I've never seen it used, and we drive by this area often. I believe something more accessible to all public would be better. Maybe a bike park or a playground for younger kids for when mums bring their older children to the skate park. Or an exercise station for adults with benches for those walking by. It's a great space that rarely gets used during the year when there's no fairs. The high ropes course has not been a success, and locking in 5 more years seems like a waste of space.

Regards,  
Elisabet La Torre

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**From:** Submission  
**Subject:** FW: Proposed renewal of license at railway land.

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**From:** Brooke Jones  
**Sent:** Wednesday, 18 January 2023 9:21 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Proposed renewal of license at railway land.

Hi

As seems to be the general feeling of the public as evidenced by the Facebook post advising of submissions, I do not believe the license should be renewed for the high ropes course at the railway land. I have never seen it open, nor seen anyone on the course, nor do I know anybody who has completed it. It looks like an unfinished project, and I honestly thought that the idea had been shelved part way through construction.

The space would be far better used as a community space with an attraction that benefit the wide PN population rather than something that appeals only to a niche group of people. There is the possibility for a really well utilized public space on this land, and I believe the existence of the high ropes course impedes that, and does not provide any benefit to the wider community.

I do not wish to appear in front of the committee but I appreciate you reading my submission.

Sincerely,  
Brooke Jones  
-----

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**From:** Submission  
**Subject:** FW: Railway land

**From:** Glen Meade  
**Sent:** Thursday, 19 January 2023 9:30 am  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Railway land

Hi Team,  
I am all for this business we need this in our community because there is not enough for people to do in Palmy.

Kind regards



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**From:** Submission  
**Subject:** FW: Submission on the use of the land at the Railway Reserve - Palmerston North

**From:** Matthieu Vignes  
**Sent:** Friday, 20 January 2023 11:19 am  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Submission on the use of the land at the Railway Reserve - Palmerston North

Mörena,

I am a Rock climbing and Bush Guide. Working towards Alpine qualification. I am currently working with the current owner of the company, which ran the high ropes course in the last period to develop a novel and exciting outdoor activity offer to Palmerstonians. I have run two kids climbing sessions at the Rec Centre MUAC (Massey University Alpine Club) wall in the last two years. It was almost free of charge (a \$40 suggested donation for the year to go to MUAC to help with wall maintenance) and I am extremely grateful to the Rec Centre manager (Ron Werner) to have freely granted access to the kids for the sessions and to MUAC for their open spirit in letting their wall be used by the local community. Yet, this wall has a very limited scope, starts being old (over 30 years) and is not really suited for beginners.

I heard and read some very interesting and justified comments to take on board from the community. I believe there are good reasons, why the activity of the high ropes course wasn't what it was supposed to: time to set things up, difficulty to find staff, covid times and only recent burst in interest, which lead the owner to renew the lease before getting the course back into action.

I am looking forward to working with the owner and to offering an extended offer and more varied outdoor activities to the community, including school groups. Our dreams would extend to rock climbing, abseiling, advanced bush skills and mountaineering across NZ, but based in the Manawatu and certainly for the local community. This means, that identifying climbing walls we could use (and push for a decent one in the region! Work in progress with Sports Manawatu, but the road seems very long) and develop local outdoor crags is one of our priorities.

Hence, as you can guess, I am strongly supportive of the renewal of the lease, the high ropes course being a very good entry point to many outdoor activities.

Kia pai te rā,  
 Matthieu

**From:** Submission  
**Subject:** FW: Submission Railway Land Rope Course

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**From:** Lena Manihera  
**Sent:** Tuesday, 31 January 2023 1:55 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Submission Railway Land Rope Course

Hi

I would like to put my forward my consent for the Rope Course to stay at Railway Land. I think it is good for school children to learn skills and feel accomplishment for completing the Rope Course. Palmerston North lacks entertainment for the young so anything that can help our youth to feel encouraged and entertained is a good thing.

Kind regards

Lena Manihera

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**From:** Submission  
**Subject:** FW: Consultation

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**From:** Richard Just  
**Sent:** Thursday, 2 February 2023 10:55 am  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Consultation

To Whom it May Concern.

Good Day.

It has come to my attention that Palmerston North City Council is calling for submissions on the renewing of a license to Tekton Limited to operate a high ropes course on part of the railway land reserve.

Please note my absolute support for the granting of this license.  
This operation meets all the criteria of section 54 of the Reserves Act 1977.

High Ropes courses are an excellent and safe activity for people of all ages, gender and ability.  
I have had the opportunity to take many school groups of ages from primary school to intermediate on high ropes courses and I have found the experience for the participants to be excellent for many reasons, gaining self confidence by overcoming fear, team building skills and empathy for others with less ability are among the many positive learning people experience with these courses.

I was born in Palmerston North and lived there for 40 years before recently relocating to the Wellington area. The railway land is the perfect space for this course, aesthetically it blends well to the green area and the location makes it easily accessible.

Thank you for accepting this submission, please contact me if you require further information or have questions regarding it.

Kind Regards  
Richard Just.

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**From:** Submission  
**Subject:** FW: Consultation

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**From:** Donna Morgan  
**Sent:** Sunday, 29 January 2023 5:21 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Consultation

To whom it may concern,

Proposed new license at Railway Land Reserve, my submission is in support of the license being renewed. I view the ropes course as a good asset to Palmerston North. My niece did the ropes course as part of a holiday programme. She gained confidence, over came some fear, and had a sense of achievement from doing the course. The ropes course is in a great location in the central city and is aesthetically pleasing to the eye. My view is that it is beneficial to our City with opportunities of confidence building for both children and adults alike and corporate team building/bonding. I do not wish to appear before a council committee.

Warm Regards,  
Donna Morgan.

---

**From:** Submission  
**Subject:** FW: Proposed new licence at Railway Land Reserve

---

**From:** Karl Ratahi  
**Sent:** Thursday, 2 February 2023 1:26 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Proposed new licence at Railway Land Reserve

Kia Ora PNCC

I would like to support the granting of a licence to Tekton Limited to operate a high ropes course on part of the Railway Land Reserve. I've been involved in the outdoor education industry, and in particular challenge ropes courses, since June 1996 in the USA, Taiwan, South Korea, Fiji, Singapore, Australia and New Zealand. The personal growth and benefits of guests participating in these type of managed programs is unbelievable and in some case life changing.

I'm more than happy to appear by video link be heard by a Council committee in support of submission.

Nga mihi

Karl Ratahi

**From:** Submission  
**Subject:** FW: Proposed new licence at Railway Land Reserve

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**From:** Toby Morland  
**Sent:** Monday, 30 January 2023 1:00 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Proposed new licence at Railway Land Reserve

100% you should renew this licence. Studio rubix did our team building with these guys and it was amazing. We will do this again as a team for sure. Great use of land

toby

**19****SUBMISSION on a PUBLICLY NOTIFIED****Intention to Grant a Licence under****Section 54(1)(d) Reserves Act 1977 -****Railway Land Reserve**

To : Governance & Civic Team Leader  
Palmerston North City Council

By : John Bent

1. My submission is in opposition for reasons to be given by the Railway Land Action Group.
2. I reserve my position on all matters arising from submissions and during the course of these proceedings.
3. I wish to speak to this submission.

---

John Bent  
7 February 2023.

---

John Bent

**From:** Submission  
**Subject:** FW: Sumission

-----Original Message-----

From: jamie mihaka  
Sent: Tuesday, 7 February 2023 10:06 pm  
To: Submission <submission@pncc.govt.nz>  
Subject: Sumission

Kia Ora,

Not to sure what is required for a submission, but I wanted to express my gratitude for the experience of the high wire course in Palmerston North, this was one of the most challenging, rewarding and team and self finding experience I have taken part in!  
A great asset to the community !

Jamie Holm

Sent from my iPhone



21

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**From:** Submission  
**Subject:** FW: High Ropes

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**From:** kiri francis Riwai  
**Sent:** Tuesday, 7 February 2023 10:10 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** High Ropes

Hi there

Just wishing to express my interest in high ropes.  
I thoroughly enjoyed this experience once before and am looking forward to taking my team there again.

Nga Mihi

Kere

---

**From:** Submission  
**Subject:** FW:

---

**From:** Clifford Gear  
**Sent:** Wednesday, 8 February 2023 8:04 am  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:**

Morning  
I'm just writting to say what an awesome asset that High Wire Manawatu is to the community, i had such an amazing experience there , and would recommend it to anyone for team building or just a personal challenge  
Thanks Clifford Gear

**23**

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**From:** Submission  
**Subject:** FW: Consultation

---

**From:** Cam Johnson  
**Sent:** Wednesday, 18 January 2023 8:39 am  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Consultation

To whom it may concern,

I am writing to lend my support to the lease of the railway land used by Todd Karipa for the high ropes course to be extended.

Palmerston North has a lack of adventure tourism in the region. Anything the council can do to increase the tourist dollar must be seen as a bonus on land that would otherwise be un-used.

Thank you for your time.

**Kind regards.**

**Cam Johnson**

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**From:** Submission  
**Subject:** FW: Proposed new license at Railway land Reserve

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**From:** Rogers, Nick  
**Sent:** Wednesday, 8 February 2023 6:45 pm  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Proposed new license at Railway land Reserve

Nga mihi nui kia koutou Katoa,

I'm writing in support of the application made by Tekton Limited to extend the use of reserve land to operate a high ropes course.

Please note my absolute support for the granting of the licence, this activity meets all the requirements and criteria of section 45 of the Reserves Act 1977.

I am currently a regional trainer for Fire and Emergency New Zealand with my office in Palmerston North Fire Station, I specialise in high angle rope rescue and train firefighters throughout the lower North Island including Chatham Island. Prior to joining Fire and Emergency I spent many years as an outdoor pursuits instructor.

High Ropes courses are a fantastic activity for persons of all ages and abilities, I have facilitated many groups in High Ropes activities, from school groups and scout jamborees to groups of adults and visiting tourists etc and know that the experience can benefit individuals in many ways with FUN at the top of the list! Other benefits to be gained are: self-confidence, overcoming fears, empowerment, team building and empathy for others, a well run course can have huge positive effects for individuals reflected in other aspects of their daily life.

I have lived in Palmerston North for 23 years and throughout that time have been involved in adventure activities, its my opinion that Palmerston North desperately needs more attractions of this nature and as a community we should be encouraging companies like Tekton and making it as easy as possible for them as they benefit us all. I refer, by example to the fabulous job Taupo City Council have done over the last 20 years or so in smoothing the way for activities of this nature as they recognise the many long term advantages to the wider community.

I was fortunate quite recently to meet the owner of Tekton as I approached him to enquire whether Fire and Emergency Regional Training might have the opportunity to use the High Ropes course for aspects of our rescue training and was a bit taken aback to hear the struggles the company have had over the last few years dealing with red tape, COVID lockdowns and lengthy inspection processes, as I alluded to earlier I think we should be paving the way for business of this nature to make our humble town a bit more appealing and "flip the bird" to John Cleese while doing so.

Please accept this submission and note also that it is not the opinion of Fire and Emergency just that of my own.

Feel free to call or reply by email if you have any questions.

Nga mihi

**Nick Rogers**

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**From:** Submission  
**Subject:** FW: Submission regarding High Ropes course

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**From:** Shelley Berge  
**Sent:** Thursday, 9 February 2023 9:35 am  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Submission regarding High Ropes course

Kia ora

I am writing to show support for the high ropes course lease to be renewed.

I have personally experienced the course as part of a social gathering, from taking part in this, I believe that the course provides many benefits for people, from helping to build self-confidence, to developing trust in others to working as part of a team, aside from that it's just fun. I can see why these types of activities attract corporate team building and school outdoor ed programmes.

I must add, that my then 11-year-old Grandson, took part in a holiday programme that used the course, after some apprehension he became comfortable with the challenges and really enjoyed himself. It gave him confidence to try new things.

Best regards

Shelley

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**From:** Submission  
**Subject:** FW: Consultation

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**From:** Johnny Chee  
**Sent:** Sunday, 12 February 2023 12:01 am  
**To:** Submission <submission@pncc.govt.nz>  
**Subject:** Consultation

To Whom it May Concern.

I am writing to you as it has come to my attention that Palmerston North City Council is calling for submissions on the renewing of a license to Tekton Limited to operate a high ropes course on part of the railway land reserve.

Please note my full support for the granting of this license. This operation meets all the criteria of section 54 of the Reserves Act 1977.

I think it is great to support a small local business and give them the opportunity to establish themselves, with COVID Tekton Limited has not had the opportunity to do so. It would also be a shame to take down a perfectly operational course as where the course is situated on railway land is a terrific location for such an activity, and the location makes it easily accessible for all.

It is an amazing catch for the community and local schools etc to undertake this experience in their own backyard rather than having to travel out of the region to participate in a such an activity.

High Ropes courses are an excellent and safe activity for people of all ages, gender, and ability. I have had the opportunity to participate on high rope courses through my school and college years and take my oldest boy on them with his class as well. Everyone takes away something positive from the experience. It is mind blowing to see children and adults alike boost their self-confidence by overcoming their fear or come out of their shells by participating in team building related activities. You learn to trust and encourage your peers and celebrate each other's efforts. These are a few of the many positive takeaways people get from these courses.

Thank you for accepting this submission, please contact me if you require further information or have questions regarding it.

Kind Regards  
Johnny Chee

**27-1**

1

6 February, 2023

Railway Land Action Group Inc.  
c/- Mrs Marilyn Bulloch

Palmerston North City Council  
Attn: Democracy and Governance Manager  
Palmerston North City Council.

**Submission – Proposed New Licence at Railway Land Reserve**

**Granting of a licence to Tekton Ltd to operate a High Ropes Course on part of the Railway Land Reserve – renewal of an existing licence.**

The Railway Land Action Group did not support Tekton Ltd's previous licence of the site on the Railway Land Reserve to operate a High Ropes Course. Our position has not changed. Again, we have submissions being called for over the Christmas/New Year holiday period, with a closing date a few days outside the minimum requirement under the Reserves Act 1977.

**Background on our previous submissions to granting of the original licence to Tekton Ltd**

28/11/2015 Public Notice Intention to grant a Licence under Section 54 (1)(d) Reserves Act 1977 Railway Land Reserve to Tekton Ltd - submissions closed 6 January 2012. Our RWLAG submission was dated 29 December 2015. We spoke to our submission at an oral presentation to the Finance and Performance Committee meeting of 15 February 2016. There were five submitters including John Bent, Malcolm Frith, RWLAG, Todd Karipa and Tanenuiarangi Manawatu Inc. Stewart Harrex made public comment. At this meeting, Mayor Grant Smith and his Deputy, Duncan McCann, said they knew nothing about the proposal. Another councillor, Aleisha Rutherford, said she knew nothing about the proposal prior to reading the Order Paper.

At this meeting a second round of submissions was subsequently called for. The Committee recommended that the Council re-open consultation to put out a new call for submissions, and also requested the holding of a Council workshop. This was reported to a Council meeting dated 22 February 2016.

A second public notice was published on 9 April 2016 with submissions closing on 11 May 2016. The Council advertised more widely including on Facebook. There were 27

RWLAG - High Ropes Licence Renewal Submission - Feb 2023

submissions in support and 11 objections. The RWLAG wrote a second submission opposing the licence. We spoke again at the Hearings which were held on the 20th June 2016 Finance and Performance Committee meeting. Six submitters were heard.

Subsequently, a report on the Tekton proposal was on the agenda for the Finance and Performance Committee meeting of 15 August 2015. It was listed as Item 7 Railway Land High Ropes Licence Proposal Tekton Ltd dated 25 July 2016 from Senior Property and Parks Planner Aaron Phillips. The recommendation to Council was as follows:

1. That Council supports the Application for a licence allowing Tekton Ltd to operate a High Ropes Course on 585 sq m of the Railway Land being Lot 1 DP 78518 by seeking the prior consent of the Minister of Conservation before granting the licence. This report also summarised background material (p. 26) and summarised the submissions. This report also included a Deed of Licence, including a bond of \$2,000 to reinstate the grounds at the termination of the lease.

At the following full Council meeting on Monday 22 August 2016, Councillors Vaughan Dennison, Lew Findlay, Billie Meehan and Annette Nixon voted against supporting the proposal. Tangi Utikere abstained. Council Property Manager John Brenkley also stated a resource consent would be needed before the proposal could go ahead. [Note: The RWLAG had previously pointed out that the High Ropes Course violates all limits on permitted uses of the land in regard to area and height, under the District Plan and Recreation Zone Rules.]

A further item, (Item 5, p. 17) was listed on the Agenda of the Finance and Performance Committee held on Monday 19 September 2016. This item was entitled Railway Land High Ropes Consent and Licence. The report came in the form of a memorandum dated 24 August 2016 from Senior Parks and Reserves Planner Aaron Phillips. The recommendations to Council were as follows:

1. That Council exercise the delegated authority of the Ministry of Conservation and consent to grant the licence by the Palmerston North City Council to Tekton Ltd over approximately 585 m sq for purposes of a high ropes course; and
2. The Council notes that the requirements of Section 4 of the Conservation Act 1987 have been satisfied in relation to consultation over the proposed licence to Tekton Ltd for a high ropes course on the Railway Land.

This 36 page report also consists of three attachments including the Reserves Act 1977 covering Instrument of Delegation for Territorial Authorities. Note: the RWLAG had challenged this authority.

**The next phase of the undertaking for Tekton Ltd was to construct and operate the course. Slow progress.**

For a very long time there was no sign of any action on the site. Local PNCC Council reporter Janine Rankin contacted Tekton Ltd for more information. She reported on progress in the Manawatu Standard on Tuesday 29 January 2019 in an article entitled "High Wire Course Cranks Up". The course was under construction by designer and installer Karl Ratahi. Todd Karipa was quoted as saying that enquiries were already coming in from businesses and



local groups interested in making a booking. The plan was for hosting organised groups of up to 30 three days a week, with walk-in visitors at weekends.

On Monday 8 July 2019, reporter Alex Loo reported that the high ropes course would soon be ready to swing into action. Karipa reported that they were waiting for an auditor's report and hoped that the course would be open for commercial use by early August 2019.

On Monday 30 September 2019 an article appeared entitled "Ropes Opening Delayed". Bad weather and staff training had delayed the opening of the course. It would be at least October before the course would be open for public bookings. Karipa said that the cost would be no more than \$40 per person.

In an article to the Manawatu Standard dated 21 December 2019, Alex Loo reported that the course would now not be open for walk-in customers until January 2020, a year after it was finished. It was stated the course would be open in summer and closed most of the winter. People wanting to book can visit the Manawatu High Wire Facebook page.

#### **Recent events: Licence Renewal - 7 and 14 December 2022 Outcome Council Meetings**

At the Council meeting held on 7 December 2022 voting on the motion to notify the public of the Council's intention to renew Tekton's licence was a dead heat and the motion was declared lost (7 for; 7 against). The recommendations (item 11, p. 35) were as follows:

1. That Council approve notifying the public of the intention to grant a licence at Railway Land Reserve to Tekton Limited for a high ropes course operated as a commercial activity, in accordance with Section 54 of the Reserves Act 1977.
2. That Council note that the land area affected by the Licence to Tekton Limited is described as part of Lot 1 DP 78518.

At the following meeting on 14 December 2022, a Late Agenda Item (Item 19) was tabled by Karen Naylor/seconded by Mayor Grant Smith. This motion (as listed below) was added to the previous failed motions:

3. To approve a temporary extension to the licence to Tekton Limited for a further 6 months from the 15 February 2023 until the 15 August 2023, in order to give time for the public notification process and further council decision making.

These three motions were passed. The reason for urgency was that Tekton Ltd's current licence expires on 15 February 2023 and the next council meeting is not until 15 February 2023. Tekton Ltd had requested an extension of licence to give them confidence to invest in a safety audit to re-open their operations.

#### **Our Conclusion**

In addition to the reasons laid out in our opposition to the original licence (see Addendum pp. 4-5), the failure of Tekton Ltd to operate effectively under the licence that was granted, and the way the licence has been allowed to virtually expire before urgent action was taken (by the Council) to temporarily renew it, lead to our conclusion that Tekton Ltd's licence should not be renewed. We request that the renewal of the licence be denied.

We do not wish to make an oral presentation at the Hearings.

**Addendum (Pages 4 and 5) –****Extract from Railway Land Action Group Submission 29/12/2015:****Submission on Intention to Grant a Licence under Section 54 (1)(d)  
Reserves Act 1977 – Railway Land Reserve****Background**

The Railway Land Action Group was initially formed in 1993 in response to the Manawatu Polytechnic's (now Ucol) proposal to build a new campus on the eastern section of the Railway Land. During this campaign the Group submitted to the Palmerston North City Council a petition with over 11,000 signatures requesting that the land be re-zoned Recreation and protected as open space under the Reserves Act 1977.

In 2000 we supported a proposal to construct a Skate Park on the eastern section of the land and the council subsequently issued the resource consent in August 2001. While we were not entirely happy about an area of open green space being concreted over, we accepted the desirability of providing a recreational resource for younger people and encouraging families to make use of the land.

Beginning in 2002, the Action Group led a major campaign against the proposal to allow The Warehouse Ltd to build a 10,000 m<sup>2</sup> megastore on the western section of the Railway Land. The resultant private plan change hearing allowed the project to proceed and the land was sold to The Warehouse.

In 2006, under Plan Change 22, the remaining eastern section of the Railway Land was rezoned from Future Development Zone to Recreation. A special condition imposed was that only one building having a maximum floor area no greater than 50 m<sup>2</sup> will be permitted on the land in addition to any building constructed prior to 31 March 2006 (Rule 15.4.4.2(b)(ii)).

The continuing advocacy of the Railway Land Action Group was successful in April 2010 in prompting the Palmerston North City Council to gazette the eastern section of the Railway Land as a Reserve under the Reserves Act 1977.

**Our Vision for the Railway Land.**

While we supported the Skate Park, we regard the Skate Park as a special case and we are not willing to see further construction on the land. The original Railway Land was 6.73 hectares but the western section of 3.23 hectares has been lost to the Fire Station and The Warehouse. Part of the 3.5 hectares of the eastern section has been lost to the strip of car parking along Church Street. We continue to want the remainder of the land to be retained as open green space, to be freely available for public activities, passive recreation, an off-leash dog exercise area, and village green type activities like visiting circuses.

### **Past Proposals for Use of the Eastern Railway Land**

As can be seen from the following list of proposals, this valuable public green open green space has constantly been under threat of being lost to public access. Past proposals for use of the eastern section of the Railway Land include the Lido Swimming Pool, Pensioner Housing, Museum site, Eco Museum (1993), Model Village, Sporting and Recreational Complex (1998), Events Centre (1998), four large concrete stars and Children's Theme Park (Millennium Project) and Luxury Hotel (election 2001).

### **Reserves Management Plan Required for Railway Land Reserve.**

The council has failed to prepare a Reserve Management Plan as required under Reserves Act for the Railway Land Reserve. In the absence of such a plan, public expectations over use of the land have not been formalised. This leads to piecemeal encroachment on the integrity of the open green space. Already plans are in place to extend the footprint of the existing Skate Park by adding a deep skate bowl, mini pump track and other improvements in 2016.

### **Our position on the High Ropes Challenge Course Application.**

We oppose the application to grant the lease on the Railway Land for the following reasons:

1. In general we want the land to be freely accessible to the public and not pre-empted for long-term commercial use
2. No plans or environmental impact assessments are provided to enable us to judge the impact and feasibility of the proposal – for instance, engineering design, soil strength, ancillary buildings, fencing, noise, lighting, hours of operation, safety of participants (site exposed to wind), public safety both when the facility is operating and when unattended, potential for distracting the concentration of motorists along the adjacent high traffic count roads, provision of car or bus parking (will more parks have to be constructed).
3. Permanent nature of the facility will exclude the use of the site for casual use activities.
4. We have been informed that course will consist of eight poles which could be up to 12+ metres high. A structure of this nature will have considerable visual impact, especially when the surrounding trees have lost their leaves.
5. We have been informed by the applicants that they plan plantings to attract tui and kereru. Although in the right setting we would support this concept, on the Railway Land security concerns mean that open sight lines are desirable.

### **Other Possible Sites**

We consider there are more suitable sites for such a structure elsewhere in the city, including privately owned sites.

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**28**

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**From:** Submission  
**Subject:** FW: Attn: Democracy and Governance Manager

**Sent:** Monday, February 13, 2023 11:58 AM  
**To:** [info@pncc.govt.nz](mailto:info@pncc.govt.nz)  
**Subject:** Attn: Democracy and Governance Manager

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Submission- Granting of a licence to Tekton Limited - Renewal

I am opposed to the continuation of the Tekton Limited High Ropes activity on the Railway Land Reserve.

I support the submission from the Railway Land Action Group.

The Railway Land Reserve is not the appropriate space for a commercial activity.  
Activity by Tekton appears minimal. What beneficial purpose / service has been achieved to date?  
What reporting is required / provided that justifies Tekton's continued occupation of the area.

Please decline the application to re-licence the Tekton Limited High Ropes occupation on the Railway Land Reserve.

I am not available to speak to my submission.

Annette Nixon

Sent from my iPhone

15 February 2023



**LETTER OF SUPPORT FOR EXTENDING THE LEASE TO THE OPERATOR OF THE HIGH ROPES COURSE RAILWAY LAND**

everyone  
active.  
kia mātātoa  
tātou.

To whom it may concern,

I am writing in support of Palmerston North City Council (Council) taking time to consider a lease extension to the operator of the high ropes course located on the Railway land.

Sport Manawātū believes that commercial recreation offers the community varied opportunities and participation choice. As the country bounces back from uncertainty of COVID and weather events, it's important that our community has access to a variety of play, recreation and sporting opportunities not only to stay physically well but also to reduce anxiety and support mental health. Multiple research studies show that being active in the outdoors is beneficial to people.

While some commercial providers have come through COVID and other pressures relatively unscathed, it cannot be said of others in our city, notably Flip City.

It is important to note that not all commercial recreation providers make an excessive profit. Some commercial business models operate more like standard sports clubs, and it can be difficult to separate community benefits of paying for recreational activities to an operator.

We would ask Council to consider its decision to extend the High ropes lease based on:

- The facility having low impact on the environment, both structurally and operationally;
- The activity appears complimentary to neighbouring infrastructure, notably the wheel park;
- Our understanding is that there are no competing requests or conflicts for use of the space occupied by the high ropes operator;
- There appears to be low impacts of noise to neighbouring properties;
- Council infrastructure is already in place and therefore a lease extension would not require further ratepayer contributions;
- The attractiveness of the asset to entice and provide quality experiences for visitors to our city;
- Provide employment opportunities for residents, particularly youth;
- Caters for a range of residents who don't find competitive sport or team-based activities appealing; and

**Palmerston North** (Head Office)  
40 The Square – Te Marae o Hine  
Palmerston North 4410  
06 357 5349

**Feilding**  
Makino Aquatic Centre  
Feilding 4702  
06 323 6900

**Taranua**  
40 Denmark Street  
Dannevirke 4930  
06 374 4989

[sportmanawatu.org.nz](https://sportmanawatu.org.nz)



**29-2**

- Knowledge through working with the facility operator that he has continued to offer discounted rates and subsidies to groups who are financially vulnerable.



**everyone  
active.**  
**kia mātātoa  
tātou.**

Therefore, it is based on the benefits listed above that we believe the Council should consider extending the operator's lease. The Funding and Support Policy should also guide Councils decision on how it will see the agreement working in future.

Should you require any further information please feel free to contact me via email [Kellys@sportmanawatu.org.nz](mailto:Kellys@sportmanawatu.org.nz)

Kind regards,  
**Kelly Shanks**  
**CEO Sport Manawātū**

**Palmerston North** (Head Office)  
40 The Square – Te Marae o Hine  
Palmerston North 4410  
06 357 5349

**Feilding**  
Makino Aquatic Centre  
Feilding 4702  
06 323 6900

**Taranua**  
40 Denmark Street  
Dannevirke 4930  
06 374 4989

[sportmanawatu.org.nz](http://sportmanawatu.org.nz)



## Procedure Sheet Hearing of Submissions

### **Presenting your submission**

You have indicated a wish to present your submission before a Committee of Councillors; you can do this either in person or online. You may speak to your submission yourself or, if you wish, arrange for some other person or persons to speak on your behalf.

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

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

### **Time Allocation**

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

### **Who will be there?**

The Strategy & Finance Committee will hear the submissions. The Committee is comprised of Elected Members as identified on the frontispiece of the Agenda.

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

### **Agenda**

An Agenda for the meeting at which you will be speaking will be publicly available at least two working days prior to the meeting. It will be published on the Palmerston North City Council website ([Agendas and minutes](#)) and available to view at the Customer Service Centre. The Agenda lists the submissions in the order they will be considered by the Committee, although there may be some variation to this.

### **Venue**

The meeting will be held in the Council Chamber, First Floor, Civic Administration Building, Te Marae o Hine, 32 The Square, Palmerston North.

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

<b>Tikanga Maori</b>	You may speak to your submission in Maori if you wish. If you intend to do so, please contact us no later than four days before the date of the meeting (refer to the 'Further Information' section below). This is to enable arrangements to be made for a certified interpreter to attend the meeting. You may bring your own interpreter if you wish.
<b>Visual Aids</b>	A whiteboard, and computer with PowerPoint will be available for your use.
<b>Final Consideration of Submissions</b>	Final consideration of submissions will be at the ordinary meeting of the Strategy & Finance Committee on Wednesday 10 May 2023. The media and public can attend these meetings, but it will not be possible for you to speak further to your submission, or participate in the Committee deliberations.
<b>Changes to this Procedure</b>	The Committee may, at its sole discretion, vary the procedure set out above if circumstances indicate that some other procedure would be more appropriate.
<b>Further Information</b>	If you have any questions about the procedure outlined above please contact Natalya Kushnirenko, Democracy & Governance Administrator, phone 06 356 8199 extension 7106 or email <a href="mailto:natalya.kushnirenko@pncc.govt.nz">natalya.kushnirenko@pncc.govt.nz</a> .



## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** Proposal to grant a licence to Tekton Limited - Summary of Submissions

**PRESENTED BY:** Bryce Hosking, Acting Chief Infrastructure Officer

**APPROVED BY:** Cameron McKay, Chief Financial Officer

### RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE

1. That the Committee receive the memorandum titled 'Proposal to grant a licence to Tekton Limited – Summary of Submissions' presented to the Strategy & Finance Committee on 22 March 2023.

#### 1. ISSUE

- 1.1 Tekton Limited has held a licence for the right to operate a high ropes course on 585m<sup>2</sup> of the Railway Land Reserve, Palmerston North since 2018.
- 1.2 The current licence with Tekton Limited expires in August 2023. Council has received a request from Tekton Limited to renew the licence for a further five-year term.
- 1.3 Tekton Limited requires assurance of long-term tenure prior to investing in the employment and training of staff. Tekton Limited will be required to meet the Health and Safety at Work (Adventure Activities) Regulations 2016 which include a safety audit and registration process. The High Ropes course is currently a deregistered activity.
- 1.4 A Notice of Motion to Council on 14 December 2022 from Councillor Naylor reconsidered the proposal and as a result, Council resolved:

*That Council reconsider the following recommendation:*

- a. *That Council approve notifying the public of the intention to grant a licence at Railway Land Reserve to Tekton Limited for a high ropes course operated as a commercial activity, in accordance with Section 54 of the Reserves Act 1977.*
- b. *That Council note that the land affected by the Licence to Tekton Limited is described as part of Lot 1 DP 78518.*

*That Council Resolves:*

- c. *To approve a temporary extension to the licence to Tekton Limited for a further 6 months from 15 February 2023 until 15 August 2023, in order to give time for the public notification process and further Council decision making.*

1.5 The public notification process is now complete.

1.6 Note that this report only presents an overview of the consultation undertaken and a summary of written submissions received. A further report will be presented to the Strategy & Finance Committee on 10 May 2023 which will provide the following:

- Consideration of matters raised in submissions, and any new matters presented in the hearings;
- Provide a business case from Tekton Limited to support their licence proposal;
- Propose licence terms, including the annual licence fee.

1.7 The report on 10 May 2023 will also seek a decision on whether to proceed with a new licence or not.

## 2. CONSULTATION OVERVIEW

2.1 Consultation took place from 12 January 2023 to 13 February 2023. The consultation consisted of:

- Public notice in Manawātū Standard;
- Public notice in the Manawātū Guardian;
- Online advertisement on the Council website; and
- A social media post on 18 January 2023.

## 3. SUMMARY OF SUBMISSIONS

3.1 Twenty-nine (29) submissions were received during the consultation period. Submitters identified their support or otherwise of the proposal. 6 submissions were against and 23 for.

3.2 The table below summarises the matters raised in the written submissions. Please note: Totals do not equal the number of submissions as more than one matter was raised in some submissions.

Matters Raised	Total
<b>Comments against</b>	
No advertisement of company – lack of contact information and general advertisement	1

Never seen the high ropes course being used during the licence term	6
Against - Opportunity for other alternative activities to occupy site	3
The licence and course do not currently provide community benefits	2
The structure of the course is not attractive	2
During the licence term the course has not operated effectively	3
Security concerns	2
Railway Land should be freely accessible, the land should be returned to its original state and not be occupied	2
<b>Comments for</b>	
The activity is a great use of space at Railway Land	5
There are no activities similar provided to the community	4
The course is supporting individuals to get out of their comfort zone	2
Individuals that have completed the course commented on the positive experience	6
Positive feedback regarding staff and trainers	3
The activity provides value to Palmerston North	6
The activity provides mental health benefits and personal growth	9
An attraction to wider Manawatū / Tourism	3
Great idea for the community	2
An activity that can be used for educational purposes	2
Developing outdoor activities in Palmerston North	1
Aesthetically pleasing	3
Providing a team building activity	8
Create idea if accessible for public at a reasonable cost	1
Provides employment opportunities	1

### 3.3 Social media posts:

- The Facebook post reached 18,201 individuals which included 4,108 engagements. Of this, there were 169 reactions (143 likes, 22 loves, 1 sad, 1 anger, 2 which were neither for nor against) and 196 comments.
- Comments were focussed on the company's lack of advertisement and contact information. The general focus was that the community have not seen the activity operational during the licence time.

#### 4. HEARINGS

- 4.1 Submitters who expressed a view on the proposal to grant a licence who also indicated they wished to be heard, have been contacted by staff and invited to speak at the scheduled hearing of 22 March 2023.

#### 5. NEXT STEPS

- 5.1 Review the oral submissions for new, changed or expanded points.
- 5.2 Present a report to the Strategy & Finance Committee on 10 May 2023 which will provide the following:
- Consideration of matters raised in submissions, and any new matters presented in the hearings;
  - Provide a business case from Tekton Limited to support their licence proposal;
  - Propose licence terms, including the annual licence fee.
  - Seek a decision for whether to proceed with a new licence or not.

#### 6. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do, they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 2: A Creative and Exciting City	
The recommendations contribute to the achievement of action/actions in Active Communities	
The actions are:	
<ul style="list-style-type: none"> <li>• Administer the Reserves Act 1977.</li> <li>• Council supports a variety of clubs and organisations through consistent and transparent lease arrangements at parks and reserves and community centres.</li> </ul>	
Contribution to strategic direction and to the social, economic, environmental	The summary of submissions on the proposal to grant a licence to Tekton Limited meets the requirements of the Reserves Act 1977.

and cultural well-being	
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## ATTACHMENTS

1. Public Consultation [↓](#) 



PALMERSTON NORTH CITY COUNCIL

# INTENTION TO GRANT A LICENCE FOR A COMMERCIAL ACTIVITY UNDER THE RESERVES ACT 1977

## RAILWAY LAND RESERVE

We intend to grant a licence under section 54 of the Reserves Act 1977. The proposed licence will be to Tekton Limited to operate a high ropes course on part of the Railway Land Reserve.

The high ropes course has been in place on the reserve since 2017, and this proposal is to renew the existing licence and extend their occupation of the reserve for a 5 year term.

### **Submissions or objections are now open.**

If you are interested in making a submission or objection, please do so in writing and let us know if you wish to appear before and be heard by a Council Committee in support of your submission or objection. Please forward all submissions by **Monday 13 February, 2023** to:

Palmerston North City Council  
Attn: Democracy and  
Governance Manager  
Private Bag 11034  
PALMERSTON NORTH

Or email [submission@pncc.govt.nz](mailto:submission@pncc.govt.nz)



**PAPAIOEA**  
PALMERSTON  
NORTH  
CITY

Waid Crockett  
**Chief Executive**

12 January 2023





## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** Amendment to the Traffic and Parking Bylaw 2018 (Light Motor Vehicle Prohibitions) - Summary of Submissions

**PRESENTED BY:** Stacey Solomon, Policy Analyst

**APPROVED BY:** David Murphy, Chief Planning Officer

### RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE

1. That the Committee receive the memorandum titled 'Amendment to the Traffic and Parking Bylaw 2018 (Light Motor Vehicle Prohibitions) - Summary of Submissions' presented to the Strategy & Finance Committee on 22 March 2023.

#### 1. ISSUE

In October 2022 Palmerston North City Council ('Council') resolved to consult with the public on its proposed Amendment to the Palmerston North Traffic and Parking Bylaw 2018 (Light Motor Vehicle Prohibitions).

Public consultation has been completed. This memorandum provides a brief summary of the consultation process and issues which have been raised by submitters (Attachment 1).

A detailed summary and further advice from Officers on the issues raised as well as recommendations for any changes to the proposed amendments are not provided in this memorandum. That information will be provided to the Strategy & Finance Committee in a subsequent memorandum, as part of the deliberations process.

#### 2. THE PROPOSED AMENDMENT TO THE BYLAW

The Council proposed to amend the bylaw to include a new control which prohibits light motor vehicles (vehicles weighing less than 3,500kg) from being operated on specified roads in Palmerston North between the hours of 10:00pm and 4:00am, every day of the week. The amendment is proposed to apply to the following roads:

- Bennett Street
- Birch Way
- El Prado Drive
- Makomako Road
- Malden Street

- Valor Drive
- Works Road

The amendment will promote road safety, protect the environment from damage and pollution, and mitigate nuisance to the community caused by street racer activity by preventing street racers from being able to congregate.

By making the amendment, Council is enabling the New Zealand Police to issue infringement notices to those operating light motor vehicles in contravention of the bylaw control. In addition to the enforcement tools already available to the police, it is thought that receiving an instant infringement notice will deter street racers from driving their vehicles in nuisance-causing ways.

The amendment does not apply to:

- those who own property or live on the restricted streets; or
- visitors of those who own property or live on the restricted streets; or
- those who are on the road with legitimate reason (such as a maintenance service, taxi or Uber); or
- Emergency vehicles; or
- Medical professionals on the occasion where they are rendering medical aid; or
- those who have received a prior exemption from Council.

In future, Council may add or delete prohibited roads as necessary, following an appropriate engagement process.

The Statement of Proposal is attached to this memorandum (Attachment 2). The draft amendment to the bylaw and the Administration Manual to the bylaw are also attached (Attachments 3 and 4, respectively).

### **3. SUMMARY OF SUBMISSION PROCESS**

The proposed bylaw amendment was approved for consultation with the community on 5 October 2022. Consultation started on 17 October 2022, and submissions were accepted through to 21 November 2022.

Notification of the consultation was made via public notice in the Manawātū Standard, supported by radio interviews and advertising, posters put up around the city, a social media campaign, media release, and direct notification. Consultation material was posted on the Council's website, and printed copies were available at the Customer Service Centre and at all community libraries.

Any community member, business or organisation, other stakeholders or partners identified as being directly impacted by the proposed amendment, were contacted directly via letter or email with details of the proposal and how they might be affected. Any other interested party or person was also able to submit feedback.

Council received 296 submissions on the proposed amendments. Attachment 1 to this memorandum identifies the broad themes raised by submitters. The summary should be read in conjunction with the full text of each submission that was made to this consultation.

### Submissions received

Of the submissions received, a majority are supportive or supportive in part of the proposed amendment, noting that a large number of respondents do not support the proposed amendment (for a variety of reasons noted in the attachment).

The table below provides a breakdown of total support for the proposal.

Number of submissions that <b>support the proposal</b>	<b>140</b>
Number of submissions that <b>support the proposal in part</b>	<b>55</b>
Number of submissions that <b>do not support the proposal</b>	<b>100</b>
Number of submissions that <b>did not state their support</b> (or it is not clear for Officers to determine)	<b>1</b>
<b>Total number</b> of submissions received on the proposal	<b>296</b>

Table 1: Overall summary of submissions

## 4. NEXT STEPS

Officers will prepare advice on the issues raised by submitters in the deliberations report that will be presented to the Strategy & Finance Committee. Following consideration of any recommendations made by the Committee to Council, the Council will be able to adopt the amended Palmerston North Traffic and Parking Bylaw.





Once adopted, the amended bylaw will come into effect in July 2023.

## 5. COMPLIANCE AND ADMINISTRATION

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

The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the achievement of action/actions in Safe Communities	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	<p>The recommendations contribute to Priority 4 in the Connected Communities Strategy: He whaka ū i te tāone e maritau ai, e noho haumarū ai ōno tāngata   Be a city where people feel safe and are safe.</p> <p>The perception of safety impacts on the way people feel and interact in their communities. Council has committed to working with communities, businesses, local government, government agencies and others to promote safety.</p> <p>The actions in this plan also contribute to the achievement of the Connected Communities Plan. This is because Council recognises that the issues that underpin safety concerns can be attributed to a lack of community connectedness or whanaungatanga and opportunities to encourage this.</p>

## ATTACHMENTS

1. Summary Analysis of Submissions - Proposed Amendment to the Palmerston North Traffic and Parking Bylaw 2018 (Light Motor Vehicle Prohibition) [↓](#) 
2. Statement of Proposal - Proposed Amendment to the Palmerston North Traffic and Parking Bylaw 2018 (Light Motor Vehicle Prohibitions) [↓](#) 
3. Palmerston North Traffic and Parking Bylaw 2018 (draft Light Motor Vehicle Prohibition Amendment) [↓](#) 
4. Palmerston North Traffic and Parking Bylaw 2018 - Administration Manual (draft Light Motor Vehicle Prohibition Amendment) [↓](#) 

## Summary Analysis of Submissions

### Proposed Amendment to the Palmerston North Traffic and Parking Bylaw 2018

#### (Light Motor Vehicle Prohibitions)

March 2023

### Purpose of this document

This document summarises the submissions made to the Palmerston North City Council (the Council) on the proposed amendment to the Palmerston North Traffic and Parking Bylaw 2018 (Light Motor Vehicle Prohibitions).

Information provided in this report is summarised from the feedback of submitters. This document should be read in conjunction with the full text of each submission.

### Overview of the proposal made by Council

Noise and disruption as well as damage to property and the environment caused by street racers gathering at locations around Palmerston North has been reported to the Council and to the New Zealand Police by members of the community. In response, Council proposed to amend the Palmerston North Traffic and Parking Bylaw 2018 (the Bylaw) to enable the Police to address issues related to street racers congregating on specified roads around the city.

Amending the Bylaw will give the New Zealand Police an enforcement tool additional to those already at their disposal. This is achieved by enabling the Police to issue infringement notices to vehicles that are congregating for the purposes of street racing, which will be in contravention of a bylaw control. It is envisioned that the amendment will promote road safety, protect the environment from damage, and prevent nuisance to the community, by deterring congregation of street racers from happening in the first instance.

The proposal prevents light motor vehicles (those vehicles with a gross mass less than 3,500kg such as utes, vans, and most passenger cars) from congregating or being operated on identified roads around the city between the hours of 10:00pm and 4:00am every day of the week. The proposed amendment applies to the following roads:

- Bennett Street
- Birch Way
- El Prado Drive
- Makomako Road
- Malden Street
- Valor Drive
- Works Road.

Legitimate day-to-day road users are not affected by this proposal as the restrictions would not apply to them. Exclusions to the proposed restrictions are set out in proposed clause 10.4. Exclusions include:

- those who own property or live on the restricted streets; or
- visitors of those who own property or live on the restricted streets; or
- those who are on the road with legitimate reason (such as a maintenance service, taxi or Uber); or
- those who have received a prior exemption from Council.

Note: the Bylaw already includes clauses with exceptions related to emergency service vehicles being exempt from any control established in the Bylaw. This ensures emergency service vehicles are able to move efficiently around the city during the course of their work. A similar clause is likewise already included in the Bylaw that states the exemption for medical professionals (doctors, paramedics, nurses, midwives or other first responders) who may have reason to be on an identified road for their work.

The full proposal is available on the [Council's website](#).

## Prior resolutions of Council

Information already provided to the Council related to this bylaw amendment process is available to view in previous committee reports.

- Memorandum "Options to address 'street racer' issues" - [Planning & Strategy Committee 9 March 2022](#)
- Memorandum "Options for road closure" - [Planning & Strategy Committee 11 May 2022](#)
- Memorandum "Amendment to the Traffic and Parking Bylaw 2018 (Light Motor Vehicle Prohibitions) - Approval for Consultation" - [Council 5 October 2022](#)

## Summary of Submissions

The issues raised by submitters on the proposal of the Council are summarised thematically below (Table 1).

This summary does not replace the detailed feedback provided by individual submitters in their original submissions, which the Council should refer to in the first instance.

### **The questions asked of submitters as part of the consultation were:**

1. Do you support the proposed light motor vehicle prohibitions?
2. Can you tell us why? (in relation to the previous question)
3. Are there any changes you would make to the proposed amendment?
4. Do you have any other feedback on this proposed Bylaw amendment?

### **Summary of Submissions by Theme**

Submissions received, supportive of the proposal or not, commonly included comment or sentiment according to the following themes.

<b>Table 1: Summary of Submissions by Theme</b>		
<b>General Theme</b>	<b>Submission number/s</b>	<b>Total comments on the theme</b>
<b>Theme 1: support the Police insuing infringement notices to vehicles congregating on restricted roads to discourage street racing. Suggest harsher infringements or higher penalties.</b>  Note: determining the amount a fine can be set at is out of scope. Council does not have the ability to set the amount of the fine that is issued. This is at the discretion of the police. Council can only implement a bylaw restriction that empower the police to issue such an infringement.	29, 32, 33, 44, 87, 94, 101, 110, 134, 147, 156, 19, 202, 227, 259	<b>16</b>
<b>Theme 2: support improved road safety for the community.</b>  Submitters commented on not feeling safe as pedestrians, or when they were driving on roads at the same time as street racers. Expressed concern for the safety of the street racers themselves, who at times drive at excessive speeds, or in a generally reckless manner.	3, 10, 16, 19, 97, 103, 131, 135, 141, 144, 160, 172, 178, 187, 202, 216, 217, 221, 228, 236, 257, 259, 268, 281, 283, 285, 292	<b>27</b>
<b>Theme 3: support/do not support the roads currently proposed for prohibitions.</b>  Submitters generally support the inclusion of the roads proposed, particularly those who are or have been directly affected by street racing activity that occurs in that location. Submitters agree in principle that the proposed restrictions are appropriate to have.  Submitters who did not support the proposed roads often use those roads as a common travel route in their day-to-day routine.	6, 12, 13, 20, 30, 34, 41, 48, 59, 76, 81, 121, 126, 134, 145, 149, 172, 193, 230, 238, 241, 244, 254, 255, 263, 281, 282, 285	<b>28</b>
<b>Theme 4: disagree with the public not being able to use or access public roads.</b>  Submitters disagreed on principle with the proposal to limit access to roads. Public roads should be universally accessible to the public was the general sentiment.  Express doubt over the legality of the bylaw control.  Feel that the restrictions are unfair given that most people are not participating in street racing.	7, 84, 93, 159, 161, 222, 248, 260, 267, 270, 294	<b>10</b>

<p><b>Theme 5: do not believe the proposed restrictions will be effective.</b></p> <p>For different reasons, submitters expressed that they did not believe the proposed restrictions would be effective.</p> <p>Usually related to previous unsuccessful attempts to address the issue and the mobile nature of the activity.</p> <p>Submitters are concerned at the potential for the implementation of the proposed restrictions to have the opposite of the intended effect, resulting in more nuisance street racing behaviour occurring in retaliation.</p>	<p>49, 51, 52, 57, 63, 75, 95, 115, 130, 137, 152, 186, 226, 257, 274</p>	<p><b>15</b></p>
<p><b>Theme 6: are concerned that the proposed restrictions will mean that the street racers take their activity to alternative locations where there are no restrictions.</b></p> <p>This comment was often made in consideration of supporting the principle and intent of the proposed amendment, but doubting whether it would be an effective solution.</p> <p>Usually coupled with a suggestion to provide a skid pad or similar facility to give street racers an alternative option (see Theme 13).</p>	<p>1, 2, 5, 8, 9, 11, 14, 44, 50, 53, 61, 67, 74, 77, 93, 95, 97, 98, 99, 115, 116, 124, 125, 126, 130, 137, 151, 158, 163, 176, 182, 183, 184, 186, 187, 194, 195, 222, 225, 226, 228, 243, 246, 253, 256, 266, 268, 273, 274, 277, 282, 288</p>	<p><b>52</b></p>
<p><b>Theme 7: have experienced or are experiencing ongoing nuisance associated with street racing activity.</b></p> <p>This includes nuisance noise late at night or early morning that is negatively affecting quality of life, experiencing damage to property or destruction of the environment (eg: destroying roads by pouring oil or diesel on them), excessive litter (alcohol bottles or cans, general litter, shredded tires), inability to access property as driveways or roads are obstructed by large numbers of vehicles, feeling harassed or intimidated by people street racing.</p>	<p>6, 10, 11, 12, 13, 15, 20, 21, 27, 29, 30, 37, 41, 48, 55, 56, 70, 76, 87, 88, 90, 106, 112, 117, 119, 120, 121, 123, 127, 133, 134, 135, 139, 140, 141, 144, 147, 149, 162, 164, 168, 171, 191, 192, 197, 198, 208, 211, 214, 219, 228, 230, 232, 234, 235, 238, 239, 240, 241, 244, 249, 250, 254, 261, 265, 269, 274, 279, 280, 282, 283, 286, 287, 292, 295, 296</p>	<p><b>76</b></p>



<p><b>Theme 8: there is a culture of street racing, skids, and motorsport in Palmerston North.</b></p> <p>Submitters who were previously associated with or involved in street racing culture, know people who participate in street racing, or have an interest in motor vehicles note that Palmerston North has a long history of being somewhere that street racing occurs.</p> <p>They further note that part of the identity of the city is associated with motorsports. We see this with events like Teams Champs and being located close to Manfield Park in the Manawatu district.</p> <p>Further, some people participate in street racing for its strong social aspect. They are there for the connection with people who have a similar interest in cars, rather than for the nuisance activity or antisocial behaviour that occurs alongside.</p>	1, 7, 17, 22, 28, 52, 150, 195, 207, 269, 271, 274, 275, 296	14
<p><b>Theme 9: query how the restrictions will be applied to road users who are not street racing.</b></p> <p>Motorists who use roads identified for this bylaw control to get from one place to another but are not there with the intent to participate in street racing activity query how the restrictions will be applied. Many are concerned they will receive fines or infringements.</p> <p>Those who own businesses with large workforces or that require 24/7 delivery capability seek assurance that the restrictions will not affect their business or their employees.</p>	3, 32, 33, 39, 42, 60, 124, 129, 135, 146, 154, 155, 157, 159, 165, 174, 185, 188, 212, 214, 246, 248, 262, 263, 282, 282, 294	27
<p><b>Theme 10: query the cost and resources required to enforce the restrictions.</b></p> <p>Suggest the effort and ratepayer funding used to ensure the effectiveness of the amendment is not a good use of time or money. This feedback often overlapped with the suggestions that a skid pad would be a better way to spend those efforts or funds.</p>	18, 45, 51, 53, 57, 74, 82, 116, 117, 157, 170, 202, 203, 220, 227, 243, 247, 252, 253, 260	20
<p><b>Theme 11: suggest additional engineering or security solutions be considered.</b></p> <p>Including installation of gates, special surfacing for roads, better street lighting, more no-parking zones, judder bars or speed bumps, road spikes, and CCTV or speed cameras, to make areas less attractive for street racers.</p>	13, 14, 79, 86, 94, 99, 106, 153, 184, 193, 213, 253, 257, 262, 273, 288	16

<p><b>Theme 12: suggest immediate seizure, impounding or crushing of vehicles by the Police if the bylaw is breached.</b></p> <p>Note: out of scope. Council does not have the ability to enforce this or to provide regulation to directly achieve this outcome. The Police may impound a vehicle at their discretion.</p>	<p>33, 72, 80, 87, 90, 101, 107, 126, 171, 202, 216, 229, 265, 277</p>	<p><b>14</b></p>
<p><b>Theme 13: suggest Council consider providing a skid pad (or similar facility) for street racing to take place safely in a controlled environment.</b></p> <p>By far the most common theme throughout submissions made which is outside of the scope of the proposed Bylaw amendment was the suggestion that the Council provide a skid pad (or similar facility) for street racers.</p> <p>A total of 73 submitters made comments in their submissions related to skid pads. Those who made submissions in support of the proposed bylaw amendment as well as those who made submissions against the proposed amendment suggested the provision by Council of a skid pad as a solution to the identified issue of street racers causing nuisance. The suggestion was frequently made in response to concern that the proposed controls would move the problem rather than resolve it.</p> <ul style="list-style-type: none"> <li>• That Council identify a suitable location and provide a skid pad for light motor vehicles to use recreationally.</li> <li>• That providing a skid pad would give the street racing community, as well as the community at large, a suitable and safe alternative to using street and roads around the city.</li> <li>• That the Council administer and facilitate the acquisition and operation of any skid pad.</li> <li>• The users of the skid pad be charged a fee to supplement the operating costs of the facility.</li> </ul>	<p>4, 11, 17, 18, 28, 38, 43, 44, 45, 46, 50, 51, 52, 57, 58, 60, 61, 62, 63, 65, 68, 69, 71, 73, 74, 82, 84, 93, 95, 98, 102, 115, 116, 129, 137, 146, 148, 152, 154, 155, 159, 163, 165, 167, 170, 177, 182, 183, 186, 189, 194, 196, 199, 203, 207, 210, 222, 225, 228, 230, 243, 244, 246, 261, 264, 267, 268, 269, 271, 273, 274, 275, 296.</p>	<p><b>73</b></p>

## Other Matters

Matters submitted on that are outside of the scope of this consultation.

### **Skid pad**

As noted above, a significant number of submissions called for Council to facilitate the acquisition, funding, and operation of an alternative approved venue (such as a skid pad) for street racers (and other interested persons) to participate in this activity. Submissions suggested this would be a safer alternative for street racers and for the community, that it would ensure nuisance was mitigated, and that it would prevent the activity from moving between locations. Users could pay a small fee to use the facility, and appropriate health and safety measures could be implemented.

Advice from the Police does not support this. Also, there would be significant liability concerns for the Council to consider if it were to provide the type of facility which has been suggested.

### **Further discussion and collaboration between Council, the Police, and the street racing community**

Submissions made proposed that Council and the Police sit down with the street racers to seek and agree to an alternative arrangement to the proposed amendment. This would ensure a long-term, behaviour-change solution was developed.

### **Additional streets proposed for inclusion.**

Council identified seven streets to be covered through the proposed amendment. Submitters suggested additional locations for consideration through the consultation. They are:

Gillespies Line, SH6 in Longburn, corner of Rangitikei Street and Tremaine Avenue, Shelley Street, carparks on Dittmer Drive, Buick Crescent, several areas in Rongotea (outside of the district), broad areas of Kelvin Grove, Old West Road intersection with Kahuterawa Road (multiple submissions), Napier Road at Ashhurst (multiple submissions), Whitmore Road at the intersection with SH 57 (multiple submissions), Pahiatua Street, The Square, Alderson Drive and Newry Drive, Keith Street, Hulme Street, Rangiora Avenue, Haydon Street, Bunnings carpark (multiple submissions), the whole of Bennett Street, Rangitikei Street, Wood Street, BP service station on Rangitikei Street, Amberly Avenue and Pioneer Highway, broad areas of Highbury, Staces Road, Pinfold Road, Main Street, Fitzherbert Avenue, Rangitikei Street, all of Pioneer Highway, Richardson and Roberts Road junction, Tennent Drive, Botanical Road, Maxwells Line, JFK Drive (multiple submissions), broad areas of Terrace End, Limbrick and Miller Streets, Rhodes Drive, Hillcrest Junction, Lyndale Place, Karina Terrace, and Cook Street, broad areas of Summerhill, and Airport Drive.

In many instances, the road suggested is not one that Council is the road controlling authority for (eg: it is a state highway or it outside of the district boundaries), or the proposed restriction

would not be suitable for the road suggested (eg: it is a main thoroughfare and the restriction will not be able to be effectively applied).

NOTE: the proposed amendment to the Bylaw give Council the ability to add or delete roads to the list of controlled areas by resolution, following suitable community engagement.

## Social Media Engagement

Council received over 1,200 comments across two separate Facebook posts.

The comments made in response to the social media posts are consistent with the formal submissions that were made to the consultation. Thematically, there is close similarity in the content and sentiment of the comments made to the posts. A good number of commenters from social media made formal submissions.

A more detailed sentiment analysis of the feedback received via Facebook will be provided as part of the advice prepared in the next report to the Committee for this process.



# **Proposed amendments to the Palmerston North Traffic and Parking Bylaw 2018 – Light Motor Vehicle Prohibitions**

Statement of Proposal

## What we are proposing

Council is proposing to amend the Palmerston North Traffic and Parking Bylaw 2018 to enable the New Zealand Police to address issues related to street racers congregating on specified roads around the city.

Council proposes to address these issues by amending and including in the Traffic and Parking Bylaw a new clause that prohibits light motor vehicles from being operated on identified roads in the city between certain times on specified days.

### Why are we proposing this?

Noise and disruption as well as damage to property and the environment caused by street racers gathering at locations around Palmerston North has been reported to the Council and to Police by members of the community.

The proposed amendments to the Bylaw will to promote road safety, protect the environment from damage, and prevent nuisance to the community caused by congregation of light motor vehicles for the purposes of street racing.

The main reason we are proposing to amend the Traffic and Parking Bylaw is to provide the New Zealand Police with an enforcement tool additional to those already at their disposal. This will be achieved by enabling the Police to issue infringement notices to vehicles that are congregating for the purposes of street racing in contravention of a regulation to be established through the Bylaw.

## The proposal

We are proposing a new clause – **Clause 10** - be included in the Palmerston North Traffic and Parking Bylaw 2018 to prohibit light motor vehicles from being able to congregate in specified areas around the city. The intent of the proposed clause is explained below:

- **Proposed clause 10.1** establishes the ability of Council to make a resolution to close roads to light motor vehicles within the scope of its discretion under clause 22AB(1)(zk) of the Land Transport Act 1998 (LTA).

The proposed clause prohibits light motor vehicles (vehicles weighing less than 3,500kg) from being operated on roads identified in the Administration Manual to the Bylaw. A definition of 'Light Motor Vehicle' has consequently been added to the Bylaw to this effect.

- **Proposed clause 10.2** states that Council will make available details of the locations of roads where a resolution has been made to prohibited access to light motor vehicles. These details can be found in the Administration Manual to the Bylaw.

Council is proposing that prohibitions be established for:

ROAD	HOURS and DAYS	DESCRIPTION
Bennett Street	10.00pm – 4.00am everyday of the week.	The entirety of the street from SH3, including the intersection with Benmore Avenue and Bisley Street.
Birch Way	10.00pm – 4.00am everyday of the week.	The entirety of Birch Way, either side of the intersection with Kahuterawa Road.
El Prado Drive	10.00pm – 4.00am everyday of the week.	The entirety of El Prado Drive from the intersection with Railway Road to the Intersection of Alderson Drive.
Makomako Road	10.00pm – 4.00am everyday of the week.	The entirety of Makomako Road from the intersection with Mihaere Drive.
Malden Street	10.00pm – 4.00am everyday of the week	The entirety of Malden Street from the intersection with Tremaine Avenue to the intersection with Milson Line.
Valor Drive	10.00pm – 4.00am everyday of the week.	The entirety of Valor Drive from the intersection of Alderson Drive.
Works Road	10.00pm – 4.00am everyday of the week.	The entirety of Works Road, from the intersection with SH56.

- **Proposed clause 10.3** sets out that the restriction for light motor vehicles will be between 10:00pm and 4:00am every day of the week unless otherwise resolved by Council and detailed in the Administration Manual. These proposed times are supported by the Police.
- **Proposed clause 10.4** establishes the necessary exceptions to clause 10.1 of the Bylaw. There will be road users who need to be on roads prohibited to light motor vehicles at the times the prohibitions are in place. Understanding this need, Council has outlined in the Bylaw the occasions or exceptions to the proposed prohibitions.

Exceptions include those persons who own or occupy property on the identified roads (and their visitors), trade or service people with a legitimate reason to be on the road, Council vehicles with a legitimate reason to be on the road, and those who have otherwise been given prior written permission by Council.

**(Note** – clause 24.1 exempts all emergency vehicles from any restriction set out in the Bylaw, as well as medical practitioners who are attending an emergency).

- **Proposed clause 10.5** states the effects of the controls of the clause on light motor vehicles users.
- **Proposed clause 10.6** details signage requirements that will be met by Council to signal to road users the prohibitions that have been put in place.

This signage is also governed by Rule 4.2 of the Land Transport Rule: Traffic Control Devices 2004 which requires Council to install regulatory signage that identifies restriction or prohibitions made under the Bylaw. As such, the clause is not required to be included in the Bylaw, but has been included to offer clarity and completeness related to the content of the signage text.



## What does the proposal mean?

The proposal means that cars, utes, and vans considered light motor vehicles under the definition given in the Bylaw will be prohibited from being on the streets identified in the Administration Manual to the Bylaw between 10:00pm and 4:00am every day of the week, unless they are there on legitimate business.

The Police will be empowered to issue infringement notices to those persons operating vehicles in contravention of proposed clause 10.1 of the Bylaw under clause 22.1 of the Bylaw. Clause 22.1 of the Bylaw states that a breach of any prohibition, restriction, limitation, or condition made under the Bylaw is an offence and is subject to the penalty set out in the Land Transport (Offences and Penalties) Regulations 1999 or any such equivalent regulations that may replace it.

## What if I own property or reside at an address identified in the Register?

Legitimate road users will not be affected day-to-day by this proposal as they are excluded from the restrictions.

Exclusions to the proposed restrictions are set out in proposed clause 10.4 and include those who own or reside on property on the streets identified or their visitors, those who are on the road with legitimate reason (such as to provide a maintenance service, or to convey a resident to their home in a taxi or uber), or those who have otherwise received prior exemption from Council.

## S.155 Determination

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

On 7 October 2022 Council received a report that detailed the perceived problems and potential options to mitigate problems related to street racer activity in Palmerston North. The report considered whether a bylaw was the most appropriate way of addressing these perceived problems, if the form of the proposed amendments to the bylaw were the most appropriate form, and whether any of the amendments being proposed would give rise to concerns under the Bill of Rights Act 1990.

The Council determined in consideration of the proposed amendments to the Traffic and Parking Bylaw:

1. That pursuant to s.155(1) of the Local Government Act 2002 the Council determine that a bylaw is the most appropriate way of addressing the perceived problems caused by light motor vehicle (street racer) activity which affects the safety of other road users, is harmful to the environment, and causes nuisance to owners or occupiers of neighbouring businesses and residential properties.
2. That pursuant to s.155(2)(a) of the Local Government Act 2022 the Council determine that amending the Palmerston North Traffic and Parking Bylaw 2018 is the most appropriate form of bylaw.
3. That pursuant to s.155(2)(b) of the Local Government Act 2002 the Council agree that it is not anticipated that an amended Palmerston North Traffic and Parking Bylaw would give rise to implications under the New Zealand Bill of Rights Act 1990.

## Have your say

Have we gotten the proposed amendments to the Traffic and Parking Bylaw, right? Did we miss anything?

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

This Statement of Proposal, and the submission form can be found:

- On the Palmerston North City Council website
- At the Customer Service Centre, Palmerston North City Council, Te Marae o Hine The Square, Palmerston North; and
- At the Central Library, The Square, Palmerston North, and the libraries at Ashhurst, Awapuni, Roslyn, Linton and Te Pātikitiki/Highbury.

### **The feedback period runs from 17 October to 21 November 2022.**

You are entitled to appear before the Council and speak to your submission. Please indicate on your submission form whether you wish to do this. The Council intends to hear submissions on this proposal at a Committee meeting likely to be held in early 2023. The date and time for hearings will be confirmed in the letter acknowledging your submission and will also be advertised in the Manawātū Standard and Guardian newspapers.

To get your feedback to us, you can:

- Submit it online via our website [www.pncc.govt.nz/Participate-Palmy/Have-your-say](http://www.pncc.govt.nz/Participate-Palmy/Have-your-say)
- Mail it to: Traffic and Parking Bylaw Amendment Submission, Democracy and Governance Team, Palmerston North City Council, Private Bag 11034, Palmerston North 4442
- Deliver it to: Palmerston North City Council Customer Service Centre, 32 Te Marae o Hine The Square, Palmerston North
- Email it to: [submission@pncc.govt.nz](mailto:submission@pncc.govt.nz) (subject "Traffic and Parking Bylaw Amendment")
- Phone us: 06 356 8199 Fax to: 06 355 4115

### PRIVACY STATEMENT

All submissions are made publicly available on our website and at Council libraries. Your contact details (but not your name) are confidential and will not be published. Elected members will receive all submissions, without contact details, so they can consider the views and comments expressed. We collect your contact information so that we can keep you up to date with the proposal. For more information, see our privacy statement: [www.pncc.govt.nz/privacy](http://www.pncc.govt.nz/privacy)





**PALMERSTON NORTH CITY**

**PALMERSTON NORTH  
TRAFFIC AND PARKING  
BYLAW 2018  
(DRAFT LIGHT MOTOR VEHICLE  
PROHIBITION AMENDMENTS)**

TRAFFIC AND PARKING BYLAW 2018

## PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018

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## PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018

## Palmerston North Traffic and Parking Bylaw 2018

## PART ONE - INTRODUCTION

**1. TITLE**

- 1.1. The title of this Bylaw is the “Palmerston North City Council Traffic and Parking Bylaw 2018”.

**2. PURPOSE**

- 2.1. This Palmerston North City Council Traffic and Parking Bylaw 2018 (the Bylaw) is made pursuant to section 22AB of the Land Transport Act 1998.
- 2.2. The purpose of this Bylaw is to place controls on and specify the method of signifying controls on the use, stopping, standing and parking of vehicles on roads and Council controlled places in Palmerston North for the convenience of the public and to achieve the safe, equitable and efficient allocation of public parking.

**3. COMMENCEMENT**

- 3.1. This Bylaw commences on 25 June 2018.

**4. REPEAL**

- 4.1. The Palmerston North Traffic and Parking Bylaw 2011 is repealed when this Bylaw commences.

**5. DEFINITIONS**

- 5.1. In this Bylaw:

**Authorised delegate**

Means a person given delegated authority by the Council to perform duties and functions under this Bylaw.

**Berm and Grass Verge**

Means any grassed area on a road separated from the roadway by channelling or kerbing, but does not include a grassed area immediately adjoining the roadway.

**Council**

Means the Palmerston North City Council and includes any person with delegated authority and authorised to act on its behalf.

## PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018

<b>District</b>	Means the area within the territorial boundaries of the Palmerston North City Council.
<b>Eligible Resident</b>	Means a person who resides in a dwelling, apartment or other building which has its only or principal access to the road that forms part of a resident's parking area or which has access in the immediate vicinity of that road.
<b>Footpath</b>	Means as much of any road or Council controlled place that is laid out or constructed by the Council for pedestrian use, and includes footways and walkways.
<b>Heavy Motor Vehicle</b>	Means a motor vehicle with a gross vehicle mass exceeding 3,500 kilograms but it excludes passenger service vehicles.
<b>Light Motor Vehicle</b>	Means a motor vehicle with a gross vehicle mass less than 3,500 kilograms.
<b>Mobility Parking Permit</b>	Means a permit or concession card issued by CCS Disability Action or Sommerville Disability Support Services to a person with a physical disability.
<b>Mobility Parking Space</b>	Means a parking space set aside by signs or markings by the Council for exclusive use by holders of a mobility parking permit.
<b>Network Utility Operator</b>	Means a person who— <ul style="list-style-type: none"> <li>(a) undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy; or</li> <li>(b) operates or proposes to operate a network for the purpose of— <ul style="list-style-type: none"> <li>(i) telecommunication as defined in section 5 of the Telecommunications Act 2001; or</li> <li>(ii) radiocommunication as defined in section 2(1) of the</li> </ul> </li> </ul>



## PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018

Radiocommunications Act 1989;  
or

- (c) is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or
- (d) undertakes or proposes to undertake the distribution of water for supply (including irrigation); or
- (e) undertakes or proposes to undertake a drainage or sewerage system; or
- (f) constructs, operates, or proposes to construct or operate, a road or railway line; or
- (g) is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or
- (h) is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or
- (i) undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act,—

and the words network utility operation have a corresponding meaning.

**Parking**

Means, -

- (a) In relation to a portion of a road where parking is for the time being governed by the location of parking machines, the stopping or standing of a vehicle on that portion of the road for any period exceeding five minutes.
- (b) In relation to any other portion of a road, the stopping or standing of a vehicle

## PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018

(other than a vehicle picking up or setting down passengers in a loading zone or reserved parking area, and entitled to do so) on that portion of the road.

- (c) For enforcement purposes, once a vehicle has parked in accordance with the above requirements, it shall be deemed as remaining parked until the vehicle has been fully removed from the parking space.

<b>Parking Fee</b>	Means the fee payable for use of a parking space for a period of time at the rate specified by the parking meter controlling the parking space.
<b>Parking Place</b>	Means a place (including a building) where vehicles, or any class of vehicles, may park.
<b>Parking Space</b>	Means a space or section of a parking place, road or other public place marked out and defined by painted lines for the accommodation of a vehicle.
<b>Passenger Service Vehicle</b>	Means a vehicle used or available for use in a passenger service for the carriage of passengers.
<b>Residents' Exemption Area</b>	Means any road, or portion of a road, or a Council controlled place identified by signs or markings as a restricted parking area in which eligible residents may park contrary to time restrictions of that area in accordance with this Bylaw.
<b>Residents' Only Area</b>	Means any road, or portion of a road, or a Council controlled place identified by signs or markings as a restricted parking area reserved for parking by eligible residents in accordance with this Bylaw.
<b>Residents' Parking Area</b>	Means a residents' exemption area or a residents' only area.
<b>Residents' Parking Permit</b>	Means a permit issued by the Council under this Bylaw for parking in a residents' parking area.
<b>Road</b>	Includes—

## PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018

- (a) A street; and
- (b) A motorway; and
- (c) A beach; and
- (d) A place to which the public have access, whether as of right or not; and
- (e) All bridges, culverts, ferries, and fords forming part of a road or street or motorway, or a place referred to in paragraph (d); and
- (f) All sites at which vehicles may be weighed for the purposes of the Land Transport Act 1998 or any other enactment.

**Roadway**

Means that portion of the road used or reasonably usable for the time being for vehicular traffic in general.

**Special Vehicle Lane**

Means a lane defined by signs or markings and restricted to a specified class or classes of vehicle; and includes a bus lane, a transit lane, a cycle lane, and a light-rail vehicle lane.

**Urban Area**

Means any land zoned residential in the District Plan.

**Vehicle**

means a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and includes a hovercraft, a skateboard, in-line skates, and roller skates; but does not include—

- (a) a perambulator or pushchair:
- (b) a shopping or sporting trundler not propelled by mechanical power:
- (c) a wheelbarrow or hand-trolley:
- (d) a pedestrian-controlled lawnmower:
- (e) a pedestrian-controlled agricultural machine not propelled by mechanical power:

**PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018**

- (f) an article of furniture:
  - (g) a wheelchair not propelled by mechanical power:
  - (h) any other contrivance specified by rules made under the Land Transport Act 1998 not to be a vehicle for the purposes of this definition:
  - (i) any rail vehicle.
- 5.2. Any undefined words, phrases or expressions used in this Bylaw have the same meaning as in the Land Transport Act 1998 unless the context plainly requires a different meaning. The Interpretation Act 1999 applies to the interpretation of this Bylaw as if it was an enactment.

## PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018

**PART TWO - PARKING****6. PARKING RESTRICTIONS**

- 6.1. The Council may:
- (a) Prohibit or restrict the stopping, standing or parking of vehicles on any road.
  - (b) Limit the stopping, standing or parking of vehicles on any road to vehicles of any specified class or description of vehicle.
  - (c) Limit the period of time that vehicles may park on any part of the road where parking is limited to such vehicles.
  - (d) Provide that a vehicle used for a specified purpose be treated for the purpose of this Bylaw to be of another specified purpose or class of vehicle.
  - (e) Prohibit or restrict the parking of heavy motor vehicles, or any specific class or description of heavy motor vehicle, on any specified road during specified hours for a period that exceeds a specified period.
- 6.2. In respect of any parking place or transport station, the Council may:
- (a) Specify the vehicles or classes of vehicle that may be entitled to use any parking place or transport station;
  - (b) Reserve any specified parking place or transport station for use, either generally or at specified times, only by members of the judiciary, medical practitioners, members of the diplomatic corps or consular corps, or disabled persons as defined in section 2 of the Disabled Person Community Welfare Act 1975;
  - (c) Reserve specified parking places or transport stations for use by persons who hold a Residents' Parking Permit for that area, either generally or at specified times;
  - (d) Prohibit or restrict parking on specified roads or parts of roads in residential areas by specified classes of vehicles, either generally or at specified times where the Council believes the parking is likely to cause a nuisance or danger;
  - (e) Prescribe the conditions under which any parking place or transport station may be used;
  - (f) Prescribe the charges to be paid for the use of any parking place or transport station, as measured by parking meters or by way of a fee for a permit to use the parking place or transport station, or by any other prescribed method of time measurement or payment.

**PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018**

- 6.3. Where required by the Land Transport Act 1998 or any regulations or rules made under that Act the Council will identify parking restrictions by erecting the prescribed signs or making the prescribed road markings.
- 6.4. Every person who stops, stands or parks a vehicle on a road, or uses a parking place or transport station must comply with the terms and conditions contained in the Administration Manual.
- 7. PARKING TRIALS**
  - 7.1. The Council may establish new parking restrictions, suspend specific existing parking restrictions, or otherwise amend or alter specific existing parking restrictions, including any parking fees or charges, as a parking trial for a specified period of time.
  - 7.2. Before making any such decision under clause 7.1, the Council must consult appropriately with any person or organisation it reasonably believes may have an interest in the proposed parking trial, and have regard to any views submitted to it as a result of that consultation.
  - 7.3. The maximum duration of any parking trial established under clause 7.1 is 12 months. A parking trial may be renewed by repeating the process required by clauses 7.1 and 7.2, provided that the renewed parking trial shall have a maximum duration of 12 months.
  - 7.4. For the duration of the parking trial created under clause 7.1, any parking restrictions, fees or charges that are contradicted by the parking trial are suspended and have no effect until the parking trial ends.

## PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018

**PART THREE - FOOTPATHS AND ROADS****8. USE OF FOOTPATHS FOR DELIVERY**

- 8.1. No person may drive a motor vehicle, including a moped or motorcycle, along the footpath to deliver newspapers, mail or printed material to letter boxes unless the Council has issued a permit authorising the activity to that person or to the organisation employing that person.

**9. ONE-WAY ROADS**

- 9.1. The Council may identify roads where, subject to the erection of the prescribed signs, vehicles must travel in one specified direction only.
- 9.2. No person may drive a vehicle or ride any horse or bicycle along the roads or parts of roads listed as a "one-way road" in Part 3 of the Administration Manual, other than in the direction specified.

**10. LIGHT MOTOR VEHICLE PROHIBITIONS**

- 10.1. To promote public safety and protect the environment from adverse effects associated with the congregation of light motor vehicles on public roads, Council may by resolution prohibit vehicles with a gross motor vehicle mass less than 3,500kg from being operated on any road or part of that road.
- 10.2. The road or part of the road and days and times where a resolution made by Council under clause 10.1 applies will be recorded in the Light Motor Vehicles Prohibitions Register in the Administration Manual.
- 10.3. Clause 10.1 will apply between the hours of 10.00pm and 4.00am every day of the week unless specified otherwise in the Light Motor Vehicles Prohibitions Register in the Administration Manual.
- 10.4. No person may operate a motor vehicle in contravention of a resolution made by Council under clause 10.1 unless:
- (a) that motor vehicle is conveying an owner or occupier of a property with a frontage to a road specified in the resolution or the owner or occupiers' bona fide visitors; or
  - (b) that motor vehicle is a trade or service vehicle being operated for the provision or maintenance of a utility on the road or on property having a frontage to the road; or
  - (c) that motor vehicle is being used as a passenger service vehicle or as a security service vehicle being operated in the execution of duty; or
  - (d) that vehicle is owned by Council and being operated in the execution of duty; or

## PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018

- (e) prior written permission from Council has been obtained.
- 10.5. No person may use a light motor vehicle on any specified section of road or roads in contravention of a control, prohibition or restriction made by Council and recorded in the Light Motor Vehicle Prohibitions Register in the Administration Manual.
- 10.6. Signage will be installed by Council on any road described in a resolution made under 10.1 to advise:
  - (a) the times and days of the prohibition made in the resolution, and
  - (b) that the prohibition applies to vehicles with a gross motor vehicle mass less than 3,500kg.
- 11. HEAVY VEHICLE PROHIBITIONS**
  - 11.1. The Council may prohibit or restrict, absolutely or conditionally, any specified class of traffic or any specified motor vehicles or class of motor vehicle that, by reason of its size or nature or the nature of the goods carried, is unsuitable for use on any road or roads.
- 12. TRANSPORTING AND DROVING STOCK**
  - 12.1. No person may drove stock along or across any road in the urban area of the district.
  - 12.2. Notwithstanding clause 12.1, stock may be driven along or across any road in any other part of the district only if the person driving the stock holds a permit issued by the Council, and complies with the conditions of that permit.
  - 12.3. No stock may be transported in heavy motor vehicles over the routes specified in part 4 of the Administration Manual.
  - 12.4. A person driving a vehicle transporting stock must not allow effluent to discharge from the vehicle onto the roadway.
- 13. TURNING RESTRICTIONS**
  - 13.1. The Council may prohibit, subject to the erection of the prescribed signs, vehicles on a roadway turning from facing or travelling in one direction to facing or travelling in the opposite direction (commonly known as a “u-turn”), or prohibiting vehicles on a road, other than vehicles of a specified class, from turning to the right or to the left.
  - 13.2. No person may drive a vehicle in contravention of a turning restriction made under clause 13.1 of this Bylaw.
- 14. SPECIAL VEHICLE LANES**
  - 14.1. The Council may prescribe, subject to the marking of lanes on the roadway, that on any road any traffic lane may be used or any turning



**PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018**

movement may be made only by buses, taxis, or other passenger service vehicles, or vehicles of other specified classes or vehicles carrying specified classes of loads or no fewer than a specified number of occupants.

- 14.2. No person may drive a vehicle in contravention of a special vehicle lane restriction made under clause 14.1 of this Bylaw.

**15. ENGINE BRAKING**

- 15.1. The Council may prohibit or restrict, subject to the erection of the prescribed signs, engine braking in any area where the permanent speed limit does not exceed 70 kilometres per hour.
- 15.2. No person may use a vehicle in contravention of an engine braking restriction made under clause 15.1 of this Bylaw.

**16. ACCESS TO UNFORMED LEGAL ROADS**

- 16.1. The Council may restrict the use of motor vehicles on unformed legal roads for the purposes of protecting the environment, the road and adjoining land, and the safety of road users.
- 16.2. No person may use a motor vehicle on an unformed legal road in contravention of a restriction made under clause 16.1 of this Bylaw

## PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018

**PART FOUR – ADMINISTRATION****17. ADMINISTRATION MANUAL AND DELEGATIONS**

- 17.1. The Council has passed a resolution at the same time as making this Bylaw adopting the Administration Manual. The Administration Manual records the restrictions and conditions established under this Bylaw, and will be updated from time to time as those restrictions and conditions are amended.
- 17.2. The Council may 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.
- 17.3. The following people are authorised delegates under this Bylaw:
- (a) The Chief Executive of the Council;
  - (b) The person holding the office identified in the Council's Delegations Manual as responsible for the administration of this Bylaw;
  - (c) Any other person authorised to exercise a power under this Bylaw, pursuant to the Council's Delegations Manual or resolution of the Council.
- 17.4. An authorised delegate may exercise any power, function or duty under this Bylaw, or carry out any act in order to achieve its effective administration, on behalf of the Council including the following:
- (a) Amend the Administration Manual;
  - (b) Establish any restriction, limitation or condition under this Bylaw;
  - (c) Specify forms and procedures for the effective administration of the Bylaw;
  - (d) Make any decision or determination required in this Bylaw in order to administer it;
  - (e) Make decisions regarding whether or not a permit should be granted, and the terms and conditions of that permit including standard conditions and variations;
  - (f) Make decisions regarding suspension, withdrawal or removal of a permit.
- 17.5. Notwithstanding clause 17.4, an authorised delegate may not:
- (a) Prescribe, alter or repeal any fees or charges that might be set under this Bylaw;
  - (b) Approve any parking trial created under clause 7 which alters or repeals any parking fees or charges set under this Bylaw for the duration or purposes of the trial.
- 17.6. All forms, specifications, conditions or methods for this Bylaw must be in writing and kept in the Administration Manual and shall be available to the public.

## PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018

**18. PERMITS**

- 18.1. Where a person requires a permit from the Council under this Bylaw, the person seeking a permit must:
- (a) Complete the required application form.
  - (b) Pay the applicable fee.
  - (c) Comply with any requirements set as conditions of that permit.
- 18.2. A permit may include, in addition to conditions incorporated in this Bylaw, conditions that the Council considers are reasonably necessary to manage the effects of the activity, achieve the objectives of this Bylaw; and minimise the risk of nuisance.
- 18.3. For the avoidance of doubt and only in exceptional circumstances, the Council may grant a permit for an activity that would otherwise contravene this Bylaw.
- 18.4. A permit is personal to the applicant and is not transferable.
- 18.5. An authorised delegate may limit the number of residents' parking permits issued to a single household under this Bylaw to ensure that the allocation of on-street parking in a residents' parking area is equitable for all residents covered by that residents' parking area.
- 18.6. The Council may revoke or suspend any permit issued under this Bylaw at any time, or suspend for such periods of time, on such terms and conditions as the Council may consider appropriate in the circumstances to protect public health and safety, to minimise nuisance, or to avoid offensive behaviour.

**19. FEES FOR PERMITS**

- 19.1. The Council may charge a fee for receiving and processing an application and issuing a permit.
- 19.2. The Council must prescribe a fee for any permit issued under this Bylaw in accordance with the Local Government Act 2002.
- 19.3. A permit may be cancelled by the Council at any time.

**20. WAIVER OF FEES**

- 20.1. Pursuant to section 150 of the Local Government Act 2002 the Council may by resolution determine situations when fees may be remitted, refunded or waived under this Bylaw.

**PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018****21. TRANSITIONAL PROVISIONS**

- 21.1. Every prohibition, restriction, limitation, condition or permit in existence at the time of the commencement of this Bylaw and that comply with this Bylaw's requirements for signage and marking will continue to apply as if made under this Bylaw.
- 21.2. Every fee or charge that applies at the commencement of this Bylaw will continue to apply as if made under this Bylaw until changed in accordance with this Bylaw.

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## PALMERSTON NORTH TRAFFIC AND PARKING BYLAW 2018

## PART FIVE - ENFORCEMENT

**22. OFFENCES AND PENALTIES**

- 22.1. A breach of any prohibition, restriction, limitation, or condition made under this bylaw is an offence and is subject to the penalty set out in the Land Transport (Offences and Penalties) Regulations 1999 or any such equivalent regulations that may replace it.
- 22.2. Notwithstanding anything in this clause, the Council may remove vehicles from parking places or transport stations or roads where those vehicles are using those places or stations in breach of this Bylaw, and require the payment of the reasonable cost of such removal.

**23. DEFENCES**

- 23.1. A person is not in breach of this Bylaw if that person proves that the act or omission complained of:
- (a) Complied with the directions of an enforcement officer, a parking warden or a traffic control device; or
  - (b) Was performed by an enforcement officer or a parking warden and was necessary in the execution of that person's duty.

**24. EXEMPTED VEHICLES**

- 24.1. No restriction in this Bylaw applies to emergency vehicles being used when their use is necessary in the execution of the driver's duty.
- 24.2. The restrictions of Part 2 of this Bylaw shall not apply to medical practitioners such as doctors, district nurses and midwives who are attending an emergency.





PALMERSTON NORTH CITY

# **PALMERSTON NORTH TRAFFIC AND PARKING BYLAW**

**2018**

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## **Administration Manual**

**(DRAFT LIGHT MOTOR VEHICLE  
PROHIBITION AMENDMENTS)**

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## Document Control

Version No.	Reason for Amendment	Date
1.0	Adopted by Council	28 May 2018
2.0	Amended by Council (Part Five – Light Motor Vehicle Register inserted)	XX Month 2023

## Authorisation

	Name	Signature	Date
Prepared By			
Reviewed By			
Authorised By			

## **PART ONE – INTRODUCTION**

The purpose of this Administration Manual is to provide material complementary to the Traffic and Parking Bylaw. It identifies specific terms and conditions relating to parking restrictions, and identifies specific controls and restrictions such as one-way roads and heavy traffic prohibitions. It may also include administrative tools such as permit application forms.

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

This Administration Manual will be updated from time to time, as necessary, to ensure that it is kept up-to-date and reflects current practice. Amendments to this document will be authorised either by the General Manager for City Networks or the Roading Manager.

## PART TWO – PARKING TERMS AND CONDITIONS

The following terms and conditions apply to any person who stops, stands or parks a vehicle on a road, or uses a parking place or transport station.

### 1. OCCUPANCY

- 1.1. A parked vehicle must occupy only one parking space unless it is necessary for a vehicle to extend onto an adjoining and unoccupied parking space by reason of the size of the vehicle. In such a case the requirements for use of each parking space must be met.
- 1.2. No person may park any vehicle in a parking space that is already occupied by another vehicle. However more than one motorcycle (but no other vehicle) may occupy any parking space at the same time provided that:
  - 1.2.1. All motorcycles in that parking space are parked at right angles to the kerb.
  - 1.2.2. Any fee payable for the use of that parking space has been paid for the duration that any motorcycle continues to occupy that parking space.

### 2. SAFETY

- 2.1. Except with the prior written permission of the Council no person shall park a vehicle on a road or Council-controlled place for any period exceeding seven days, if that vehicle cannot be moved on at the request of the Council.
- 2.2. No person may park or place any machinery, equipment, materials, waste disposal bins or freight containers on any road or public place except with the permission of the Council and in accordance with any conditions that may be required.
  - 2.2.1. This condition does not apply to containers that are used solely for the purpose of a domestic refuse or recycling collection service and which are placed off the roadway, provided that such containers are not left on any road or public place for a period exceeding 48 hours.
- 2.3. No person may repair, alter or add to a vehicle which the vehicle is on the road, unless necessary to enable the vehicle to be removed from the road.
- 2.4. No person may stop, stand or park a vehicle on a berm or grass verge or any cultivated land adjacent to, or forming part of, a road in an urban traffic area.
- 2.5. No person may park a vehicle on or overhanging any footpath or any special vehicle lane, including a cycle lane.
- 2.6. No person may park a vehicle in a parking space when a sign, meter hood or permit identifies it as a discontinued parking space.

### 3. DURATION

- 3.1. Every person who parks a vehicle in a parking space must comply with the time restrictions shown on the sign or the meter controlling the parking space.

### 4. PARKING FEES

- 4.1. Where a parking space is controlled by a parking meter, a vehicle must not be allowed to remain in, or occupy, that parking space unless:
  - 4.1.1. The required fee is paid for the period the parking space is to be occupied; and
  - 4.1.2. The parking meter controlling the parking space is activated in accordance with the instructions on the parking meter or signs.
  - 4.1.3. The vehicle displays a valid permit issued under the Bylaw that exempts the user of that vehicle from paying the applicable parking fee.
- 4.2. If a parking meter or sign controlling a parking space requires the user of that parking place to display a receipt or other document on the dashboard of the vehicle parked in the parking place, then the receipt or other document must be prominently displayed on the dashboard at the front of the vehicle in a manner that enables the date and expiry time or date to be seen from outside the vehicle.

## **5. CURRENCY**

- 5.1. Only New Zealand legal tender currency may be used to pay parking fees.

## **6. INTERFERENCE WITH PARKING METERS**

- 6.1. No person may interfere, tamper or attempt to tamper with any parking meter.
- 6.2. No person may, without Council permission, affix or attempt to affix anything, or paint or write upon, or disfigure any parking meter.

## **7. MOBILITY PARKING**

- 7.1. Every person who parks in a parking space which has been designated and marked as a mobility parking space must prominently display a mobility parking permit at the front of the vehicle in a manner which will allow the permit to be seen from outside the vehicle.
- 7.2. A mobility parking permit may only be displayed on a vehicle if the vehicle is being used by the permit holder, either as a driver of or passenger in that vehicle.

## **8. RESIDENTS' PARKING**

- 8.1. Only eligible residents displaying a valid residents' parking permit may park their vehicle in a residents' exemption area for a longer period than the posted time restriction for that area.
- 8.2. No person may park a vehicle in a residents' only area except for:
  - 8.2.1. Eligible residents displaying a valid residents' parking permit;
  - 8.2.2. Vehicles operated by the Council or for the Council and being used in the conduct of Council business.
  - 8.2.3. Vehicles operated by network utility operators if necessary for the provision of, or maintenance of, a network utility operation;
  - 8.2.4. Vehicles used to pick up or deliver goods to, or in connection with maintenance of, the property of an eligible resident.

6

- 8.3. Where a residents' parking permit is required to be displayed for parking in a residents' exemption area or a residents' only area:
  - 8.3.1. The permit must be prominently displayed so as to be seen from outside the vehicle;
  - 8.3.2. The permit must identify the vehicle to which it relates and is only valid to be used for that vehicle;
  - 8.3.3. The vehicle is in the residents' parking area referred to in the permit and is valid only during the time period specified on the permit.
  - 8.3.4. The permit must be returned to the Council immediately after the resident ceases to be an eligible resident.

## 9. VEHICLES PARKED FOR SALE

- 9.1. No person may park a motor vehicle in a public place for the purpose of sale without a permit from the Council.
- 9.2. For the purposes of this section, "**the purpose of sale**" means a vehicle that contains advertising or other messages designed to solicit offers to purchase the vehicle, and which are displayed in such a way that the vehicle is not capable of being legally or safely driven without first remove that advertising. Vehicles which are advertised for sale incidental to their day-to-day use, and which contain minimal advertising that does not substantially obscure any of the vehicle's windows, are not considered under this section to be parked for the purpose of sale.
- 9.3. The Council has set aside a section of the carpark of Memorial Park as an appropriate place for the private sale of motor vehicles. Council may issue permits to park vehicles for sale in this location, and reserves the right to decline applications for permit to park vehicles for sale in any other location.

**PART THREE – ONE WAY ROADS**

Road	Section/Part	Permitted direction of travel
Coleman Place	All	East to west, from intersection with The Square to intersection with George Street.
King Street	All	East to west, from intersection with Princess Street to intersection with Rangitikei Street.
Berrymans Lane	All	From Princess Street entry to "T" junction  From "T" junction to exit on Broadway Avenue.  From "T" junction to exit on Main Street
Palm Drive	All	From north-east intersection with Victoria Esplanade Drive to west intersection with Victoria Esplanade Drive  Bicycles are permitted to travel in either direction on Palm Drive

## PART FOUR – HEAVY TRAFFIC PROHIBITIONS FOR THE CBD

Subject to the provisions of clause 12 of the Bylaw, the following roads are prohibited to heavy vehicles transporting livestock at all times:

Andrew Young Street  
 Ashley Street  
 Broadway Avenue between Rangitikei Street and Princess Street  
 Campbell Street between Walding Street and Cuba Street  
 Church Street between Pitt Street and Princess Street  
 Coleman Place  
 Cross Street  
 Cuba Street between Pitt Street and Rangitikei Street  
 Donnington Street  
 Fitzherbert Avenue between The Square and Ferguson Street  
 George Street  
 King Street  
 Linton Street between Church and Ferguson Street  
 Lombard Street between Walding Street and Cuba Street  
 Main Street between The Square and Pitt Street  
 Main Street between The Square and Princess Street  
 Queen Street  
 Rangitikei Street between Grey Street and Broadway Avenue  
 Taonui Street between Walding Street and Cuba Street  
 The Square perimeter

For additional clarity, the roads listed above are all within the area bounded by the ring road:  
 Princess Street-Ferguson Street-Pitt Street-Bourke Street-Walding Street-Grey Street

## PART FIVE – LIGHT MOTOR VEHICLE PROHIBITIONS REGISTER

Subject to the provisions of clause 10 of the Bylaw, the following roads are prohibited to vehicles having a gross mass less than 3,500kg.

ROAD	HOURS and DAYS	DESCRIPTION
Bennett Street	10.00pm – 4.00am everyday of the week.	The entirety of the street from SH3, including the intersection with Benmore Avenue and Bisley Street.
Birch Way	10.00pm – 4.00am everyday of the week.	The entirety of Birch Way, either side of the intersection with Kahuterawa Road.
El Prado Drive	10.00pm – 4.00am everyday of the week.	The entirety of El Prado Drive from the intersection with Railway Road to the Intersection of Alderson Drive.
Makomako Road	10.00pm – 4.00am everyday of the week.	The entirety of Makomako Road from the intersection with Mihaere Drive.
Malden Street	10.00pm – 4.00am everyday of the week	The entirety of Malden Street from the intersection with Tremaine Avenue to the intersection with Milson Line.
Valor Drive	10.00pm – 4.00am everyday of the week.	The entirety of Valor Drive from the intersection of Alderson Drive.
Works Road	10.00pm – 4.00am everyday of the week.	The entirety of Works Road, from the intersection with SH56.



## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** Quarterly Performance and Financial Report - Period Ending 31 December 2022

**PRESENTED BY:** Scott Mancer, Finance Manager, Sue Kelly, Manager - Project Management Office and Andrew Boyle, Head of Community Planning

**APPROVED BY:** Cameron McKay, Chief Financial Officer  
David Murphy, Chief Planning Officer  
Bryce Hosking, Acting Chief Infrastructure Officer

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### RECOMMENDATION TO STRATEGY & FINANCE COMMITTEE

1. That the Committee receive the memorandum titled 'Quarterly Performance and Financial Report – Period Ending 31 December 2022' and related attachments for information.

### RECOMMENDATION TO COUNCIL

2. That Council approve a new operating programme for \$500k in 2022/23, to be funded 100% through Better-off funding.
- 

#### 1. ISSUE

To provide an update on the performance and financial achievements of the Council for the period ending 31 December 2022.

#### 2. BACKGROUND

Details of operating and financial performance are included in the attached report, with further information provided through the appendices to the report.

Additionally, as detailed in appendix 10, an additional operating expenditure budget is requested offset by subsidy revenue for the Better-off funding programmes expected to start this financial year.

#### 3. NEXT STEPS

The next performance and financial report will be provided after the end of the March 2023 quarter.

#### 4. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>No</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>No</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 5: A Driven & Enabling Council	
The recommendations contribute to the achievement of action/actions in (Not Applicable)	
The action is: to enable Council to exercise governance by reviewing financial performance and operating performance and provide accountability for these to the public.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	As above.

#### ATTACHMENTS

1. Quarterly Performance and Financial Report - Period Ending 31 December 2022 [↓](#) 
2. Appendices to the Quarterly Performance and Financial Report - Period Ending 31 December 2022 [↓](#) 

# Performance and Financial Report to Council

December 2022

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## Chief Executive's Summary

This report covers the first 6 months of the financial year outlining operating performance, capital delivery and non-financial performance of Council.

Our operating performance shows we are tracking favourable to budget with a controllable operating position of \$0.5M (favourable) to budget. The main reason for this relates to slightly slower than expected progress on operating programmes, particularly Kotuia (Ozone), Health and Safety and Asset Management improvements. Each of these are moving at greater pace now and are likely to be closer to budget by year-end.

These favourable variances are offset YTD by the capitalisation of labour (\$1.0M unfavourable) and net resourcing costs (0.6M unfavourable, which are mostly offset by additional revenues). Interest expenses are unfavourable to budget due to the rising interest rates and this is expected to continue for the remainder of the financial year.

We are continuing to monitor the economic outlook as in particular the pressure inflation is putting on both operating and capital budgets. The headline inflation rate has held at 7.2%. Inflation rates for areas that affect Council costs, such as construction, are tracking significantly higher at around 14.3% year on year. As a further example, the Fulton Hogan maintenance contract has an inflation calculation applied that runs at around 22%.

The Reserve Bank tools to help keep inflation under control is to increase interest rates, which puts added pressure on Council's interest when loans are up for renewal. Council currently have net borrowings of over \$190M. Current estimates for interest rates have these rising still over the short to medium term, however over the longer-term they remain steady at around 4-5%.

At the end of quarter two 82% of capital projects were in progress with 38 complete, and a further 21 substantially complete. The Infrastructure design panel is being well utilised with 130 requests programmed. It is positive to see utilisation of the Design Panel resulting in improved design process and consistency, reducing rework, and enabling earlier procurement planning for construction.

Weather hasn't helped with the progress of some projects and a review of the deliverability of the second half of this year's Infrastructure programme has resulted in a number of potential carry forward being identified. Further work is to be done on this during the Annual Plan process and at the next quarterly review.

Management and Officers are monitoring the small controllable surplus as the year progresses. Through January and February the surplus has grown as a result of the major operating programmes of ERP Replacement & Digital Transformation experiencing some delays. Some operating surpluses have also grown through the same period. It is intended that where there are surpluses available [with the exception of the ERP Replacement and Digital Transformation programmes], these will be transferred to areas of the business that are experiencing cost escalations and budget shortfalls, such as the roading maintenance contract. It is intended to provide an update on the expected year end position, as well as suggested budget transfers to cover some of the escalations at the March Quarter report.

## Operating Performance

Summary of Financial Performance	2022/23 \$000s					
	Year to Date		Variance		Full Year	Full Year
For the period to 31 December 2022	Actual	Budget	\$000's	%	Revised Budget	Annual Budget
Operating revenue	20,039	19,573	466	2.4%	38,061	37,219
Rates	57,983	57,741	242	0.4%	115,369	115,369
Total Revenue	78,022	77,314	708	0.9%	153,430	152,588
Operating Expenses	60,496	60,626	130	0.2%	122,167	119,814
Net Interest	3,268	2,960	(308)	(10.4%)	6,714	6,714
Total Expenses	63,764	63,586	(178)	(0.3%)	128,881	126,528
<b>Operating Controllable Surplus / (Deficit)</b>	<b>14,258</b>	<b>13,728</b>	<b>530</b>	<b>3.9%</b>	<b>24,549</b>	<b>26,060</b>
Depreciation	(20,322)	(19,429)	(893)		(38,858)	(38,858)
Non-operating revenue	4,918	5,806	(888)		13,670	12,929
Non-operating expenses	4,525	-	4,525		-	-
<b>Net Result</b>	<b>3,379</b>	<b>105</b>	<b>3,274</b>		<b>(639)</b>	<b>131</b>

### Key Points on YTD Financial Performance:

- Operating Controllable is overall tracking \$530k favourable to budget, with the largest operating programmes tracking \$1.6M favourable, offset by the net maintain service level (MSL) costs tracking \$1.1M unfavourable.
- The largest operating programmes currently tracking behind budget are Kotuia (\$0.6M), Health and Safety improvement (\$0.3M), and Asset Management Improvement Plan (\$0.2M). These are forecast to be back on track and close to budget by the end of the financial year. For further information on the status of operating programmes, refer to Appendix 3 – Operating Programme Reporting.
- Other net operating expenditure items are tracking unfavourable to budget with key drivers for this being:
  - Capitalisation of labour, which is a budgeted allocation of remuneration and overheads anticipated to be funded from capital programmes, being less than budget (\$1.0M). There has been more of a focus on reactivate maintenance over capital works during this period.
  - Resourcing, made up of remuneration, contracted services and professional services, tracking \$0.6M unfavourable to budget. In this instance some vacancies have had to be backfilled from contractors and consultants to ensure delivery of services are not impacted.
  - Insurance premiums for the financial year are \$0.3M higher than budgeted.
- Net interest tracking unfavourable due to higher average interest rates than budgeted for.
- Depreciation is tracking above budget due to the 2022 3 waters revaluation resulting in higher asset values and depreciation expenditure.
- Non-operating revenue is unfavourable YTD due to capital expenditure being below budget.
- Non-operating expenses are favourable due to Council locking in low interest rates on financial derivatives, before interest rates began rising.

### Budget pressures

Council has some budget pressures which may impact on the ability to deliver both operating and capital results within budgets. These same pressures are going to linger for the foreseeable future and have been discussed in the Annual Budget process that has just been completed.

Some of the more significant pressures include:

- Interest rates being on the rise. While Council prudently use a mix of fixed and floating, as the current terms expire, these will be replaced with less favourable terms.
- Inflationary pressures in areas like construction, materials, labour, as well as general CPI are all tracking significantly higher than budgeted for.
- Resolving previous weather events, such as the Linton pathway slip
- Expected future weather events will lead to higher than budgeted expenses.
- Insurance and the new electricity contract, both of which are likely to track higher than currently budgeted.

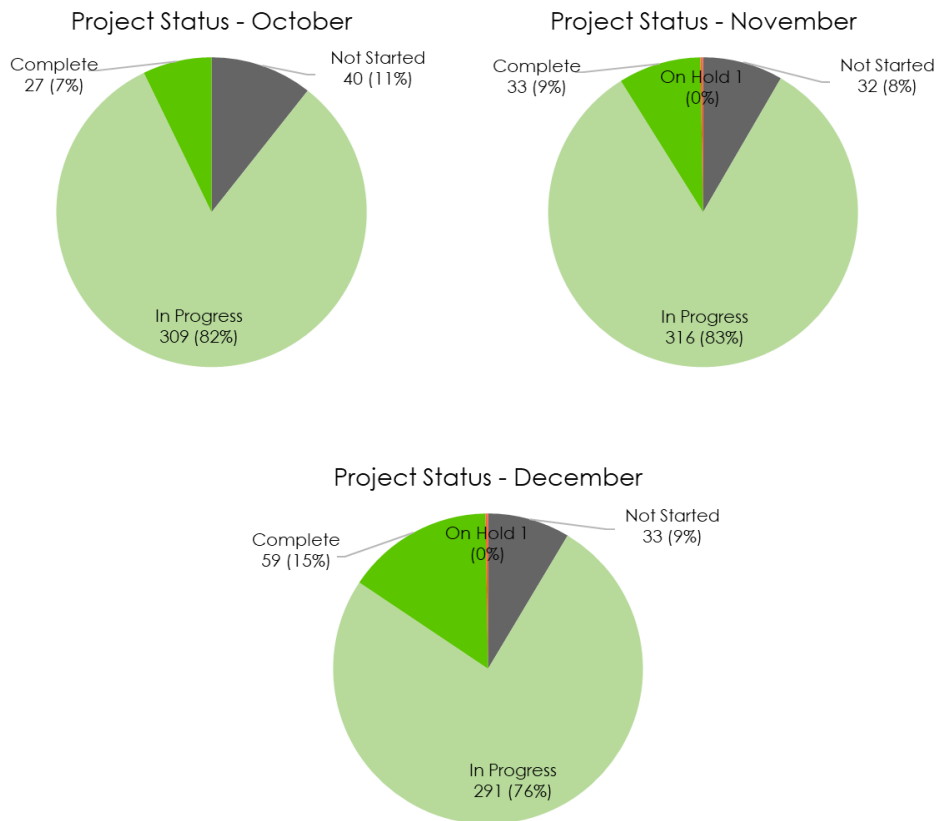
Management and Officers will monitor these pressures during the financial year.

For further information on YTD operating performance see:

- Appendix 2 – Activities Operating Net Result
- Appendix 3 – Operating Programme Reporting
- Appendix 7 – Financial Statements
- Appendix 8 – Approved variations to Annual Budget

## Capital Delivery Status

At the end of the second quarter there were 314 (82%) projects in action with 38 (10%) complete. A further 21 were substantially complete for the years planned activity and have been added into the 'complete' section of the December graph. In total there are 381 projects for this financial year.



**Not Started** No budget spend has been put against this project.

**In Progress** Planning, Design or Construction is actioned with money spent against the project.

**Complete** Project is substantially complete and final accepted by the budget holder.

**On Hold** Project unable to be progressed – can be a wide range of factors often externally triggered.

## **Delivery Underway**

Throughout the second quarter progress was made on capital projects to improve the resilience of critical infrastructure including seismic strengthening of the Turitea Water Treatment Plant and the installation of a seismic shut-off valve at Ngahere Park Reservoir. Papaioea Place Redevelopment, North Eastern Industrial Zone and Ferguson Street – Pitt to Linton upgrade reached construction stage, and in November soil was turned at the new Animal Shelter.

The Design Panel utilisation has continued to grow. At the end of the quarter there have been 130 (design and investigation) requests to the Design Panel with 43 complete. Procurement for a number of these completed designs is well underway or completed.

Major capital works planned for construction throughout the third quarter include Crematorium Seismic Strengthening, City-Wide Road Resurfacing, James Line Upper – Improvements and continuation of Setters Line Stormwater Improvement, Paving and Drainage Upgrades – Square, Fergusson/Pitt Street Improvements, North Eastern Industrial Zone, Animal Shelter, Papaioea Place Redevelopment and completion of Cuba Street Stage 2.

## **Delivery Constraints**

Weather has continued to have a considerable impact upon project delivery, for example throughout November 129mm rain fell (Historical average is 82mm) to which had a major effect upon Property, 3 Waters and Transport capital project delivery.

Overall, 2022 was wetter than average which created delay and downtime cost. The pre-Christmas resurgence of Covid-19 across the supply chain also impacted the quarters capital delivery.

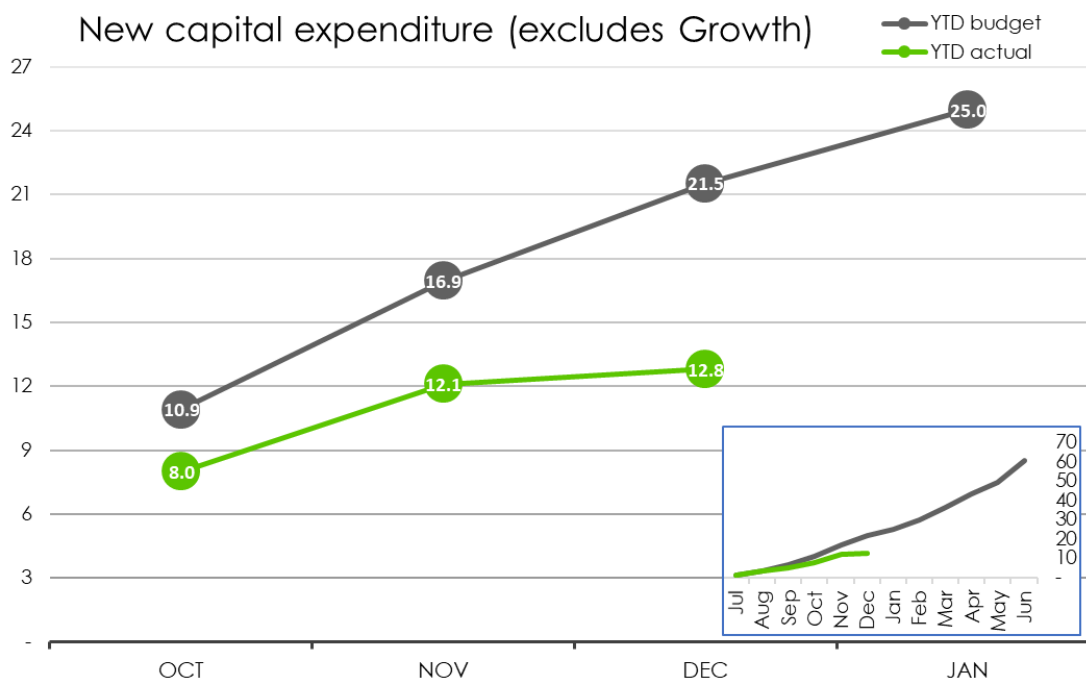
Annual average rainfall for Palmerston North: 917mm  
2022 Total rainfall results: 1,157mm  
(weather-and-climate.com)

As of the end of the second quarter, there has been a total Capital Spend of \$25.4M comprising \$12.8M Capital New, \$1.7M Capital Growth and \$11.0M Capital Renewal. Renewals delivery is picking up pace. Stormwater renewals and other work requiring significant trenching occurs primarily in the summer season, when historically, less rainfall is expected so it is anticipated that this increased pace will continue.

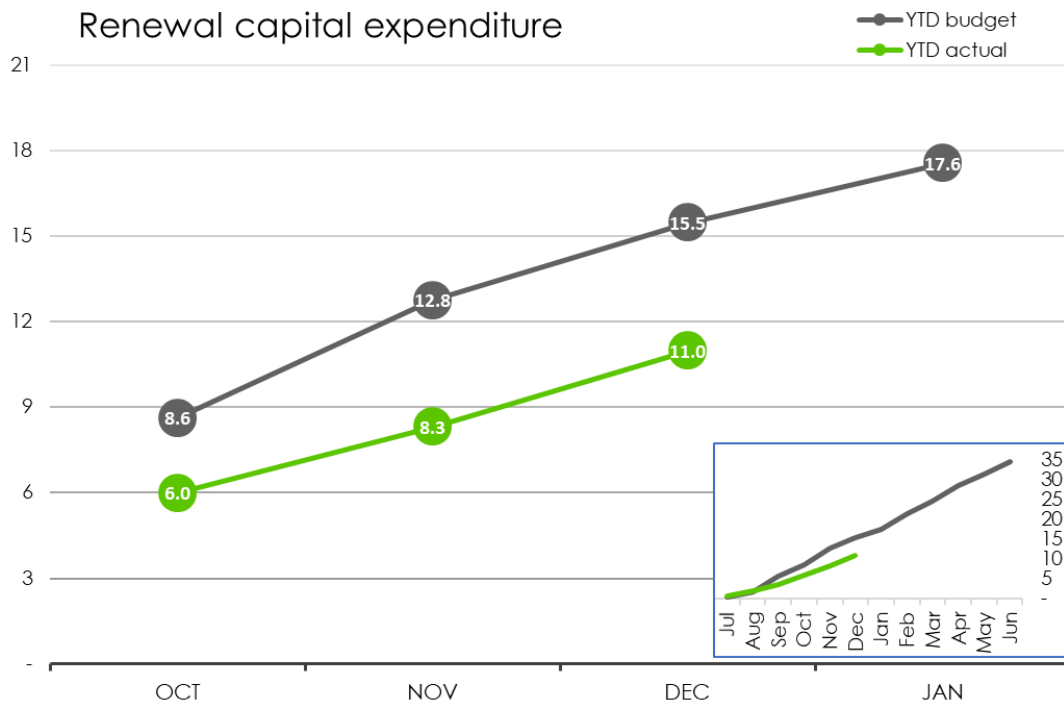
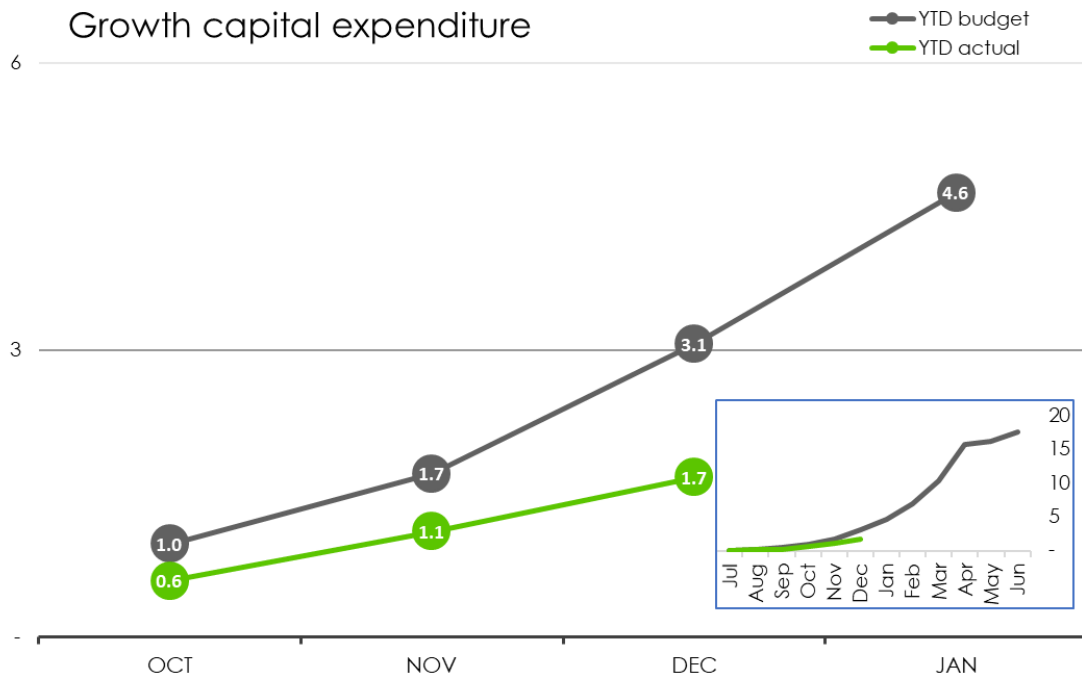
The December Capital New spend figure was impacted by approximately \$1M of costs that had been incorrectly allocated to Capital New in previous periods. This was resolved in December and the costs have now been correctly allocated to capital renewal and operating jobs.



The following graphs have varied scales and show the year to date spend against the Capital New, Growth Expenditure and Capital Renewal year to date budgets. The tables note reasons for delays on programmes with variances over \$600k. Review of the overall variances in the Capital New projects show many of the projects that were weather dependant showing variances in the region of \$200-300k. This is likely the result of weather delay and the pre-Christmas Covid spike which slowed work on a number of sites.



Programme Description	YTD Variance	Reason for delay against budget
2128-WWTP - Consent Application	\$1,096k	The Land Application and Investigation package of work was put on hold pre lodgement as it wasn't required for the application.
2119-Road to Zero - Transport Safety Improvements	\$632k	Programme delays from Fulton Hogan, in design and implementation.
1440-Cuba Street urban streetscape improvements - Rangitikei to George Street (Stage 2)	\$627k	Project is on track to be completed by the end of February. Early delays caused by inclement weather and supply chain issues along with labour shortages caused by Covid resulted in discrepancy from budget forecast completed in July.
167-James Line (Schnell Dr to Kelvin Grove Rd) - Improvements	\$1,171k	Construction delayed to address design issues and procurement negotiations. Due for Council approval in February.



Programme Description	YTD Variance	Reason for delay against budget
115-City-wide - Sealed Pavement Renewals (Waka Kotahi Subsidies)	\$758k	Council contribution is currently being negotiated to an intersection upgrade, and is expected to be finalised this financial year.
54-City-wide - Wastewater Pipe Renewal	\$720k	Traffic management costs lower than anticipated for work completed to date. Major works scheduled for February.

### **Capital expenditure summary**

The table below summarised the current financial position.

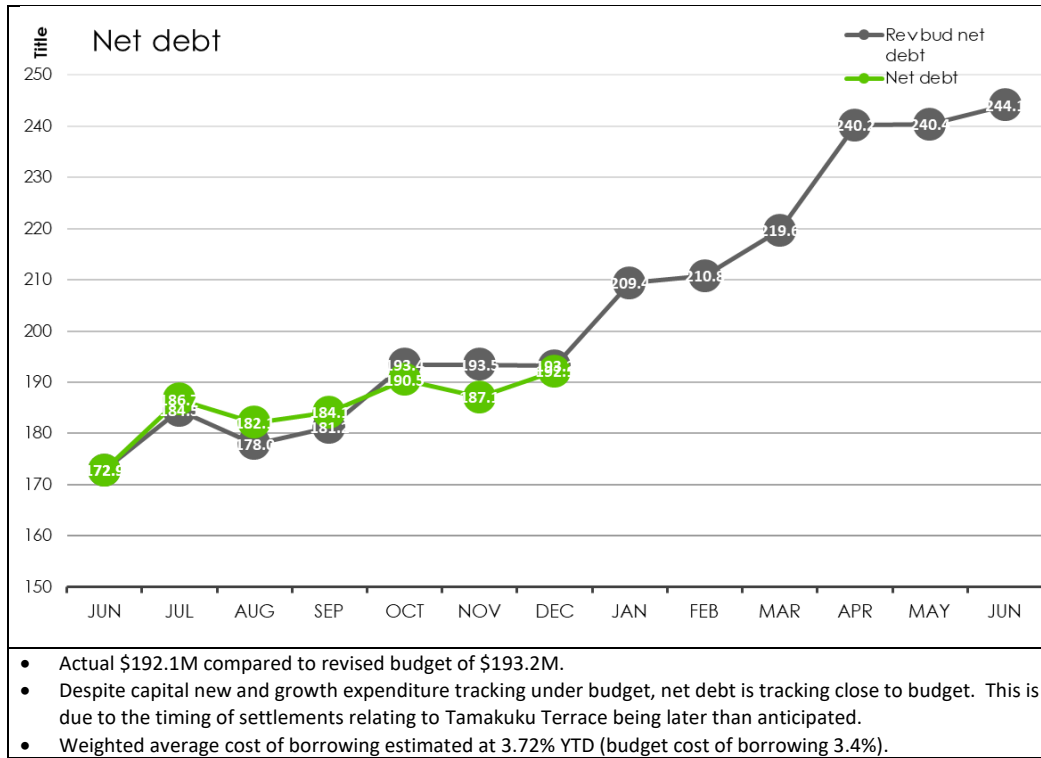
	YTD Actual	YTD Budget	% of YTD Budget spent	Full year budget
Capital New	\$12.8M	\$21.5M	59.5%	\$60.4M
Capital Growth	\$1.7M	\$3.1M	54.5%	\$17.5M
Capital Renewal	\$11.0M	\$15.5M	70.9%	\$34.6M
<b>Total Capital Spend</b>	<b>\$25.4M</b>	<b>\$40.1M</b>	<b>63.5%</b>	<b>\$112.4M</b>

Figures above reflect Revised Budgets, inclusive of adjustments approved through Council. See Appendix 8 – Approved variations to Annual Budget.

In response to deliverability challenges and external funding opportunities potential carry forwards have been identified throughout the year as part of programme management. A schedule of these have been brought to Council through the Annual Budget Process and are constantly being reviewed. These will be reconfirmed following the consultation process.

For additional information on capital delivery see:

- Appendix 4 – Capital expenditure by Group of Activities
- Appendix 5 – Capital expenditure by Programme (over \$750,000)
- Appendix 6 – Capital expenditure by Programme (under \$750,000)
- Appendix 8 – Approved variations to Annual Budget



## 10-Year Plan Project Updates

(to 31 Dec 2022)

### **Streets for People:**

The developed design phase is continuing for the remaining streets in the programme, these being Square North, Broadway Ave, Square West, Church Street and the Inner Square. We are working towards presenting Council with options for delivery of the construction stages, associated engagement planning for each option, plus costs and opportunities for external funding. This will be in the second quarter of 2023.

### **Civic and Cultural Precinct Masterplan (CCPMP):**

In late October the CCPMP Sponsorship Group and key internal stakeholders met to discuss next steps to progress the Project, incorporating feedback from the 31 August workshop, subsequent one on one meetings with Councillors, and the nature of progress on the project to date. The result of the Sponsorship Group meeting was a decision not to progress the Master Plan project in its current form, with a loss of confidence in the deliverables making it untenable to continue with the Project in its current form.

On 1 December Council's Chief Planning Officer forwarded formal notice that the contract between Arup and the Council dated 18 June 2021 was terminated in accordance with clause 11.1 of the contract. Now that formal notice has been served Council officers are in a position to communicate with Rangitāne and key stakeholders about the project pause and when the next steps will be reported to Council for consideration.

Officers will report an options paper to Council in early 2023 seeking direction from Elected Members regarding next steps for progressing the Master Plan work programme. Officers are in the process of confirming a handover of shared intellectual property developed through the project with Arup.

### **Heritage:**

Applications for the Natural and Cultural Heritage Incentive Fund to support the strengthening, protection and maintenance of heritage buildings, trees, objects and sites across the City continue to be submitted. Most applications have been for the maintenance of notable trees in the City. The Delivering Change budget is being used to support development opportunities for strategically significant heritage buildings that have fallen into a state of disrepair by wrapping design and technical support around consent applications.

### **Victoria Esplanade Masterplan:**

Signs and seats install are complete. Playground safety surface replacement and the Lions Miniputt are also complete. Propagation Hothouse replacement has been completed. The Duck Pond concrete remediation is underway, with alternative solutions to the lining being reviewed. Mulch Bin replacements are underway. Manawaroa St pedestrian entrance improvements are also underway. Conservatory Boiler replacement is underway.

### **Manawatū River Shared Pathway:**

Officers are continuing to work with consultants and Horizons Regional Council to prepare the Notice of Requirement (NoR) to designate land necessary to complete the Manawatū River Pathway. Investigations are being finalised to determine the precise dimensions of the land corridor necessary for the pathway along the river edge. The NoR will be lodged when all the reports and designation details are complete, which is anticipated to be the first quarter of 2023.

**Manawatū River Framework:**

The tuna seat is fully completed, and we will now begin work on the deck. The work will be paused while Horizons carry out riverbank battering (reducing the slope of the bank to improve its stability) and move heavy vehicles through the site. Pausing the river entrance work is necessary to avoid damage from the Horizons construction traffic. The new Hokowhitu River entrance, as part of Centennial Park residential development, is designed and work will progress in conjunction with the residential development. We are nearly ready to lodge resource consent for this work.

Now that the temperature is up, Contractors will complete the new pump track along Centennial Drive.

**Te Motu o Poutoa:**

Tennent Brown and Boone Architects completed their site tour and workshop with the Design Working Party this month. The Architects will now begin work on the more detailed conceptual and spatial developments. The team is also beginning to unpack the types of activity associated with this particular site.

In particular, they will be looking at how different buildings and activities might come together in a complimentary manner on the site. Council will also be looking to develop draft and high-level proposals for the following:

- Site management plan
- Funding – capital new
- Business case

These will be high level documents to accompany the development plan.

The Team will complete the final fact-finding trip to Wellington with the Tenth Trust in early February.

**Te Utanganui / PN Integrated Transport Initiative (PNITI):**

The Te Utanganui Masterplan project has developed a draft options paper to identify indicative areas of land and key multi-modal transport connections necessary to support the development of a central New Zealand distribution hub over the next 30 years. A transportation workshop was held with Waka Kotahi, KiwiRail, Horizons and Council's Transport team on 30 November to reach consensus on the key strategic transport links needed to support the distribution hub. The Master Plan is on track to be finalised in late February 2023.

Together with Waka Kotahi and Horizons Regional Council, a series of PNITI planning projects have been prioritised as follows:

- Transport Model
- Speed Management Plans
- City Centre Single Stage Business Case
- Bus Terminal Single Stage Business Case
- Indicative Business Case for all sections of ring road
- Network Business Case

**Residential Growth:**

Construction of Stage 1 of the Tamakuku Terrace subdivision project is now complete. Construction for Stage 2 is not due to commence until November 2023. Council officers continue to work through the sale of the sections within Stage 1, working closely with build partners and other purchasers.

Transport infrastructure upgrades have been identified as necessary to support urban growth in Aokautere. The development of draft programmes is under way and officers are actively collaborating with Waka Kotahi

to determine how upgrades to SH 57 Aokautere Drive can be delivered in a timely manner to support growth. No new development can occur in Aokautere until transport infrastructure upgrades are completed.

Further submissions to Plan Change G, Aokautere Urban Growth, closed on Thursday 8 December. 111 submissions have been received, with key issues raised relating to transport, stormwater management, climate change, land stability, housing typologies, and the proposed reserve exchange. The Plan Change is scheduled for a hearing in July / August 2023.

The feedback period for Plan Change I, Medium Density Residential Zone, closed on Wednesday 7 December. The key issues raised include shading, noise, overlooking and privacy, how medium density housing fits into existing neighbourhoods, who might be moving into medium density housing, and what the housing might mean for increasing traffic and parking on our roads. The team will use this feedback and that received from a previous round of consultation to inform the drafting of the final planning provisions before coming to Council in 2023 seeking approval for formal notification. An infrastructure assessment is being prepared to support Plan Change I. Certain medium density developments proposed under the current District Plan framework are already testing infrastructure capacity.

Plan Change E, Roxburgh Crescent, has opened for an initial feedback period before we go out for clause 3 consultation in early 2023. The key issues being raised include concerns about the provision of housing density and the associated ability to build up to 3 stories on a 150m<sup>2</sup> lot area. Issues raised by those living adjacent to plan change site relate to loss of privacy, amenity and potential loss of sunlight.

Officers have slowed down work on Kakatangiata and Ashhurst residential growth plan changes due to budget constraints, delays in technical reporting and discussions with third parties.

3 waters modelling for intensification is underway. This work will identify capacity constraints and opportunities to support medium density housing for Plan Change I: Medium Density Residential Zone.

#### **Citywide Stormwater:**

Stormwater improvement projects for the financial year had a late start, but we are anticipating a catch-up in the summer months with additional resources. Construction of Setters Line stormwater improvement project started on the first week of November. Gasworks Drain improvements will follow-up right after Christmas break. Victoria Ave and Church St construction drawings are being finalised and will be ready for construction to start in March 2023.

Whakarongo Stormwater Improvement: The land use application was lodged to PNCC in the last week of October. Tender drawings are being finalised. A request for additional budget for land purchase was approved at 14 December Council meeting.

#### **Citywide Water Supply:**

The pipe replacement work in Ferguson / Pitt is complete. The commissioning of the Railway Road bore station commenced in the last week of October. Minor issues with chemical dosing were identified during commissioning. The contractor is fixing these and the bore is expected to be operating by early January. Draft Water Safety Plans for the City were submitted to Taumata Arowai on 14 November. Work will continue on these – along with Source Water Risk Management Plans - in 2023. Resilience work at the Turitea Water Treatment Plant is making good progress, with Stage 3 near completion. Ngahere Park is complete and waiting for commissioning.

**Three Waters Reform:**

Parliament has passed the Water Services Entity Act. This sets up the four Water Service Entities. Two follow-up Bills have been introduced to Parliament:

- the Water Services Legislation Bill sets out the Entities' functions, powers, obligations, and oversight arrangements.
- the Water Services Economic Efficiency and Consumer Protection Bill sets out the economic regulation and consumer protection measures for the three waters sector.

**Kōtuia /Ozone Replacement:**

The Kōtuia (ERP Implementation of Authority Altitude) Project is now progressing through the data migration stage which will see existing information in Ozone made ready for transferring to the new system. System configuration is nearing completion. System testing processes are being written up in preparation for the initial system checks. Progress and budget are on track. The broader programme of work to decommission Ozone is in the planning stages as per our expected timeframes.

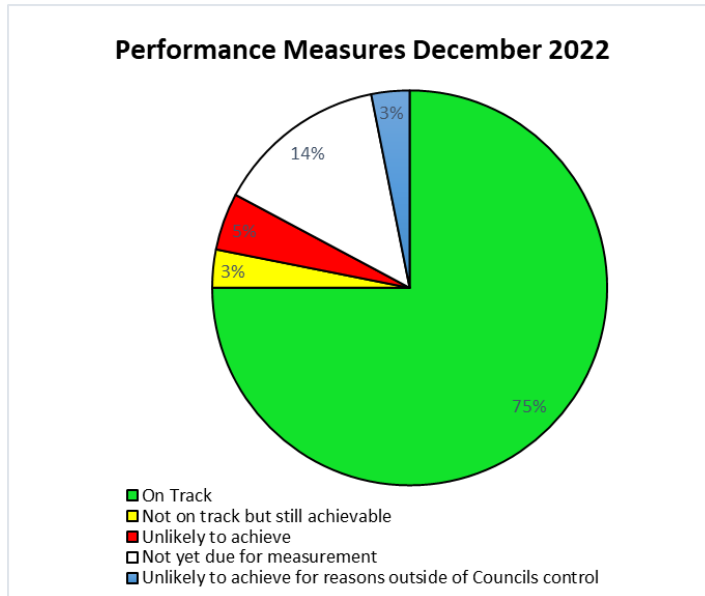
**2024 Long-term Plan (LTP):**

Council has to adopt the next LTP by June 2024. Work on this has started with Elected Member workshops (in Dec 2022 and scheduled for Feb 2023) to consider Council's strategic intent for the 2024 LTP. This will enable officers to prepare draft levels of service, programmes and budgets for Elected Members to consider.



## Performance Measures

At the end of December, 48 (75%) of performance measures were on track to be delivered, with a further 9 (14%) yet to be measured and 2 (3%) not on track but still achievable. 5 measures (8%) are unlikely to be achieved this financial year, with 2 of those being for reasons outside Council control.



For the 3 unlikely to be achieved, resourcing is a key reason, and for those outside Council control the reason relates to nationwide trends on satisfaction and positive sentiment.

For additional information on performance measures see:

- Appendix 1 – Detailed performance measures

## Resourcing

A summary of PNCC Resourcing is included below for your information.

Employment Status	Number of Staff	FTE
Permanent Full-time	542	542
Permanent Part-Time	98	64
Vacancies	91	87
Temporary	25	21
<b>Total Number of Positions (excl. casuals)</b>	<b>756</b>	<b>714</b>
Add Casual	30	12
Less vacancies	(91)	(87)
<b>Total Positions</b>	<b>695</b>	<b>639</b>

## Appendix for December 2022 Report

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# Appendix 1 – Detailed Non-Financial Performance Measures

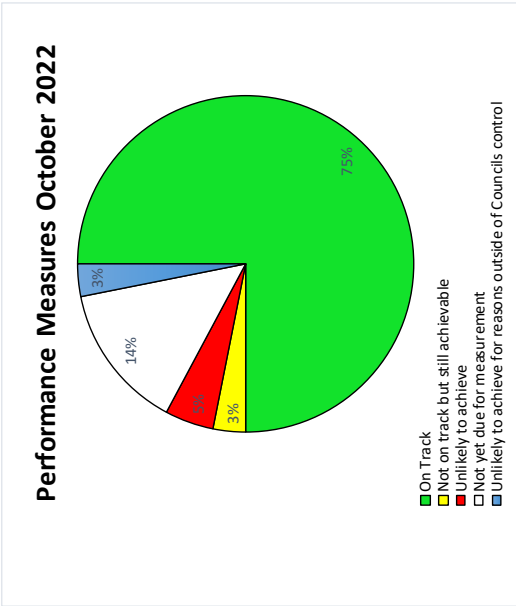
## Performance Measures - December 2022

### 10-Year Plan KPIs

This part of the report looks at how well the Council is delivering on the performance measures.

The report is organised by Activities. Each Activity page has "traffic lights" to show progress towards the 10-Year Plan:

	W	G	Y	R	B
On track					
Not on track but still achievable					
Unlikely to achieve					
Unlikely to achieve for reasons outside of Councils control					



Performance Measure Summary by Activity									
	G	Y	R	W	B	Total			
<b>Goal 1 - An Innovative &amp; Growing City</b>									
City Growth	3	-	2	-	-	5			
Economic Development	1	-	-	-	1	2			
Transport	1	1	1	2	-	5			
<b>Goal 2 - Creative &amp; Exciting City</b>									
Active Communities	3	-	-	2	-	5			
Arts, Culture and Heritage	3	-	-	2	-	5			
City Shaping	1	1	-	-	-	2			
<b>Goal 3 - Connected &amp; Safe Community</b>									
Connected Communities	8	-	-	1	-	9			
Safe Communities	3	-	-	-	-	3			
<b>Goal 4 - Eco-City</b>									
Climate Change	3	-	-	-	-	3			
Environmental Sustainability	2	-	-	-	-	2			
Manawatu River	-	-	-	1	-	1			
Resource Recovery	2	-	-	-	-	2			
Stormwater	5	-	-	-	-	5			
Wastewater	5	-	-	-	-	5			
Water Supply	8	-	-	1	-	9			
<b>Goal 5 - Driven &amp; Enabling Council</b>									
Good Governance and Active Citizenship	-	-	-	-	1	1			
<b>Total Measures</b>									
	48	2	3	9	2	64			
<b>% of measures able to be measured</b>	<b>75%</b>	<b>3%</b>	<b>5%</b>	<b>14%</b>	<b>3%</b>				

## Quarterly Performance and Financial Report - December 2022

### Goal 1: An Innovative and Growing City

#### City Growth

Performance Measures (Page 32 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<p><b>01. Measure:</b> Enough land is zoned, infrastructure enabled and feasible to develop, to meet growth demand.</p> <p><b>Target:</b> At least three years of housing and business land with services is immediately available.</p>	<p>Spade-ready greenfield growth capacity is almost fully exhausted. Infrastructure to enable growth at Whakarongo and Kikiwhenua needs to progress quickly to provide short-term supply relief. Whakarongo requires stormwater infrastructure which is likely to be in place by mid 2023. Because of resourcing issues, servicing Kikiwhenua has been delayed until at least 2024. Significant infill capacity still exists in the existing urban area. The market has sought out this option as an alternative due to lack of greenfield supply. Council notified Plan Change G Aokautere (PCG) in August 2022. PCG seeks to rezone land for 1000 more homes. A hearing for this plan change is likely in July/August 2023. Early consultation on Plan Change I Medium Density Residential Zone (PCI) was launched in September 2022. Clause 3 notification was launched in November 2022 and received significant feedback. Formal consultation on the plan change is expected to be launched in July 2023. This plan change seeks to unlock significant development capacity for housing to meet short-medium term capacity deficit for housing supply. Planning resources are being prioritised for Plan Change G (Aokautere) and Plan Change I (Medium Density). Due to budget constraints, work will need to be slowed on the rezoning proposals at Kakatangiata and Ashurst. At least 3 years of housing supply will not be achievable unless the provision of services at Whakarongo and Kikiwhenua are brought forward.</p>	R	R		
<p><b>02. Measure:</b> Resource consent applications are processed within statutory frameworks. <b>Target:</b> At least 95%</p>	<p>For the year to date, cumulative percentage, we have granted 56% of the resource consents on time (111 of 199 consents granted). However, it is noted that in the last quarter we have significantly improved the granted on time rate to 69% (79 of 115) mainly as a result of a thorough audit of the Ozone database coupled with new methods to assist in completing consents more quickly.</p>	R	R		

<p><b>03. Measure:</b> Building consent applications are processed within statutory frameworks. <b>Target:</b> At least 95%</p>	<p>Of the 186 building consent applications processed for the (reduced) quarter, 170 (91%) were processed within the statutory timeframe. Year to date: Of 593 consents processed, 561 (95%) were within the statutory timeframe. This quarter has been influenced by the improvement in construction supply chain and industry resourcing, although some growth activity reservations are evident for future economic indicators.</p>	G	G		
<p><b>04. Measure:</b> City-wide urban design principles are reflected in planning advice and decision-making. <b>Target:</b> Narrative measure outlining how urban design principles are being implemented.</p>	<p>Urban design expertise is informing Council led District Plan changes under development, including residential intensification to meet the National Policy Statement on Urban Development and other major greenfield growth projects in Aokautere, Kakatangiata and Roxburgh Cres. The Matangi Residential Area (Whiskey Creek) Private Plan change demonstrates a strong urban design led approach and closer alignment to city strategic direction. This plan change is now nearing completion of its statutory appeal period. The District Plan continues to shape good urban design outcomes particularly across residential, industrial and business zones. There is now a number of medium density housing projects under application and construction across the city with many of these due to be completed over the next 6-12 months physically. There is a higher level of integrated transport and land use planning (movement &amp; place) underway that will greatly improve future urban structure, form and function for the city. This includes projects such as Te Utanganui, Palmerston North System Improvement Plan, and the Palmerston North Parking Framework. He Ara Kotahi and CET Arena continue to receive national design awards, validating the positive impact that good urban design has on city image and the quality of our places and spaces. The CET Arena Masterplan Review is underway.</p>	G	G		

<p><b>05. Measure:</b> There is an increase in range of building types being built in the city centre and local neighbourhoods (eg different densities, cohousing, CBD residential, green buildings). <b>Target:</b> Narrative measure outlining trends in the range of building types.</p>	<p>Developers outside of the city continue to make enquiries into some existing city centre commercial sites. The Former Chief Post Office site is now under new ownership and development plans are currently underway. A new commercial retail development has been completed along Rangitikei St and tenants are now occupying these new spaces. Child-care facilities continue to be developed with two new facilities opening on cnr Milson Line &amp; McGregor St and 539-545 Church St. On the former Cafe de Paris site a new mixed used development continues to take shape. This will provide both live and work outcomes on the site, with commercial tenancy on the ground floor and living above. Medium density housing applications around the periphery of the city-centre and across the broader Residential Zone of the city continues through more challenging construction and economic conditions though two large Kaianga Ora housing developments (Church St &amp; Rugby St), which are now in for resource consent. These proposals and others in construction will continue deliver a wider choice of housing types in the market - two-storey, duplexes, terraces and walkups. Work continues on residential intensification plan change to make it easier to develop intensified housing in appropriate locations. Intensification location maps and developing planning provisions have been shared with the public through pre-consultation of the plan change currently underway.</p>	G	G	
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### Economic Development Activity

Performance Measures (Page 37 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<p><b>01. Measure:</b> Funding is distributed and the key objectives achieved. <b>Target:</b> Narrative measure outlining outcomes achieved by the funded organisations.</p>	<p>Funding is allocated. Awaiting 6 month report from CEDA in early 2023</p>	G	G		

<b>02. Measure:</b> Achieve a positive city reputation. <b>Target:</b> 3x narrative measures: Increases in positive sentiment, increase in levels of engagement, and formal survey/research	<p>The media sentiment for this period is unavailable as the company is resetting the algorithms to remove texts and letters to the editor. This is likely to see a shift for everyone towards more neutral sentiment. This quarter saw the rollout of the Taste of Palmy cookbooks showcasing some of the best eateries our city has to offer. We have also released a larger Palmy Proud which is now being distributed through key strategic locations e.g Auckland Airport. These campaigns have the purpose of changing the perceptions of what Palmy has to offer from a visitation perspective. The 2022 Residents' Survey shows that residents' overall perceptions of Palmerston North declined in the past 12 months. There have also been drops for other Councils doing the same survey, so it is likely that the results are being impacted by the negative national mood due to Covid-19, cost of living, etc. Areas where residents perceive Palmy most positively include having lots of recreation opportunities and being great for being physically active. The lowest area was 'PN has a vibrant city centre' (46% agreed, 33% neutral and 21% disagreed).</p>	<b>G</b>	<b>B</b>		

## Transport

Performance Measures (Page 42 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<b>01. Measure:</b> The change in the number of fatal and serious injury crashes from the previous year on the city's local road network. Fewer than the previous year. <b>Target:</b> Narrative measure outlining long-term accident trends and causes.	There were 28 fatal and serious crashes between the period of 1/1/2022 and 19/12/22. This consisted of 6 fatal crashes and 22 serious injury crashes. Compared to the period 1/1/2021 and 31/12/22, there were a total of 42 Fatal and serious crashes, consisting of 1 Fatal and 41 serious injury crashes. At the time of writing (19/12/22), the number total number of fatal and serious crashes have reduced by 14 between 2022 and 2021. However, it is noted that the period for 2022 may be higher as it does not take into account the Christmas holiday period and it is likely that not all reports have been submitted by the Police to Waka Kotahi's Crash Analysis System.	<b>G</b>	<b>G</b>		
<b>02. Measure:</b> The average quality of ride on the sealed local road network, measured by smooth travel exposure. <b>Target:</b> Greater than 80%.	The city's Smooth Travel Exposure, which is the proportion of vehicle movement over smooth roads, is calculated at 86% as of March 22. This information is captured and calculated annually following a roughness survey of the roads and will be redone in Q3.	<b>G</b>	<b>W</b>		



<b>03. Measure:</b> The percentage of the sealed local road network that is resurfaced. <b>Target:</b> More than 3.5%	Resurfacing is performed and completed in the summer construction season. So for the quarters leading up to this season there is no result for the financial year yet and will be updated following completion of the resurfacing programme in Q3.	R	W		
<b>04. Measure:</b> The percentage of footpaths that meet Council standard. <b>Target:</b> Greater than 93% rated 3 or above.	A network wide footpath condition survey was completed in November 2022. The percentage of footpaths at that time rated Average or better is 82.8%. This is a reflection of the work completed during the previous financial year as the footpath renewal programme is completed during the summer construction season. Increased funding for footpath renewals this financial year is expected to show an improved condition rating in the next survey in FY23/24.	G	Y		
<b>05. Measure:</b> Percentage of requests for service relating to roads and footpaths responded to (with at least an initial response) within three working days. <b>Target:</b> Greater than 95% of safety and critical requests.	The percentage of service requests relating to roads and footpaths responded to within three working days with at least an initial response is 88%. While the customer Response Team has streamlined the process and shortened the time to get back to the public, slow response from contractors and a shortage in the technical space within the council transport team has created delays in engineering decision making.	R	R		

## Goal 2: Creative and Exciting City

### Active Communities

Performance Measures (Page 54 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<b>01. Measure:</b> Increase in use of parks, sports fields and playgrounds. <b>Target:</b> Narrative measure outlining Parks Check Survey results.	The Park Check Surveys surveying is currently underway. The results will be reported by year end.	W	W		

<p><b>02. Measure:</b> Increase in use of aquatic facilities. <b>Target:</b> Usage numbers at Lido, Freyberg and Ashhurst Pools.</p>	<p>The number of users of the Lido for the six-month period was 186,224, 23% higher than the same period last year. The number of Under 5 users was 55% higher than last year, with just over 2,500 more users. For comparison to pre-covid figures, the number of users of the Lido for the six-month period of Q2 2019 was 198,092. The number of users of the Freyberg Community Pool for the six-month period was 93,472, 27% higher than the same period last year. The number of Under 5 users was 66% higher than last year. For comparison to pre-covid figures, the number of users of the Freyberg Community Pool for the six-month period of Q2 2019 was 80,018. The number of users of the Splashhurst Community Pool for the six-month period was 17,329, 17% lower than the same period last year. The reduction compared to last year is likely to be due to the extra events held in November 2021 which boosted last year's 2nd quarter result. The number of Under 5's numbers was 89% higher than last year. There is no pre-covid comparative for Slashhurst due to its later opening.</p>	G	G			
<p><b>03. Measure:</b> Increase in use of Central Energy Trust Arena for community sport and active recreation. <b>Target:</b> Narrative measure outlining number of community events and hours.</p>	<p>Community Sport hours of use to the end of December 2022 are 4,873 compared to 3,019 at the same stage in 2021/22. This is an increase of 61%. The number of Community Sport bookings is 1,315 compared to 1,124 last year, an increase of 17% and 100,111 people have participated in Community Sport activity compared to 44,460 last year, an increase of 125%. It must be remembered that the 2021/22 financial year was heavily impacted by Covid-19 restrictions around availability and participation numbers allowed. Restrictions were in place until April 2022. There are no pre-covid comparatives for Central Energy Trust Arena due to construction during this time.</p>	G	G			
<p><b>04. Measure:</b> Increase in satisfaction of Council's sport and recreation facilities. <b>Target:</b> Narrative measure outlining trends in user and resident feedback and surveys.</p>	<p>The Park Check Surveys are currently underway. The survey results will be reported before year end.</p>	W	W			
<p><b>05. Measure:</b> Council works in partnership with external organisations. <b>Target:</b> Narrative measure outlining partnership initiatives designed to increase participation and their outcomes.</p>	<p>Council continues to work with Sport Manawatu towards achieving the objectives agreed in the funding agreement. Ihi Aotearoa is also funding a new three-year Play Adviser position in Council to further our mutual goals.</p>	G	G			

## Arts and Heritage

Performance Measures (Page 63 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<b>01. Measure:</b> Increase in patronage of Council-owned cultural facilities (Te Manawa, Globe Theatre, Regent Theatre, and Square Edge), as measured by reports provided by operators. <b>Target:</b> Annual patronage numbers for the CCOs increase.	This information will not be supplied to Council officers until February 2023, as the LGA does not require CCOs to provide this information until 28 February. Patronage data will be presented as part of the CCOs' (Te Manawa, Globe Theatre and Regent Theatre) 6 month report to the Culture & Sport Committee in April 2023.	W	W		
<b>02. Measure:</b> Funding is distributed and the key objectives achieved. <b>Target:</b> Narrative measure outlining outcomes achieved by the CCOs.	The LGA does not require CCOs to provide this information to Council officers until 28 February. Progress of performance measures will be presented as part of the CCOs' (Te Manawa, Globe Theatre and Regent Theatre) 6 month report to the Culture & Sport Committee in April 2023.	W	W		
<b>03. Measure:</b> Sites of significance to Rangitāne o Manawātū are identified, protected or acknowledged. <b>Target:</b> Narrative measure outlining the number and description of sites.	Construction of the upgrades at Albert Street entrance to the river progressed well during the quarter and is now on hold until Horizons has completed rock work on the adjacent stop bank. Replacement of the surface surrounding the clock tower in Te Marae o Hine commenced during the quarter. When completed, the new surface will feature a clock pattern designed by Rangitāne. Co-design of the Ruahine Reserve has been completed and this project will progress in the New Year.	G	G		
<b>04. Measure:</b> Increase in investment of earthquake-prone heritage buildings. <b>Target:</b> Narrative measure outlining investment in buildings and its outcomes.	The Heritage Incentives Fund has been well-accessed and oversubscribed. There has been significant interest from earthquake-prone building owners to seek funding assistance to get their buildings up to Building Code standards.	G	G		
<b>05. Measure:</b> Heritage is part of the multidisciplinary approach to working on Council projects. <b>Target:</b> Narrative measure outlining the projects and their multi-disciplinary nature.	Work has not commenced on any heritage-related Council projects in this quarter, but work to support the Old Post Office development is expected later in 2023. An update to the Arena Masterplan will be underway this financial year and will provide another opportunity to factor in heritage as part of a broader multi-disciplinary approach to planning for the Arena. This can build on work previously completed on the Cuba Street entrance to the Arena.	G	G		

## City Shaping

Performance Measures (Page 69 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<b>01. Measure:</b> City Centre Streetscape Plan is successfully implemented. <b>Target:</b> Narrative measure outlining progress on implementing the Plan.	The wider streetscape plan programme is in developed design phase and detailed design of Square East Stage 3 & 4 is awaiting completion and physical implementation.	Y	Y		
<b>02. Measure:</b> A wide range of public space projects are implemented. <b>Target:</b> Narrative measure outlining the public space projects, their multi stakeholder / multidisciplinary nature, and their outcomes.	Construction of the next stage of Cuba St link between Rangitikei St & George St is now under construction and half complete. PN Sculpture Trust have been allocated space within this project at the intersection with Rangitikei St to deliver their next public sculpture. The Lions Mini Putt is now complete and operating at the Victoria Esplanade.	G	G		

## Goal 3: Connected & Safe Community

### Connected Communities Activity

Performance Measures (Page 74 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<b>01. Measure:</b> Library users are satisfied with the services and programmes provided. More than 800,000 visits a year. Average use per item per year is at least 4 (physical items). <b>Target:</b> Narrative measure outlining the development and use of digital collections. Narrative measure outlining the results of user and residents' satisfaction surveys.	Overall, these trends show that there have been changing library use patterns post-Covid, including less frequency of visits. It is clear that a portion of the population hasn't returned post-vaccine pass requirements. However, there has been increased demand for digital help especially on personal devices, library material circulation is holding steady, and, within this, there have been significant increases in eBook, eAudiobook and digital resource use. It also needs to be noted that resourcing issues have also affected overall service delivery: the libraries are not back to full opening hours, nor full library programming. In short, the library is working to remove barriers to access, including those related to Covid, and to return to pre-Covid usage levels. The above figures show how this is working. (Note: vendor and system changes mean that not all the appendix comparisons are exactly like for like, but the overall picture they paint is accurate.) Please see appendix A for a breakdown of the figures and trends.	G	G		

<p><b>02. Measure:</b> Library programmes reflect the changing needs of communities.</p> <p><b>Target:</b> Narrative measure number and description of programmes and their outcomes.</p>	<p>Library programming across all City Library sites continues to return to pre-Covid levels. For the first six months of the year, 1193 programmes were delivered with 27,222 attendees (versus 720 programmes delivered with 16,551 attendees last year). Year-to-date pre-covid figures for Q2 2019 was recorded as 1485 Library programmes delivered with a total of 39,386 participants. The Book Buds Winter Reading programme was completed by approx. 800 children; and currently over 600 children are engaged in the Summer Read and iRead reading programmes. Local History Week delivered a diverse programme of talks, displays, an afternoon concert and closed with the book launch of "Don't Follow Me Vera Girl" by Roni Fitzmaurice. The Heritage team's work included processing the Terrace End School archives; and rehousing at risk slides, prints and negatives from the Coachwork collection – all of which will provide resources for the Aotearoa NZ History curriculum. Community programme highlights included Filipino language and culture classes; Future Living Skills sustainability workshops; and support for Armistice Day. Highlights from Youth Space included NanNoWiMo (international novel writing month); Stress Free study week; and Koha Kete. Rangitane. Community Development, Infrastructure, Police and Water Safety NZ co-lead a workshop around young people's understanding of water safety and helped shape the summer water safety campaign for Council. Highlights at our community libraries included Awapuni Library celebrating their 35th birthday; Toitu Te Reo with a new Kaiko taking the lead; and pop-up play sessions with Sport Manawatū connecting with Palmy Playgroup. Ashhurst Library played a major role in the Ashhurst Food Drive and organized a walk through the Manawatū Gorge in partnership with Horizons and Waka Kotahi. New library outreach projects include adult literacy initiatives with Literacy Aotearoa; support for the STRONG programme run by PARS; and building relationships with Te Kura o Takaro and Think Hauora.</p>	G	G	
<p><b>03. Measure:</b> Accessible and genderneutral toilets are provided throughout the city, and especially in places where there is the most community activity. <b>Target:</b> Narrative measure outlining number, type and location of toilets, plus annual satisfaction survey results)</p>	<p>There are 56 public toilet blocks located throughout the city. The Chalet toilets at the Lagoon, and the toilets located at Guilford Street, Ashhurst are scheduled for refurbishment in 2022/23. The refurbishment works included ensuring that the toilet blocks were accessible and gender neutral as appropriate. Additional new public toilets are planned within Memorial Park and at the Turitea Pa site in 2022/23. The Memorial Park toilets were completed in November 2022. The Turitea Pa toilets will commence in February 2023 and due by June 2023. In the latest 2022 survey 83% of respondents signaled that they were either neutral or satisfied with the public toilets in the city.</p>	G	G	

<p><b>04. Measure:</b> Community centres are well used. <b>Target:</b> Narrative measure outlining use of centres and range of use with them).</p>	<p>Community Centres have been particularly popular for a range of one-off celebrations, and strong regular user group attendance has recovered following the Covid-19 restrictions earlier this year. For comparison, pre-covid narratives describe steady use and support of the Community Centres use. Awapuni Community Centre continues to have security issues that are being addressed by the committee with support from staff. The Palmerston North Community Leisure Centre has recently undergone some maintenance (interior painting refurbishment, an upgrade of the fire alarm system, emergency exit and emergency lighting systems and the mezzanine floor fire resistance upgrade). The PNCLC committee have also spent considerable time, effort and cost in updating curtains, seating and tables. The Highbury Whānau Centre continues to be instrumental in the community led development of Highbury, particularly for youth. The Kelvin Grove Community Centre is scheduled to have renovations done of its hall and kitchen in the New Year. An upgrade of the surrounds of the Milson Community Centre is planned for the coming months, including maintenance work on the playground while landscaping is carried out in the area behind the centre. The Pasifika Community Centre continues to be well used by various Pasifika communities, and is currently undergoing renovations to upgrade the kitchen. The next bi-annual Community Centre Committees Hui is due to be held in February 2023 and will focus on Committee/Trust role specific issues, information sharing and networking.</p>	G	G		
<p><b>05. Measure:</b> Visitors to cemeteries are satisfied with the services provided. <b>Target:</b> Narrative measure outlining user and residents survey trends.</p>	<p>A process to measure user satisfaction with cemetery services, whilst respecting the privacy of users, is being designed and will be tested before year end. The survey results will be reported at year end. Residents' Survey results show a drop in satisfaction with cemetery maintenance from 69% in 2021 to 57% in 2022 - however, many results in the Residents' Survey dropped due to the negative national sentiment from covid and tough economic times.</p>	W	W		
<p><b>06. Measure:</b> Council's social housing tenants are satisfied with the social housing service they receive. <b>Target:</b> Narrative measure outlining survey results and tenant feedback.</p>	<p>Overall satisfaction rate in the 2021 tenancy survey was 98%. Of the 121 tenants who answered question 3 (how satisfied are you living in a Palmerston North City Council housing unit?), 118 gave a rating of 7 out of 10 or higher. The survey is due to be completed again in 2023.</p>	G	G		

<p><b>07. Measure:</b> Council's social housing is warm and safe, as shown by compliance with the Otago Medical School He Kainga Oranga Rental Housing Warrant of Fitness Standard. <b>Target:</b> Standards met.</p>	<p>Of the 430 units in Council's housing portfolio all housing units meet the requirements for insulation and 19 units require improvements to prevent draughts. 332 units are required to have their heating and extraction fans upgraded to meet the new requirements of the Healthy Homes and WOF standards. A programme is in place to address these over the 2021/22 and 2022/23 financial years. Approx. 75% of the housing portfolio will meet the standards as of 31 December 2022.</p>	G	G		
<p><b>08. Measure:</b> More community-led projects are supported by Council. <b>Target:</b> Narrative measure outlining description of activities funded and their outcomes.</p>	<p>Several events received Community-Led Initiatives funding, including: Light Party 2022, Pistang Pilipino sa Palmerston North 2022, 4412 Paia Free Whanau and Community Concert, and Christmas in Farnham Park. Four Covid-19 relief fund grants (Memorial Park Sports Trust Board, Moneywise, Centre Point, Cancer Society of NZ Manawatu) were provided to support community groups dealing with the ongoing impacts of Covid. Welcoming Communities initiatives included a Water Safety workshop and signage translations, Diwali celebrations, the Inclusive Business Award at the Manawatu Business Awards, and facilitation of the local Welcoming Communities Advisory Group network. Fiji, Niue and Tokelau celebrated their Language Weeks, including some raising their national flag in the Square. From Arts Initiative funds: - Square Edge Community Arts supported to organise the artist exchange between Arts Trail Manawatu and Taranaki Arts Trail, support for Globe Theatre 40th birthday. Notification of the successful application to Lotteries Environment and Heritage fund to support the restoration of the Bunnythorpe War Memorial, commencing in January 2023. Support given to Pā Tamariki whānau event. The kaupapa of this event was to promote social and cultural cohesion in Highbury between tangata whenua and other cultures who call Highbury home, in particular the local Afghan community. Facilitated ongoing monthly meetings of the Food Security Partnership group to continue to address the emergency response to food insecurity escalated by the Covid-19 pandemic and a more long-term citywide response to food resilience building. Reached design stage for the Revitalisation of Highbury Shops. This mahi is a co-design approach with the whānau-led squad of Ora Kōnnect (led by Highbury Whānau Centre and including Council, Te Wakahuia, Kaingā Ora and NZ Police) and with community engagement from the wider Highbury community. Council is delivering on the safety improvements for the shopping area as part of this mahi. Ongoing sector capacity and capability building work included the Social Wellbeing Forum and the Tonic Conference.</p>	G	G		







<b>03. Measure:</b> Bylaws are reviewed on legal timeframe and enforced. <b>Target:</b> Narrative measure outlining description of programme to develop and review bylaws and their outcomes.	All bylaws are on track for review. Current work is on the Water Supply Bylaw and amendments to the Traffic and Parking Bylaw.			
	G	G		

#### Goal 4: Eco-City

#### Climate Change

Performance Measures (Page 89 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<b>01. Measure:</b> Increase in sustainable practices. <b>Target:</b> Narrative measure outlining projects and initiatives that foster sustainable practices / behaviours and their impacts.	As reported to the Sept Environmental Sustainability Committee, the Low Carbon Fund continues to find opportunities to improve Council's energy efficiency, reduce carbon emissions, and save money. A report on the current financial year's activities of the fund can be expected around the same time in 2023. Meanwhile, as signalled in the Low Carbon Roadmap, work continues to allow for the better accounting of sustainable practices (among other values, including cost) through the prioritisation of programmes in the next LTP. More information on this will be presented to Councillors during LTP workshops in early 2023.	G	G		
<b>02. Measure:</b> Decrease in Council's total organisational emissions. <b>Target:</b> Narrative measure outlining greenhouse gas reduction initiatives and their impacts.	Organisational inventory for the previous FY presented to the Sept Environmental Sustainability Committee. Preparations underway to conduct 21/22 inventory in Q3, likely present Q4.	G	G		
<b>03. Measure:</b> Work with iwi and community groups to re-establish bush, particularly along waterways, and to control introduced predators. <b>Target:</b> Measured through Manawatū River level of service.	Council is in discussion with Massey University staff and Rangitāne, to explore the opportunity to replant an area of 14ha of pine forest on Massey land, adjacent to the He Ara Kotahi walkway, into native bush post-harvest. There is an opportunity to develop some stands of native of timber to be used sustainably in the future by the iwi carvers. Council continues to work with Rangitāne and private contractors to manage predators.	G	G		

#### Environmental Sustainability

Performance Measures (Page 93 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<b>01. Measure:</b> Increase in sustainable practices. <b>Target:</b> Narrative measure outlining projects and initiatives that foster sustainable practices / behaviours and their impacts.	Council provided support and funding for the Future Living Skills (Sustainable Living Programme) and has provided funding for this to be run again in the coming months. Staff continue to meet regularly with PPC, ENM and the Zero Waste Action Group.	G	G		
<b>02. Measure:</b> Work with iwi and community groups to re-establish bush, particularly along waterways, and to control introduced predators. <b>Target:</b> Measured through Manawatu River level of service.	Council is in discussion with Massey University staff and Rangitāne, to explore the opportunity to replant an area of 14ha of pine forest on Massey land, adjacent to the He Ara Kotahi walkway, into native bush post-harvest. There is an opportunity to develop some stands of native of timber to be used sustainably in the future by the iwi carvers. Council continues to work with Rangitāne and private contractors to manage predators.	G	G		

### Manawatu River

Performance Measures (Page 97 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<b>01. Measure:</b> Increase in the public use of the river environment. Increase in native planting and observed biodiversity improvements in suitable locations in the river environment. Greater connectivity of features within the Manawatu River Park. <b>Target:</b> Narrative measure outlining public use the river, biodiversity and native plantings, and connectivity of features.	Council will have a better measure of overall numbers and be able to set a baseline for numbers of users once the summer River Survey has been completed. Surveying along the river commenced at the end of the quarter and will progress into the 3rd quarter.	G	W		

## Resource Recovery

Performance Measures (Page 101 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<b>01. Measure:</b> Compliance with resource consents for the Resource Recovery Activity measured by the number of abatement notices, infringement notices, enforcement orders and convictions. <b>Target:</b> 100% compliance	100% Compliance continues to be achieved. Operations are regularly monitored to ensure continued compliance with consent conditions along with producing reporting as required to Horizons Regional Council.	G	G		
<b>02. Measure:</b> Decrease in per capita volume of waste sent to landfill. <b>Target:</b> Narrative measure outlining Council initiatives to decrease waste sent to landfill.	The 2019 Waste Management and Minimisation Plan (WMMP) sets a target of increasing waste diversion from 38% to 48% by 2025. Reducing the amount of material sent to landfill is to be achieved via the 26 actions that were set out in the WMMP. Initiatives and actions currently being undertaken include, but are not limited to, reinstating tours of the Materials Recovery Facility (MRF) to provide education, continued engagement with the community, actively participate in the Zero Waste Action Group, administer the Resource Recovery Fund to support community waste reduction initiatives, and actively working with existing and new commercial customers to maximise the number of resources that are recovered.	W	G		

## Stormwater Activity

Performance Measures (Page 107 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<b>01. Measure:</b> The number of flood event per year resulting in stormwater from the Council's stormwater system entering a habitable floor in an urban area. <b>Target:</b> Less than 5	There have been no recorded flood events resulting in stormwater entering a habitable floor in an urban area.	G	G		
<b>02. Measure:</b> The number of habitable floors per 1,000 properties within urban stormwater service areas affected by a flood event. <b>Target:</b> Less than 2	There have been no recorded flood events resulting in stormwater entering a habitable floor area.	G	G		

<b>03. Measure:</b> Median time to attend a flooding event. (note: a flooding event is one resulting in stormwater entering a habitable building) <b>Target:</b> Less than 2 hours	There have been no recorded flood events resulting in stormwater entering a habitable floor.	G	G		
<b>04. Measure:</b> The number of complaints received about the performance of Council's stormwater system per 1,000 properties connected. <b>Target:</b> Less than 15	There has been a total of 79 complaints received or 2.3 complaints per 1000 connections. The complaints include 36 associated with pipe/underground services damage, 20 complaints are related to property flooding or drainage issues and 23 complaints relate to waterway or open drain problems. The KPI is achieved.	G	G		
<b>05. Measure:</b> Compliance with resource consents for discharge from Council's stormwater system as measured by the number of abatement notices, infringement notices, enforcement notices and convictions received by Council in relation to resource consents. <b>Target:</b> 100% Compliance	All stormwater consent conditions have been complied with such that no convictions, abatement, infringement, or enforcement orders have been received.	G	G		

### Wastewater Activity

Performance Measures (Pages 107 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<b>01. Measure:</b> Number of dry weather wastewater overflows from Council's wastewater system per 1,000 connections per year. <b>Target:</b> Less than 1	There have been 2 recorded incidents of a dry weather overflow so far during the 2022/23 financial year, which is equivalent to 0.059 overflows per 1000 connections.	G	G		

<p><b>02. Measure:</b> Complaints per 1,000 connections about wastewater odour, system faults, system blockages and Council's response to issues with the wastewater system. <b>Target:</b> Less than 15</p>	A total of 187 complaints or Requests for Service have been received or an average of 5.5 complaints per 1000 connections. Of the 187 complaints, 177 or (94.65 %) are attributed to service issues and resulted in a work order being issued and work being undertaken. The complaints include 172 related to network blockages or wastewater leaks. There are 4 reports of rats in berms and 9 complaints of smells from property. As previously noted in Q1 there is 1 report filed under treatment plant smell - However, the record details indicate that this was related to an issue with a manhole on private property.	G	G		
	<b>03. Measure:</b> Median time for attending to overflows resulting from blockages or other faults. <b>Target:</b> Less than 1.5 hours	G	G		
	<b>04. Measure:</b> Median time for resolution of overflows resulting from blockages or other faults. <b>Target:</b> Less than 8 hours	G	G		
	<b>05. Measure:</b> Compliance with resource consents for discharge from Council's wastewater system as measured by the number of abatement notices, infringement notices, enforcement notices and convictions received by Council in relation to resource consents. <b>Target:</b> 100% compliance	G	G		
	The median time for attending to an overflow resulting from a blockage is 30 minutes.				

## Water Activity

Performance Measures (Pages 107 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<b>01. Measure:</b> Compliance with Part 4 (bacteria compliance criteria) of the Public Health Act 1956 (as amended by the Health (Drinking Water) Amendment Act 2007. <b>Target:</b> 100% compliance	Monitoring data indicates that Council is on-track for full compliance with bacterial compliance criteria (Part 4) as detailed in the Drinking Water Standards for New Zealand 2005 (Revised 2018).	G	G		

<b>02. Measure:</b> Compliance with Part 5 (protozoal compliance criteria) of the Public Health Act 1956 (as amended by the Health (Drinking Water) Amendment Act 2007. <b>Target:</b> 100% compliance	Monitoring data indicates that Council is on-track for full compliance with the protozoal compliance criteria (Part 5) as detailed in the Drinking Water Standards for New Zealand 2005 (Revised 2018).	G	G	
<b>03. Measure:</b> The number of complaints per 1,000 connections relating to clarity, taste, odour, continuity of supply, drinking water pressure or flow, and Council's response to any of these. <b>Target:</b> Less than 40	A total of complaints 700 complaints have been received or 20.6 complaints per 1000 connections. Of the 700 total complaints, 652 complaints related to service faults, 48 complaints related to water quality which include 39 complaints relating to clarity, 6 complaints relating to taste, and 3 complaints related to odor. Within the total, there are 39 complaints relating to continuity of supply and 37 which relate to mains bursts. There are 13 complaints which relate to drinking water pressure.	G	G	
<b>04. Measure:</b> Average consumption of drinking water per day per resident. <b>Target:</b> Met - Less than 360 litres	The average consumption of drinking water per day per resident was calculated to be 238 Litres per day. (Based on benchmarks calculation done in June 2020).	G	G	
<b>05. Measure:</b> Median response time for urgent call out attendance. <b>Target:</b> Less than 2 hours	The median response time for urgent call out attendance is 19 minutes.	G	G	
<b>06. Measure:</b> Median response time for resolution of urgent call outs. <b>Target:</b> Less than 7 hours	The median time for resolution of urgent call outs is 2 hours and 5 minutes.	G	G	
<b>07. Measure:</b> Median response time for non-urgent call out attendance. <b>Target:</b> Less than 10 hours	The median response time for non-urgent call out attendance is 5 hours and 51 minutes.	Y	G	
<b>08. Measure:</b> Median response time for resolution of non-urgent call outs. <b>Target:</b> Less than 75 hours	The median resolution time for non-urgent call outs is 21 hours and 30 minutes.	G	G	
<b>09. Measure:</b> Percentage of real water loss from the water reticulation network. <b>Target:</b> Less than 20%	Real water losses for 2022/23 will be calculated during the 4th quarter. The 2021/22 financial year real water loss from the water reticulation network was calculated at 8.5 %. This is less than the targeted 20 %.	W	W	

#### Goal 5: Driven & Enabling Council

## Leadership Activity

Performance Measures (Page 128 of the 10 Year Plan)	Comments	Oct	Dec	March	June
<p><b>01. Measure:</b> More than two out of every three residents (in the Residents Survey) are 'satisfied' with both the 'opportunity to have a say' and the 'ease of having a say'. <b>Target:</b> Narrative measure outlining satisfaction trends.</p>	<p>The 2022 Residents Survey shows that 26% of residents are satisfied with "the ease of having a say in Council decision making", a decrease from an average of 38% over the previous three years. 50% are Neutral and 24% are Dissatisfied. For 'opportunities to have a say', 35% are Satisfied, down from 44% in 2019-21. 45% are Neutral and 20% Dissatisfied. There have been drops in satisfaction with most Council services (and with other Councils doing the same survey) so it is likely that the results are being impacted by the negative national mood due to Covid-19, cost of living, etc. Nevertheless, the results do reflect residents' attitudes. Council encourages people to have their say by offering a range of easy-to-use techniques. For example, in the recent engagement on the Medium Density Residential Zone, Council held two rounds of engagement, involving social media campaigns, a dedicated website with online feedback, drop-in sessions, a household brochure plus radio and newspaper ads. In total Council received around 1300 Facebook comments and 700 survey responses and submissions. 200 people attend the drop-in sessions. Other major engagement included: the elections, Roxborough rezoning consultation, and the feedback period for Featherston St safety upgrades. Across Facebook and Instagram 2.6 million people saw our content, just under 200,000 people actively engaged through comments/likes/shares etc and almost 18,000 people clicked through to our website. On Tik Tok over November and December our content was viewed just over 1.5 million times and received 123,693 likes. Just under 120,000 people visited our website for a total of 210,000 visits -most via their mobile phones. The biggest age groups were 25-34 and 45-54 years (around 20% each). We are seeing an increase in users in the 18-24 year old age range.</p>	R	B		

## Appendix 2 – Activities Operating Net Result

Activities Net Result Statement		2022/23 \$'000s				Full Year Revised Budget	Full Year Annual Budget	Variance explanation (10% of YTD budget or 30% of specified sum)
For the period to 31 December 2022		Year to Date Actual	Bud. Var. \$'000s	%				
Operating Result by Activities								
<b>Innovative &amp; Growing City</b>		<b>4,116</b>	<b>3,945</b>	<b>-4%</b>	<b>7,837</b>	<b>7,804</b>		
City Growth		2,132	2,020	-6%	3,855	3,843		
Economic Development		1,984	1,925	-3%	3,982	3,960		
<b>Transport</b>		<b>3,614</b>	<b>3,232</b>	<b>-12%</b>	<b>7,382</b>	<b>9,698</b>		
Active and Public Transport		859	658	-31%	1,425	1,553		
Roading		2,755	2,574	-7%	5,957	8,145		
<b>Creative &amp; Exciting City</b>		<b>9,398</b>	<b>9,958</b>	<b>6%</b>	<b>19,503</b>	<b>19,620</b>		
Active Communities		5,984	6,218	4%	12,340	12,457		
Arts and Heritage		3,163	3,508	10%	6,694	6,694		Favourable variance YTD due to a combination of vacancies and timing of grants expenditure
City Shaping		251	233	-8%	469	469		
<b>Connected &amp; Safe Community</b>		<b>7,984</b>	<b>7,677</b>	<b>-4%</b>	<b>15,714</b>	<b>15,788</b>		
Connected Communities		7,837	7,472	-5%	14,519	14,592		
Safe Communities		147	205	58	1,196	1,196		Favourable variance YTD mainly due to unbudgeted revenue from the COVID-19 Leave Support Scheme.
<b>Eco-City</b>		<b>3,152</b>	<b>3,716</b>	<b>15%</b>	<b>7,527</b>	<b>6,559</b>		
Climate change mitigation and adaption		83	106	23	212	212		Favourable variance YTD due to timing of expenses
Environmental sustainability		266	448	182	889	1,002		Favourable variance partly due to timing of expenses and higher than budget revenue received for maintenance work through green corridors within Turitea Catchment
Manawatu River		47	72	25	143	137		Favourable variance YTD due to maintenance work delayed by a wet Spring. Work will now be done in Autumn.
Resource Recovery		2,755	3,090	335	6,282	5,207		Favourable variance YTD due to higher seasonal revenue than budgeted, key driver being green waste revenue YTD.
<b>Stormwater</b>		<b>1,112</b>	<b>1,065</b>	<b>-4%</b>	<b>2,231</b>	<b>2,057</b>		
<b>Wastewater</b>		<b>2,423</b>	<b>2,703</b>	<b>10%</b>	<b>5,419</b>	<b>4,319</b>		
								Favourable variance YTD due to maintenance contract confirmed later than expected.
<b>Water</b>		<b>3,173</b>	<b>2,417</b>	<b>-31%</b>	<b>5,102</b>	<b>4,567</b>		
								Unfavourable variance YTD due to wet weather earlier in the year prevented capital construction work, therefore more focus on operating activities than budgeted YTD. This has resulted in a higher labour charges and overhead recoveries to operating jobs.
<b>Driven &amp; Enabling Council</b>		<b>5,485</b>	<b>6,341</b>	<b>855</b>	<b>13,390</b>	<b>12,184</b>		
Governance and Active Citizenship		4,771	4,948	176	9,643	9,693		
Organisational performance		921	1,729	807	4,233	3,241		Favourable variance YTD due to operational programmes in Organisational Performance currently spending below budget
Strategic Investments		(207)	(335)	(128)	(486)	(751)		Unfavourable variance YTD due to higher use of consultants due to vacancies. The increased expenditure is not fully offset by increased revenue
<b>Activities Controllable Surplus/ (Deficit)</b>		<b>40,457</b>	<b>41,054</b>	<b>596</b>	<b>84,106</b>	<b>82,595</b>		
Rates		57,983	57,741	242	115,369	115,369		
Net Interest		3,268	2,960	(308)	6,714	6,714		
<b>Operating Controllable (Surplus) / Deficit</b>		<b>(14,258)</b>	<b>(13,727)</b>	<b>530</b>	<b>(24,549)</b>	<b>(26,060)</b>		



## Appendix 3 – Operating Programme Reporting

Activities Net Result Statement		2022/23 \$'000s					Programme Status	
For the period to 31 December 2022		Activity	Year to Date Actual Budget	Bud. Var. \$'000's	Bud. Var. %	FY Bud		
1572-Enterprise Resource Planning (ERP) System Replacement	Organisational performance		1,432	2,063	632	31%	4,400	There were some delays in the latter part of the 2022 calendar year which has meant that Data Migration hasn't proceeded as scheduled. Work was completed over Christmas and intended to be caught up through January. Project Management is keeping a close eye on this.
1520-Digital Transformation	Organisational performance		971	1,102	132	12%	3,674	Favourable variance mainly due to timing of consultancy costs, full year costs are expected to meet budget
1506-Community Events	Connected Communities		158	168	10	6%	602	Favourable variance as community events progress slower than planned, however full year costs are still expected to match budget.
2133-Health and Safety Improvement Programme	Organisational performance		0	260	260	100%	500	Delay of project needs and development from external consultant has resulted in favourable year to date variance, forecast likelihood of underspend of the full year budget
1885-Asset Management Improvement Plan Task Programme	Strategic Investments		153	233	80	34%	466	Favourable variance YTD due to timing of consultancy costs. Timing for this programme of work can vary a little to the original forecast. We expect the overall year to come in within budget.
1614-Stormwater - Open channels and drains - maintenance	Stormwater		95	92	(3)	-3%	342	Programme is progressing as expected and is on track to deliver by year end.
1750-Property Development - Summerhays Street Residential Subdivision	City Growth		0	120	120	100%	300	Initial planning and investigations works along with demolition of the old buildings were completed in 2021/22 FY. As this development is currently being considered for funding through the Better Off Funding Application no further activity has occurred until this is confirmed.
1401-City-wide - Infiltration & Inflow Investigations	Wastewater		25	141	116	82%	259	Challenges in recruitment has delayed the start to this work. There will be pressure on delivery time lines for 2022/23.
1929-Workforce Transformation	Organisational performance		29	160	131	82%	256	Favourable variance due to timing in consultancy costs, full year costs for workforce transformation are expected to match budget
2054-Funding Palmy BID group	City Shaping		125	125	0	0%	250	Programme is progressing as expected and it is forecast to be on track to deliver by year end.

## Appendix 4 – Capital expenditure by Group of Activities

Group of Activities - Capital Expenditure	2022/23		\$000's			
	Year to Date		Variance	% YTD	Full Year	Full Year
For the period to 31 December 2022	Actual	Budget	\$000's	Budget Spent	Revised Budget	Annual Budget
<b>Capital New</b>	<b>14,469</b>	<b>24,582</b>	<b>10,113</b>	<b>59%</b>	<b>77,873</b>	<b>64,084</b>
Innovative & Growing City	-	-	-	-	-	-
Creative & Exciting City	2,544	1,735	(809)	147%	10,365	8,955
Connected & Safe Community	2,867	3,874	1,007	74%	10,549	10,344
Eco-City	674	1,127	453	60%	2,614	2,606
Transport	3,315	10,393	7,078	32%	27,343	25,118
Water	1,669	2,378	709	70%	7,964	6,419
Wastewater	2,478	3,765	1,288	66%	10,975	7,141
Stormwater	731	994	263	74%	6,996	2,429
Driven & Enabling Council	193	316	124	61%	1,068	1,073
<b>Capital Renewal</b>	<b>10,973</b>	<b>15,475</b>	<b>4,502</b>	<b>71%</b>	<b>34,566</b>	<b>32,653</b>
Innovative & Growing City	371	286	(85)	130%	481	465
Creative & Exciting City	1,954	2,845	891	69%	6,924	6,566
Connected & Safe Community	931	912	(19)	102%	3,490	3,461
Eco-City	100	160	60	62%	443	485
Transport	1,639	2,700	1,061	61%	6,145	6,131
Water	2,441	2,772	332	88%	6,629	6,112
Wastewater	1,192	2,477	1,285	48%	5,004	4,349
Stormwater	225	357	132	63%	1,055	928
Driven & Enabling Council	2,119	2,965	845	71%	4,395	4,157

## Appendix 5 – Capital expenditure by Programme (programmes over \$750,000)

Key for appendices 5 and 6:

Description	
Not Started	
On Budget Behind Schedule	
On Track	
Over Budget Behind Schedule	
Over Budget On Schedule	
Under Budget Ahead of Schedule	
Under Budget Behind Schedule	
Under Budget On Schedule	

Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status	Notes
<b>Capital NEW</b>						
<b>Active and Public Transport</b>						
2057-Regional Shared Path Network Improvements	\$73	\$369	\$296	\$1,300	Under Budget On Schedule	Delays through design stages due to complexities and negotiations will land owners.
2121-City-wide - Footpath Improvements	\$85	\$240	\$155	\$1,028	Under Budget Behind Schedule	
2206-Storm Damage – August 2022 Rooding	-	-	-	\$1,627	Not Started	Programme to remediate damages from storms earlier in the year. Designs developed for a number of retaining walls with others still in progress. Construction to progress over the year.
<b>Active Communities</b>						
1857-Urban Growth - Kakatangita - Kikiwhenua - Reserves - Purchase and Development	\$3	-	(\$3)	\$1,295	On Budget Behind Schedule	Negotiations have stalled with land owner. No immediate development

25



2059-Urban Transport Improvements - Enabling PNITI	\$820	\$1,004	\$184	\$2,089	On Budget Behind Schedule	Delay and cost increases related to additional works associated with water main upgrade. Report to come to Council early 2023. Construction is ongoing and is due for completion in April 2023.
2119-Road to Zero - Transport Safety Improvements	\$239	\$871	\$632	\$3,030	Under Budget Behind Schedule	Scope changes and desire to upgrade other services concurrently has delayed designs of Cook Street roundabouts. Construction not able to start this FY. Other projects on track to complete as scheduled.
2124-Urban Growth - Ashhurst - Transport	\$26	\$900	\$874	\$3,016	Under Budget On Schedule	Design underway with the view to move to procurement and tender. Construction planned to begin in March.
<b>Safe Communities</b>						
1552-Animal Shelter - New Building	\$368	\$802	\$433	\$4,455	Under Budget Behind Schedule	Minor delays due to inability to do earthworks in wet weather. On track to complete as planned.
<b>Stormwater</b>						
1001-Urban Growth - Whakarongo - Stormwater	\$32	\$130	\$98	\$4,754	Under Budget On Schedule	Land purchase due to be completed in April.
Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status	Notes
1060-City-wide - Stormwater Network Improvement Works	\$502	\$570	\$69	\$1,182	On Budget Behind Schedule	Programme of work progressing well.
<b>Wastewater</b>						
1617-Totara Road Wastewater Treatment Plant - Biogas System Improvements	\$30	\$140	\$110	\$1,238	Under Budget Behind Schedule	Delays due to rescoping of project. Design only this FY with construction budget to carry forward.
1619-Totara Road Wastewater Treatment Plant - Inlet Screens	\$313	\$388	\$75	\$900	On Track	Currently under construction. Significant savings anticipated.
2128-WWTP - Consent Application	\$2,031	\$3,127	\$1,096	\$6,188	Under Budget On Schedule	Consent lodged on time as planned.
<b>Water</b>						
1005-Urban Growth - NEIZ - Water Supply	\$456	\$531	\$75	\$1,559	On Budget Behind Schedule	Construction progressing and due to be completed in May.
1697-Turitea WTP - Water Supply Resilience - Upgrades	\$457	\$552	\$96	\$2,112	On Track	Programme progressing as planned.
<b>Capital RENEWAL</b>						
<b>Active Communities</b>						

1051-CET Arena - Arena Renewals	\$560	\$866	\$306	\$2,466	Under Budget On Schedule	Arena 2 roof is currently under construction and due to be completed in March. Arena 3 roof - paper to come to Council 15th February re changing from renewal to capital new.
1837-Swimming Pools - Pool Renewals	\$70	\$164	\$94	\$840	Under Budget On Schedule	Timing of construction of changing room renewal with winter shutdown will require carrying forward some of this budget.
<b>Arts and Heritage</b>						
213-Cultural Facilities - Renewals	\$348	\$399	\$50	\$768	On Track	Programme progressing as planned.
<b>Connected Communities</b>						
188-City Library Replacement and Purchase of Library Materials	\$433	\$402	(\$31)	\$775	On Track	Progressing as planned.
<b>Organisational performance</b>						
281-CAB - Renewals	\$1,009	\$1,069	\$60	\$1,318	On Track	Programme progressing as planned.
<b>Roading</b>						
115-City-wide - Sealed Pavement Renewals (Waka Kotahi Subsidies)	\$190	\$948	\$758	\$2,010	Under Budget Behind Schedule	Ferguson / Pitt on track to be completed in April.
Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status	Notes
139-City-wide - Sealed Road Resurfacing	\$683	\$900	\$217	\$2,217	Under Budget Behind Schedule	Delayed start due to unseasonably cold weather.
<b>Strategic Investments</b>						
1879-Council's Plant and Vehicle - Replacements	\$760	\$1,112	\$352	\$1,112	Under Budget On Schedule	Timing of some purchases delayed because of need to access new designs.
<b>Wastewater</b>						
54-City-wide - Wastewater Pipe Renewal	\$911	\$1,632	\$720	\$2,833	Under Budget Behind Schedule	Work to occur later than originally planned.
<b>Water</b>						
199-City-wide - Water Supply Bore and Network Facility Renewals	\$23	\$371	\$348	\$902	Under Budget Behind Schedule	Work to occur later than originally planned.
218-City-wide - Water Main Renewals	\$1,695	\$1,489	(\$206)	\$3,000	On Budget Behind Schedule	Delivery delays due to weather.

## Appendix 6 – Capital expenditure by Programme (programmes under \$750,000)

The following table highlights spend against budget of the programmes with budgets less than \$750,000.

Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status
<b>Capital NEW</b>					
<b>Active and Public Transport</b>					
1559-City-wide - Urban Cycle Infrastructure Network improvements	\$53	-	(\$53)	\$625	Over Budget On Schedule
1680-City-wide - Public Transport Infrastructure Improvements	-	\$6	\$6	\$93	Under Budget On Schedule
1803-Neighborhood Streetscape Improvements	\$11	\$166	\$155	\$248	Under Budget Behind Schedule
1925-Urban Growth - Development Contributions - Active Transport	-	\$43	\$43	\$134	Under Budget Behind Schedule
2026-Active Transport Measurement	\$27	\$85	\$58	\$206	Under Budget Behind Schedule
2056-City-wide - Supporting Cycle Infrastructure Improvements	\$11	\$13	\$2	\$103	On Track
2120-City-wide - Off Road Shared Path Network Improvements	\$74	\$283	\$209	\$700	Under Budget Behind Schedule
<b>Active Communities</b>					
111-Local Reserves - Roslyn - Edwards Pit Park Development	\$0	\$36	\$36	\$36	Under Budget Behind Schedule
165-Outdoor Adventure Reserves - Arapuke Forest Park/Kahuterawa Development	\$1	-	(\$1)	\$7	Over Budget On Schedule
967-City-wide - Edibles Planting	-	-	-	\$5	On Budget Behind Schedule
1099-Parks and Reserves - Shade Development	\$19	\$20	\$1	\$40	On Budget Ahead of Schedule
1560-Sportsfields - Bill Brown Park - Additional Carparking	\$16	-	(\$16)	\$35	Over Budget On Schedule
1763-CET Arena - Property Purchase	-	-	-	\$450	On Budget Behind Schedule
1845-City Growth - City Reserves - Te Marae o Hine - The Square - Capital New	\$97	\$162	\$66	\$162	Under Budget Behind Schedule
1846-City Growth - City Reserves - Walkway Extensions - Capital New	\$73	\$150	\$77	\$324	Under Budget Behind Schedule

Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status
1847-City Growth - City Reserves - Victoria Esplanade - Capital New	\$11	\$19	\$8	\$19	Under Budget Behind Schedule
1848-City Growth - City Reserves - Linklater Reserve - Capital New	\$122	\$101	(\$21)	\$103	Over Budget Ahead of Schedule
1850-City Growth - City Reserves - Memorial Park - Capital New	\$7	\$100	\$93	\$225	Under Budget Behind Schedule
1851-Sportsfield Improvements - Capital New	\$1	\$6	\$5	\$12	Under Budget Behind Schedule
1852-Local Reserves - Improvements to existing reserves to close identified level of service gaps	\$64	\$11	(\$53)	\$154	Over Budget Behind Schedule
1853-Local Reserves - Development of Existing Reserves - Capital New	\$6	\$11	\$5	\$27	Under Budget Behind Schedule
1856-Urban Growth - Hokowhitu - Reserves - Purchase and Development	\$54	\$125	\$70	\$444	Under Budget Behind Schedule
1859-Urban Growth - Whakarongo - Reserves Purchase and Development	-	-	-	\$28	Not Started
1884-Local Reserves - Accessibility and Safety Improvements	\$9	\$34	\$25	\$102	Under Budget Behind Schedule
2138-Lido Backwash Compliance	\$69	\$55	(\$14)	\$300	Over Budget Ahead of Schedule
<b>City Shaping</b>					
1330-Placemaking Co-created Project (capital)	-	-	-	\$16	On Budget Behind Schedule
1473-City Centre Lighting and Projection Demonstration Project	-	-	-	\$89	Not Started
1476-City Centre Laneways Programme	-	-	-	\$21	Not Started
2122-CBD Streets for People	\$30	\$257	\$226	\$600	Under Budget Behind Schedule
<b>Climate change mitigation and adaption</b>					
1924-Improving remote monitoring capabilities	-	\$21	\$21	\$41	Under Budget On Schedule
<b>Connected Communities</b>					
161-Public Toilets - New City-wide Toilets	\$393	\$458	\$65	\$596	On Track
1196-Cemeteries - Kelvin Grove - Renewal of staff facilities	\$20	\$16	(\$4)	\$252	Over Budget On Schedule
1561-Community Centres - Kelvin Grove Community Centre Carpark	\$191	\$257	\$66	\$257	Under Budget On Schedule



Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status
1833-City Growth - Cemeteries - Extensions to burial and ashes areas to meet demand	\$10	\$121	\$111	\$200	Under Budget Behind Schedule
1948-Events and Festival Equipment Purchase	-	\$42	\$42	\$42	Under Budget On Schedule
<b>Environmental sustainability</b>					
1077-Citywide - Biodiversity Enhancement Through Native Planting	-	-	-	\$31	Not Started
1451-Property - LED Lighting Upgrades	\$5	\$114	\$109	\$167	Under Budget On Schedule
<b>Governance and Active Citizenship</b>					
1676-Improve participation in Council and Committee meetings	-	\$32	\$32	\$230	Under Budget On Schedule
<b>Manawatu River</b>					
1892-City Growth - City Reserves - Manawatu River Park - Hokowhitu Lagoon Development Plan	-	-	-	\$10	Not Started
1895-City Growth - City Reserves - Manawatu River Park - Te Motu o Poutoa Development Plan - Implementation	\$10	-	(\$10)	\$60	Over Budget Behind Schedule
<b>Organisational performance</b>					
60-Information Management Strategic Plan Project - New Software Applications	\$5	\$54	\$49	\$109	Under Budget On Schedule
1736-CAB - Rubbish and Recycling Compound	\$62	\$51	(\$11)	\$51	Over Budget Ahead of Schedule
1826-CAB - Workplace Transformation	-	-	-	\$308	Not Started
2047-Property - Furniture transformation	\$75	\$60	(\$15)	\$75	Over Budget Ahead of Schedule
<b>Resource Recovery</b>					
506-City-wide - Public Space Rubbish & Recycling Bins Development	\$4	\$11	\$6	\$66	Under Budget Behind Schedule
657-Urban Growth - Recycling - City-wide Wheelie Bins and Crates	\$46	\$40	(\$6)	\$80	On Track
721-Awapuni Closed Landfill - Landscaping Development	(\$11)	-	\$11	\$26	Under Budget On Schedule
1373-City-wide - Recycling Drop Off Facilities - Development	\$16	\$11	(\$5)	\$72	Over Budget On Schedule
1410-Recycling - City-wide Recycling Services to Commercial/orgnisational Properties Development	\$18	\$17	(\$0)	\$41	On Track

Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status
1783-Rubbish and Recycling Buildings - Staff Welfare and Health and Safety Improvements	\$7	\$106	\$100	\$254	Under Budget Behind Schedule
1810-City-wide - Diversion of Waste from Landfill - New Materials Development	-	\$50	\$50	\$70	Under Budget Behind Schedule
2131-Recycling Wheelie Bin Lid Latches purchase and installation	-	-	-	\$0	Not Started
<b>Roading</b>					
201-Urban Growth - Development Contributions - Transport	\$160	\$50	(\$110)	\$206	Over Budget Ahead of Schedule
324-Park Road / Cook Street - Intersection Improvements	-	-	-	\$75	Not Started
684-Longburn Rongotea Road/No. 1 Line - Intersection Safety Upgrade	\$18	\$66	\$48	\$250	Under Budget Behind Schedule
1003-Whakarongo - Intersection Upgrades	\$14	\$353	\$339	\$358	Under Budget Behind Schedule
1121-Tennent Drive Improvements - Food HQ & Massey	\$0	\$52	\$52	\$131	Under Budget Behind Schedule
1367-City-wide - Street Light Infill	\$373	\$312	(\$60)	\$720	On Budget Ahead of Schedule
1615-City-wide - Parking and Traffic Signs and Marking	\$70	\$20	(\$50)	\$52	Over Budget Behind Schedule
1804-Road drainage improvements	-	\$37	\$37	\$82	Under Budget Behind Schedule
1807-City-wide - Car park infrastructure improvements	\$31	\$32	\$1	\$411	On Budget Behind Schedule
1808-City-wide - Street amenity improvements	\$74	\$100	\$26	\$282	Under Budget Behind Schedule
2013-PNITI – Strategic Transport Corridor Improvements	-	\$100	\$100	\$258	Under Budget Behind Schedule
2111-Kelvin Grove Road - Safety Improvements to intersections	\$72	\$100	\$28	\$619	Under Budget On Schedule
2123-Urban Growth - Kakatangiata - Transport	-	\$56	\$56	\$400	Under Budget On Schedule
2142-Physical deterrent (installation of speed humps) at additional locations	-	\$50	\$50	\$50	Under Budget Behind Schedule
2204-Address Street Racer Issues	\$17	\$40	\$23	\$100	Under Budget Behind Schedule

Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status
<b>Stormwater</b>					
51-Urban Growth - Development Contributions - Stormwater	\$6	-	(\$6)	\$207	Over Budget On Schedule
1372-City-wide Stormwater Pump Stations Improvement	\$33	\$8	(\$25)	\$487	Over Budget Behind Schedule
1706-City-wide - Stormwater Network Resilience	\$157	\$223	\$66	\$223	Under Budget On Schedule
1708-City-wide - Stormwater Flood Mitigation	\$0	\$63	\$63	\$143	Under Budget Behind Schedule
<b>Strategic Investments</b>					
99-New Vehicles and Plant to enable the delivery of improved Council services	\$51	\$119	\$68	\$296	Under Budget Behind Schedule
<b>Wastewater</b>					
66-Totara Road Wastewater Treatment Plant - Resilience Programme	\$9	\$13	\$4	\$714	Under Budget Behind Schedule
73-Urban Growth - Development Contributions - Wastewater	-	-	-	\$104	Not Started
210-Urban Growth - NEIZ - Wastewater	\$201	-	(\$201)	\$674	Over Budget Behind Schedule
1000-Urban Growth - Whakarongo - Wastewater	-	-	-	\$217	Not Started
1074-Totara Road Wastewater Treatment Plant - Earthquake Strengthening of Civil Structures	\$2	-	(\$2)	\$100	Over Budget Behind Schedule
1616-City-wide - Wastewater Pump Station - Capacity Upgrade	(\$112)	\$42	\$154	\$328	Under Budget Behind Schedule
1618-Totara Road Wastewater Treatment Plant - High Voltage Power resilience upgrades	\$10	\$5	(\$5)	\$218	Over Budget Behind Schedule
1711-Industrial Growth - Longburn Industrial Park - Wastewater	\$1	\$45	\$44	\$45	Under Budget Behind Schedule
1712-City-wide Wastewater wet weather overflow mitigation	-	-	-	\$200	On Budget Behind Schedule
1821-City-wide Wastewater Pipeline Realignment of at-risk mains	\$10	\$5	(\$5)	\$50	Over Budget On Schedule
<b>Water</b>					
124-Turitea WTP - Drinking Water Standards Upgrades	\$80	\$120	\$40	\$600	Under Budget On Schedule
132-City-wide - Water Supply Resilience - Trunk Mains	-	-	-	\$113	On Budget Behind Schedule
246-Urban Growth - Development Contributions - Water Supply	-	-	-	\$259	Not Started

Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status
651-City-wide - Water Supply Resilience - Seismic Strengthening	\$426	\$529	\$103	\$532	On Budget Ahead of Schedule
986-Turitea Dams - Aeration Upgrade	\$0	-	(\$0)	\$61	Over Budget Behind Schedule
1054-Ashhurst - Water Quality Improvements	\$4	\$40	\$36	\$207	Under Budget On Schedule
1384-City-wide - Water Supply Resilience - Additional Reservoirs	\$246	\$307	\$62	\$572	Under Budget Ahead of Schedule
1388-Palmerston North - District Metering Areas for Water Supply	\$19	\$111	\$92	\$348	Under Budget Behind Schedule
1389-City-wide - Water Supply Resilience - Security of Supply	\$17	\$24	\$7	\$373	Under Budget Behind Schedule
1607-City-wide - Health & Safety - Water Treatment Chemical Handling	\$2	\$53	\$51	\$317	Under Budget Behind Schedule
1696-City-wide - Drinking Water Standards Upgrades	-	-	-	\$145	On Track
1863-City-wide - Water Supply Resilience - Generators	(\$47)	\$19	\$67	\$19	Under Budget On Schedule
1883-Water Operations -Small Plant & Equipment - New	\$10	\$11	\$2	\$16	On Budget Behind Schedule
2048-City-wide - Water Toby and Manifold enhancements	-	\$80	\$80	\$576	Under Budget Behind Schedule
2060-City-wide - Commercial Water Meters	-	-	-	\$157	On Track
<b>Capital RENEWAL</b>					
<b>Active and Public Transport</b>					
64-City-wide - Footpath Renewals (Waka Kotahi Subsidies)	\$167	\$296	\$129	\$741	Under Budget Behind Schedule
181-City-wide - Public Transport Infrastructure Renewals	-	-	-	\$31	Not Started
648-City-wide - Supporting Cycle Infrastructure Renewals	-	\$9	\$9	\$21	Under Budget Behind Schedule
2110-City-wide - Footpath Renewals (No Subsidy)	-	\$150	\$150	\$327	Under Budget Behind Schedule
<b>Active Communities</b>					
819-Central Energy Trust Arena - Replacement of Equipment	\$36	\$23	(\$13)	\$46	Over Budget On Schedule
1759-CET Arena - Grounds Renewals	\$3	-	(\$3)	\$46	Over Budget On Schedule

Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status
1786-Recreational Buildings - Sports Pavilion and Changing Room Renewals	\$63	\$34	(\$28)	\$310	Over Budget Behind Schedule
1827-Local Reserves - Renewals	\$264	\$406	\$141	\$698	Under Budget Behind Schedule
1829-Sportsfields and Artificial Turfs - Renewals	\$93	\$150	\$57	\$258	Under Budget On Schedule
1830-City Reserves - Memorial Park - Renewals	\$146	\$163	\$17	\$163	On Budget Behind Schedule
1831-City Reserves - Te Marae o Hine - The Square - Renewals	\$2	\$35	\$33	\$73	Under Budget Behind Schedule
1832-City Reserves - Ashhurst Domain - Renewals	\$10	\$15	\$5	\$36	Under Budget Behind Schedule
1834-City Reserves - Walkways - Renewals	\$2	\$50	\$47	\$99	Under Budget Behind Schedule
1835-City Reserves - Linklater Reserve - Renewals	\$60	\$62	\$2	\$62	On Budget Ahead of Schedule
1840-City Reserves - Victoria Esplanade- Renewals	\$205	\$308	\$104	\$332	Under Budget On Schedule
1960-Central Energy Trust Arena- Arena 1 Sound System Replacement-oval	-	-	-	\$205	Not Started
1962-Arena Security Card System	-	\$15	\$15	\$51	Under Budget On Schedule
1964-Arena Indoor Stadium Sound System Replacement	-	\$150	\$150	\$304	Under Budget On Schedule
1965-Arena Kitchen Equipment Replacement	\$85	-	(\$85)	\$154	Over Budget On Schedule
<b>Arts and Heritage</b>					
1144-Manawatu Heritage (Archives Digital Repository) Renewal	-	-	-	\$10	Not Started
<b>Connected Communities</b>					
40-Noise Measuring Equipment for Noise Complaints - Rolling Replacement	-	-	-	\$20	Not Started
178-City Library (all sites) Replacement of Shelving, Furniture and Equipment	\$0	-	(\$0)	\$37	Over Budget On Schedule
180-Social Housing - Renewals	\$139	\$166	\$27	\$513	On Track
186-Public Toilets - Renewals	\$42	\$66	\$25	\$284	Under Budget On Schedule
202-Central Library Interior Design Renewals	-	-	-	\$21	Not Started
203-Community Libraries, Youth Space, Blueprint and Mobile Library Interior Design Renewals	-	-	-	\$52	Not Started

Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status
265-Community Centres - Renewals	\$35	\$46	\$11	\$200	Under Budget On Schedule
563-Cemeteries - Kelvin Grove - Crematorium Office reconfiguration to address health and safety issues	-	\$5	\$5	\$266	Under Budget Behind Schedule
567-Cemeteries - Crematorium Chapel Interior Renewals	-	-	-	\$66	Not Started
1120-Community Libraries - Renewals	\$1	\$1	(\$1)	\$51	Over Budget On Schedule
1136-CET Wildbase Recovery Centre - Renewals	\$32	\$103	\$71	\$103	Under Budget Behind Schedule
1138-Digital Technology to Support 21st Century Citizens and Service (Renewal)	-	-	-	\$53	Not Started
1269-Bylaw Signage - Replacement	-	-	-	\$19	Not Started
1452-Community Stage - repair	-	\$11	\$11	\$11	Under Budget On Schedule
1742-Social Housing - Grounds Renewals	\$29	\$65	\$37	\$133	Under Budget On Schedule
1769-Community Agency Facilities - Renewals	\$45	\$8	(\$37)	\$121	Over Budget Behind Schedule
1775-Central Library - Renewals	\$6	-	(\$6)	\$103	Over Budget On Schedule
1796-Cemeteries - Building Renewals	-	-	-	\$41	On Budget Behind Schedule
1828-Cemeteries - Non-Building Asset Renewals	(\$26)	\$19	\$45	\$88	Under Budget Behind Schedule
<b>Economic Development</b>					
251-Conference & Function Centre - Replacement of Equipment	\$11	\$21	\$10	\$37	Under Budget On Schedule
270-Holiday Park - Renewals	\$281	\$215	(\$65)	\$215	Over Budget On Schedule
664-Conference & Function Centre - Renewals	\$34	\$2	(\$32)	\$103	Over Budget On Schedule
1166-Conference & Function Centre - Equipment Purchases	\$31	\$37	\$6	\$72	On Track
1730-Information Centre - Building Renewals	\$14	\$10	(\$3)	\$10	Over Budget Ahead of Schedule
1943-Information Centre Refurbishment	-	-	-	\$45	Not Started
<b>Manawatu River</b>					
1825-City Reserves - Manawatu River Park - Renewals	\$6	\$6	\$0	\$6	On Budget Behind Schedule

Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status
<b>Organisational performance</b>					
53-Computer Replacement - Rolling Replacements	\$143	\$254	\$111	\$508	Under Budget On Schedule
58-Network Additions and Upgrades	\$24	-	(\$24)	\$43	Over Budget On Schedule
68-Aerial Photography	-	-	-	\$42	Not Started
86-Property - Furniture Replacements	\$51	\$50	(\$1)	\$50	On Budget Ahead of Schedule
221-Print Synergy - Replacement of Print Synergy Machinery	-	\$5	\$5	\$10	Under Budget On Schedule
272-Staff Cafeteria - Replacement of Equipment	-	\$4	\$4	\$6	Under Budget On Schedule
318-Telecommunications Replacement - Council Buildings	-	\$78	\$78	\$157	Under Budget On Schedule
784-Replacement of Council's Photocopiers/Printers	-	\$43	\$43	\$87	Under Budget On Schedule
1732-Depot - Hard Surfaces Renewals	(\$25)	\$0	\$25	\$4	Under Budget On Schedule
<b>Resource Recovery</b>					
185-Closed Landfills and Transfer Stations - Site Renewals	(\$17)	-	\$17	\$36	Under Budget Behind Schedule
612-Recycling - City-wide Wheelie Bin and Crate Renewals	\$45	\$41	(\$4)	\$80	On Track
649-Recycling - Materials Recovery Facility Renewals	\$23	\$65	\$42	\$163	Under Budget Behind Schedule
1368-City-wide - Public Space Rubbish & Recycling Bins Renewals	\$1	\$9	\$8	\$47	Under Budget Behind Schedule
1374-City-wide - Recycling Drop Off Facilities - Renewals	\$6	\$10	\$4	\$28	Under Budget On Schedule
1721-Composting Activity Site Renewals	\$3	\$8	\$5	\$8	Under Budget Behind Schedule
1784-Rubbish and Recycling Buildings - Renewals	\$34	\$21	(\$13)	\$76	Over Budget On Schedule
<b>Roading</b>					
74-City-wide - Street Light Renewals	\$298	\$51	(\$247)	\$170	Over Budget On Schedule
122-City-wide - Road Drainage Renewals	\$284	\$174	(\$110)	\$382	Over Budget Behind Schedule
162-City-wide - Vehicle Crossing Renewals	-	\$44	\$44	\$119	Under Budget Behind Schedule

Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status
1805-City-wide - Transport structure component renewal	\$17	\$129	\$112	\$129	Under Budget Behind Schedule
<b>Safe Communities</b>					
1512-CCTV replacements	\$194	-	(\$194)	\$513	Over Budget On Schedule
1569-Replacement of wearable cameras for parking and animal control officers	-	\$20	\$20	\$20	Under Budget On Schedule
<b>Stormwater</b>					
20-City-wide - Stormwater Pump Station Renewals	\$154	\$80	(\$74)	\$413	Over Budget Behind Schedule
1062-City-wide - Stormwater Network Renewal Works	\$71	\$277	\$206	\$642	Under Budget Behind Schedule
<b>Strategic Investments</b>					
80-Council Small Mobile Plant and Equipment - Replacement	\$54	\$130	\$76	\$231	Under Budget Behind Schedule
85-Depot - Buildings and Structures Renewals	\$56	\$55	(\$0)	\$118	On Budget Ahead of Schedule
1753-Investment Properties - Building Renewals	\$28	\$37	\$10	\$384	Under Budget On Schedule
1791-Parks Depot - Building Renewals	\$8	\$5	(\$3)	\$95	Over Budget Behind Schedule
1970-Gordon Kear Forest Culvert Replacements	-	-	-	\$26	Not Started
2022-Property - Hard Surfaces Renewals	\$22	\$128	\$106	\$205	Under Budget On Schedule
<b>Wastewater</b>					
65-City-wide - Wastewater Pump Station Renewal	\$86	\$279	\$193	\$579	Under Budget Behind Schedule
179-Totara Road Wastewater Treatment Plant - Minor Equipment Renewals	\$62	\$280	\$218	\$595	Under Budget Behind Schedule
1380-Totara Rd WWTP - Biogas Generator Major Overhauls	\$29	\$154	\$126	\$389	Under Budget Behind Schedule
1620-Totara Road Wastewater Treatment Plant - High Voltage Power renewals	\$62	\$8	(\$54)	\$248	Over Budget Behind Schedule
1714-City-wide Wastewater Trunk Mains Renewal	-	-	-	\$200	On Budget Behind Schedule



Activity-Programme Name	YTD Actuals(\$000)	YTD Budget(\$000)	Variance(\$000)	Total Budget(\$000)	Status
1799-Wastewater Treatment Plant - Buildings Renewals	\$49	\$104	\$55	\$139	Under Budget On Schedule
1801-Wastewater Pump Stations - Building Renewals	\$13	\$20	\$7	\$20	Under Budget Ahead of Schedule
<b>Water</b>					
207-Turitea WTP - Equipment and Facility Renewals	\$98	\$376	\$277	\$725	Under Budget Behind Schedule
214-City-wide - Water Toby and Manifold Renewals	\$481	\$208	(\$272)	\$742	Over Budget Behind Schedule
1061-City-wide - Water Supply Reservoir Renewals	\$8	\$3	(\$5)	\$311	Over Budget On Schedule
1700-City-wide - Water Meter Renewals	\$24	\$16	(\$8)	\$456	Over Budget Behind Schedule
1701-City-wide - Water Supply Valve & Hydrant Renewals	\$56	\$178	\$122	\$362	Under Budget Behind Schedule
1797-Water Treatment Plant - Building Renewals	\$46	\$79	\$34	\$79	Under Budget Ahead of Schedule
1822- Water Pump Stations - Building Renewals	\$10	\$12	\$2	\$12	On Budget Ahead of Schedule
2042-Turitea WTP - Raw Water Main Renewal	-	\$40	\$40	\$40	Under Budget Behind Schedule

## Appendix 7 – Financial Statements

**Palmerston North City Council**  
**Summary of Financial Performance**  
**For the period to 31 December 2022**

	Year to Date			Full Year	
	Actual	Budget	Actual	Revised	Annual
	\$000	\$000	Prior Year \$000	Budget \$000	Budget \$000
<b>OPERATING REVENUE</b>					
Rates revenue	57,983	57,741	54,947	115,370	115,370
Interest and dividends	581	9	92	17	17
Other revenue	16,707	17,005	15,936	32,050	31,933
Operating subsidies and grants	3,338	2,568	2,115	6,011	5,286
<b>TOTAL OPERATING REVENUE</b>	<b>78,609</b>	<b>77,323</b>	<b>73,091</b>	<b>153,448</b>	<b>152,606</b>
<b>CAPITAL REVENUE</b>					
Capital subsidies and grants	1,911	3,512	5,330	9,082	8,341
Development contributions	2,996	1,294	1,407	2,588	2,588
Vested assets	-	1,000	-	2,000	2,000
<b>TOTAL CAPITAL REVENUE</b>	<b>4,907</b>	<b>5,806</b>	<b>6,737</b>	<b>13,670</b>	<b>12,929</b>
<b>TOTAL REVENUE</b>	<b>83,517</b>	<b>83,129</b>	<b>79,828</b>	<b>167,118</b>	<b>165,535</b>
<b>EXPENSES</b>					
Employee remuneration	27,535	27,967	24,608	57,250	57,202
Elected member remuneration	488	563	508	1,116	1,116
Depreciation and amortisation	20,322	19,429	18,675	38,858	38,858
Interest	3,844	2,968	2,462	6,731	6,731
Professional service costs	6,875	8,945	5,800	20,202	18,876
Other expenses	21,074	23,151	14,387	43,600	42,621
<b>TOTAL EXPENSES</b>	<b>80,138</b>	<b>83,024</b>	<b>66,439</b>	<b>167,757</b>	<b>165,404</b>
<b>NET SURPLUS/(DEFICIT) BEFORE TAX</b>	<b>3,379</b>	<b>105</b>	<b>13,389</b>	<b>(639)</b>	<b>131</b>

Palmerston North City Council  
Statement of Financial Position  
For the period to 31 December 2022

	2022/23			As at 30 June 2022
	As at 31 December 2022		Full Year	
	Actual \$000s	Budget \$000s	Rev Budget \$000s	
<b>Current Assets</b>				<b>Actual \$000s</b>
Cash & Short Term Deposits	9,867	1,922	1,922	1,922
Trade and other receivables	10,707	7,964	11,884	11,884
Inventory	3,878	1,774	1,774	1,774
Derivative financial instruments	2,774	913	913	913
Other financial assets	20,000	25,000	25,000	25,000
<b>Total Current Assets</b>	<b>47,226</b>	<b>37,573</b>	<b>41,493</b>	<b>41,493</b>
<b>Non-Current Assets</b>				
Property, plant and equipment	2,130,572	2,144,544	2,240,369	2,122,917
Inventory-Non-current	3,111	3,725	3,725	3,725
Intangible Assets	904	971	971	971
Biological Assets	1,571	1,571	1,571	1,571
Investment Properties	5,335	5,335	5,335	5,335
Investments & Advance	21,550	15,848	15,848	15,848
Derivative financial instruments	-	-	-	-
<b>Total Non-Current Assets</b>	<b>2,163,042</b>	<b>2,171,993</b>	<b>2,267,818</b>	<b>2,150,366</b>
<b>Total Assets</b>	<b>2,210,268</b>	<b>2,209,566</b>	<b>2,309,311</b>	<b>2,191,859</b>
<b>Current Liabilities</b>				
Trade and other payables	25,910	24,042	26,585	26,585
Provisions	728	728	728	728
Current Employee Entitlements	8,428	6,713	6,923	6,923
Current Portion - Term Liab	20,000	25,000	25,000	25,000
Derivative financial instruments	-	84	84	84
<b>Total Current Liabilities</b>	<b>55,066</b>	<b>56,566</b>	<b>59,319</b>	<b>59,319</b>
<b>Non-Current Liabilities</b>				
Provisions	489	489	489	489
Term Employee Entitlements	1,122	1,088	1,088	1,088
Term Liabilities	192,128	193,206	244,070	172,850
Derivative financial instruments	-	30	30	30
<b>Total Non-Current Liabilities</b>	<b>193,739</b>	<b>194,814</b>	<b>245,677</b>	<b>174,457</b>
<b>Total Liabilities</b>	<b>248,805</b>	<b>251,380</b>	<b>304,997</b>	<b>233,777</b>
<b>Assets less Liabilities</b>	<b>1,961,463</b>	<b>1,958,187</b>	<b>2,004,314</b>	<b>1,958,082</b>
<b>Public Equity</b>				
Retained earnings	1,083,936	1,080,660	1,079,916	1,080,555
Other reserves	877,527	877,527	924,398	877,527
<b>Total Public Equity</b>	<b>1,961,463</b>	<b>1,958,187</b>	<b>2,004,314</b>	<b>1,958,082</b>

Palmerston North City Council  
Statement of Cash Flows  
For the period to 31 December 2022

	Year to Date		Full Year	
	Actual \$000s	Revised Budget \$000s	Revised Budget \$000s	Annual Budget \$000s
<b>Cash Flows From Operating Activities</b>				
Receipts from rates revenues	59,878	58,645	115,370	115,370
Interest received	576	9	17	17
Dividends received	5	-	-	-
Operating subsidies and grants	3,338	2,568	6,011	5,286
Receipts from other revenue	14,390	17,482	32,050	31,933
Capital subsidies and grants	2,625	4,251	9,082	8,341
Development contributions	2,996	1,294	2,588	2,588
Receipts from tax losses	-	-	-	-
Interest paid	(3,844)	(2,968)	(6,731)	(6,731)
Payments to suppliers and employees	(65,227)	(64,618)	(127,098)	(130,110)
Goods and Services Tax (net)	2,967	3,037	-	-
<b>Net Cash From Operating Activities</b>	<b>17,704</b>	<b>19,700</b>	<b>31,289</b>	<b>26,694</b>
<b>Cash Flows From Investing Activities</b>				
Proceeds from sale of property	-	-	-	-
Proceeds from sale of biological assets	-	-	-	-
Investment in property development	(1,583)	-	-	-
Purchase of property, plant and equipment - new	(14,469)	(24,806)	(83,939)	(68,288)
Purchase of property, plant and equipment - renewal	(12,986)	(15,250)	(28,500)	(28,449)
Net other advances repayment received/(made)	-	-	-	-
Net increase in investments	-	-	-	-
<b>Net Cash From Investing Activities</b>	<b>(29,038)</b>	<b>(40,056)</b>	<b>(112,439)</b>	<b>(96,737)</b>
<b>Cash Flows From Financing Activities</b>				
Short term investments (4-12 months)	5,000	-	-	-
Net borrowing proceeds/(repaid)	14,278	20,356	71,220	54,748
Repayment of borrowings	-	-	-	-
Repayment of leases	-	-	-	-
<b>Net Cash From Financing Activities</b>	<b>19,278</b>	<b>20,356</b>	<b>71,220</b>	<b>54,748</b>
<b>Net Increase/(decrease)</b>	<b>7,944</b>	<b>-</b>	<b>(9,930)</b>	<b>(15,295)</b>
Cash at beginning of year	1,922	1,922	1,279	1,279
<b>Cash at Month End</b>	<b>9,866</b>	<b>1,922</b>	<b>(8,651)</b>	<b>(14,016)</b>

## Appendix 8 – Approved variations to Annual Budget

After the Annual Budget 2022/23 was approved, the following changes were authorised by Council for the 2022/23 financial year. These also impacted the debt.

### Variations to Annual Budget 2022/23 approved by Council

<b>Profit and Loss</b>	<b>\$000</b>
Annual Budget 2022/23 Net Surplus/(Deficit) Before Tax	131
Changes authorised by Council:	
Operating programme new carry forward: 2045-Night Shelter - Options, costs and timeframes for a feasibility study	(65)
Operating programme adjusted carry forward: 1520-Digital Transformation	314
Operating programme adjusted carry forward: 1572-Enterprise Resource Planning (ERP) System Replacement	45
Operating budget carry forward: Gordon Kear Forest silviculture	(164)
Waka Kotahi capital revenue adjustment for associated capital carry forward adjustment	178
Manawatu Rugby Grant	(40)
Increase in operating programme budget for 1572-Enterprise Resource Planning (ERP) System Replacement	(1,600)
Waka Kotahi capital increase for capital programme 1559-City-wide - Urban Cycle Infrastructure Network improvements	562
Three Water Services Reform Transition	Revenue 825 Expenses (825) Net 0
Adjustments to operating activities reallocating remuneration and overheads associated with separation of 3 waters	No effect on net surplus/(deficit)
<b>Revised Budget 2022/23 Net Surplus/(Deficit) Before Tax</b>	<b>(639)</b>

<b>Capital Expenditure</b>	<b>\$000</b>
<b>Annual Budget 2022/23 Capital Expenditure</b>	<b>96,737</b>
Changes authorised by Council:	
Adjust budget carry forwards	5,052
1005-Urban Growth - NEIZ - Water Supply	920
2128-WWTP - Consent Application	280
1559-City-wide - Urban Cycle Infrastructure Network improvements	625
1001-Urban Growth - Whakarongo - Stormwater	4,454
2128-WWTP - Consent Application	2,744
2206-Storm Damage – August 2022 Roding	1,627
<b>Revised Budget 2021/22 Capital Expenditure</b>	<b>112,439</b>

### Low Carbon Fund

Council approval has been granted separately to enable the Chief Executive to action movements of 100% of the budget attached to Low Carbon Fund. A report will be presented to Council with further details as to how the fund is performing and delivering outcomes.

Below are the allocations approved through to December 2022:

Programme	Project	(\$000s)
1784-Rubbish and Recycling Buildings - Renewals	Installation of LED lighting the recycling loading bay at the Resource Recovery Facility.	3
85-Depot - Buildings and Structures Renewals	Upgrade of the heating at the Depot Trades Workshop from gas to electric heaters	12
85-Depot - Buildings and Structures Renewals	Installation of a electric heat pump in the Depot Admin Building	3
TBA	Installation of 14 22kW electric vehicle fast chargers in the CAB Basement	75
1451-Property - LED Lighting Upgrades	LED lighting upgrades across 10 separate parks & reserves pavilions, changing rooms etc.	91
1797-Water Treatment Plant - Building Renewals	Installation of an electric heatpump, electric under bench hotwater unit, and LED lighting upgrades at the water treatment plant offices	11
1799-Wastewater Treatment Plant - Buildings Renewals	Installation of an electric heatpump, electric under bench hotwater unit, and LED lighting upgrades at the wastewater treatment plant offices	19

1786-Recreational Buildings - Sports Pavilion and Changing Room Renewals	Installation of an electric hotwater tank, and LED lighting upgrades at the Fitzherbert Park Grandstand Changing Rooms	4
<b>TOTAL</b>		<b>218</b>

### Variations to Annual Budget 2022/23 approved by Chief Executive

The Delegations Manual provides that the Chief Executive may approve transfers of budgets where this will best achieve the outcome intended and savings can be made to offset the authorised increase. Where the amounts authorised cross activities, these are required to be reported quarterly to the Finance and Performance Committee.

Excluding Low Carbon Fund, to date, there have been no budget changes made within the Chief Executive delegation.

## Appendix 9 – Library users breakdown of figures and trends

City Library physical visitor numbers have increased in the last year since the removal of all Covid-19 restrictions for public libraries. However, a longer-term view shows a considerable drop in visitor numbers since pre-Covid. For example, in the six months to December 2022 there were 240k physical visits, compared with 229k for the same period in 2021. However, in the same six months of 2019 (ie, pre-Covid) there were 493k physical visits. While visitor numbers have halved, to get a good understanding of what is happening we also need to consider other trends:

- despite the halving of physical visitor numbers, library material usage (books, magazines, eBooks, etc) is only 5% below pre-Covid figures (468,949 circulations in the past 6 months compared with 494,726 pre-Covid)
- there have been significant increases in eBook, eAudiobook and digital resource use (eBook and eAudiobook use increased 65%, with 64,473 circulations in the past 6 months compared with 38,948 pre-Covid)
- the Mobile Library also has higher use now than pre-Covid (12,899 visits in the past 6 months compared with 11,861 pre-Covid)
- the collection is working hard, with the average use per item 4.5 times a year (compared with 4.8 pre-Covid – and a national average of 2.6)
- visitor numbers are slowly and steadily growing (since August 2022, the Moving Annual Total of visitors has grown by just under 1% each month)
- there has been a significant recent increase in library memberships (for the last 6 months a 15% increase compared with same period 2019)
- post-Covid, more people are on personal devices and data is cheaper, so overall there is less Wi-Fi and PC use – but this is also consistent with less frequency of visits (31,049 PC sessions and 84,595 Wi-Fi sessions for the first six months in 2022 versus 51,463 PC sessions and 141,941 Wi-Fi sessions in 2019)
- there has been an increased demand in digital literacy tutorials, especially for personal devices (up 23% over 2019)
- library programming (events and specific activities) across all City Library sites continues to return to pre-Covid levels. (1193 programmes with 27,222 attendees in the last 6 months, compared with 720 programmes with 16,551 attendees last year, and 1741 programmes with 43,293 attendees pre-Covid). More detailed information on this is in the next KPI.
- for the six months to December 2022 Manawatū Heritage hosted 144,309 website views and 39,976 website sessions. This compares to 133,891 website views and 29,864 website sessions for the equivalent pre-Covid period in 2019.



## Appendix 10 – Better off Funding

The outcome for the Better off Funding proposal submission, presented to Council on the 7<sup>th</sup> of September 2022, has now received, and were successful for the full amount of \$8.16M that was applied for.

Below are the total amounts that were requested that have now been approved, broken down by the financial year that the proposal estimated the milestones would be completed.

Project (\$M)	2022/23	2023/24	2024/25	2025/26	2026/27	Total
Construction of Summerhays		0.505	3.655			4.16
Design of Summerhays, rezoning and design of Huia Street, City Centre Housing site Investigation and Design		1.50				1.50
Te Motu o Poutoa		0.25	0.40	0.35		1.00
Multicultural Community Hub		0.50				0.50
Rangitāne BOF Resource					0.50	0.50
Te Hotu Manawa o Rangitāne Marae wharenuī and wharepaku upgrade	0.50					0.50
<b>Total</b>	<b>0.50</b>	<b>2.76</b>	<b>4.06</b>	<b>0.35</b>	<b>0.50</b>	<b>8.16</b>

It is requested that for 2022/23 that 0.5M be added to the operating budget for 2022/23, offset by an operating grant, for project Te Hotu Manawa o Rangitāne Marae wharenuī and wharepaku upgrade.



## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** Treasury Report - 6 months ending 31 December 2022

**PRESENTED BY:** Steve Paterson, Strategy Manager - Finance

**APPROVED BY:** Cameron McKay, Chief Financial Officer

### RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE

1. That the Committee note the performance of Council's treasury activity for the 6 months ending 31 December 2022.

#### 1. ISSUE

To provide an update on the Council's treasury activity for the 6 months ending 31 December 2022.

#### 2. BACKGROUND

The Council's Annual Budget 2022/23 forecast additional debt requirements of \$54.7m would need to be raised during the year to fund the \$64.1m of new capital expenditure programmes (including assumed carry forwards from 2021/22). In June 2022 the Council resolved to specifically authorise the raising of up to \$55m of additional debt. In September 2022 the Council approved increasing the new capital expenditure programme for the year by a further \$5m due to a revised assessment of the level of carry forwards from 2021/22. Since then further adjustments to the capital expenditure budget for the year have been approved but there has been no change to the formal resolution approving increased debt levels at this stage.

Council's Financial Strategy (updated version adopted 7 July 2021) contains the following ratios which the Council has determined to be prudent maxima:

- Net debt as a percentage of total assets not exceeding 20%
- Net debt as a percentage of total revenue not exceeding 200%
- Net interest as a percentage of total revenue not exceeding 15%
- Net interest as a percentage of annual rates income not exceeding 20%

An updated version of the Treasury Policy (embracing the Liability Management and Investment Policy), adopted by the Council in August 2020, also contains a number of other criteria regarding debt management.

### 3. PERFORMANCE

Following the annual review published on 27 April 2022 Council's S&P Global Rating's credit rating remained unchanged at AA / A-1+.

**Schedule 1** attached shows the details of Council's debt as at 30 September 2022. Debt levels were within the policy parameters outlined in section 2 of this report.

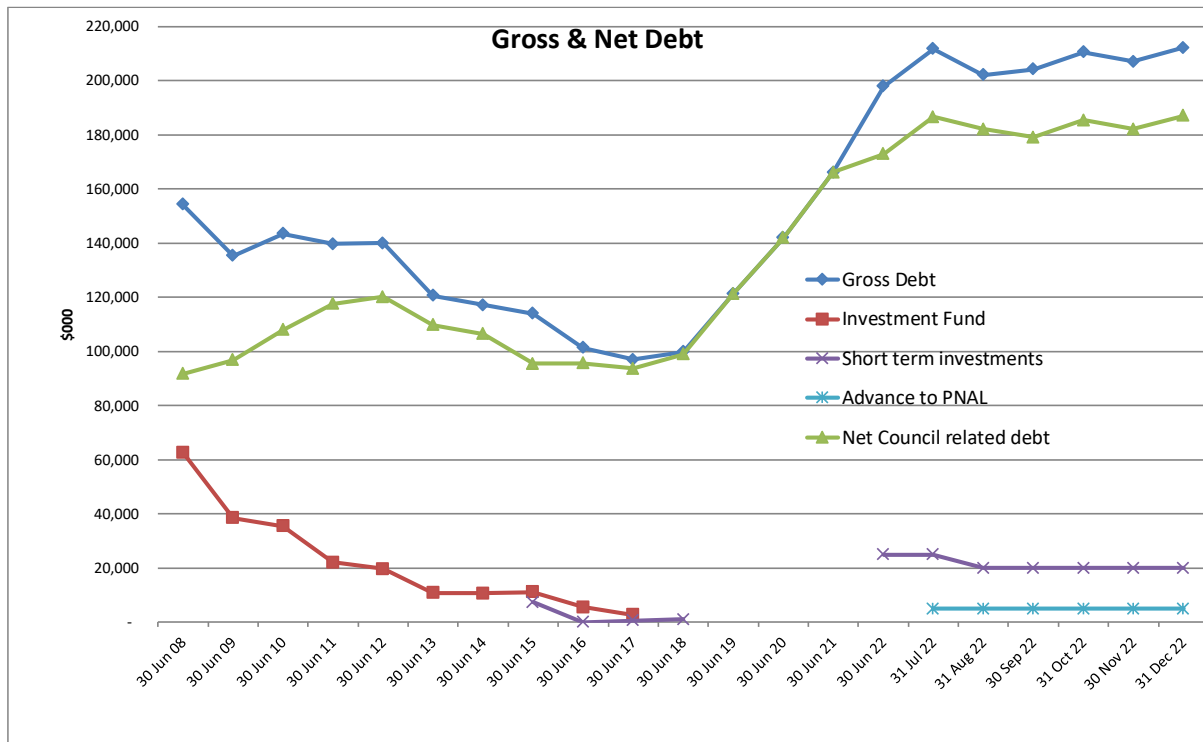
The summarised **term debt** movements are shown in the following table:

	Annual Budget for year (2022/23) \$000	Actual – 3 months (2022/23) \$000	Actual – 6 months (2022/23) \$000
Debt Balance at 1 July 2022	176,000	197,850	197,850
Plus New Debt #	54,748	15,128	25,128
Less Debt repayments #		(8,850)	(10,850)
Closing Gross Debt Balance	230,749	204,128	212,128
<u>Comprising:</u>			
Bank advance (on call)		2,000	
LGFA stock		202,128	212,128
<u>Less:</u>			
Deposits held for debt repayment		(20,000)	(20,000)
Sum advanced to PN Airport Ltd		(5,000)	(5,000)
<b>Net Council related term debt</b>	<b>230,749</b>	<b>179,128</b>	<b>187,128</b>

# A portion of the Council's debt is drawn on a daily basis – daily drawdowns and repayments are not included in these figures but the net draw or repayment for the year to date is shown as part of new debt or debt repayment as appropriate.

Gross debt at 31 December 2022 was \$212.1m compared with \$197.9m at 1 July 2022. \$20m of this sum was raised during 2021/22 to prefund debt maturing on 17 April 2023. \$25.1m was raised during the half year – \$5m of this on behalf of PNAL.

Movements in recent years are shown in the following graph:



Actual finance costs incurred by the Council depend on the actual debt levels and the interest rate. During the 6 months finance costs (including interest, line fees and the effects of payments relating to swaps) amounted to \$3.84m compared with the budget for the year of \$6.73m. \$399k of this expense related to \$20m raised on 14 March 2022 to prefund debt maturing on 17 April 2023. This cost was nearly offset by unbudgeted interest income of \$331k received from short term investment of this \$20m. A further \$97k of this expense related to the \$5m loan raised on behalf of PNAL and this was offset by \$106k received from PNAL for the advance.

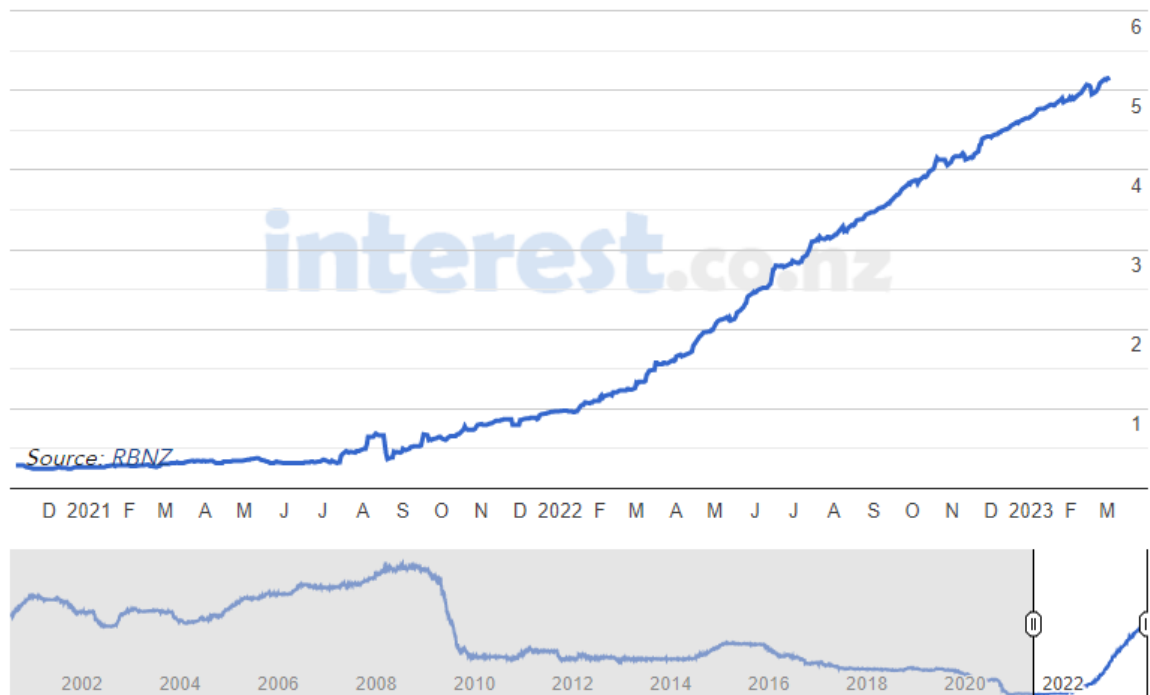
The effective average interest rate for the 6 months was 3.7% compared with the budgetary assumption of 3.4%.

Interest rates have been rising to levels that are higher than previously assumed and, depending on how much debt is actually raised during the year, will likely lead to actual interest costs being higher than budget.

An example of the movement is the 90-day bank bill rate which are used as the basis for setting the interest rate for most of Council's borrowing. These are reset to the latest rate every 90 days. As can be seen on the following graph this rate has increased from 1% in January 2022 to over 5% in December 2022.

## Bank bill rates

daily - RBNZ series



The Council has entered financial instruments related to its debt portfolio utilising swap trading lines established with Westpac, ANZ and BNZ. The details of these are shown in **Schedule 2** attached.

The value of these instruments is measured in terms of its 'mark-to-market', i.e. the difference between the value at which the interest rate was fixed and the current market value of the transaction. Each of these transactions was valued at the date they were fixed and again at the reporting date. Financial reporting standards require the movement in values to be recorded through the Council's Statement of Comprehensive Income (Profit & Loss Account). They have been revalued as at 31 December 2022. The latest valuation is an asset of \$13m compared with an asset of \$8.3m as at 30 June 2022.

Swaps with a notional value of \$5m matured during the first quarter.

The Council's Treasury Policy contains guidelines regarding the measurement of treasury risk as follows:

- Funding and liquidity risk is managed by the Council maintaining a pre-set portion of its debt in a range of maturity periods, e.g. < 3 years, 3 - 7 years, 7 years +.
- Interest rate risk is managed by the Council maintaining the ratio of debt that is subject to floating versus fixed interest rates within pre-set limits.

The position compared to the policy is illustrated in the graphs in **Schedule 3** attached.

The funding and liquidity risk position can be summarised as follows:

- Council's liquid position complies with policy.
- Since 30 June 2022 \$25.1m of term debt has been raised and \$10.85m has been repaid. \$5m was raised on behalf of PNAL and on-lent to them.

The interest rate risk position describes the portion of the overall forecast debt that is fixed versus floating and can be summarised as follows:

- There is significant uncertainty about forecast levels of future debt – this very much depends on a number of factors including future Council decisions on the proposed capital expenditure programme and Government decisions on the future structure of the provision of three waters.
- For the 2022/23 year so far the strategy adopted is to use the forecast debt figures from 2021-31 10 Year Plan, as updated through the 2022/23 Annual Budget but reduce them by 30%. This reduction is a mechanism to ensure the Council's portfolio does not become over-hedged.
- Projected debt levels that exclude debt assigned for three waters programmes is also being considered to make sure the Council is not over-hedged if water related debt is effectively transferred (or paid off) on 30 June 2024.
- With the latest debt forecasts in place additional hedging was required to meet policy minimums. \$20m of additional swaps were entered in to on 8 July 2022.
- Despite this there is a very minor breach of the interest rate risk profile policy as at 31 December. The policy requires that between 20% and 70% of the debt maturing in the 48 to 60-month band should be fixed. The actual was 19%. This is not material given the nature of the assumptions used.

The Treasury Policy also contains requirements in relation to counterparty credit risk – this relates to investments and financial risk management instruments.

The position as at 31 December is shown in **Schedule 4 attached**. As can be seen from the schedule the policy limit for the level of investments at Westpac of \$15m has been exceeded by \$5m. The most recent investment of \$20m was made with Westpac as they offered an interest rate that significantly exceeded what was on offer elsewhere. The limit per counterparty is considered to be very conservative and will be considered for review when the policy is next updated. In the meantime, the Policy requires that counterparties exceeding the limits are required to be reported to the Council.

As at 31 December 2022 all remaining policy targets had been met.

Council's credit lines with the banks include a \$18m three-year credit facility with Westpac Bank (maturing 31 October 2025) and a revolving \$25m three-year facility with ANZ Bank (maturing 31 March 2025).

#### 4. CONCLUSION AND NEXT STEPS

Gross finance costs for the year (including interest, line fees and the effect of swaps) was \$3.84m compared with budget for the year of \$6.73m.

In conjunction with Council's treasury advisors hedging instruments are regularly reviewed in an effort to ensure the instruments are being utilised to best advantage as market conditions change. The level of hedging cover is also reviewed as the forecasts of future debt levels are revised.

Council's borrowing strategy is continually reviewed, in conjunction with Council's treasury advisors, to ensure best advantage is taken of Council's quality credit rating.

A further performance report will be provided after the March 2023 quarter.

#### 5. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 5: A Driven & Enabling Council This report outlines the outcomes of a fundamental administrative activity of the Council.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	Managing the Council's treasury activity is a fundamental component of day to day administration of the Council.

#### ATTACHMENTS

- Schedules 1 - 4  

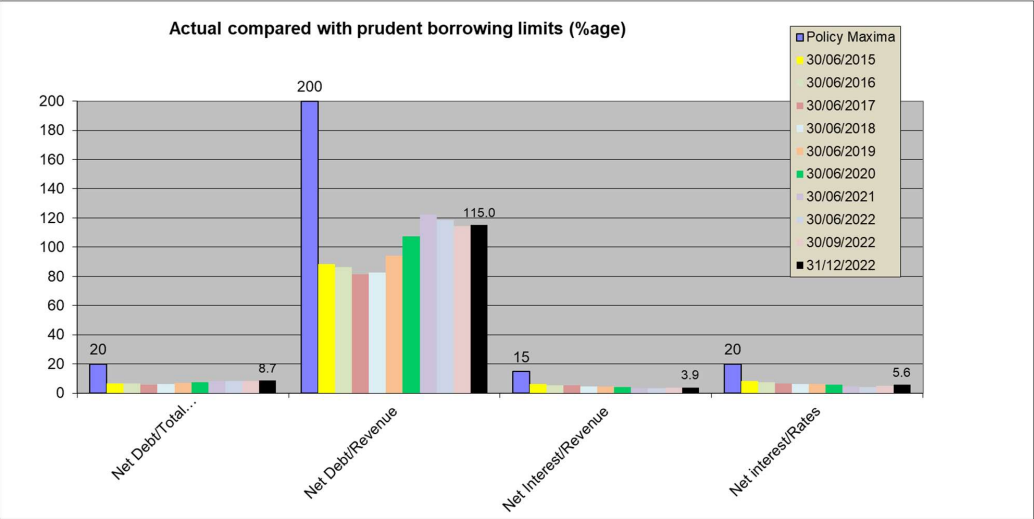
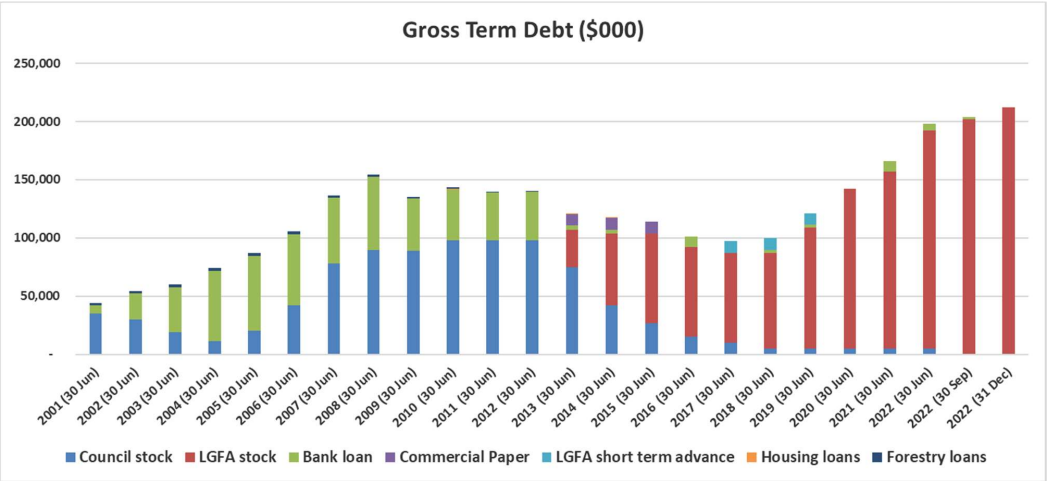


## PALMERSTON NORTH CITY COUNCIL

**Schedule 1 - Debt levels & Prudent Borrowing Ratios**

Palmerston North City Council								
Term Debt as at 31 December 2022								
						Current		
Issue Date	Term	Principal	Margin over BKBM	Interest Rate	Maturity Date	as at 31/12/2022	Interest Rate	Reset Date
1. Loan Stock on Issue - Borrowed from LGFA								
LGFA 18 Aug 14	9	10,000,000	0.6325%	4.6396%	17-Apr-2023	10,000,000	Floating Qtrly	16-Jan-23
LGFA 15 Apr 20	3	10,000,000	0.7350%	4.7421%	17-Apr-2023	10,000,000	Floating Qtrly	16-Jan-23
LGFA 23 Jul 18	6	15,000,000	0.5525%	4.5596%	15-Apr-2024		Floating Qtrly	16-Jan-23
LGFA 15 Apr 20	4	5,000,000	0.7850%	4.7921%	15-Apr-2024		Floating Qtrly	16-Jan-23
LGFA 6 Sep 17	7	6,000,000	0.6000%	5.1300%	15-Sep-2024		Floating Qtrly	15-Mar-23
LGFA 6 Sep 17	8	6,000,000	0.6600%	4.6671%	15-Apr-2025		Floating Qtrly	16-Jan-23
LGFA 28 Jan 20	5	8,000,000	0.5400%	4.5471%	15-Apr-2025		Floating Qtrly	16-Jan-23
LGFA 13 Jul 20	5	5,000,000	0.6700%	4.6771%	15-Apr-2025		Floating Qtrly	16-Jan-23
LGFA 22 Mar 18	8	5,000,000	0.7250%	4.7321%	15-Apr-2026		Floating Qtrly	16-Jan-23
LGFA 17 Jun 19	7	7,000,000	0.6525%	4.6596%	15-Apr-2026		Floating Qtrly	16-Jan-23
LGFA 11 May 20	6	5,000,000	0.6600%	4.6671%	15-Apr-2026		Floating Qtrly	16-Jan-23
LGFA 13 Jul 20	6	5,000,000	0.7225%	4.7296%	15-Apr-2026		Floating Qtrly	16-Jan-23
LGFA 16 Mar 15	12	5,000,000	0.4575%	4.4646%	15-Apr-2027		Floating Qtrly	16-Jan-23
LGFA 8 Jun 15	12	5,000,000	0.4525%	4.4596%	15-Apr-2027		Floating Qtrly	16-Jan-23
LGFA 11 Aug 20	7	10,000,000		1.1200%	15-Apr-2027		Fixed	
LGFA 9 Feb 21	6	5,000,000		1.3579%	15-Apr-2027		Fixed	
LGFA 28 Jul 22	5	5,000,000	0.5000%	4.5071%	15-Oct-2027		Floating Qtrly	16-Jan-23
LGFA 17 Dec 18	10	5,000,000	0.7875%	4.7946%	18-Apr-2028		Floating Qtrly	16-Jan-23
LGFA 7 Oct 19	9	5,000,000	0.7100%	4.7171%	18-Apr-2028		Floating Qtrly	16-Jan-23
LGFA 11 Aug 20	8	10,000,000	0.8300%	4.8371%	18-Apr-2028		Floating Qtrly	16-Jan-23
LGFA 28 Jul 22	6	5,000,000	0.5500%	4.5571%	15-Oct-2028		Floating Qtrly	16-Jan-23
LGFA 14 Nov 22	6	5,000,000	0.6170%	4.6995%	15-Oct-2028		Floating Qtrly	16-Jan-23
LGFA 17 Dec 18	11	10,000,000	0.8225%	4.8296%	15-Apr-2029		Floating Qtrly	16-Jan-23
LGFA 12 Jul 21	8	10,000,000	0.3950%	4.5450%	20-Apr-2029		Floating Qtrly	20-Jan-23
LGFA 19 Dec 22	7	5,000,000	0.6590%	4.9720%	15-Oct-2029		Floating Qtrly	16-Jan-23
LGFA 12 Jul 21	9	10,000,000	0.4350%	4.4421%	15-Apr-2030		Floating Qtrly	16-Jan-23
LGFA 18 Oct 21	9	5,000,000	0.4590%	4.4661%	15-Apr-2030		Floating Qtrly	16-Jan-23
LGFA 14 Mar 22	9	10,000,000	0.5700%	4.7250%	15-May-2031		Floating Qtrly	15-Feb-23
LGFA 14 Mar 22	9	10,000,000	0.5950%	4.6021%	15-Oct-2031		Floating Qtrly	16-Jan-23
		207,000,000						
2. Loan Stock on Issue - Borrowed from LGFA to on-lend to PNAL								
LGFA 11 Jul 22	5	5,128,205		4.1100%	15-Apr-2027		Fixed	
3. Bank facilities								
ANZ (\$25m)		-			31-Mar-2025		Reset at any time	
Westpac (\$18m)	On call			* plus line fee of 0.22%	31-Oct-2025		Reset at any time	
				* plus line fee of 0.3%				
4. Short term facility from LGFA								
		-						
Total as at 31 December 2022		212,128,205				20,000,000		

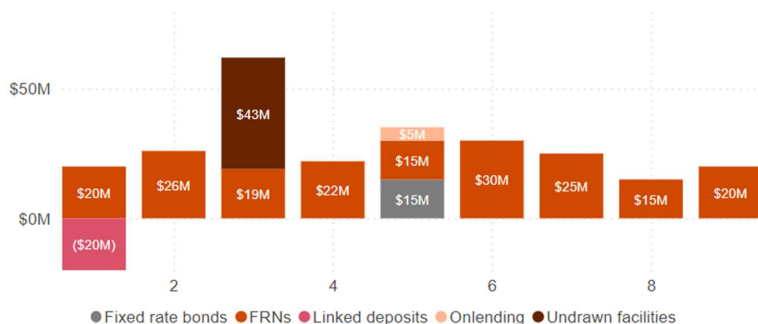
The Financial Strategy contains a series of ratios that the Council has determined to be prudent maxima. The chart below shows the actual results for since 2014/15 compared to those ratios.



## PALMERSTON NORTH CITY COUNCIL

**Schedule 2 – Interest Rate Swaps**

Palmerston North City Council									
<b>Interest Rate Swaps as at 31 December 2022</b>									
<i>Council pays fixed &amp; receives floating on a quarterly basis</i>							<b>Current</b>		<b>Value at</b>
<b>Bank</b>	<b>Trade Date</b>	<b>Deal No</b>	<b>Amount \$m</b>	<b>Start Date</b>	<b>Maturity</b>	<b>Fixed Interest rate</b>	<b>Floating rate</b>	<b>Reset date</b>	<b>31-Dec-22</b>
ANZ	28-Nov-14	10730910	5.0	15-Dec-17	15-Jun-24	4.500%	4.530%	15-Mar-23	64,644
ANZ	28-Nov-14	10730993	5.0	10-Apr-18	10-Oct-24	4.515%	3.915%	10-Jan-23	66,031
BNZ	10-Jul-19	384538896	5.0	31-Jul-19	21-Jul-22	1.345%		matured 21 Jul 22	
ANZ	29-Nov-18	18984011	5.0	6-Dec-19	6-Sep-23	2.555%	4.450%	6-Mar-23	98,886
ANZ	29-Nov-18	18984258	2.0	6-Mar-20	6-Mar-29	3.095%	4.450%	6-Mar-23	181,848
Westpac	25-Feb-15	4218128	5.0	7-Sep-20	9-Sep-24	3.990%	4.470%	7-Mar-23	115,298
ANZ	25-Feb-15	11281075	3.0	16-Nov-20	15-Nov-24	3.990%	4.155%	15-Feb-23	72,899
Westpac	18-Jan-16	4910927	5.0	9-Dec-20	9-Jun-25	3.970%	4.485%	9-Mar-23	146,773
Westpac	25-Feb-15	4218131	5.0	8-Jun-21	10-Jun-24	3.990%	4.475%	8-Mar-23	100,527
ANZ	20-Jun-14	25213652	5.0	15-Dec-21	15-Jun-29	3.425%	4.530%	15-Dec-22	400,133
Westpac	16-Nov-21	9251755	7.0	8-Dec-21	8-Dec-28	3.190%	4.475%	8-Mar-23	581,974
Westpac	16-Nov-21	9251762	6.0	29-Dec-21	28-Sep-29	3.410%	4.650%	29-Mar-23	471,521
Westpac	16-Nov-21	9251772	5.0	10-Jan-22	10-Jan-30	3.380%	3.915%	10-Jan-23	419,565
Westpac	26-Feb-16	5013577	5.0	11-Apr-22	12-Jan-26	3.635%	3.910%	11-Jan-23	205,744
ANZ	13-Oct-20	22956802	10.0	15-Apr-22	15-Apr-28	0.4025%	4.007%	16-Jan-23	2,113,103
Westpac	25-Jun-21	9002142	10.0	15-Jun-22	15-Jun-28	1.8200%	4.530%	15-Mar-23	1,432,360
Westpac	25-Jun-21	9002154	10.0	15-Sep-22	15-Sep-28	1.9000%	4.530%	15-Mar-23	1,446,149
BNZ	27-Feb-20	384575543	7.0	8-Dec-22	8-Dec-28	1.3375%	4.475	8-Mar-23	1,253,258
Active total at 31 Dec 22			100.0						9,170,713
ANZ	27-Nov-17	17029213	5.0	15-Jun-23	15-Jun-27	3.7675%		15-Jun-23	189,495
ANZ	27-Nov-17	17029223	6.0	29-Sep-23	29-Jun-27	3.7875%		29-Sep-23	191,109
ANZ	27-Mar-18	17670250	5.0	15-Jun-24	15-Jun-29	3.840%		15-Jun-24	150,111
ANZ	27-Mar-18	17670276	5.0	10-Oct-24	10-Jan-31	3.920%		10-Oct-24	158,215
ANZ	27-Mar-18	17670295	5.0	10-Jun-24	10-Jun-32	3.935%		10-Jun-24	213,013
Westpac	25-Jun-21	9002127	10.0	15-Mar-23	15-Mar-28	1.9400%		15-Mar-23	1,261,179
Westpac	25-Jun-21	9002104	10.0	15-Jun-23	15-Sep-27	1.9325%		15-Jun-23	1,073,315
Westpac	8-Jul-22	9735255	10.0	15-Apr-25	15-Apr-30	3.775%		15-Apr-25	287,521
Westpac	8-Jul-22	9735291	10.0	15-Jan-25	15-Sep-30	3.790%		15-Jan-25	331,332
Forward start total at 31 Dec 22			66.0						3,855,290
								<b>Total value</b>	<b>13,026,003</b>

**Schedule 3 - Risk Exposure Position****Funding & Liquidity Risk Position – proportions of debt within pre-set maturity bands****Funding and liquidity risk timeline****Funding summary**

Bucket (years)	Policy	Actual
0 - 3	15% - 60%	37%
3 - 7	25% - 85%	48%
7 - 15	0% - 60%	15%
<b>Total</b>		<b>100%</b>

**Liquidity Ratio**Policy:  $\geq 110\%$ 

Actual at 31 Dec 2022 122%

**Gross external debt at 31 Dec 2022:**

\$212,128,205

**Undrawn bank facilities at 31 Dec 2022:**

\$43,000,000

**Interest Rate Risk Position – proportions of forecast debt subject to floating versus fixed interest rates within pre-set policy limits****As at 31 Dec 2022****Current fixed rate hedging**

60%

**Total fixed rate instruments**

\$115,000,000

**Weighted average fixed rate of fixed rate instruments**

2.57%

**Weighted average term of fixed rate instruments**

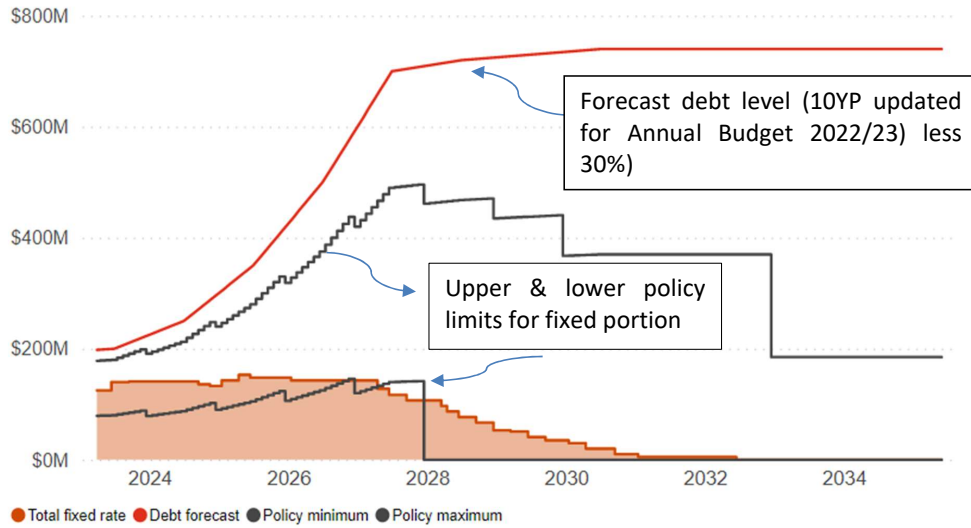
5.2 years

Fixed proportions each year compared with policy – based on 10YP debt forecast – updated via 2022/23 Annual Budget (with 30% haircut)

**Interest rate summary**

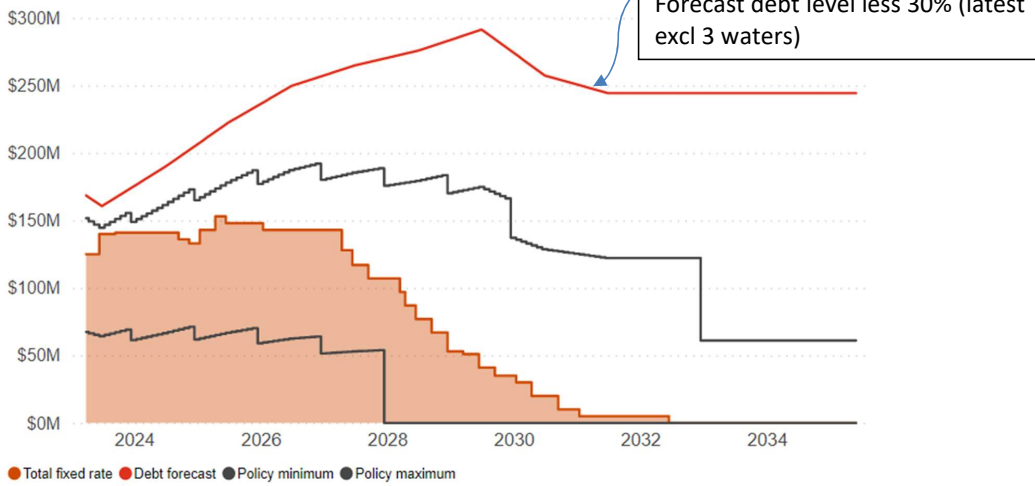
#	Bucket	Min	Max	Actual
1	0 - 12	40%	90%	64%
2	12 - 24	35%	85%	56%
3	24 - 36	30%	80%	42%
4	36 - 48	25%	75%	29%
5	48 - 60	20%	70%	19%
6	60 - 72	0%	65%	12%
7	72 - 84	0%	60%	6%
8	84 - 96	0%	50%	3%
9	96 - 108	0%	50%	1%
10	108 - 120	0%	50%	0%

### Interest rate risk timeline



The shaded portion reflects the fixed portion of the forecast debt based on 10YP (updated as per Annual budget 2022/23) with 30% haircut

### Interest rate risk timeline



The shaded portion reflects the fixed portion of the forecast debt (excluding three waters) based on 10YP (updated as per Annual Budget 2022/23) with 30% haircut

**Schedule 4 – Counterparty credit limits****Counterparty credit limits**

Counterparty	Investments exposure	Investment limit	Derivatives exposure	Derivatives limit	Total exposure	Total limit	Compliant?
Westpac	\$20,000,000	\$15,000,000	\$15,627,598	\$20,000,000	\$35,627,598	\$35,000,000	✗
BNZ	\$0	\$15,000,000	\$1,247,064	\$20,000,000	\$1,247,064	\$35,000,000	✓
ANZ	\$0	\$15,000,000	\$8,747,844	\$20,000,000	\$8,747,844	\$35,000,000	✓

✗ A term deposit of \$20m maturing 17 April 2023 is held to fund debt maturing that day

## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** Speed Management Plan - endorsement of scope and draft objectives and policies

**PRESENTED BY:** Peter Ridge, Senior Policy Analyst

**APPROVED BY:** David Murphy, Chief Planning Officer

### RECOMMENDATION(S) TO COUNCIL

1. That Council confirms the scope of the 2024-2027 Speed Management Plan as shown in paragraph 3.4 of the memorandum titled 'Speed Management Plan – endorsement of scope and draft objectives and policies'.
2. That Council endorse the draft Objectives and Policies (Attachment 1 of this memorandum), to inform the assessment of speed limits in the 2024-2027 Speed Management Plan.

### 1. ISSUE

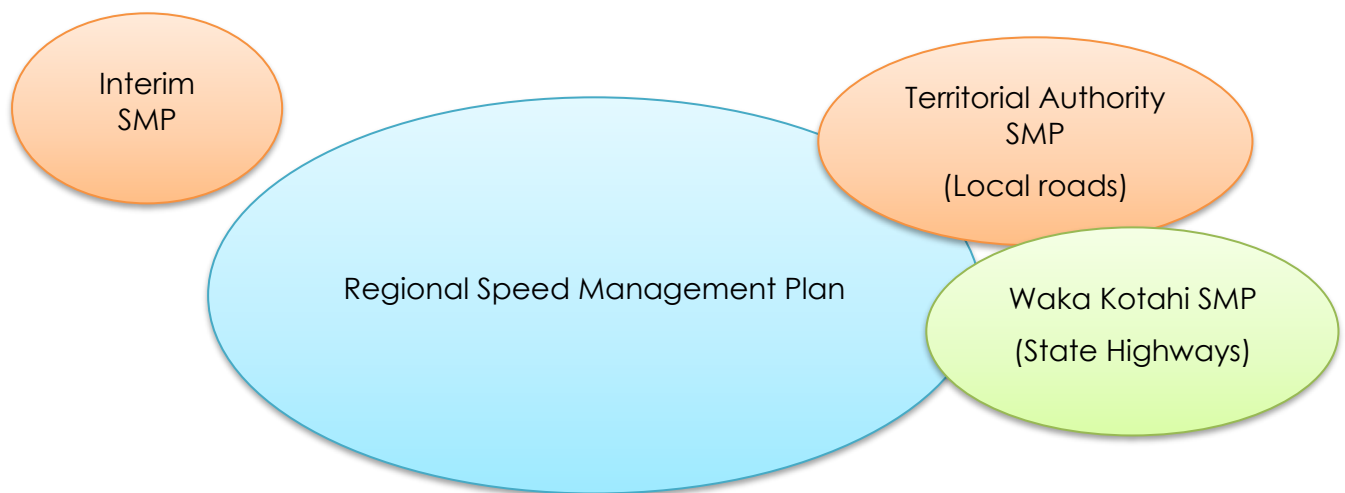
- 1.1 Staff have developed a set of draft objectives and policies to be used in the assessment of speed limits, as part of the first full Speed Management Plan for 2024-2027. These objectives and policies have been informed by the Council's current strategic direction and aligned to both Government and regional strategic documents.
- 1.2 We are seeking confirmation of the scope of work and endorsement of these draft objectives. This endorsement will allow staff to assess speed limits and produce recommendations through the draft Speed Management Plan in line with those objectives and policies.

### 2. BACKGROUND

- 2.1 In May 2022 Waka Kotahi brought the new Speed Limits Rule into effect. This Rule changes the way that speed limits are set. Where previously we set speed limits through a bylaw, we now set speed limits via a speed management plan ('SMP'). The SMP identifies the speed limits that we are planning to change with a 10-year scope, but with a focus on the changes that will be made in the first three years.
- 2.2 The new Rule places emphasis on regional coordination and consistency. The Regional Speed Management Plan ('RSMP'), collated by Horizons

Regional Council, will compile the speed limit changes proposed by each road controlling authority (including local authorities). PN City Council's ('PNCC') contribution to the RSMP will be the information contained in our 2024-2027 Speed Management Plan.

- 2.3 This work sits *alongside* the development of the interim Speed Management Plan, which the Council considered on 15 March 2022 for public consultation. The interim SMP focusses on speed limits around schools. That piece of work is being progressed separately using the interim process set out in the Speed Limits Rule, to meet the Government's target to have 40% of all schools covered by slower speed limits by June 2024.

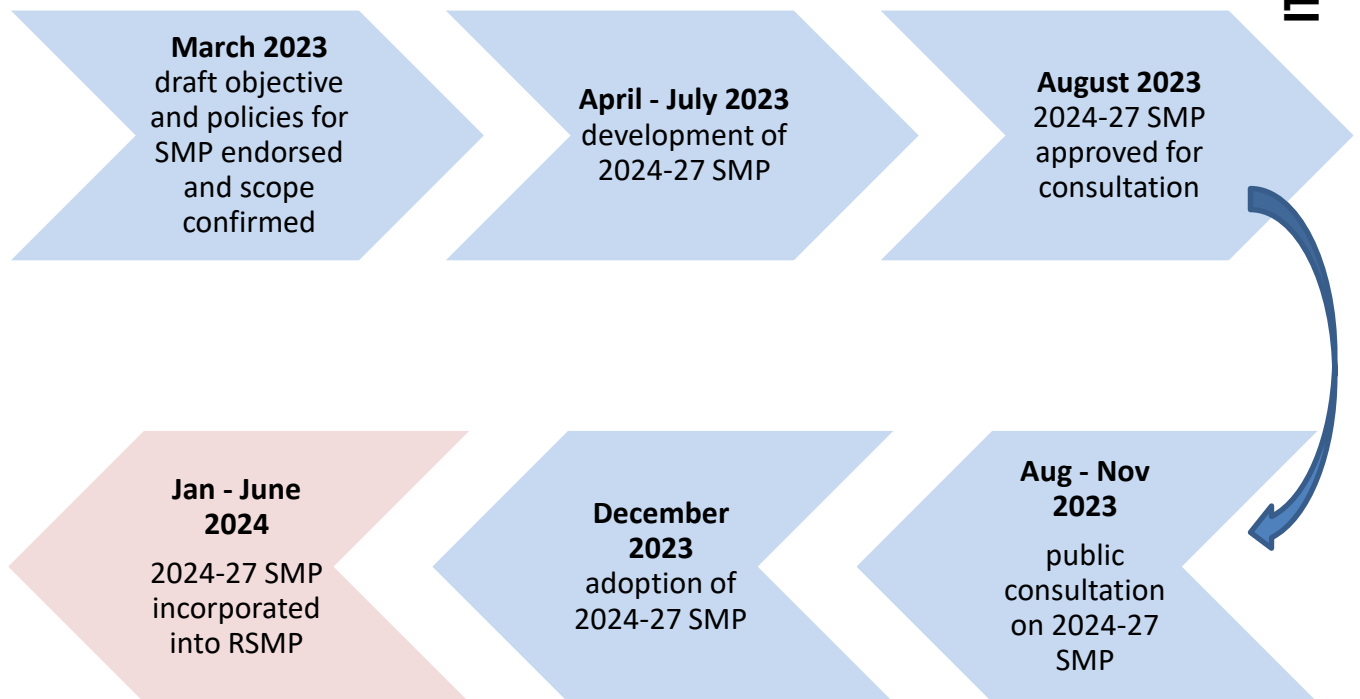


*Figure 1: Illustration showing the relationships between territorial authority SMPs, Waka Kotahi SMP, and the Regional Speed Management Plan. Interim SMPs are a separate process, for changes being made before the first full SMP is adopted in 2024*

### **3. DEVELOPMENT OF THE 2024-2027 SPEED MANAGEMENT PLAN**

- 3.1 The Horizons Regional Council RSMP needs to be adopted by June 2024. To enable this to happen, and to allow time for any changes to be made to road controlling authorities' individual SMPs, we are aiming to have an adopted speed management plan by December 2023. The following timeline outlines the key milestones in the project plan:





### Setting the scope

- 3.2 The first step in the development of the 2024-2027 Speed Management Plan is to set the scope of what is to be included in that plan. While it is a plan with a 10-year vision, the emphasis is on speed limit changes that will be made within the first three years. We are required to adopt a speed management plan every three years, aligned to the timing for the regional land transport programme ('RLTP') and national land transport programme ('NLTP'). Speed limit changes which are not included in detail in the first three years may be considered for subsequent plans from 2027 onwards.
- 3.3 This is the first full speed management plan to be developed since the commencement of the new Speed Limits Rule. Every agency involved in setting speed limits is adjusting to the new process, and PNCC is no different. Therefore, we are proposing a modest range of changes for the first three years, focussing on speed limit changes which are urgently needed, or where there is a clear and straightforward case with ample evidence to support making a change to speed limits. Those situations which involve further research or monitoring, or which may require infrastructural treatments to support a speed limit change, are better deferred to 2027 or later. This will allow staff time to prepare programmes of works or undertake further research or monitoring as part of the ongoing speed management plan process.

### Suggested scope

3.4 The table below outlines the matters which staff recommend including in scope for the 2024-2027 Speed Management Plan, with a brief explanation for their inclusion.

Speed limit area	Reason for inclusion
City and town centres (including Ashhurst and Bunnythorpe)	<p>City and town centres are a priority for speed reduction as they are roads where we want to prioritise people and other active mode users. Lower speeds are likely to improve the safety and connectivity for pedestrians and active modes of transport. They also discourage unnecessary through-traffic, promoting active use of the space, including economic activity such as shopping.</p> <p>Speed reductions in areas such as city centres can also improve congestion – this is because the speeds people are travelling currently are already low (&lt;30km/h) at peak hours and a speed limit that aligns to this low travel speed means there is less speeding up and slowing down of traffic through these congested areas.</p>
Kahuterawa Road	A large section of this road is unsealed but the speed limit remains very high. A lower speed limit will signal to road users that safer speeds are expected on this road. Due to the design and alignment of this road, which is partly unsealed and winding, the current average travel speeds along this road are already between 40-60km/h. A speed reduction here aligns to current behaviour and is unlikely to add significant travel time.
Turitea Road	There are several safety concerns along this route that require greater interventions, including the intersection with Valley Views and one-way bridges. Turitea Road is also part of the Te Araroa trail, frequented by hikers. A lower speed limit would also assist future residential growth in the area.
Summerhill Drive	Summerhill Drive services residential housing on one side as well as being a key cycling connection between Aokautere and the city. Reviewing the speed limit along this route could lead to a speed limit reduction to align with the urban area of the city.
Milson Line	A fatal crash occurred at the intersection of Milson Line and Richardson Line in 2022. Due to a

	constrained environment with Mangaone Stream and narrow road width, significant infrastructure investment is needed to improve the safety of this intersection.
Rongotea/No 1 Line	These locations are proposed to be Intersection Speed Zones ('ISZ'). These speed limits are a form of variable speed limit where a lower speed limit is automatically activated when traffic is present on the intersecting side street. This technology uses sensors to identify when a car is present at the side road or when turning into the side road from the main road, so the limit is only reduced at the intersection when needed. These dynamic speed limits have been trialled and used across the country with promising results at higher risk intersections. They are found to improve safety, without permanently impacting the flow of traffic on the main road. Like variable speed limits, these limits are enforceable and legal when operational.
Turitea Rd/Valley Views	
Te Wanaka Road/Pioneer Highway	<p>An intersection upgrade at Te Wanaka Road is necessary for full development of the Kikiwhenua Residential Growth Area to proceed. Discussions with Waka Kotahi staff in 2020 identified that an ISZ approach could be a suitable option for facilitating growth at Kikiwhenua, similar to what is in place at Newbury Line, until a more permanent speed reduction is established along SH56, when the Kakatangiata growth area is established.</p> <p>See paragraphs 3.5 and 3.6 below for more information about this intersection.</p>
Neighbourhood speed zone	<p>To align with the 10-year vision, there is an intent to reduce speed limits on residential/local streets within neighbourhood areas throughout Palmerston North. Much like the city and town centres, this is to improve safety, liveability and connectivity for those who live in these streets and communities. Main roads within these neighbourhood zones which serve dual purposes (ie. to get commuters and other road users from A to B) would not receive a speed reduction. This is because they have more than one function and efficiency on these roads is important.</p> <p>Acknowledging that speed reductions at this scale are new to Palmerston North, the inclusion of a single neighbourhood speed zone in the 2024-2027 Speed Management Plan would allow an opportunity to test the process, refine the messaging to the community,</p>

	<p>and identify what improvements in road safety might be achieved for other neighbourhoods in the future. It also allows for flexibility due to the smaller scope of impact.</p> <p>The neighbourhood selected will be based on both technical and community factors, with neighbourhoods with clear geographical boundaries and known community desire for speed reduction being prioritised.</p>
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### Te Wanaka Road/Pioneer Highway ISZ

- 3.5 Recent discussions between Council staff and local Waka Kotahi engineering staff suggest that an ISZ may no longer be supported by Waka Kotahi. This uncertainty about when an intersection upgrade at Te Wanaka Road may be possible is an impediment to full utilisation of Kikiwhenua as an important short-term growth option for housing. Unless the intersection upgrade can be enabled, development at Kikiwhenua will be limited to a maximum of 30 lots, out of the 230 for which the plan change provided.
- 3.6 Staff recommend that despite the views of Waka Kotahi, Te Wanaka Road/Pioneer Highway ISZ is still included in scope for the 2024-2027 Speed Management Plan. If it was included, and an ISZ was confirmed, an upgrade for this intersection could be in place as early as the 2024/25 financial year. If the intersection is not included, there is an option to progress this in an interim Speed Management Plan between 2024 and 2027. However, timing for this would be uncertain.

### **Developing objectives and policies**

- 3.7 The second step in the development of the 2024-2027 Speed Management Plan is the identification of objectives and policies. These will guide the technical assessment of speed limits and be used to make proposals for speed limit changes. These proposals will be brought to Council for consideration prior to public consultation.

### Objectives

- 3.8 The Speed Limits Rule requires our Speed Management Plan to include objectives for managing speed over the life of the plan. It must also include an explanation of how the plan is consistent with the road safety aspects of the government policy statement on land transport and any government road safety strategy. To achieve this, we have developed a set of draft objectives that are strategically aligned to the Government's road safety strategy *Road to Zero*. We have also aligned these objectives with Council's own strategic direction as set through the 2021-31 Long Term Plan – specifically the Transport Plan and the Asset Management Plan for Transport. Finally, we have taken into consideration the principles identified by the

Regional Transport Advisory Group (and endorsed by Horizon's Regional Transport Committee in December 2022).

- 3.9 Attachment 1 provides detail of this strategic alignment to show the connections between the goals, objectives and principles of these different agencies, and how they have led to the draft objectives we have developed. The table below summarises the items contained in each document, with the relationship to each other and our draft objectives.

**Table showing relationship of vision, priorities, principles and objectives across Waka Kotahi, Horizons, and PNCC documents**

<b>Agency</b>		<b>Waka Kotahi</b>	<b>Horizons Regional Council</b>	<b>PNCC (for endorsement)</b>
<b>Document</b>		Road to Zero road safety strategy	Draft principles for Regional Speed Management Plan	Draft objectives and policies for 2024-2027 Speed Management Plan
<b>Vision</b>		No one is killed or seriously injured on our roads	A safe transport system putting people, no matter their mode of transport, at its heart.	
<b>Priorities</b>		<ol style="list-style-type: none"> <li>1. Safety – developing a system where no one is killed or seriously injured.</li> <li>2. Better travel options – providing people with better transport options to access social and economic opportunities.</li> <li>3. Improving freight connections – improving freight connections for economic development</li> <li>4. Climate change – developing a low carbon transport system that supports emissions reductions, while improving safety and inclusive access.</li> </ol>	<p>n/a</p>	<p><u>Transport Plan – Purpose</u></p> <p>Provide an integrated multi-modal transport network that connects people and goods with destinations in a safe, efficient and sustainable manner and evolves to meet new transport demands with less reliance on private motor vehicles.</p> <p><u>Transport Plan - Priorities</u></p> <ol style="list-style-type: none"> <li>1. Create an enable opportunities for employment and growth.</li> <li>2. Provide infrastructure to enable growth and a transport system that links people and opportunities.</li> <li>3. Support the development of more housing that meets community needs.</li> <li>4. Support the diversification of the economy to reduce reliance on traditional industries.</li> <li>5. Support an 'innovation economy' to underpin growth into the future.</li> <li>6. Transform the economy to a low carbon economy.</li> </ol>

<b>Principles</b>	<ol style="list-style-type: none"> <li>1. We promote good choices but plan for mistakes</li> <li>2. We design for human vulnerability</li> <li>3. We strengthen all parts of the road transport system</li> <li>4. We have a shared responsibility for improving road safety</li> <li>5. Our actions are grounded in evidence and evaluated</li> <li>6. Our road safety actions support health, wellbeing and <u>liveable</u> places</li> <li>7. We make safety a critical decision-making priority.</li> </ol>	<ol style="list-style-type: none"> <li>1. Keeping us Safe – <u>minimising</u> the risk of fatal and serious injury by setting safe and appropriate speeds.</li> <li>2. Working together – taking a whole of network approach where decisions on safety infrastructure improvements, setting of safe and appropriate speeds and safety cameras are made together.</li> <li>3. Supporting our wellbeing – enabling equitable access to variety of safe and healthy transport options.</li> <li>4. Matching the road and life around it – setting safe and appropriate speeds in accordance with current and future land use.</li> </ol>	
<b>Objectives</b>	n/a	<ol style="list-style-type: none"> <li>1. The transport network is safe for all users</li> <li>2. Speed limits are appropriate and decrease impact speeds</li> <li>3. Speed limits are supported by clear and consistent regulation and communication, community collaboration, <u>infrastructure</u> and monitoring</li> <li>4. Speed Limits provide for a connected regional transport network that is safe, functional, <u>reliable</u> and resilient</li> <li>5. Speed limits are integrated with current/future land use for <u>liveable</u> communities</li> </ol>	<ol style="list-style-type: none"> <li>1. Our road network is designed for all vehicles and uses, not just motor vehicles</li> <li>2. We encourage the right mode for the right road, to reduce the number of high severity crashes due to modal conflict</li> <li>3. We support and enhance <u>liveable</u> communities by aligning speed limits to land use</li> </ol>

- 3.10 The objectives we have proposed are targeted to the key issues identified in the Asset Management Plan for Transport and framed in the context of the broader strategic outcomes at both the regional and national level. For instance, the first objective is “our road network is designed for all vehicles and uses, not just motor vehicles.” This acknowledges the issue identified in our Asset Management Plan, that fewer people are walking, cycling or catching buses, and wide and busy roads create an impediment for pedestrians with lower mobility. The objective contributes to addressing this issue and is consistent with many of the seven principles in the *Road to Zero Strategy*.
- 3.11 The way these objectives have been developed ensures that we are focussing on the issues which are most relevant to Palmerston North but are also aligned to, and consistent with, national and regional direction for road safety. The objectives also provide useful guidance when explaining why we are prioritising changing speed limits in some areas over others.

#### Policies

- 3.12 In addition to our objectives, the Speed Management Plan must include our policies on speed management. In the context of the Speed Management Plan, these ‘policies’ are specific statements to guide our proposals for speed limit changes. The policies are connected to the objectives so that we can show how these policy statements contribute towards achievement of those outcomes.
- 3.13 We have identified policies that are directly relevant to the scope of the work we are proposing to include in the 2024-27 Speed Management Plan. We have also included the policies that guided the work on school speed limits in the interim Speed Management Plan. This is to demonstrate that the setting of speed limits is being done within a consistent framework.
- 3.14 The draft policies are contained in Attachment 1, and are summarised below:
- In the city and town centres, the speed limit will be 30km/h.
  - Speed limits for school zones will be applied to the walking and cycling catchment for that school.
  - We will use variable speed limits for roads around schools where the primary use of that road is for the movement of general traffic or freight.
  - We will use permanent speed limits for roads around schools where the primary use of that road is to access properties in the area.
  - Schools will be designated category 1 (30km/h maximum speed limit) except where there is a high operating speed, limited pedestrian crossing



movements, and/or separate access for dropping off/picking up children.<sup>1</sup>

- Speed limits for individual roads will be set with reference to their place within Palmerston North Strategic Networks.<sup>2</sup>

#### 4. NEXT STEPS

- 4.1 If the Committee wishes to make changes to either the scope or the draft objectives and policies then these can be incorporated via resolution into the recommendations to the Council.
- 4.2 If the Committee recommends that Council confirms the suggested scope and endorses the draft objectives and policies, then staff will proceed to assess the speed limits according to that agreed scope and using the draft objectives and policies to guide our recommendations. A draft 2024-2027 Speed Management Plan consultation document will be presented to the August Committee for approval for public consultation. The consultation process will then follow the timeline as outlined earlier in the report.

#### 5. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>No</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 1: An Innovative and Growing City	
The recommendations contribute to the achievement of action/actions in Transport	
The action is: progressively review speed limits throughout the City on a staged basis	

<sup>1</sup> The Speed Limits Rule divides schools into two categories. Most schools will be category 1, which means that roads around that school should have a speed limit of no more than 30km/h. Roads around category 2 schools should have a speed limit of no more than 60km/h. A school must be specifically designated as category 2, and the SMP must include a statement that explains why a category 2 designation has been applied.

<sup>2</sup> Palmerston North Strategic Networks is a document that has yet to be adopted by the Council, but has been developed based on existing national, regional and local direction, including the PNITI Network Options Report. The intention here is to refer to Strategic Networks for considering the safe and appropriate speed limit on any roads where the other policies do not provide guidance.

Contribution to strategic direction and to social, economic, environmental and cultural well-being	The development of the Speed Management Plan will result in a consistent approach to reviewing speed limits, which will contribute to the improvement of safety on our transport network. Speed is a significant factor in the survivability of both drivers and pedestrians in the event of a collision. Slower speed therefore contributes to improved safety outcomes for our community.
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## ATTACHMENTS

1. Draft Objectives and Policies for PNCC 2024-2027 Speed Management Plan [↓](#) 

## Draft objectives and policies for PNCC 2024-2027 Speed Management Plan

### Introduction

The purpose of this document is to set out the draft objectives and policies that will be used to guide the assessment of speed limits for the 2024-2027 Speed Management Plan.

Included is a summary of the national strategic direction, and the local strategic context. This information is provided to demonstrate how the draft objectives and policies are aligned to both the national and local strategic direction. Also included are the principles and objectives that have been identified by Horizons Regional Council for the Manawātū-Whanganui region. This is to show how the draft objectives and policies proposed for PNCC align to that regional direction.

### Part one – strategic context and alignment

This section sets out the national and local strategic direction, and includes the principles and objectives that have been identified by Horizons Regional Council to guide regional consistency.

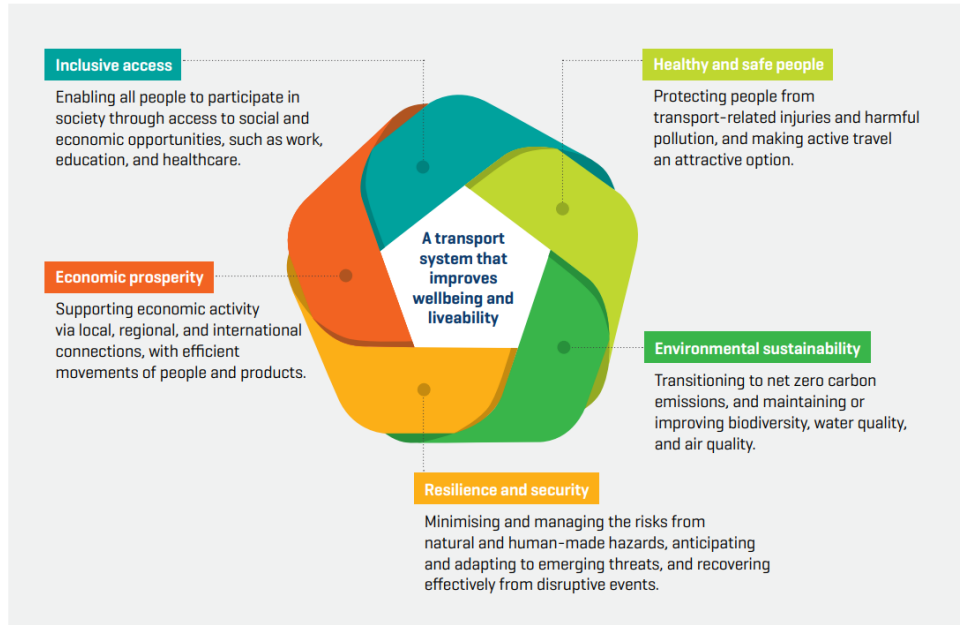
#### **National strategic direction**

The Ministry of Transport publishes the Government Policy Statement (GPS) on Land Transport. For the 10-year period starting 2021, the GPS identifies five key outcomes in its Transport Outcomes Framework. These are:

- Inclusive Access
- Healthy and Safe People
- Economic Prosperity
- Environmental Sustainability
- Resilience and Security.

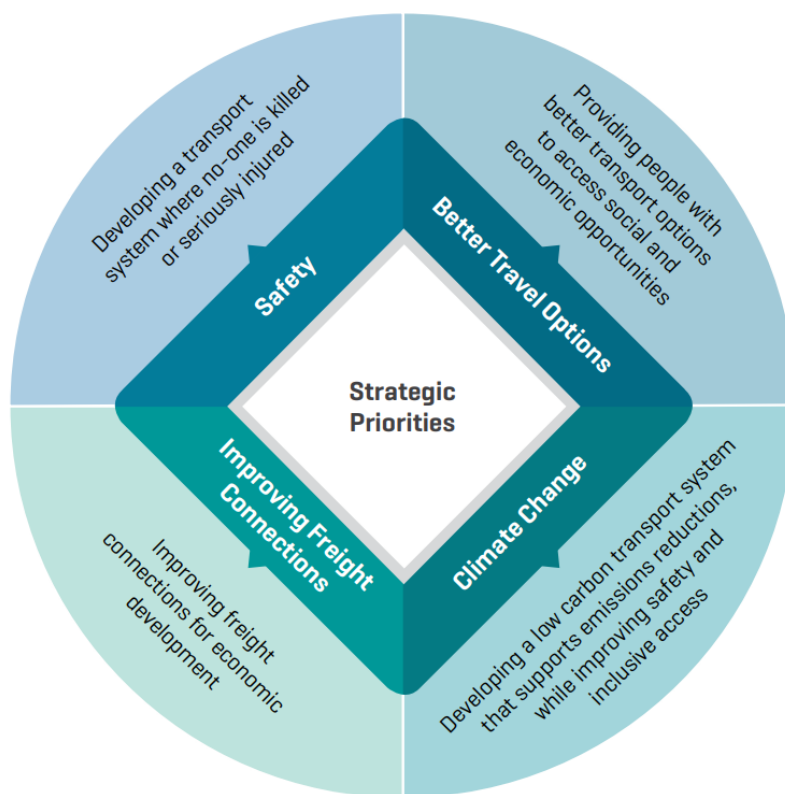
These five outcome areas guide the investment that the Government makes in land transport, with the overall goal of a transport system that improves wellbeing and liveability.

## Transport Outcomes Framework



Underpinning these outcome areas are four strategic priorities:

- Safety: developing a transport system where no-one is killed or seriously injured.
- Better travel options: providing people with better travel options to access social and economic opportunities.
- Improving freight connections: improving freight connections for economic development.
- Climate change: developing a low carbon transport system that supports emissions reductions, while improving safety and inclusive access.



The first of those four strategic priorities has been expanded on through the Government's road safety strategy *Road to Zero 2020-2030*. This strategy includes the vision of a New Zealand where no-one is killed or seriously injured in road crashes.

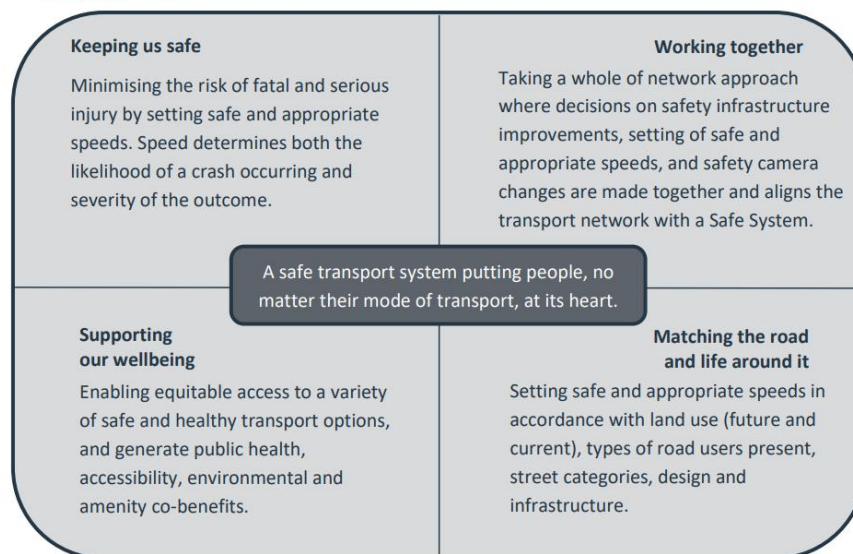
There are seven principles in *Road to Zero*:

- We promote good choices but plan for mistakes
- We design for human vulnerability
- We strengthen all parts of the road transport system
- We have a shared responsibility for improving road safety
- Our actions are grounded in evidence and evaluated
- Our road safety actions support health, wellbeing and liveable places
- We make safety a critical decision-making priority.

#### **Regional principles and objectives**

Horizons Regional Council's Regional Transport Committee (RTC) endorsed a set of guiding principles and objectives. These were developed by officers from local authorities within the Manawātū-Whanganui region. The purpose of these principles and objectives is to promote a consistent approach to speed management. They do not set specific requirements for individual speed limits, but instead encourage each road controlling authority within the region to set speed limits in a consistent manner.

Our guiding principles:



The vision and principles endorsed by the RTC draw connections with the national strategic direction set through the *Road to Zero* road safety strategy. Alignment of our objectives and policies with the regionally-agreed principles provides another way to demonstrate alignment with the national direction set by the Government.

#### PNCC strategic direction

The Council adopts its strategic direction through the 10 Year Plan (10YP). The 2021-24 10YP was driven by the following vision statement: *He it ra, he iti pounamu Small city benefits, big city ambition*. This vision statement is supported by four key strategies:

1. Innovative and Growing City
2. Creative and Liveable City
3. Connected Communities
4. Eco City

Underneath each of these strategies sit a series of plans. With regards to the speed management plan, the most relevant plan is the [Transport Plan](#), under the [Innovative and Growing City Strategy](#).

#### Transport Plan

The highlights from the Transport Plan are:

##### *Purpose*

Provide an integrated multi-modal transport network that connects people and goods with destinations in a safe, efficient and sustainable manner and evolves to meet new transport demands with less reliance on private motor vehicles

#### *Priorities for an Innovative and Growing City*

1. Create and enable opportunities for employment and growth
2. Provide infrastructure to enable growth and a transport system that links people and opportunities
3. Support the development of more housing that meets community needs
4. Support the diversification of the economy to reduce reliance on traditional industries
5. Support an 'innovation economy' to underpin growth into the future
6. Transform the economy to a low carbon economy.

#### *Partnership with Rangitāne*

- Involve Rangitāne o Manawatū early in major strategic transport and active management transport projects
- Support opportunities to provide business and employment opportunities and improved health and social benefits for Māori through transport activities

#### *What we want to achieve*

The following are a selection of the goals that the Transport Plan is seeking to achieve, related to speed management:

- Palmerston North has an integrated transport network with clear priorities for all users based around place and movement principles
- Palmerston North has safe streets with zero deaths or serious injuries
- The urban network supports amenity outcomes, prioritises active and public transport, and directs freight to the Regional Freight Ring Road
- Speed limits and traffic speeds are appropriate for the conditions throughout the transport network
- Street design is responsive to land-use, place and movement
- More people choose modes of transport other than motor vehicles
- New growth areas have well-connected, multi-modal streets.
- The transport network prioritises walking and cycling alongside other transport modes.
- Active transport participation is increased to 15% of all journeys by 2024; to 20% by 2027; and to 30% by 2030.
- Active and public transport are genuine mode choices.
- There are zero deaths and serious injuries from active and public transport.
- Walking and cycling journeys are safe and positive experiences.
- An active transport network provides for community and recreational users.
- People choose transport modes that reduce carbon emissions.
- Space is prioritised within the transport network for active and public transport.
- Traffic speeds are reduced through street design and speed limit bylaws<sup>1</sup> to encourage the use of active and public transport and keep users safe.

#### *Measures of success*

- Less freight traffic using the urban transport network
- Fewer deaths and injuries related to use of the transport network
- Increasing walking and cycling

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<sup>1</sup> At the time of publishing the Transport Plan, speed limits were set via a bylaw.

- Increasing bus passenger numbers and service satisfaction
- Decreasing carbon emissions
- Decreasing reliance on private motor vehicles

#### Transport Asset Management Plan

The Transport Asset Management Plan (Transport AMP) sets out how the Council will manage its transport assets and infrastructure projects over a 50-100 year span. The Transport AMP is based on asset condition data and is guided by the strategic direction, supported by evidence of the key issues affecting the transport activity of Council.

#### *Key issues for transport*

- Our road safety record is getting worse: while the number of crashes has been generally flat over the past 10 years, the harm from those crashes has been increasing.
- Our roads are deteriorating: road surface quality has been falling over the past five years, in part due to the number of heavy vehicles, poor underlying ground conditions, and inadequate levels of investment.
- Fewer people are walking, cycling and catching the bus: wide and busy roads create an impediment for pedestrians with lower mobility; there are no parts of the network where pedestrians, cyclists or buses receive priority over vehicles, despite the adjacent land use.
- Our roads don't support our communities: our network needs to balance movement and place, detune some streets to reduce unnecessary travel, reduce speed environments, and create more liveable local streets.
- The wrong vehicles are travelling on the wrong roads: while our transport network is open and accessible, as traffic volumes increase it will create more issues and conflict, such as heavy vehicles rumbling past schools, cars rat-running to avoid busy intersections, or buses stopped in cycle lanes.
- Transport is our greatest contributor to carbon emissions: more than half of our greenhouse gas emissions come from the transport sector. Reducing the need to travel, and encouraging sustainable modes of travel, will contribute to reducing our carbon footprint.

#### Alignment with national, regional and local direction

There is strong alignment between PNCC's objectives and policies for speed management, and the Government's strategic priorities for land transport and especially road safety. Our objectives and policies recognise the importance of balancing the competing demands for economic development, environmental sustainability, liveable places and inclusive access. Freight and logistics are key economic drivers for our district, but this should not be catered for at the expense of liveable communities and environmental sustainability. This tension is acknowledged in the first objective, for a road network that is designed for all users, not just those in motor vehicles. The other objectives support this by emphasising the right mode for the right road, and supporting liveable communities through aligning speed limits to land use. All these objectives are aligned to the Government's key strategic priorities of safety, better travel options, improving freight connections, and climate change.

PNCC's objectives, and supporting policies, are described in more detail in parts two and three.



### Part two – draft speed management objectives

PNCC proposes the following objectives for speed management over the next 10 years. These objectives can be used to discern the direction that the Council is heading in with regards to its contribution to Road to Zero.

1. Our road network is designed for all vehicles and uses, not just motor vehicles.

While motor vehicles are frequent users of our roading network, it is more than just the sealed carriageway, and more than just motor vehicles make use of our roading network. Our network also includes the footpaths alongside roads, and so pedestrians and users of active modes of transport (such as cyclists, scooters, and mobility scooters) are part of the group that need a roading network designed to cater for all vehicles and uses.

This objective is about ensuring that when we design roads, including setting speed limits, we consider the various types of vehicles that will be using the road, and we also consider the different types of use (and users) that need access to our roading network. By ensuring that our roads are designed for all vehicles and uses, we can improve the safety of the system as a whole.

2. We encourage the right mode for the right road, to reduce the number of high-severity crashes due to modal conflict.

A significant contributor to the number of high-severity injuries is conflict between different modes of traffic. For instance, cycles travelling alongside higher speed heavy vehicles. Where the road design places these different modes of transport in conflict, the potential for severe injuries or even fatalities is much higher.

This objective is about encouraging the right mode of transport for each road. This could include detuning certain routes to discourage heavy vehicles from using that route, and thereby encouraging use by local residents or slower speeds of transport. It could also include providing infrastructure to support slower modes of transport (such as cycle paths) to support that mode of transport in that corridor. Speed limits contribute to this objective, by signalling the type of transport best suited to the road.

3. We support and enhance liveable communities by aligning speed limits to land use.

Roads do not exist for their own benefit, but to support the movement of people and goods. It makes sense therefore that roads are designed to match the primary use of the neighbouring land. Where there is good alignment between the two, roads are safer and land use is more efficient and productive. The One Network Framework reflects this by identifying road types according to a matrix of movement and place.

This objective is about making sure that our communities are liveable communities where the speed limit reflects the surrounding land use. In residential areas, where roads are supporting access to homes, speed limits can be slower to encourage a range of transport modes. In rural or industrial areas, where the emphasis may be towards production of goods, speeds may be higher.

### Part three – draft speed management policies

PNCC proposes the following policies for speed management in this Plan. Speed limits will be set with reference to Waka Kotahi's guiding principles for speed management and the Speed Management Guide. Where alternative speed limits are being considered and are still consistent with the guiding principles and the Speed Management Guide, the following local policies will be applied:

1. In the city and village centres, the speed limit will be 30km/h.
2. Speed limits for school zones will be applied to the walking and cycling catchment for that school.
3. We will use variable speed limits for roads around schools where the primary use of that road is for the movement of general traffic or freight.
4. We will use permanent speed limits for roads around schools where the primary use of that road is to access properties in the area.
5. Schools will be designated category 1 (30km/h maximum speed limit) except where there is a high operating speed, limited pedestrian crossing movements, and/or separate access for dropping off/picking up children.
6. Speed limits for individual roads will be set with reference to their place within the Palmerston North Strategic Networks document

## REPORT

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** Review of the Palmerston North Animals and Bees Bylaw 2018 - s.155 LGA Determination

**PRESENTED BY:** Stacey Solomon, Policy Analyst

**APPROVED BY:** David Murphy, Chief Planning Officer

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### RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE

1. That the Strategy & Finance Committee endorse the findings in 'Palmerston North City Council Animals and Bees Bylaw 2018 Review Section 155 Determination Report' included as Attachment 1 to this report.
2. That the Committee agree that the statutory review of the Palmerston North Animals and Bees Bylaw 2018 is complete, and it be determined that:
  - a. a bylaw is still the most appropriate way of addressing the perceived problem of regulating the specific requirements for the keeping of animals (other than dogs) and bees in Palmerston North, protecting the health and safety of the community.
  - b. a standalone bylaw is still the most appropriate form of bylaw.
  - c. the current bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
3. That Officers, as delegated by the Chief Executive, prepare a further options report for amending the bylaw.

## SUMMARY OF OPTIONS ANALYSIS FOR THE ANIMALS AND BEES BYLAW

<b>Problem or Opportunity</b>	The Palmerston North Animals and Bees Bylaw 2018 is due for its statutory review. If not reviewed, it will expire in July 2025.
<b>OPTION 1:</b>	<b>Determine that a bylaw continues to be the most appropriate way to address the perceived problem of regulating the keeping of animals and bees on private property in Palmerston North, and that amendments to the bylaw be prepared.</b>  <b><i>Option 1 is recommended.</i></b>
Community Views	Initial community views on the review of the Animals and Bees Bylaw have not been sought and are unknown.
Benefits	Enables an ongoing regulatory framework for the animals identified in the bylaw. Making the recommended determination means the existing bylaw can be amended and then prepared for consultation with the public.
Risks	No risks have been identified.
Financial	The cost of reviewing the bylaw is met within existing budgets.
<b>OPTION 2:</b>	<b>Determine that a bylaw is not the most appropriate way to address the perceived problem of regulating the keeping of animals and bees on private property in Palmerston North. Council can choose to actively revoke the current bylaw, by consulting on the matter with the community, or do nothing and let the bylaw lapse on 1 July 2025.</b>  <b><i>Option 2 is not recommended.</i></b>
Community Views	Initial community views on the review of the Animals and Bees Bylaw have not been sought and are unknown.
Benefits	No benefits have been identified.
Risks	Risks have been identified. If the current bylaw is revoked or lapses, there is no direct regulatory ability for Council to respond to the nuisance issues which are covered by the bylaw. Action will still be able to be taken under various statutes and also through the requirements of the District Plan.
Financial	Costs will still be incurred if the bylaw is to be actively revoked or allowed to lapse. If actively revoked, consultation will be required. Whether the bylaw is actively revoked or allowed to lapse, Officer time and legal advice will be needed to consider how the matters previously managed through the bylaw will be controlled going forward.

## RATIONALE FOR THE RECOMMENDATIONS

### 1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 This report provides Palmerston North City Council ('Council') with the information it requires to make the determinations under s.155 of the Local Government Act 2002 ('LGA') to either continue, or to revoke, the Palmerston North Animals and Bees Bylaw 2018 ('the bylaw').
- 1.2 Council is empowered to make bylaws to mitigate nuisance and to protect, promote, and maintain public health and safety (s.145(a), (b) LGA). The Council has chosen to regulate (in part) the keeping of animals and bees on private property in Palmerston North through the bylaw. The bylaw forms part of a wider approach to animal regulation and management in the district.
- 1.3 The LGA requires a statutory review of the bylaw by Council within five years of it being made and adopted (s.160(1)). The bylaw therefore requires review by 1 July 2023 or it will automatically revoke on 1 July 2025. Council completes the statutory review of the bylaw by making the determinations set out in s.155 of the LGA, which are:
  - That a bylaw is the most appropriate way of addressing the perceived problem (s.155(1) LGA); and
  - That it is the most appropriate form of bylaw (s.155(2)(a) LGA); and
  - That the bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 ('NZBORA')(s.155(3) LGA).
- 1.4 For the purposes of this bylaw, the perceived problem/s are related to nuisance issues and health and safety risks caused by the keeping of animals and bees on private properties in the district.
- 1.5 This report should be read in conjunction with Attachment 1, 'Palmerston North City Council Animals and Bees Bylaw 2018 Review Section 155 Determination Report', which provides further detail to inform the recommendations made here.

### 2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

- 2.1 The Council adopted the Animals and Bees Bylaw in 2018, repealing the 2011 bylaw at that time. The stated purpose of the Animals and Bees Bylaw is to *"specify requirements for the keeping of animals, including stock, pigs, cats, poultry and bees, in the Palmerston North district, to protect the general public, neighbours and property owners from general nuisances and to protect, promote and maintain public health and safety related to keeping animals."*
- 2.2 In addition to general nuisance controls, the bylaw includes controls specific to:

- the keeping of stock in urban areas (the definition of stock is given in the bylaw, Attachment 2 to this report).
- cats in urban areas.
- pig keeping and the maintenance of pigsties.
- the keeping of poultry and requirements for poultry houses and runs.
- beekeeping in urban areas.

- 2.3 The bylaw and the associated Administration Manual (Attachment 3) set out the process for obtaining a permit so that an animal can be kept in contravention of the bylaw, with the correct approval from authorised Officers of Council.
- 2.4 The bylaw otherwise takes a permissive approach to regulating the keeping of animals and bees. This approach is generally consistent with the wider bylaw programme of Council, which is primarily enabling rather than restrictive.
- 2.5 The bylaw is informed by s.64(1)(a) of the Health Act 1965 ('HA'). The HA enables Council to make a bylaw for the purposes of "improving, promoting, or protecting public health, and preventing or abating nuisances".
- 2.6 For clarity, in all instances or where there is a discrepancy between this bylaw and the District Plan regarding the keeping of animals or bees, the District Plan prevails.

#### Exclusions

- 2.7 The keeping of dogs is excluded from this bylaw and is covered by the Palmerston North Dog Control Policy 2018 and regulated by the Palmerston North Dog Control Bylaw 2018.

### **3. DESCRIPTION OF OPTIONS**

- 3.1 The options described here are for the Committee to determine if a bylaw is still the most appropriate way to address the perceived problem.
- 3.2 The perceived problem is the keeping of animals and bees on private property in Palmerston North that has the potential to cause nuisance or pose a risk to the health and safety of the community.
- 3.3 The options are to:
- determine that a bylaw is the most appropriate way of addressing the perceived problem; or
  - not to make that determination.
- 3.4 The following section of this report gives further detail on the options.

#### **4. ANALYSIS OF OPTIONS**

##### **Option 1: Determine a bylaw is the most appropriate way of addressing the perceived problem**

- 4.1 If Council determines that a bylaw is the most appropriate way of addressing the perceived problem, there are two further determinations that should be made.
- 4.2 The first is that the form of the bylaw is the most appropriate form. This means that a standalone bylaw to regulate the specific activity is preferred to a section within a combined bylaw that regulates a variety of activities.
- 4.3 The second is whether the bylaw gives rise to any implications under the NZBORA. This means that a bylaw has been assessed against the NZBORA and it is found that the bylaw does not limit the rights of individuals in a way that is unreasonable.
- 4.4 *Option 1 is recommended.*

##### **Option 2: Not make the determination that a bylaw is the most appropriate way of addressing the perceived problem**

- 4.5 If Council determines that a bylaw is not the most appropriate way of addressing the perceived problem, the bylaw is implicitly revoked. Unless a different decision is made by Council at a later time, no further work will be completed on this bylaw and on 1 July 2025 it will lapse. Should Council wish for the bylaw to be revoked on an earlier date than when it will automatically lapse, a consultation process with the community will have to occur (s.156 LGA).
- 4.6 The keeping of animals and bees in Palmerston North will still need to be regulated in some way. Non-bylaw solutions will need to be further explored.
- 4.7 *Option 2 is not recommended.*

#### **5. CONCLUSION**

- 5.1 Officers recommend Council determine a bylaw is the most appropriate way of addressing the perceived problem.
- 5.2 Officers also recommend that Council determines a stand-alone bylaw is the most appropriate form of bylaw, and that a bylaw regulating the keeping of animals and bees is unlikely to give rise to any implications under the NZBORA.
- 5.3 Council may then recommend that Officers proceed with further work to draft an amended bylaw. The amended bylaw will be presented to the Committee for consideration later in the year.

## 6. NEXT ACTIONS

- 6.1 If Council endorses the recommended option and determines that a bylaw is the most appropriate way to address the perceived problem, the statutory review of the bylaw is complete.
- 6.2 The next step of this process will be for Officers to proceed with amending the bylaw.
- 6.3 Changes and improvements to the current bylaw have been identified for consideration in any future amendment. These are:
- Minor changes to ensure the bylaw is consistent with the requirements of the District Plan.
  - Investigation into new or arising issues, as well as ongoing issues relevant to the content and controls of the bylaw (eg.: continued lobbying from local government to establish a national mandate for cat regulation).
  - Further consideration of the impact the proposed medium density residential zone could have on the bylaw related to administration and enforcement of the bylaw.
  - Ensuring the bylaw continues to be closely aligned to the vision and strategic goals of Council.
  - Minor wording and structure changes to improve readability of the bylaw.

## 7. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

- 7.1 Pre-consultation engagement will occur with Council's partners, identified stakeholders, interested parties, and the community generally to capture views and note any issues with the current bylaw. Feedback received during early engagement may be used to inform amendments to a draft bylaw. That draft will be presented to the Committee to approve for consultation using the special consultative procedure (s.83, s.86, s.156 LGA) later this year.




## COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>



Are the recommendations inconsistent with any of Council's policies or plans?		<b>No</b>
The recommendations contribute to Goal 3: A Connected and Safe Community		
The recommendations contribute to the achievement of action/actions in Safe Communities		
The action is:		
<ul style="list-style-type: none"> <li>• Provide regulatory services, including implementing the Animal and Bees Bylaw.</li> <li>• Review the Animals and Bees Bylaw.</li> </ul>		
Contribution to strategic direction and to social, economic, environmental and cultural well-being	<p>The Animals and Bees Bylaw ensures that Council can have a pragmatic and agile response to nuisance issues or health and safety concerns in Palmerston North related to the keeping of animals and bees.</p> <p>The bylaw supports the efforts of the Council to achieve its strategic goals, particularly those related to achieving safer communities, and connected communities.</p>	

## ATTACHMENTS

1. Palmerston North City Council Animals and Bees Bylaw 2018 Review - Section 155 Determination Report [↓](#) 
2. Palmerston North Animals and Bees Bylaw 2018 [↓](#) 
3. Palmerston North Animals and Bees Bylaw 2018 Administration Manual [↓](#) 



**Palmerston North City Council  
Animals and Bees Bylaw 2018 Review**

**Section 155 Determination Report**





## Executive Summary

This report describes the perceived problem of regulating the keeping of animals and bees on private property in Palmerston North to prevent nuisance and protect public health and safety.

Identified and analysed in this report are the reasonably practicable options or methods available to the Council for addressing the perceived problem. The report concludes that a bylaw solution continues to be the most appropriate method. Further concluded is that a standalone bylaw is the most appropriate form of bylaw, and that the rights and freedoms affirmed by the New Zealand Bill of Rights Act 1990 are unlikely to be unreasonably limited by such a bylaw.

This document should be read in conjunction with the officer report titled "*Review of the Palmerston North Animals and Bees Bylaw – s.155 Determination*" presented to the March 2023 Strategy and Finance Committee of the Palmerston North City Council.

Full copies of the Bylaw and the Administration Manual to the Bylaw are available on the Council Website.



## 1. Purpose of the Report

This report provides Elected Members with information and advice about the regulating of animals and bees on private properties in Palmerston North in relation to the statutory requirement under s.155 of the Local Government Act for the Council to review the [Palmerston North Animals and Bees Bylaw 2018](#).

Information in this report will inform the Council's determination on whether a bylaw continues to be the most appropriate way of addressing the perceived problem of regulating the keeping of animals and bees on private property in Palmerston North, to prevent nuisance and protect public health and safety.

The perceived problem is described in detail in section 4 of this report, and the reasonably practicable options available to Council are described in section 5 of this report.

## 2. The Current Animal and Bees Bylaw

The stated purpose of the Bylaw is:

*...to specify requirements for the keeping of animals, including stock, pigs, cats, poultry and bees, in the Palmerston North district, to protect the general public, neighbours and property owners from general nuisances and to protect, promote and maintain public health and safety related to keeping animals.*

The Bylaw establishes a series of controls which are generally applicable to all animals, and further sets out specific controls for animals that have been identified as having greater potential to create nuisance, or to become injurious to public health or safety. The controls, general and specific, are summarised below.

### General Controls

The general controls of the Bylaw are that no person may keep an animal in such a way that it is likely to cause nuisance or become injurious to the health and safety of the community. Should nuisance occur, an Authorised Officer may issue notice for corrective action to be taken by the person keeping the animal to remedy the nuisance issue.

### Specific Controls – Stock

Stock (as defined in the Bylaw) are permitted to be kept in the urban area provided that they are prevented from causing nuisance or damage to property of adjoining premises, manure and effluent is properly disposed of before it creates nuisance, and the environment and manner in which the animal is kept is appropriate to the particular species.

### Specific Controls – Cats

The Bylaw regulates the keeping of owned (domestic) cats on private property in the urban area. The number of permitted cats per dwelling in the urban area is three (unless the animal is a kitten below the age of three months). A person can apply for a permit to keep a number greater than this.

The Bylaw also requires that cats over six months of age be microchipped, desexed (unless the cat is kept for breeding purposes and registered with a nationally recognised cat breeders association), and be registered with the New Zealand Companion Animals Register.

The Bylaw does not regulate feral cats, or any cats which are kept outside of the urban area.

#### **Specific Control – Pigs**

The keeping of pigs and the potential pollution effects of their keeping on the immediate surrounding environment are regulated through the Bylaw. This is achieved through detailed requirements for construction of feed and water troughs for pigs, the material and construction requirements of pigsties, and the requirement for timely disposal of waste or effluent from premises where pigs are kept.

The District Plan (DP) includes requirements related to pigs and their keeping. The Bylaw does not permit pigs to be kept in urban areas. Pigs are permitted in rural zoned areas so long as their keeping is in accordance with the District Plan.

#### **Specific Controls – Poultry**

Poultry (as defined in the Bylaw) are permitted to be kept in the urban area.

The Bylaw requires that poultry be adequately housed in a poultry house which is located no closer than 2 metres to any boundary or dwelling, and that the poultry house is kept clean and free of vermin. Poultry may otherwise be kept without a poultry house so long as they can be confined to a property, and that property has a solid boundary fence. The Bylaw does not specify a limit to the number of poultry which may be kept.

Roosters are not permitted in the urban area. Roosters are permitted in the village areas of Ashhurst, Bunnythorpe, Longburn, and Linton.

#### **Specific Controls – Bee Keeping**

The Bylaw permits bee keeping in urban areas, provided the property where the bees are kept is a minimum size of 500m<sup>2</sup>, the hive/s can be located at least 1m from boundary fences, those fences are solid and are 1.6m or taller in height, and that the apiary or beekeeper is registered with the Ministry of Primary Industries (MPI), as required under the Biosecurity Act 1993.

#### **Permits**

The Bylaw allows, by permitted exception, for animals and bees to be kept in contravention of the Bylaw if an Authorised Officer is satisfied that granting such a permit would not create nuisance or be injurious to the health and safety of any person in the community. A permit issued may include any reasonably necessary conditions required to ensure the overall objectives of the Bylaw are still being met. A permit may be issued for one of the following activities controlled by the Bylaw:

- Keeping more than three cats on private land in the urban area.
- Keeping more beehives than is authorised in the Bylaw.



- Any other activity that contravenes a control in the Bylaw.

A permit may be cancelled following repeated reasonable or justified complaints from different properties, or if the conditions of the permit are breached.

The forms and information required from applicants seeking a permit under this Bylaw can be found in the [Administration Manual](#) to the Bylaw.

#### **Definition of nuisance**

Nuisance is defined in the Bylaw as meaning:

*without limiting the meaning of the term "nuisance", any unreasonable interference with the peace, comfort or convenience of another person, whether by way of excessive noise or offensive odours, and includes a nuisance as defined in section 29 of the Health Act 1956.*

#### **Exclusions - Dogs**

The current bylaw does not provide for the regulation of dogs in Palmerston North. The [Palmerston North Dog Control Policy 2018](#) and the [Palmerston North Dog Control Bylaw 2018](#) provide the regulatory mechanisms required for this, established through the [Dog Control Act 1996](#).

### **3. The Legislation**

There are primarily three acts of legislation the Council considers for the review of the Animals and Bees Bylaw.

#### **Local Government Act 2002 (LGA)**

Before making a bylaw, s. 155 of the LGA requires the Council determine whether a bylaw is the most appropriate way of addressing a perceived problem. Council fulfils the requirements of the legislation by:

- Clearly identifying and defining the perceived problem.
- Clearly identifying the practicable options for addressing the perceived problem (including non-bylaw options).
- Assessing the options which have been identified.
- Formally determining (by resolution) that after consideration of the options, a bylaw is the most appropriate way of addressing the perceived problem.

When Council makes the determination on whether a bylaw the most appropriate is appropriate to address the perceived problem, it is determining that a bylaw is the most appropriate way of addressing the perceived problem.

If the Council does not believe or cannot clearly determine that a bylaw is the most appropriate way of addressing the perceived problem, it should not make the determination to create or continue a bylaw.

#### [The Health Act 1956 \(HA\)](#)

The HA enables the Council to make a bylaw (to apply generally throughout the district or within any specified part or parts thereof (s.65(f)) for the purposes of:

- improving, promoting, or protecting public health, and preventing or abating nuisance (s.64(1)(a)).
- regulating the situation of stables, cow sheds, and piggeries (s.64(1)(i)).
- regulating, licensing, or prohibiting the keeping of animals in the district or in any part thereof (s.64(1)(m)).
- for preventing the outbreak or spread of disease by the agency of flies, mosquitoes, or other insects, or of rats, mice, or other vermin (s.64(1)(u)).
- Generally, for the more effectual carrying out of any of the provisions of this Act relating to the powers and duties of local authorities (s.64(1)(y)).

The definition of "nuisance", which the Bylaw refers to, includes "nuisance" as defined in [s.29 of the HA](#).

#### [The New Zealand Bill of Rights Act 1990 \(NZBORA\)](#)

Section 155(2) of the LGA requires that the Council determine whether a bylaw gives rise to any implications under the NZBORA. The Council must have regard to the NZBORA and understand the reasonable limitations it is giving effect to when it makes its determinations related to the creating, continuing, or amending of any bylaw it chooses to have.

Further information on the NZBORA is included in section 8 of this report.

## 4. The Perceived Problem/s

There are several accepted benefits that a person and communities experience from keeping animals. Companionship to support a person's spiritual or emotional or psychological needs, overall physical health improvements, as well as increased environmental awareness benefits such as organic or food waste disposal, greater understanding of where food comes from, how it is grown, the efforts that go in to feeding a community, and a greater self-sufficiency are certainly beneficial to individuals and the community at large. Likewise, keeping bees makes positive contributions to the environment locally and throughout the region through pollination of agricultural plants and food supply crops.

However this activity can create a number of nuisance concerns or health and safety issues.

Noting that the current Bylaw is focused on the keeping of animals in primarily urban and residential areas, the changing nature of our urban and residential area toward medium density housing is to be considered carefully as the way our community lives together

evolves. More animals being kept in spaces that people are going to be occupying in increasing density will have a direct impact on nuisance issues and public health and safety concerns. Adding to this, growing interest in food security or sustainability, and the rapidly increasing cost of living, may see a greater number of people opting to keep animals to produce food or to otherwise supplement their lifestyles.

Particular to the urban and residential areas, the keeping of stock or "livestock", pigs, poultry, cats, and bees can have the greatest nuisance creating potential. This nuisance creating potential is acknowledged in the current Bylaw with specific controls having been established to mitigate and correct the perceived problem. Where people live more closely together, the possibility of nuisance to be caused by noise from animals, odour from manure or droppings and animal foods, animals wandering from properties onto footpaths or creating dangerous driving situations by being on roads, possible damage to property or harm to people, or the level of vermin and flies, is likely to increase.

Acknowledging these problems, and balancing these against the well understood benefits, the current Bylaw is primarily permissive towards keeping animals and bees, though it does establish a number of limits or requirements related to their keeping, primarily in our residential and urban areas (summarised in section 2 of this report).

### **Conclusion**

The perceived problem is clearly identified and defined. The perceived problem is: the way that animals and bees are kept on private properties in urban or residential areas has the potential to cause nuisance or to create a risk to the health and safety of the public. These issues are likely to become more prominent if Palmerston North moves towards a medium density residential zone, as is currently being proposed through the DP.

## **5. Option Analysis**

S.155 of the LGA requires the Council to determine whether a bylaw is the most appropriate way of addressing the perceived problem. To make this determination, Council should consider all the reasonably practicable options that are available to them.

In addition to the option of a bylaw, two reasonably practicable alternative options to regulate the keeping of animals (other than dogs) and bees are available: reliance on existing legislation and other regulatory instruments, and non-regulatory public education. The option for the Council to do nothing has been considered and subsequently discounted.

### **Option 1: Continue to implement a Bylaw approach.**

The LGA empowers the Council to make a Bylaw to protect the public from nuisance, to protect, promote and maintain public health and safety, and to minimise the potential for offensive behaviour in public places (s.145).

Council determined previously that a Bylaw approach to addressing the perceived problem is the most appropriate way to do this. Making these prior determinations, Council developed and adopted the 2011 Animals and Bees Bylaw, which was revoked when the current 2018 Animals and Bees Bylaw was then developed and adopted.

The Bylaw in its current form is reasonably permissive (rather than restrictive) and has demonstrated a good ability to achieve an effective balance that allows animals and bees to be kept in suitable environments while still protecting the community from nuisance or harm. This is primarily a result of the Bylaw providing a broad definition of nuisance and allowing Authorised Officers to consider on a case-by-case basis possible remedies and regulatory responses to nuisance as it arises. Further, because the Bylaw allows for permitted keeping of animals or bees in contravention of stated requirements, there is the possibility for good owners to keep animals where they might otherwise not be allowed under the bylaw, provided that nuisance and health and safety concerns are avoided.

Implementation of a bylaw in future is likely to be successful given the familiarity the Council and community have with it, the requirements it contains, and with how it fits within the wider bylaw programme of Council. The Council may also choose to supplement the bylaw and support it with other legislative instruments and an educative element for the community.

This approach is a reasonably practicable option for the Council, having previously proven effective in addressing the perceived problem in Palmerston North.

#### **Option 2: Rely on existing legislation and other regulatory instruments**

Council has the option to rely on existing legislation and other regulatory instruments which are available to it, creating a comprehensive framework of those instruments to address the perceived problem. This option means that the Council does not continue to have a bylaw. Instead, a combination of various legislative instruments, as well as other planning and regulatory documents, are identified and implemented as required. The main benefit of this is that it means Council does not duplicate regulation already available by creating a bylaw. The most applicable of these alternative regulatory instruments are noted below.

#### **Private Prosecution**

In instances where neighbouring properties are experiencing specific nuisance related issues, legal action is available, should individuals wish to pursue corrective action in this way.

#### **[The Biosecurity Act 1993 \(BSA\)](#)**

Particular to the controls set out in this Bylaw for bees, the BSA establishes the national regime for managing American Foulbrood. American Foulbrood is a bacterial disease which affects honey bee larva, and can result in the necessary destruction of bees and hives where the disease is found. All hives and apiaries in New Zealand are required to be registered under the [Biosecurity \(National American Foulbrood Pest Management Plan\) Order 1998](#) (The Order). The Order creates the National American Foulbrood Pest Management Plan, the implementation of which is the responsibility of Apiculture New Zealand Incorporated as delegated by the Ministry of primary Industries (MPI).

The Council is otherwise not responsible for collecting administrative information for apiaries or hives, the registration of hives or apiaries, the ongoing inspection or monitoring of the health or location of those hives or apiaries against that registration, or the destruction and disposal of bees and materials where American Foulbrood is found. This is because the Council does not have the same mandate to protect biosecurity as a regional council or a central government.

#### **[Animal Welfare Act 1999 \(AWA\)](#)**

The purpose of the AWA is to ensure that owners of animals and persons in charge of animals attend properly to the welfare of those animals. It requires reasonable steps be taken to ensure the wellbeing of an animal, and that physical, behavioural, and health needs are met. The AWA obliges owners to alleviate any pain or distress in ill or injured animals.

For the purposes of this report, the AWA explains and prioritises the welfare needs of the animal, where the Bylaw regulates and mitigates nuisance issues and keeping animals and bees in a way that could become injurious to public health and safety.

To this end, the responsibility to ensure the welfare needs of animals in the city does not primarily sit with the Council, nor is it the primary purpose of the Councils regulatory approach. Rather, a number of other organisations such as the SPCA and MPI (or those who have been delegated authority) have this oversight. The opportunity for Council to ensure the welfare of animals within the district is by establishing rules through policies and other regulatory instruments that require animals be kept in places suited to their species, and by regulating their keeping in places not suited to their species. Good ownership practice may be encouraged in this way.

#### [The District Plan \(DP\)](#)

The DP is the primary document that manages land use and development within Palmerston North. It has a significant influence on the way that the community operates day-to-day. The DP helps to achieve a basic compatibility between activities in the district and the outcomes or effects of those activities on the community. The DP has a number of rules which are important in the application of this Bylaw, in particular those rules which establish categories of activity that are permitted, controlled, restricted discretionary, discretionary, non-compliant, and prohibited.

The keeping of animals and bees in specific areas around Palmerston North is provided for in the DP. For example, in the rural zone provision is made for keeping animals such as pigs, stock, and poultry as this is an expected and accepted activity for that environment. In urban areas, the DP does not provide controls specific to this zone for the keeping of animals or bees outside of those related commercial activities (such as a cattery or breeding business). The appropriate amenity levels for each zone is in this way maintained and protected.

The DP is a complex document. Using it to manage nuisance activities related to animals in addition to its managing of environmental effects from use of land could become unwieldy for officers and confusing for the community. Noting though, that in all instances where there is a discrepancy or inconsistency between the current Bylaw and the DP, the DP prevails.

#### [Horizons Regional Council Regional Pest Management Plan 2017-2037 \(RPMP\)](#)

The RPMP, administered by Horizons Regional Council ('Horizons'), is a joint effort between the councils in the region to manage the effects of pests on economic and environmental values. These efforts are supported by provisions in the BSA.

Regional Councils are legally mandated to regulate biodiversity and to control population of nuisance or pest species. With reference to the perceived problem identified here, the RPMP should be considered when regulatory controls are proposed to be implemented for animals

that are or could be considered pests – such as feral cats (which are classified as non-statutory problem animals).

This approach is a reasonably practicable option for the Council to address the perceived problem. A number of additional considerations are noted, meaning it is not the most reasonably practicable option available.

### **Option 3: Non-regulatory public education**

This approach involves the Council proactively providing good animal ownership information to the community as part of an ongoing educative initiative. The successful implementation of non-regulatory public education would rely on high levels of voluntary uptake from the community, as well as the Council partnering closely with organisations such as the SPCA to achieve the desired or stated good outcomes. The District Plan would still establish the rules for land use and activity management in Palmerston North with this option.

A non-regulatory public education approach could include the Council establishing a suite of information for animal owners to reference regarding good animal ownership for the various species of animals across the city, providing simplified material on welfare codes and responsibilities for animal owners, education on preventing potential nuisance or health and safety concerns from occurring, and supporting groups in the community who currently work in this space, or could work in this space.

Risks are identified in this approach. The non-regulatory public education approach is unlikely to be effective as a stand-alone solution for the perceived problem. An educative process without a supporting regulatory scheme (like a Bylaw) requires significant social mandate and social uptake. Voluntary compliance across the whole of the community is essential for this option to have the same effectiveness as a Bylaw to mitigate the risk of nuisance or threats to public health and safety. In the first instance, the educative approach is proactive and preventative. In comparison, a bylaw, while primarily preventative in nature, does have a reactive/corrective and enforcement element. The enforcement potential of a bylaw can signal to the community the importance of the responsibility's animal owners or beekeepers have to ensure they are conducting their activities in an appropriate manner. Being able to give notice or direction, which can be established through a bylaw, for non-compliance or nuisance issues, is an important and effective way to maintain public health and safety.

Further, there are additional resource requirements that are attached to the educative option, primarily noted in officer time.

This approach is a reasonably practicable option for the Council to address the perceived problem. A number of additional considerations are noted with this approach, meaning it is not the most reasonably practicable option available.

### **Comparative Analysis of the Options**

Option	Advantage	Disadvantage	Recommended option
1 – Bylaw	Concise, easily customised to the community, familiar to the community, currently effective. Enables the Council to meet its obligations under the LGA	Perception of this bylaw being additional regulation given that there	Yes

	and the HA, and to achieve its strategic goals.	are noted alternative options available.  Ongoing enforcement costs.	
<b>2 – Use Existing Legislation</b>	Reduces duplication of regulatory mechanisms which are already available to the Council, or to other appropriate authorities.	Creating a regulatory scheme based on several acts of legislation and other regulatory documents is highly complex, for officers that have to implement it (where possible), and for the community who are regulated by it.	No
<b>3 - Education</b>	Empowering for the community, likely to achieve long-term and ongoing benefits.	Requires a significant level of voluntary compliance from the community.  Resource intensive, and unable to be implemented as a standalone solution.	No

## 6. Recommended Option

The analysis concludes that a bylaw (Option 1) is the most appropriate way of addressing the perceived problem. In addition to the general bylaw making powers of the Council given in the LGA, the Health Act further enables the Council to make a bylaw for the purposes of improving, promoting, or protecting public health, and preventing or abating nuisance (s.64(1)(a)). The Bylaw option gives Council the opportunity to create a regulatory document specific to the communities and the needs of Palmerston North. Council, through a bylaw, can stipulate the terms and conditions, the requirements, the inclusions or exclusions, and the exceptions it believes are appropriate for the keeping of animals and bees throughout the city.

## 7. The Form of Bylaw

Section 155(2) of the LGA requires the Council determine whether the bylaw is the most appropriate form of bylaw. There are principally two forms of bylaw. While it is possible to have a mixture of forms, most Councils opt for one or the other:

- Stand-alone form of bylaw: exists independently of other bylaws and relates to a single activity.
- Combined form of bylaw: brings together a range of subjects and issues as a series of chapters within a single document.

### Stand-alone Bylaw

Palmerston North currently has a bylaw programme where all bylaws are stand-alone. There are advantages to this approach.

The advantage of the stand-alone approach is that it enables the subjects to be treated in greater detail and with more clarity than might otherwise be given if all bylaw controls were combined into a single document. This also allows for a staggered review programme to be

developed. Both points mentioned may also benefit the community during engagement consultation processes. Where a combined bylaw would put many issues to the community during engagement and consultation, a stand-alone bylaw invites the community to consider only one salient issue at a time.

### **Combined Bylaw**

A combined bylaw consolidates several largely unrelated activities into one regulatory document. The document may include separate chapters for diverse matters that a Council wishes to regulate such as cemeteries and crematoria, waters issues, use of public space, and animal management. An example of a consolidated bylaw is the Wellington Consolidated Bylaw 2008 which covers matters including animals, fire and smoke nuisance, alcohol control, speed limits, water services, and waste management.

The advantage of a combined bylaw approach is that there is only one document that is referred to. This in turn ensures consistency in definitions and administration of bylaw matters.

Disadvantages are that such a substantial document may prove difficult to navigate if a very specific issue has been raised. Further, reviewing and amending the bylaw would be highly complex. For example, if the Council wished to combine its bylaws, then whenever the Council had to complete the statutory five year review and then review the bylaw every 10 years following, every bylaw Council had would effectively be brought under review at the same time. A review of that nature would be a significant undertaking.

### **Conclusion**

This report finds that for matters in the Animals and Bees Bylaw and with consideration of the wider bylaw programme of the Council, a standalone bylaw is the most appropriate form of bylaw.

## **8. New Zealand Bill of Rights 1990**

The NZBORA sets out and affirms specific rights and freedoms for all natural persons. It applies to acts done "by any person or body in the performance of any public function, power, or duty conferred or imposed on that person or body by or pursuant to law" (s.3(b)).

NZBORA states that the rights and freedoms covered in the Act "may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society". The Council scrutinises this requirement of the NZBORA when it determines whether the bylaw gives rise to any implications under the Act. Most relevant in the context of the decision making of Council related to bylaws are the general principles of justice covered under s.27 of the NZBORA, which protect:

- Natural justice: Council must comply with the principles of natural justice when making decisions about rights, obligations or interest that are protected or recognised by the law.
- Right to a court review: If legal rights, obligations or interests have been affected by a decision of Council, there is the ability to apply to the High Court for a "judicial review".



**Conclusion**

After a preliminary assessment of the Bylaw and whether it gives rise to any implications under the NZBORA, this report finds that the bylaw does not raise concern. Should the Council recommend that amendments be made in future to the current Bylaw, another assessment of those amendments against the NZBORA would be required.

## Conclusions

This report provides information for Elected Members to consider when making the following determinations as part of the review process for the Animals and Bees Bylaw.

**Determine that a bylaw is still the most appropriate way of addressing the perceived problem.**

This report concludes that a bylaw is still the most appropriate way of addressing the perceived problem of regulating the keeping of animals and bees on private properties in Palmerston North to prevent nuisance and protect public health and safety. Other options discussed, such as public education or reliance on alternative statutes or regulatory mechanisms are available and useful, but are not preferred to, or are more appropriate than, a bylaw.

**Determine that a standalone bylaw is still the most appropriate form of bylaw.**

The form of bylaw is the choice between a standalone bylaw and a combined bylaw. This report recommends that a standalone bylaw is the most appropriate form of bylaw. Previous decisions of the Council separated the regulating of dogs from that of other animals kept domestically to ensure a clear delineation between the different legislation which governs the regulation and management of dogs. This continues to be a correct approach to the form of this Bylaw.

**Determine that the Bylaw does not give rise to any implications under the NZBORA.**

This report concludes that the Bylaw does not give rise to any implications under the NZBORA. It is not envisaged that an amended version of the Bylaw would give rise to any implications under the NZBORA. A full assessment and legal opinion will be obtained should amendments be made to the Bylaw for the Council to consider in future







**PALMERSTON NORTH CITY**

## **PALMERSTON NORTH ANIMALS AND BEES BYLAW 2018**

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# PALMERSTON NORTH ANIMALS AND BEES BYLAW 2018

## PART 1 INTRODUCTION

### 1. TITLE

- 1.1 The title of this bylaw is the Palmerston North Animals and Bees Bylaw 2018.

### 2. PURPOSE

- 2.1 This Palmerston North Animals and Bees Bylaw 2018 (the Bylaw) is made pursuant to the Local Government Act 2002 and the Health Act 1956.
- 2.2 The purpose of this Bylaw is to specify requirements for the keeping of animals, including stock, pigs, cats, poultry and bees, in the Palmerston North district, to protect the general public, neighbours and property owners from general nuisances and to protect, promote and maintain public health and safety related to keeping animals.

### 3. COMMENCEMENT

- 3.1 This Bylaw comes into force on 1 July 2018

### 4. REPEAL

- 4.1 The Palmerston North Animals and Bees Bylaw 2011 is repealed with effect from midnight 1 July 2018.

### 5. INTERPRETATION

<b>Animal</b>	Means any poultry (as defined), stock (as defined), cat, or pig; but does not include dogs or any such animal that is living in a wild state, or any other animal not referred to in this definition notwithstanding that it may be living in a domestic state.
<b>Authorised Officer</b>	Means a person appointed by the Council and given powers to perform duties and functions under this Bylaw.

<b>Bee Keeper</b>	Means a person who is keeping bees or owns hives.
<b>Council</b>	Means the Palmerston North City Council and includes any person authorised to act on its behalf.
<b>District</b>	Means the area within the territorial boundary of the Palmerston North City Council.
<b>District Plan</b>	Means the operative Palmerston North City District Plan.
<b>Dwelling House</b>	Means a house that a person lives in.
<b>Keep or Keeping</b>	Means owning, looking after, being in charge of, a custodian, or in possession of any animal.
<b>Keeper</b>	Means a person who is keeping an animal.
<b>Nuisance</b>	Means, without limiting the meaning of the term “nuisance”, any unreasonable interference with the peace, comfort or convenience of another person, whether by way of excessive noise or offensive odours, and includes a nuisance as defined in section 29 of the Health Act 1956.
<b>Palmerston North Villages</b>	Means the urban areas of Ashhurst, Longburn, Linton and Bunnythorpe.
<b>Poultry</b>	Means peacocks, doves, pheasants, swans, hens, roosters, geese, ducks, pigeons, turkeys, quails and any other bird that the Council by resolution from time to time declares to be poultry for the purposes of this Bylaw.
<b>Stock</b>	Means alpacas, cattle, deer, donkeys, horses, sheep, goats and any other animal that the Council by resolution from time to time determines to be stock



for the purposes of this Bylaw, but does not include pigs.

**Urban Area**

Means any land zoned residential in the District Plan.

## **PART 2**

### **GENERAL**

#### **6. GENERAL**

- 6.1 No person may keep animals in a way that, in the opinion of an authorised officer, causes or is likely to cause a nuisance or injury to the health or safety of any person.
- 6.2 If, in the opinion of an authorised officer, an animal kept on private land is causing or is likely to cause a nuisance the authorised officer may issue a notice requiring the person keeping the animal to take such action as the officer considers necessary within any time specified to abate or prevent the nuisance.
- 6.3 A person issued with such a notice under this Bylaw must comply with the notice.

## **PART 3**

### **STOCK**

#### **7. KEEPING STOCK IN URBAN AREAS**

- 7.1 A person may keep stock in the urban area provided they comply with the following conditions:
  - a) The stock are prevented from causing any nuisance or damage to the property of adjoining premises.
  - b) Manure and effluent is removed from the premises, or appropriately recycled or reused, before it creates a nuisance.
  - c) Stock should have an adequate and appropriate living environment for their species including companionship, space, shade and shelter.

## PART 4

### CATS

#### 8. CATS ON PREMISES

- 8.1 No person may keep more than three cats per dwelling on any private land in the urban area without a permit issued under this Bylaw.
- 8.2 If the Council issues a permit to a person to keep more than three cats under clause 8.1 then the permit holder must comply with the conditions of that permit.
- 8.3 No cats kept for breeding purposes shall be housed within 1.8 metres of the boundary of any adjoining property in the urban area unless the housing is within a dwelling house.
- 8.4 The restrictions of clauses 8.1 and 8.3 shall not apply to kittens below the age of three months.
- 8.5 Nothing in clause 8.1 applies to the SPCA or other animal shelter or a lawfully established veterinary clinic or cattery.
- 8.6 Nothing in clause 8 precludes the need for a resource consent under the District Plan.
- 8.7 Every person who keeps cats must ensure:
  - a. Cats over six months of age are microchipped and registered with the New Zealand Companion Animals Register, or other Council approved microchip registry.
  - b. Cats over six months are desexed (unless kept for breeding purposes and are registered with a nationally recognised cat breeders' body including New Zealand Cat Fancy Ltd. and Catz Inc.).
- 8.8 Clause 8.7 applies to all cats born after 1 July 2018.

## **PART 5**

### **PIGS**

#### **9. PIG KEEPING**

- 9.1 No person may keep a pig or pigs in the urban area.
- 9.2 No person may keep a pig or pigs on land zoned rural in the District Plan except in accordance with the District Plan.
- 9.3 Where there is a discrepancy between this Bylaw and the District Plan regarding the keeping of pigs, the District Plan prevails.

#### **10. MAINTENANCE OF PIGSTIES**

- 10.1 The keeper of pigs must keep the pigsty and all drains, tanks, troughs and other areas associated with the pigsty in a clean condition.
- 10.2 All troughs from which pigs are fed must be watertight and properly constructed using concrete, sheet iron, hardwood or other material approved in writing by an authorised Officer.
- 10.3 Troughs, whether in feeding pens or elsewhere, must be placed on a smooth concrete slab with a raised nib wall around its edge and must be of sufficient size to prevent pollution of the area or ground surrounding the trough.
- 10.4 All manure and effluent must be removed from the premises, or appropriately recycled or reused, before it creates a nuisance.
- 10.5 All food intended for pigs shall be contained in an impervious container with a close fitting cover sufficient to prevent access by flies or the escape of offensive odours.

## PART 6

### POULTRY

#### 11. KEEPING OF POULTRY

- 11.1 Subject to clause 11.4 relating to roosters, no person may keep poultry in the urban area except in accordance with clause 12 of this Bylaw.
- 11.2 No person may keep poultry in the rural zone except in accordance with the District Plan.
- 11.3 Where there is a discrepancy between this Bylaw and the District Plan regarding the keeping of poultry, the District Plan shall prevail.
- 11.4 No person may keep roosters in the urban area unless:
  - (a) The rooster is kept in the Palmerston North villages of Ashhurst, Bunnythorpe, Longburn and Linton; or
  - (b) The owner of the rooster holds a valid permit issued under this Bylaw.

#### 12. POULTRY HOUSE AND RUN

- 12.1 Poultry must be provided with a poultry house with the following features:
  - a) A rainproof roof;
  - b) A floor made of solid wood, concrete or other approved material surrounded by a raised nib to which a poultry run may be attached.
- 12.2 No poultry house or poultry run shall be placed so that any part of it is within 2 metres of any dwelling house, whether wholly or partially occupied, or the boundary of any adjoining premises, unless the properties are separated by a solid fence.
- 12.3 Every poultry house and poultry run shall be maintained in good repair, in a clean condition free from any offensive smell or overflow, and free from vermin.
- 12.4 Any property where poultry are not confined in a poultry house and run must have secure boundary fences to confine poultry to that property.

## PART 7

### BEES

#### 13. BEE KEEPING

13.1 A person may keep bees in the urban area provided they comply with the following conditions:

- a) Hives are placed no closer than 1 metre to any boundary unless there is a solid fence 1.6 metres or taller on that boundary; and
- b) The property area is 500m<sup>2</sup> or greater; and
- c) The number of hives does not exceed that which is allowed for the area of the property as indicated in the following table:

Property area	Maximum number of hives
500m <sup>2</sup> to 700m <sup>2</sup>	2
701m <sup>2</sup> to 1000m <sup>2</sup>	4
1001m <sup>2</sup> to 2000m <sup>2</sup>	6
2001m <sup>2</sup> or greater	8

- d) The apiary or the beekeeper must be registered under the Biosecurity Act 1993 and the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998.

13.2 Notwithstanding clause 13.1, a person may apply for a permit under this Bylaw to keep bees if they are otherwise unable to comply with the conditions of clause 13.1.

## PART 8

### ADMINISTRATION

#### 14. PERMITS

- 14.1 A permit to keep animals may be issued under this Bylaw if the Authorised Officer is satisfied that the granting of the permit would not create a nuisance or injury to the health or safety of any person.
- 14.2 For the avoidance of doubt, the Council may grant a permit for an activity that would otherwise contravene this Bylaw.
- 14.3 A permit may include conditions that the Council considers are reasonably necessary to manage the effects of the activity, achieve the objectives of this Bylaw, and minimise the risk of nuisance.
- 14.4 Any person seeking a permit must:
  - a) Complete the required application form; and
  - b) Pay the applicable fee, if any; and
  - c) Comply with any requirements set as conditions of that permit.
- 14.5 A permit may be cancelled by the Council if:
  - a) The Council receives separate complaints from three or more different properties and the Authorised Officer is satisfied that the complaints are reasonable and justified; or
  - b) The holder of the permit breaches the conditions of the permit.
- 14.6 The holder of the permit may apply to the General Manager of the Customer Services Unit for a review of any decision made under clause 14.5 within five working days of receiving notification of the decision.
- 14.7 A permit is personal to the applicant and is not transferable.

#### 15. FEES FOR PERMITS

- 15.1 The Council may charge a fee for receiving and processing an application and issuing a permit.
- 15.2 The Council must prescribe a fee for any permit issued under this Bylaw using the Special Consultative Procedure in accordance with the Local Government Act 2002.

## **16. OFFENCES AND PENALTIES**

- 16.1 Every person who commits a breach of any of the provisions of this Bylaw commits an offence and may be liable on summary conviction to a fine of up to \$20,000 as prescribed by section 242 of the Local Government Act 2002.





**PALMERSTON NORTH CITY**

# **PALMERSTON NORTH ANIMALS AND BEES BYLAW**

**2018**

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## **Administration Manual**

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## Document Control

Version No.	Reason for Amendment	Date
1.0	Adopted by Council	28 May 2018

## Authorisation

	Name	Signature	Date
Prepared By			
Reviewed By			
Authorised By			

## PART 1 – INTRODUCTION

The purpose of this Administration Manual is to provide material complementary to the Animals and Bees Bylaw. It addresses aspects of how animals may be kept in urban areas that could be included in the Bylaw, but are of an administrative or operational nature. These aspects of animal control may be amended before the Bylaw is reviewed and this is appropriately achieved by Council resolution changing this Manual. This will simplify the administration of the Bylaw, allow for administrative and technical processes to be kept up to date, and assist in interpretation of the Bylaw.

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

This Administration Manual will be updated from time to time, as necessary, to ensure that it is kept up-to-date and reflects current practice. Amendments to this document will be authorised by the General Manager for Customer Services Unit.

## PART 2 - FORMS

This section includes the form to be used when applying for a permit under the Animals and Bees Bylaw. This form applies to the following activities controlled by the bylaw and for which a permit may be issued:

- Keep more than three cats on private land in the urban area
- Keep more beehives than authorised by the Bylaw
- Other activity that contravenes the Bylaw

# Animals and Bees Bylaw Permit Application Form



## APPLICANT DETAILS

Applicant Name: \_\_\_\_\_

Trading Name of Business (if applicable) : \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

After hours: \_\_\_\_\_ Mobile: \_\_\_\_\_

## ACTIVITY TYPE

Please indicate the type of activity permit for which you are applying

☐ Keeping cats

☐ Keeping bees

☐ Other: \_\_\_\_\_

## PERMIT REQUIREMENTS

I confirm that:

- (a) I have included in this application the required information necessary to enable the Council to consider the application (see overleaf).
- (b) I have paid the prescribed fee (if applicable)
- (c) I agree to comply with the times, terms and conditions of the permit if a permit is issued.

Signature: \_\_\_\_\_ (applicant) Date: \_\_\_\_\_

<b>OFFICE USE ONLY</b>	
Application received on: _____	
Recommendation: Approved/Declined (circle one)	Permit number: _____
Applicant advised: Yes/No (circle one)	Date: _____

## PERMIT INFORMATION REQUIREMENTS

The following are the information requirements for each of the different permit activity types. Please ensure that you supply all the required information with your application to enable the Council to consider your application. A failure to supply the required information may delay your permit application.

### Keeping cats (clause 8)

1. The number of cats being kept.
2. The purpose for which the cats are being kept (e.g. companionship, show, breeding).
3. Information showing the suitability of the property and housing arrangement in which the cats will be kept.
4. How you will manage the effect the additional cats may have on the surrounding neighbourhood, including management of any noise or nuisance effects.

### Keeping bees (clause 13)

1. A sketch plan showing the number and location of hives, including their proposed placement in relation to other buildings or structures on the property or property boundaries.
2. The size of the property where the hives are to be located.
3. The apiary registration number/s.





## **REPORT**

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** Adderstone Reserve - Decision on proposal to change part to housing

**PRESENTED BY:** Kathy Dever-Tod, Group Manager - Parks and Logistics

**APPROVED BY:** Bryce Hosking, Acting Chief Infrastructure Officer

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### **RECOMMENDATION(S) TO COUNCIL**

1. That Council retain Adderstone Reserve in its entirety.
2. That Council note that:
  - a. The Pacific Drive portion of Adderstone Reserve is not required for recreation purposes.
  - b. That the future of the Pacific Drive portion of Adderstone Reserve will be revisited when the community facilities needs for Aokautere are defined.

## SUMMARY OF OPTIONS ANALYSIS FOR

<b>Problem or Opportunity</b>	<p>Future reserve needs in Aokautere were assessed as part of considering the rezoning of land in Aokautere for residential development.</p> <p>The option of changing the purpose of part of Adderstone Reserve, from recreation to housing, was proposed to the community. Submissions were received and hearings held.</p> <p>This report considers:</p> <ul style="list-style-type: none"> <li>• The submissions and objections,</li> <li>• Medium density area demand (which has changed since the original reserve needs assessment), and</li> <li>• New information from the Community Places Research Report.</li> </ul> <p>The purpose of the report is to seek a Council decision on the proposal to change the use of portions of Adderstone Reserve to housing.</p>
Community Views	<p>Community views were expressed during the consultation and hearings:</p> <ul style="list-style-type: none"> <li>• 5 submitters were neutral</li> <li>• 20 opposed both portions being used for housing</li> <li>• 16 supported both portions being used for housing</li> <li>• 11 opposed the Abby Road portion being used for housing</li> <li>• 1 opposed the Pacific Drive portion being used for housing</li> </ul> <p>The submissions and a summary report were received by the Council on 30 November 2022.</p>
<b>OPTION 1:</b>	<b>Retain Adderstone Reserve in its entirety</b>
Benefits	<ul style="list-style-type: none"> <li>• Reserve land is retained until the broader need for community facilities is known and the impact of the medium density housing zone understood.</li> <li>• Does not exclude a Council decision in the future to repurpose the portion of the reserve fronting Pacific Drive.</li> </ul>
Risks	<ul style="list-style-type: none"> <li>• Does not address Council's goal to make underutilised reserve land available for housing.</li> <li>• The community may expect council to fund the new developments and initiatives at Adderstone Reserve contained within the submissions.</li> </ul>

Financial	<ul style="list-style-type: none"> <li>There are no operational budget implications arising from this option. Adderstone Reserve will continue to be maintained at current levels of service.</li> <li>This option does not have an associated income stream.</li> </ul>
<b>OPTION 2:</b>	<b>Remove the reserve status on the Pacific Drive portion of Adderstone Reserve, to enable housing use, and retain the Abby Road portion</b>
Benefits	<ul style="list-style-type: none"> <li>Releases a modest parcel of underutilised reserve land for housing.</li> <li>Ensures long-term needs of the community for recreation space is likely to be met.</li> </ul>
Risks	<ul style="list-style-type: none"> <li>The Pacific Drive portion would not be available for a community facility should the need be determined, and the location be appropriate.</li> </ul>
Financial	<ul style="list-style-type: none"> <li>Officer time and legal costs to uplift the reserve status.</li> <li>Officer time and legal costs to facilitate a land sale if the Pacific Drive site is not used for a Council housing development.</li> <li>Income from land sale available for the purchase and development of Council reserves.</li> <li>Small reduction in maintenance costs.</li> </ul>
<b>OPTION 3:</b>	<b>Remove the reserve status on both Pacific Drive and Abby Road portions of the reserve to enable housing use.</b>
Benefits	<ul style="list-style-type: none"> <li>Releases the largest area of underutilised reserve land for housing of the three options.</li> <li>Marginal reduction in parks maintenance costs.</li> <li>Land available for the development of Council housing or income from land sales available for the purchase and development of Council reserves.</li> </ul>
Risks	<ul style="list-style-type: none"> <li>The long-term demand for reserves arising from the medium density housing area is uncertain and additional reserve land may be required in the future.</li> <li>Release of the Abby Road portion of land for housing is likely to be a considerable time away as agreement with the neighbouring private landowner is required.</li> <li>If community facilities were required in the future the Pacific Road site would not be available.</li> </ul>

Financial	<ul style="list-style-type: none"> <li>• Officer time and legal costs to uplift the reserve status.</li> <li>• Officer time and legal costs to facilitate a land sale or exchange including consultation.</li> <li>• Minor reduction in parks maintenance costs.</li> <li>• Potential revenue to Council in the form of cash reserves, if the land is sold, which must be applied to other reserves.</li> </ul>
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## RATIONALE FOR THE RECOMMENDATIONS

### 1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 Council consulted the community on a proposal to partially repurpose Adderstone Reserve for housing.
- 1.2 This report provides the Committee with Officer advice on the proposal, considering the submissions received, the impacts of the demand for medium density housing, and information contained within the Community Places Stocktake report received by Council in September.
- 1.3 The decision on the proposal to partially repurpose Adderstone Reserve for housing will inform Plan Change G.

### 2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

- 2.1 In June 2022, in conjunction with a report on Plan Change G – Aokautere Urban Growth ('the Plan Change'), Council chose to consider re-purposing two portions of Adderstone Reserve for housing.
- 2.2 Under the Reserves Act 1977, the proposal to change the use of part of the land to housing requires public consultation and consideration of any objections prior to deciding whether to uplift the reserve status. Resolutions 31-22 included:
  1. *That the Chief Executive prepare a public consultation document on the partial re-purposing of Adderstone Reserve for housing under the Reserves Act 1977, and that this consultation be undertaken in parallel with the public notification of Palmerston North City District Plan: Proposed Plan Change G – Aokautere Urban Growth.*
  2. *That a decision on the proposed partial re-purposing of Adderstone Reserve be made in advance of the hearing for Proposed Plan Change G – Aokautere Urban Growth.*
- 2.3 Consultation was undertaken in August 2022.
- 2.4 Council held a hearing for submitters that wished to be heard in person on 30 November 2022. Resolution 166-22 was passed:

1. That Council hear submissions from presenters who indicated their wish to be heard in support of their submission.
2. That Council note the procedure for hearing of submissions, as described in the procedure sheet.

2.5 Council received a summary of the submissions report on 30 November 2022. Resolution 167-22 was passed:

1. That Council receive the summary of written submissions on 'Adderstone Reserve – Proposed Partial Reserve Disposal for Housing', for information.

### 3. MATTERS RAISED IN SUBMISSIONS

3.1 The Reserves Act requires Council to consider any objections raised to the proposal to remove a reserve status from reserve land before deciding.

3.2 Table One lists the matters raised in submissions and Officer comment.

Matter raised	# Submitters raising point	Officer comments
Preserve green space/keep for recreation/planting	31	<p>The Servicing Assessment for parks green space identified that further open space is required in Aokautere, but that 1 ha is adequate at this location and the further open space reserve was required in other locations.</p> <p>This assessment was based on a structure plan that had a limited area of medium density housing in Aokautere. The final structure plan has a greater area of medium density. This is discussed further in Section 5.</p>
Abby Road portion - 1 ha not large enough	6	1 ha is larger than a standard neighbourhood reserve, The Engineering Standards for Land Development recommend 3,500 to 4,500m <sup>2</sup> .
There is enough housing at other locations without using reserves	6	<p>Central Government requires Council to provide for 5,000 homes within the next 10 years.</p> <p>Aokautere is one of a few urban growth fronts to deliver these requirements, as outlined in the City Growth Plan under the Innovative and Growing City Strategy.</p>
Abby Road portion - Need all of it for dog recreation area	6	<p>Adderstone Reserve is currently a dog on-lead area. The closest dog off-lead exercise areas with open space<sup>3</sup> are:</p> <ul style="list-style-type: none"> <li>• Summerhill Reserve is 2km away being 1.8 ha of</li> </ul>

<sup>3</sup> The Aokautere gullies are also off-lead areas however they are heavily vegetated.

Matter raised	# Submitters raising point	Officer comments
		<p>open space.</p> <ul style="list-style-type: none"> <li>• Pinfold Road is 5km away with 1 ha of mown open space and a further area of wilderness style trails through regenerating scrub.</li> <li>• The urban Manawatu River off-lead open space areas are 3.5 km away.</li> </ul> <p>Council does not have a policy on the distribution and size of dog exercise areas but has made significant additions to the City over the last 10 years. Retaining all of the Abby Road portion would allow for a 1km loop walk within the open space, vs a 400m loop walk if a 1 ha portion were retained.</p> <p>The Poutoa area<sup>4</sup> has 462 registered dogs. This is the 2<sup>nd</sup> highest ownership area, behind Ashhurst<sup>5</sup>.</p> <p>The public could be consulted on classifying Adderstone Reserve as an off-lead dog exercise at the next review of the Dog Control Bylaw.</p>
Retain reserves for climate change mitigation	5	<p>There are 170 ha of gullies proposed to be planted out as part of the plan change.</p> <p>Council could decide to undertake additional planting in the immediate area. This may conflict with other submissions wanting open space/dog exercise use.</p>
Need more housing – support proposal	5	<p>Central Government requires Council to provide for 5,000 homes within the next 10 years.</p> <p>Aokautere is one of a few urban growth fronts to deliver these requirements, as outlined in the City Growth Plan under the Innovative and Growing City Strategy.</p>
Not enough infrastructure development to support extra housing	5	<p>The plan changes and Council's long-term plan will ensure there is enough infrastructure to enable development.</p>
Concerned about impacts of housing on gully planting	4	<p>The proposed plan change seeks to enable development in a way that avoids hazards and protects and restores the gullies.</p> <p>The advice of arborists is that a building setback of 7.5m should be enough to mitigate the risk of Green</p>

<sup>4</sup> As defined by Stats NZ SA2 area unit – encompasses area from Summerhill, through Ruapehu Drive and up Pacific Drive, from Turitea Stream/Road through Moonshine Valley. Analysis by household and population numbers was underway at time of writing this report.

<sup>5</sup> At the time the report was written, ownership per household had not been analysed.

Matter raised	# Submitters raising point	Officer comments
		Corridors planting overhanging private property boundaries if setback had no new large trees planted in it.
Concern about congestion and access to Abby Road housing	3	The transport planners are satisfied that the local road dimensions are enough.
Setback from gully edges is needed	3	Geotechnical assessments will be required for development where it has been identified as required – as per map 10.1A in the District Plan.
Additional housing will block views	2	Noted – there are no planning rules in place protecting view shafts in Palmerston North. The roading alignments ensure a public interface with the reserves.
Pacific Drive - if housing is approved it needs buffer to gully to avoid shading/effects	2	Council arborists have recommended a 7.5m setback from the existing plantings to ensure mature tree canopies do not impinge on private property. They recommend low planting buffer between the existing vegetation and the proposed boundary.
Use the reserves for more planting	2	Shade, specimen and edible planting would be considered for the open space areas, but open space recreation needs are the predominant use. Some opportunities to extend the revegetation planting might exist if the full area were retained.  There are 170 ha of gullies proposed to be planted out as part of the plan change.
Impacts of road on gully edge	1	Geotechnical assessments will be required for development where it has been identified as required – as per map 10.1A in the District Plan.  Stormwater runoff will be managed through a comprehensive stormwater management plan. A detention pond is planned close to point J on map 7.A.4 of the Aokautere Structure Plan.
Lack of justification of proposal	1	The reasons for the proposal are set out in reports and consultation materials.
Limit to the density of housing on Pacific Drive portion	1	The plan change process considers matters such as housing density. Current permitted activity allows for sections down to 500m <sup>2</sup> per lot in the Pacific Drive portion of Adderstone Reserve.
Previous property review - community	1	Noted – Property Review 2012/13 received 340 submissions with 34 supporting some sales and 304

Matter raised	# Submitters raising point	Officer comments
opposed reserve sales		opposing some or all sale proposals.
Should have space for sports	1	Formal competition sports are trending to centralised facilities and artificial turfs. This location is not suitable for formal playing fields.  The proposed area to be retained will be large enough to accommodate informal sports play and the development of the reserve would address the drainage and play suitability. A larger retained area would allow for a greater variety of uses including open space informal team sport play.
Retain all of Abby Road portion for a community centre	1	Community Places report found that further community facilities may be required in Aokautere. This is detailed further in Section 6 of this report.
Keep space for off road paths	1	There is provision for active modes of transport through the street hierarchy. Connectivity through cul-de-sac ends will be considered at the time of subdivision.

3.3 Table Two considers points raised in the hearings that expanded upon or were new to points in written submissions:

Matter raised in hearings (additional to written)	Officer comments
Water movement from reserve into gullies causing erosion/land instability	A comprehensive stormwater management plan is required as part of development. Water from any new hard surfaces would have to be discharged in an approved manner.
Proposing additional buffer planting into Abby Road portion	A 20m buffer planting would reduce open space by 1 ha. Some buffer planting may be acceptable in some spaces but the extent proposed would impact open space provision.
Ecocity Goals should be applied to decision	Council strategic goals often require balancing against each other.

#### 4. MEDIUM DENSITY HOUSING IN AOKAUTERE

4.1 The medium density housing proposed for Aokautere is 1km from Adderstone Reserve.

4.2 The medium density area is shown in Figure 1 and Figure 2.



- 4.3 The medium density area contains approximately 360 lots, or around 180 if the retirement village option proceeds.

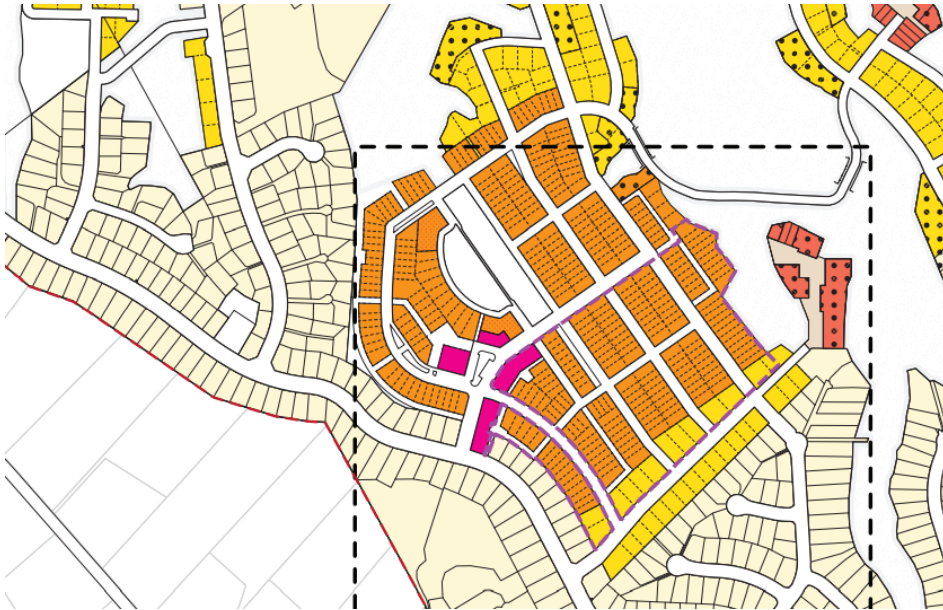


Figure 1: Medium density housing in Aokautere

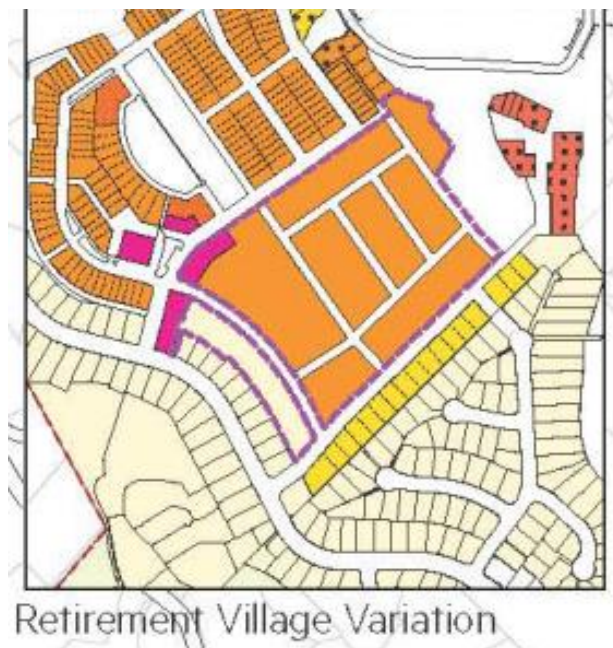


Figure 2: Aokautere medium density – retirement village option

- 4.4 The medium density zone in Aokautere would result in an increase in demand for open space activity; either an additional 200 to 400 medium density lots are proposed depending on the outcome of retirement village initiatives.

- 4.5 Medium density areas create new sets of demands on parks and reserves that Palmerston North has not experienced to date and a long-term view of the impacts needs to be taken.
- 4.6 The medium density zone will be served by a neighbourhood reserve area of around 4,000m<sup>2</sup>. The reserve size was predicated on an earlier version of the structure plan, with a modest extent of medium density area (40 lots) limited to the immediate area surrounding the reserve<sup>6</sup>.
- 4.7 The larger medium density area proposed will place demands on the wider open space network in Aokautere. Space for larger scale open space recreation would likely spill over into Adderstone Reserve given its size and proximity.

## **5. COMMUNITY PLACES REPORT**

- 5.1 Council received the Community Places Research Report in September 2022. Its findings in relation to Aokautere were:
  - Aokautere/Summerhill, like other recent growth areas, has a good supply of green space but does not have the same community facility coverage as more established areas of the city.
  - Aokautere/Summerhill are projected to grow further in the short and medium term so the 'per-population' discrepancy in facility coverage is going to increase.
- 5.2 There is a need for a per-population provision measure to be established to determine if, and when, a community facility could be required, along with the form and purpose of that facility. Only when this information is known can consideration be given to location. It is not possible at this stage to determine whether the land contained within Adderstone Reserve, proposed for repurposing for housing, is a potential site for a future community facility. Additionally, options to sell or exchange the Pacific Drive portion of Adderstone Reserve and acquire land in a more suitable location for a community centre cannot be investigated until this information is known.

## **6. DESCRIPTION OF OPTIONS**

### **Option 1: Retain Adderstone Reserve in its entirety**

- 6.1 Under Option 1 all the existing Adderstone Reserve would be retained, as shown in Figure 3.

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<sup>6</sup> 2019 draft structure plan showed 40 medium density lots compared to approximately 360 in the approved plan or 180 if the retirement village option progresses.



Figure 3: Option 1 – reserves retained

**Option 2: Remove the reserve status on the Pacific Drive portion of Adderstone Reserve, to enable housing use, and retain the Abby Road portion**

- 6.2 Under Option 2 the large open space portion of Adderstone Reserve, off Abby Road, would be retained. The 3,300m<sup>2</sup> portion on Pacific Drive would have its reserve status uplifted and repurposed for housing.
- 6.3 Option 2 would retain a 7.5m buffer from the edge of the existing planting to the proposed new boundary to ensure existing plantings did not overhang the boundary as they mature.



Figure 4: Option 2 – Pacific Drive portion to housing, Abby Road portion retained

**Option 3: Remove the reserve status on both Pacific Drive and Abby Road portions of the reserve to enable housing use**

- 6.4 Under Option 3 both the 3,300m<sup>2</sup> portion of reserve off Pacific Drive, and the 1.6 ha portion off Abby Road would have their reserve status lifted and be made available for housing.



Figure 5: Option 3 – Pacific Drive and Abby Road portions to housing



## 7. ANALYSIS OF OPTIONS

- 7.1 **Option 1**, retaining all areas of Adderstone Reserve, supports a cautious approach, ensuring land is retained until the broader need for community facilities are known and the impact of the medium density housing zone understood.
- 7.2 The Community Places report notes the possible shortfall in community facilities in Aokautere. Option One retains the land on Pacific Drive, providing Council with the potential to either:
- Be a location for community facilities,
  - Be exchanged for other land in an alternative location, or
  - Sold with the proceeds used to purchase reserve land elsewhere.
- 7.3 While the uptake of sites within the Medium Density zone is uncertain, retaining the balance of Adderstone Reserve in case demand increases beyond that forecast is a more cost-effective strategy than disposing of reserve land now and attempting to acquire new reserve land on the open market in the future.
- 7.4 Option 1 aligns with most of the objections and submissions received during the community engagement and will meet the concerns raised about protecting the green corridors and the preservation of open space.
- 7.5 Council consulted the community on the potential use of portions of Adderstone Reserve for housing. If in the future Council wished to repurpose any part of Adderstone Reserve, for community facilities, then a new public consultation process would be required.
- 7.6 Option 1 does not support Council's objectives for increasing housing supply and it is the option that delivers the least financial return to Council.
- 7.7 **Option 2**, using the Pacific Drive portion for housing, enables Council to release a modest amount of land for housing and to generate income.
- 7.8 The risk with Option 2 is that if community facilities are required in the future the land at Pacific Drive would not be available for either use or exchange/sell to facilitate a community facility.
- 7.9 Option 2 addresses most of the objections and submissions made which supported the retention of the Abby Road portion of Adderstone Reserve in particular.
- 7.10 Option 3, making both the Pacific Drive portion and 1.6 ha of the Abby Road portion of Adderstone Reserve available for housing would deliver on the Council goal of increasing housing supply and deliver a greater income for Council than Option 2.
- 7.11 Option 3 received the highest number of objections in the community consultation.

7.12 The risks associated with Option 3 are:

- The medium density housing zone will place additional pressure on reserves in the area which is difficult to quantify. If further land were required in the future, Council would have to attempt to purchase this on the open market. There is no guarantee that this land would be available.
- The ability to deliver housing on the Abby Road portion of the land will be dependent on private landowner agreements as the area has no functional road access. It is likely that any housing outcome would take some considerable time to deliver.

## **8. CONCLUSION**

8.1 As a result of:

- The points raised in several submissions about retaining reserves,
- The Community Places Report indicating the needs for future community facilities has not been determined, and
- Consideration of the impacts of the medium density zone on the long-term demand for reserves in Aokautere

Officers recommend Option 1, that Adderstone Reserve be retained in its entirety, to protect future Council decision making.

8.2 The decision on the proposal to partially repurpose Adderstone Reserve for housing informs Plan Change G. By adopting Option 1, Council is excluding the reserve from further consideration for new roads or residential sections as part of the structure plan within Plan Change G.

## **9. NEXT ACTIONS**

9.1 Advise submitters of the outcomes of the consultation process.

9.2 Reassess the future of the portion of Adderstone Reserve fronting Pacific Drive once the need for a community facility within Aokautere has been determined.

## **10. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS**

10.1 The submissions and a summary report were received on [30 November 2022](#) including a consultation overview. Forty-six submissions were received; of these:

- 5 submitters were neutral.
- 20 opposed both portions being used for housing.
- 16 supported both portions being used for housing.
- 11 opposed the Abby Road portion being used for housing.

- 1 opposed the Pacific drive portion being used for housing.

## COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>No</b>
Are the decisions significant?	<b>No</b>
If they are significant do, they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
<p>In considering the 2021 Housing Capacity Assessment, Council adopted the recommendations including "9.3 ... investigate opportunities to re-purpose reserves for housing".</p> <p>Council is required to consult and consider any objections to a proposal to uplift a reserve status as per the Reserves Act 1977 section 25.</p>	
<p>The recommendations contribute to and Goal 1: An Innovative and Growing City Goal 2: A Creative and Exciting City</p>	
<p>The recommendations contribute to the achievement of action/actions in City Growth and Active Communities</p> <p>The action is:</p> <ul style="list-style-type: none"> <li>• The City Growth Plan contains an action to investigate the re-use of underutilised Council and government land for housing.</li> <li>• The Active Communities Plan: Administer the Reserves Act 1977.</li> </ul>	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The recommendations support social, cultural and environmental well-being by preserving the reserves and their capacity to support future recreation needs and potential community facilities.

## ATTACHMENTS

Nil



## **REPORT**

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** Part Waterloo Park - Proposal to exchange land

**PRESENTED BY:** Kathy Dever-Tod, Group Manager - Parks and Logistics

**APPROVED BY:** Bryce Hosking, Acting Chief Infrastructure Officer

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### **RECOMMENDATION(S) TO COUNCIL**

1. That Council agree to consult the community, in accordance with Section 15 of the Reserves Act 1977, on the proposal to exchange 1,300m<sup>2</sup> of Waterloo Park, being part of Part Lot 44 DP 22620 held in title WN8C/884, for new reserve land in the Roxburgh Crescent area if the rezoning of that area is approved.
2. That Council note that the land is Crown derived and such final approval of the exchange is subject to the approval of the Department of Conservation.

## SUMMARY OF OPTIONS ANALYSIS FOR

<b>Problem or Opportunity</b>	<p>Council is in the process of considering rezoning industrial land in the Roxburgh Crescent area to residential use.</p> <p>Part of Waterloo Park is a strip of land 11m wide and 120m long that acts as a buffer between the existing industrial activities and the residential housing in Tilbury Avenue. This portion of the reserve has minimal recreation value at present.</p> <p>An opportunity has arisen to exchange this strip of land for land of equivalent value in a location which would provide enhanced access to the river.</p> <p>If the Council wishes to pursue this option, a resolution is required to consult with the community on a land exchange, under the provisions of the Reserves Act.</p> <p>The result of the consultation would inform a final decision and application to the Department of Conservation.</p>
<b>OPTION 1:</b>	<b>Consult the community on the proposed land exchange</b>
Community Views	<ul style="list-style-type: none"> <li>Community views on the exchange will be considered through the public notification and hearings process.</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>Community views are understood before a decision is made.</li> <li>The requirements of the Reserves Act for public notification and consideration of objections will be met.</li> <li>New river entrance is enhanced, including space for large trees and parking.</li> <li>Removes safety concerns of a dead-end buffer area.</li> </ul>
Risks	<ul style="list-style-type: none"> <li>The community may not engage in the process, given that the strip of land is currently not readily accessible to the public.</li> </ul>
Financial	<ul style="list-style-type: none"> <li>Advertising costs, staff time on the public consultation, hearings and reporting.</li> </ul>
<b>OPTION 2:</b>	<b>Decline the proposed reserve exchange</b>
Community Views	<ul style="list-style-type: none"> <li>Community views would not be sought under this option.</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>Costs associated with the land exchange would not be incurred.</li> </ul>
Risks	<ul style="list-style-type: none"> <li>The opportunity to enhance access to the river at this location would not be realised.</li> </ul>

	<ul style="list-style-type: none"> <li>• Trees would have to be removed and the amenity value of the strip would be low.</li> <li>• There may be safety concerns about the dead-end space between housing in the future.</li> <li>• Rework of the proposed plan change structure plan would be required which may result in the loss of some of the wider plan change benefits.</li> </ul>
Financial	<ul style="list-style-type: none"> <li>• Reduces staff time spent on the reserve exchange proposal.</li> <li>• Increases time spent on the plan change as a rework of the draft structure plan will be required under this option.</li> </ul>

## RATIONALE FOR THE RECOMMENDATIONS

### 1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 Council is considering rezoning Roxburgh Crescent industrial area to residential.
- 1.2 As part of preparing a draft structure plan for the area, an assessment of the park environments and access was completed.
- 1.3 This report considers that portion of Waterloo Park which acts as a reserve buffer strip between the industrial and residential areas.
- 1.4 The report recommends that Council consults on a proposal to exchange the existing 1,300m<sup>2</sup> buffer area for an area of similar value within the proposed rezoned area, to improve the amenity and accessibility to the Manawātū River environments.

### 2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

- 2.1 Palmerston North City Council ('Council') has been working alongside the owners of the various industrial properties in the Roxburgh Crescent area regarding a proposal to rezone the area to residential land use. The first stage of community pre-engagement is complete with further engagement planned for 2023.
- 2.2 In considering rezoning the area a review of parks servicing and access requirements was completed.
- 2.3 The assessment included consideration of the portion of Waterloo Park that acts as a buffer between the existing industrial activities and the residential properties on Tilbury Avenue.

- 2.4 The resulting proposal is to exchange 1,300m<sup>2</sup> of Waterloo Park<sup>7</sup> for a new reserve in an adjoining brownfields development, enabling the existing buffer strip to be used for housing.

### **3. EXISTING RESERVE DESCRIPTION AND USE**

- 3.1 The area of land proposed to be exchanged functions as a buffer strip between the residential housing and the current industrial uses on the adjoining property. The area of land proposed to be exchanged is approximately 1,300m<sup>2</sup>, in an 11m x 120m long shape as shown in Figure 1.

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<sup>7</sup> Total area of Waterloo Park is 2.9 ha



Figure 1: Buffer strip location

- 3.2 Figures 2, 3, and 4 show the buffer strip as currently maintained and the vegetation on it.
- 3.3 The buffer strip contains large gum and wattle trees, which are excellent specimens; however, a number overhang the boundaries and are likely to drop limbs. These trees would pose a risk to any new housing on the adjacent land and are likely to require removal should the land be rezoned and used for residential housing.
- 3.4 The buffer strip has evidence of being a green waste dumping area, and there is extensive weed invasion down one end, as shown in Figure 5.



Figure 2: Area of Waterloo Park proposed to be exchanged



Figure 3: Waterloo Park buffer strip – entrance





Figure 4: Waterloo Park buffer strip photo – Gums and Wattles



Figure 5: Waterloo Park buffer strip – weed infestation



- 3.5 The buffer area has low level of recreation value to the general community. Use is limited, two neighbouring properties that have gates allowing them to access the riverside by climbing over the stop bank, approximately 100m away. The alternative river access for these properties is a 265m walk, as shown in Figure 6.



Figure 6: Manawatū River Access - Tilbury Avenue properties

#### 4. DESCRIPTION OF OPTIONS

##### Option 1: Consult the community on the proposed land exchange

- 4.1 If the rezoning is approved the industrial activities will cease and the primary function of the buffer area, between industrial and residential activities, will no longer be required.
- 4.2 The exchange proposed is shown in Figure 7.



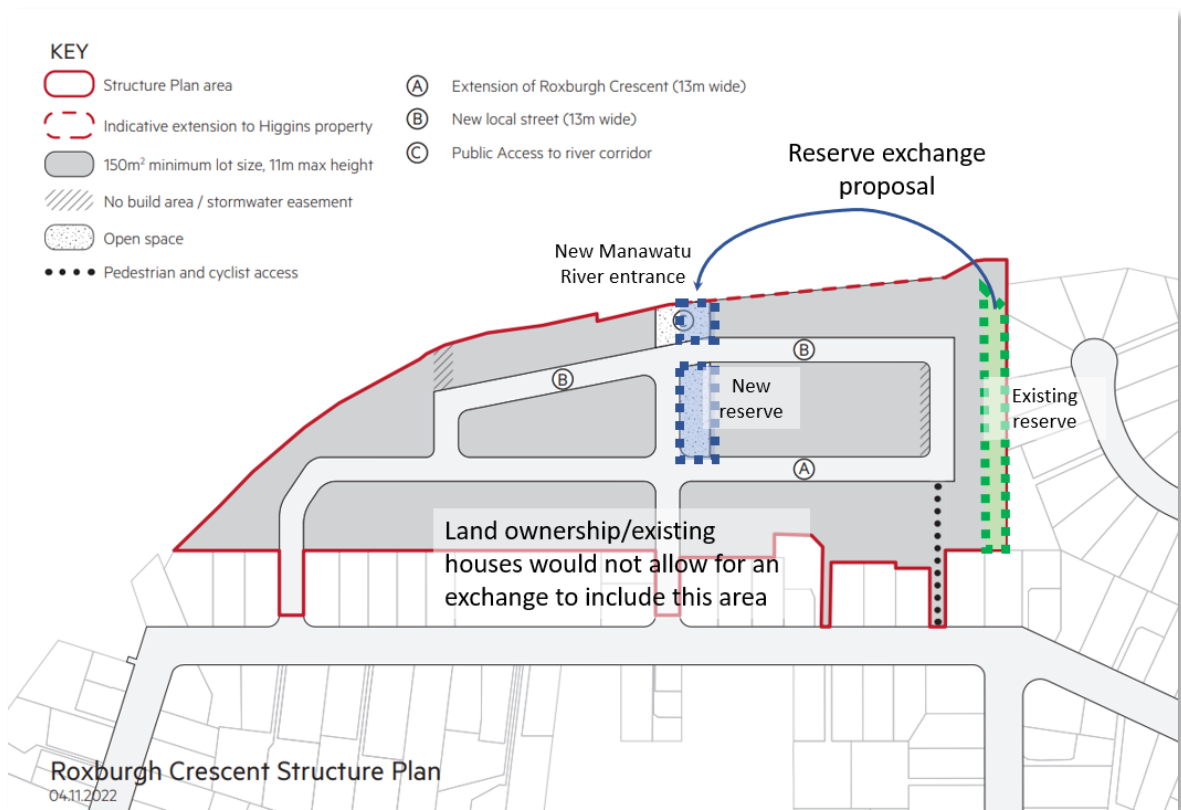


Figure 7: Reserve relocation proposal

4.3 The relocated reserve would provide the opportunity to create an attractive and new river entrance<sup>8</sup>. The reserve width would be added to the standard road reserve width enabling:

- larger tree species to be planted, like the environment between 42 and 54 Waterloo Crescent.
- parking, like the end of Albert Street, helping relieve the pressure on the small carpark at the Ruahine/Manawatu Street bend.

#### Option 2: Decline the proposed reserve exchange

4.4 Declining the proposed exchange would leave the reserve buffer in place as it currently exists.

4.5 The large trees would need to be removed at the time of residential development, if that were approved.

<sup>8</sup> For clarity this is a new river access, in addition to the existing access at the Ruahine bend, to the north of the plan change area.

## 5. ANALYSIS OF OPTIONS

### Option 1: Consult the community on the proposed land exchange

- 5.1 Enhances and supports the Manawatū River Park and efforts to improve access to and values around it.
- 5.2 This option results in the loss of the reserve behind existing houses in Tilbury Avenue.
- 5.3 The costs and assumptions relating to the new river access point would be finalised as part of the update to the Parks Asset Management Plan and considered in the 2024/34 Ten Year Plan development. The assumed timing for the entrance development is 2027 or later.

### Option 2: Decline the proposed reserve exchange

- 5.4 Under this option a narrow strip of land would be left behind houses in Tilbury Avenue and houses in the new subdivision, which would be undesirable from a safety point of view. The strip would provide little in the way of public amenity.
- 5.5 This option results in a rework of the structure plan to provide a simple river entrance, with the narrow road corridor width<sup>9</sup> allowing for limited parallel parking on one side of the carriageway and limited street trees.

## 6. LAND STATUS AND RESERVES ACT REQUIREMENTS

- 6.1 Waterloo Park is contained in Part Lot 44 DP 22620 contained in title WN8C/884. The land is held as a recreation reserve under the Reserves Act 1977.
- 6.2 Under delegation from the Minister of Conservation, the Council can manage the process of the exchange proposal, however the final decision rests with the Minister as the land is Crown derived.
- 6.3 The process requires a Council resolution to publicly notify and seek any objection from the public. Once each objection has been considered, Council will need to pass a resolution and then apply to Department of Conservation for Minister's authorisation by way of gazette to the exchange.
- 6.4 A copy of all objections and the decision on those objections would be forwarded with the application to the Department of Conservation.
- 6.5 Section 15(3) enables the Administering Body (Council) to give effect to an exchange including payment of receipt of money to ensure an equality of exchange. Council Officers will be negotiating for similar area of reserve or equal value and the draft plan change structure plan reflects this.

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<sup>9</sup> At the time of writing a 13m wide road corridor was under discussion.

## 7. CONCLUSION

- 7.1 The proposed exchange would provide enhanced river access opportunities. Consulting the community will allow Council to understand the views and any objections in accordance with the Reserves Act 1977 before deciding whether to proceed with a land exchange, or not.

## 8. NEXT ACTIONS

- 8.1 Consult the community on the proposal to exchange the reserve land.
- 8.2 Hold hearings for submitters that wish to be heard.
- 8.3 Report on the submissions and consideration of any objections to the Council.
- 8.4 If approved, and subject to the rezoning process, apply to the Minister of Conservation for approval to proceed with the exchange.

## 9. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

- 9.1 The community engagement will include:
- Letter drop to the property owners within 500m walking distance including the industrial property owners
  - Public Notice
  - Sign on site on top of the stop bank
  - Website
  - Social Media posts

## COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>No</b>
Are the decisions significant?	<b>No</b>
If they are significant do, they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 2: A Creative and Exciting City and Eco-City	
The recommendations contribute to the achievement of action/actions in the Active Communities and Manawatū River Plan	
The actions are: Administer the Reserves Act 1977, and extend the walkway/ shared	

path network and develop new parks in residential growth areas	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The proposed land exchange adds value to the Manawatū River Park. It enhances a river access point with greater potential for more significant tree planting and parking.

## ATTACHMENTS

Nil

## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** 53A and 55 Totara Road - Proposal to grant a lease to Manawatū Archery Club Incorporated

**PRESENTED BY:** Bryce Hosking, Acting Chief Infrastructure Officer

**APPROVED BY:** Cameron McKay, Chief Financial Officer

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### RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE

1. That Council grant a lease of land at 53A and 55 Totara Road, Palmerston North being Lot 1 DP 40375 and Part Lot 2 DP 2003 to Manawatū Archery Club Incorporated, in accordance with Council's Support and Funding Policy 2022.
- 

#### 1. ISSUE

- 1.1 Manawatū Archery Club Incorporated have held a land lease on land at 53a Totara Road, Palmerston North since March 2012.
- 1.2 The Scouts Association of New Zealand has held a land lease at 55 Totara Road Since 2006 on which it has erected a building.
- 1.3 The Scouts Association of New Zealand has been subleasing its building to the Archery Club in a private arrangement.
- 1.4 The Archery Club wish to purchase the Scout building and extend their current land lease to include both 55 and 53a Totara Road.
- 1.5 Council leases only the land. As the Archery Club is a for-purpose group and is receiving community rental rates, the new lease is subject to the process outlined in the Support and Funding Policy 2022. This includes public notification of Council's intention to grant a new lease on Council's land.
- 1.6 The public notification process is now complete with no submissions received.
- 1.7 This report requests approval to grant a lease to Manawatū Archery Club.

## 2. BACKGROUND

- 2.1 A report to Council Committee on 30 November 2022 assessed the proposal and as a result Council resolved:
- 'That Council notify the public of the intention to grant a lease on both 53A and 55 Totara Road, Palmerston North to Manawatū Archery Club Incorporated.'*
- 2.2 Consultation was completed in February 2023. No submissions or objections were received.
- 2.3 The proposed lease will commence on 1 April 2023 for a term of five (5) years with one right of renewal of a further five (5) years.
- 2.4 The annual rent for the proposed lease will be \$150.00 (excluding GST).

## 3. CONCLUSION

- 3.1 Council have been supporting the Archery Club through leasing land to them since 2012.
- 3.2 Given there were no objections to the new lease proposal, it is recommended that Council continue to support them and proceed with granting a new lease to Manawatū Archery Club Incorporated.

## 4. NEXT ACTIONS

- 4.1 A new lease is executed between Council and Manawatū Archery Club Incorporated.

## COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do, they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 2: A Creative and Exciting City	
The recommendations contribute to the achievement of action/actions in Active Communities	

The action is: Council supports a variety of clubs and organisations through consistent and transparent lease arrangements at parks and reserves and community centres.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The recommendation is in line with Council's Support and Funding policy, which seeks to support community groups to deliver benefits responding to cultural, economic, environmental and social well-being of the city.

## ATTACHMENTS

Nil





## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** 5 Andrew Avenue - Proposal to grant a lease on Council land to The Scout Association of New Zealand

**PRESENTED BY:** Bryce Hosking, Acting Chief Infrastructure Officer

**APPROVED BY:** Cameron McKay, Chief Financial Officer

### RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE

1. That Council grant a lease of the land at 5 Andrew Avenue, Palmerston North, being described as part of Lot 2 DP 52257, to The Scout Association of New Zealand, in accordance with Section 54 of the Reserves Act 1997 and Council's Support and Funding Policy 2022.

### 1. ISSUE

- 1.1 The Scout Association of New Zealand has been operating at 5 Andrew Avenue, Palmerston North since 1957.
- 1.2 The formal land lease with The Scout Association expired in June 2016 and they have been operating on a month-by-month lease ever since. The Scout Association of New Zealand own their building, Council only leases the land to them.
- 1.3 The Scout Association requested a new lease so it can continue to operate. As the land leased to the Scouts is reserve land, the lease request is subject to Council's Support and Funding Policy 2022 and the requirements of the Reserves Act 1977. This included public notification of Council's intention to grant a new lease on the reserve.
- 1.4 The public notification process is now complete with no submissions received.
- 1.5 The report seeks approval to grant a new lease to The Scout Association of New Zealand in accordance with Section 54 of the Reserves Act 1977 and Council's Support and Funding Policy.

### 2. BACKGROUND

- 2.1 A report to Council on 30 November 2022 assessed the proposal and as a result Council resolved:

1. *That Council notify the public of the intention to grant a lease on 5 Andrew Avenue, Palmerston North to The Scout Association of New Zealand, in accordance with Section 54 of the Reserves Act 1977.*
  2. *That Council note the land area affected by the lease to The Scout Association of New Zealand is described as part of Lot 2 DP 52257.*
- 2.2 Consultation was completed in February 2023. No submissions were received.
- 2.3 If entered the proposed lease will commence on 1 April 2023 and will be for a term of five (5) years with one right of renewal of a further five (5) years.
- 2.4 The proposed annual rent is to \$50 excluding GST. This is consistent with the rental framework in Council's Support and Funding Policy 2022.
- 3. RESERVES ACT CONSULTATION AND CONSIDERATION OF OBJECTIONS**
- 3.1 Council has consulted the community on the proposal to lease as required by Section 54 of the Reserves Act 1977.
- 3.2 Public notice, as required by Sections 54(2) and 119 of the Reserves Act 1977, was published on 15 December 2022 in the Manawātū Standard, The Dominion Post and Council's website.
- 3.3 No submissions were received and there were no requests to be heard. As such the requirements of Section 120 of the Reserves Act have been met.
- 4. CONCLUSION**
- 4.1 Council have been supporting the Scout Association through leasing land to them since 1957.
- 4.2 Given there were no objections to the new lease proposal, and both the requirements of the Reserves Act and the Support and Funding Policy have been met, it is recommended that Council continue to support them and proceed with granting a new lease to The Scout Association of New Zealand.
- 5. NEXT ACTIONS**
- 5.1 A new lease is executed between Palmerston North City Council and The Scout Association of New Zealand.

## COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do, they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 2: A Creative and Exciting City	
The recommendations contribute to the achievement of action/actions in Active Communities	
The action is: Council supports a variety of clubs and organisations through consistent and transparent lease arrangements at parks and reserves and community centres.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The recommendation is in line with Council's Support and Funding policy, which seeks to support community groups to deliver benefits responding to cultural, economic, environmental and social well-being of the city.

## ATTACHMENTS

Nil



## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** 53 Waldegrave Street - Proposal to grant a lease to Te Whare o ngā Wāhine Women's Centre Incorporated

**PRESENTED BY:** Bryce Hosking, Acting Chief Infrastructure Officer

**APPROVED BY:** Cameron McKay, Chief Financial Officer

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### RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE

1. That Council grant a lease of the land at 53 Waldegrave Street, Palmerston North being Lot 2 DP 84727 to Te Whare o ngā Wāhine Women's Centre Incorporated, in accordance with Council's Support and Funding Policy 2022.
- 

#### 1. ISSUE

- 1.1 Te Whare o ngā Wāhine Women's Centre Incorporated has been operating at 53 Waldegrave Street, Palmerston North since 2009.
- 1.2 The previous land and building lease with Te Whare o ngā Wāhine expired in June 2022 and they have been occupying the site on a month-to-month basis since that time.
- 1.3 Te Whare o ngā Wāhine requested a new lease so they can continue to operate uninterrupted.
- 1.4 Council leases the land and the building to Te Whare o ngā Wāhine. As Te Whare o ngā Wāhine is a for-purpose group and are receiving community rental rates the new lease is subject to the process outlined in the Support and Funding Policy 2022. This includes public notification of Council's intention to grant a new lease for Council's land and building.
- 1.5 The public notification process is now complete with no submissions received.
- 1.6 This report requests approval to grant a lease to Te Whare o ngā Wāhine Women's Centre Incorporated in accordance with Council's Support and Funding Policy.

#### 2. BACKGROUND

- 2.1 A report to Council on 30 November 2022 assessed the proposal and as a result Council resolved:

- a. That Council notify the public of the intention to grant a lease at 53 Waldegrave Street, Palmerston North to Te Whare o ngā Wāhine Women's Centre Incorporated.
- b. That Council note the land area affected by the lease to Te Whare o ngā Wāhine Women's Centre Incorporated is described as Lot 2 DP 84727.

- 2.2 Consultation was completed in February 2023. No submissions or objections were received.
- 2.3 The proposed lease will be backdated to commence on 1 August 2022 and will be for a term of five (5) years with one right of renewal of a further five (5) years.
- 2.4 The annual rent for the proposed lease will be \$350.00 (excluding GST) plus outgoings.

### **3. CONCLUSION**

- 3.1 Council have been supporting Te Whare o ngā Wāhine Women's Centre Incorporated through leasing the land and building at 53 Waldegrave Street to them since 2009.
- 3.2 Given there were no objections to the new lease proposal it is recommended that Council continue to support them and proceed with granting a new lease to Te Whare o ngā Wāhine Women's Centre Incorporated.

### **4. NEXT ACTIONS**

- 4.1 A new lease is executed between Palmerston North City Council and Te Whare o ngā Wāhine Women's Centre Incorporated.

### **5. COMPLIANCE AND ADMINISTRATION**

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do, they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 2: A Creative and Exciting City	
The recommendations contribute to the achievement of action/actions in Active	

<p>Communities</p> <p>The action is: Council supports a variety of clubs and organisations through consistent and transparent lease arrangements at parks, reserves and community centres.</p>	
<p>Contribution to strategic direction and to social, economic, environmental and cultural well-being</p>	<p>The recommendation is in line with Council's Support and Funding Policy, which seeks to support community groups to deliver benefits responding to cultural, economic, environmental and social well-being of the city.</p>

## ATTACHMENTS

Nil





## **REPORT**

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** 16 Featherston Street (part of Takaro Park) - Proposal to continue supporting the Takaro Sports Club by notifying the intention to grant community occupancy lease of Council land

**PRESENTED BY:** Bryce Hosking, Acting Chief Infrastructure Officer

**APPROVED BY:** Cameron McKay, Chief Financial Officer

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### **RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE**

1. That Council continues to support Takaro Sports Club Incorporated by notifying the public of its intention to grant community occupancy of Council land at 16 Featherston Street (part Takaro Park), Palmerston North, in accordance with the Support and Funding Policy 2022 and Section 54 of the Reserves Act 1977.
2. That Council notes the land affected by the community occupancy of Takaro Sports Club is described as Lots 1 -12 inclusive and Lots 14 and 15 DP 2938.

## SUMMARY OF OPTIONS ANALYSIS FOR

<b>Problem or Opportunity</b>	<p>Takaro Sports Club has requested further support from Council by granting community occupancy through a new lease agreement.</p> <p>Under the Council's Support and Funding Policy if a for-purpose organisation requests a new lease for the occupancy of Council land at the end of their agreed term the proposal is to be publicly advertised to seek feedback from the public. As the leased land is reserve land, any new lease is subject to the requirements of the Reserves Act 1977 that also requires public notification of Council's intention to grant a new lease on the recreation reserve.</p>
<b>OPTION 1:</b>	<b>Notify the public of Council's intention to continue supporting Takaro Sports Club by granting occupancy via a lease under the Reserves Act 1977 of the existing site being part of Takaro Park.</b>
Community Views	<ul style="list-style-type: none"> <li>Community views will be sought during the public notification period.</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>The community views, along with any objections received as required under the Reserves Act 1977, will be considered to inform the decision.</li> <li>Council can continue supporting and developing the relationship with Takaro Sports Club. This enables Takaro Sports Club to continue their activities.</li> </ul>
Risks	<ul style="list-style-type: none"> <li>No risks are identified.</li> </ul>
Financial	<ul style="list-style-type: none"> <li>The cost of public notification will be minor.</li> <li>Council will continue to receive the annual rent of \$500 + GST.</li> </ul>
<b>OPTION 2:</b>	<b>Do not notify the public of the preferred option (intention to support the Club through a lease) that would effectively cause the discontinuation of Takaro Sports Club's occupancy of Council land.</b>
Community Views	<ul style="list-style-type: none"> <li>Community views to inform the Council's decision on the club's proposed occupancy will not be sought.</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>Should the lease end, and the club be requested to vacate the premise, Council will explore options for the continued use of the land prior to potentially seeking alternative community occupancy options. This process is a requirement under the Support and Funding Policy and gives the opportunity to investigate alternative use of</li> </ul>

	<p>reserve land when a leasing arrangement ends.</p> <ul style="list-style-type: none"> <li>Under the current lease, at the expiration of the lease Council has the option to purchase the Club's buildings and improvements within three months of the date of expiration at a price agreed between both parties.</li> </ul>
Risks	<ul style="list-style-type: none"> <li>Council may be perceived as not supporting the sport and recreation activities of Takaro Sports Club.</li> <li>If Council wish to proceed with this option, the club will be required to vacate the land and, unless agreed otherwise, remove all assets and return the land to its original state.</li> </ul>
Financial	<ul style="list-style-type: none"> <li>Council would no longer receive the annual rent of \$500 + GST.</li> <li>Council staff time would be required to assist with the process of requiring the removal of their improvements.</li> </ul>

## RATIONALE FOR THE RECOMMENDATIONS

### 1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 Takaro Sports Club has been occupying Council land at 16 Featherston Street, Palmerston North since 1950.
- 1.2 Their lease expired in March 2019 and the Club now requests a new lease so they can continue to operate from the site.
- 1.3 This report seeks Council's approval to commence the public notification process for the preferred option (Option 1) in accordance with the Support and Funding Policy and Section 54 of the Reserves Act 1977.

### 2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

- 2.1 Takaro Sports Club, previously known as the Takaro Bowling and Croquet Club Incorporated, was formed in 1923. Since that time the Takaro Sports Club has played an active role in the community. Takaro Sports Club provide both indoor and outdoor sports including table tennis, indoor and outdoor bowls, chess, (beach) volleyball, gateball and pool. These activities benefit the mental and physical wellbeing of the Palmerston North Community.
- 2.2 Takaro Sports Club has over time developed the area with the expansion of club rooms and sporting facilities. The Club has made significant investments to improve its facilities, as noted in the Club's annual Financial Statement for 2022, with the total value of its fixed assets of \$421,324.00.

- 2.3 Takaro Sports Club also work in partnership with other sporting groups in the community, making their facilities available for other for-purpose groups to utilise.
- 2.4 Council has supported Takaro Sports Club (and predecessor clubs) since 1950, providing the Club tenure of Council reserve land at community rental rates.
- 2.5 The current lease for 1.19 hectares of land, granted in April 2009, was for a term of five (5) years with one right of renewal of five years, and expired in March 2019.
- 2.6 The bowling club part of Takaro Sports Club had been negotiating a merger with other local bowling clubs since 2019. While this process has been taking place, the Club has been occupying the land on a month-by-month basis since the expiration of its lease.
- 2.7 Takaro Bowls did not end up merging with Northern and Terrace End bowling clubs. A member of Takaro Bowls has notified Council Officers that all bowling clubs remain separate.
- 2.8 Council Officers and Takaro Sports Club have been in contact through the process for a new lease. As the decision about merging with the other bowling clubs has been finalised, Takaro Sports Club wish to enter a new Deed of Lease with Council.

### **3. THE PROPOSAL**

- 3.1 The proposed lease area sought by the club is approximately 1.19 hectares and situated at 16 Featherston Street, Palmerston North (being part of Takaro Park) outlined in red as shown in Figure One.
- 3.2 If the land-only lease is granted, the proposed annual rent is to be \$500 + GST. This is consistent with the rental framework in Council's Support and Funding Policy 2022.
- 3.3 The proposed term would be five (5) years, with a right of renewal for a further five (5) years.
- 3.4 If a new lease is commenced, the use of the site will remain the same (refer section 2.1 for details).



Figure One: Proposed lease area

#### 4. ASSESSMENT OF PROPOSAL AGAINST THE SUPPORT AND FUNDING POLICY

- 4.1 The Support and Funding Policy provides a framework for how Council will deliver support and funding to groups, organisations and individuals to achieve the vision of the city.
- 4.2 A form of support within the policy is to enable for-purpose groups to occupy Council-owned property for the operation of sporting, recreational and community/social services along with early childhood educational purposes, at community rental rates.
- 4.3 All for-purpose groups expressing an interest in occupying Council-owned property, either for a new occupancy or renewal of an existing occupancy, must make an application. The application is then assessed by Council Officers to ensure that firstly they meet the policy's eligibility criteria before proceeding any further. The Takaro Sports Club meets the eligibility criteria of a for-purpose organisation as an incorporated society.
- 4.4 Please refer to Appendix 1 for a copy of the application from the Takaro Sports Club.
- 4.5 Further assessment considerations are outlined in section Part B - 8c of the policy. In broad terms, the assessment covers three main areas:
  - a) The Policy for the Use of Public Space – guidelines relevant to the application.

- b) Reserves Act 1977 – including consideration of the values and purpose of the reserve and the impacts on the public use of the reserve.
- c) Impact on the locality and park operations.

A copy of the assessment is attached as Appendix 2.

- 4.6 In summary, following the assessment against the policy, Council Officers conclude that Takaro Sports Club meets all criteria required.
- 4.7 Further, Takaro Sports Club has a significant amount of value in the improvements (eg. clubrooms and ancillary buildings) on the reserve land and it is important that they are able to secure long term tenure to access long term funding to maintain these assets and continue to provide sport and recreation opportunities to its members.

## **5. LEASING POWERS UNDER RESERVES ACT**

- 5.1 In addition to the Support and Funding policy requirements, as the land is a reserve held under the Reserves Act 1977, the leasing provisions also apply.
- 5.2 Section 54(1)(b) of the Reserves Act 1977 allows for an administering body to:

*'lease to any voluntary organisation part of the reserve for the erection of stands, pavilions, gymnasiums, and, subject to sections 44 and 45, other buildings and structures associated with and necessary for the use of the reserve for outdoor sports, games, or other recreational activities, ... which lease shall be subject to the further provisions set out in Schedule 1 relating to leases of recreation reserves issued pursuant to this paragraph:*

*provided that a lease granted by the administering body may, with the prior consent of the Minister given on the ground that he or she considers it to be in the public interest, permit the erection of buildings and structures for sports, games, or public recreation not directly associated with outdoor recreation.'*

- 5.3 'Necessary' is not interpreted as requiring that all or even most visitors or users of the reserve need/want to use the service or activity provided under the lease. Reserves often have activities on them that only some of the visitors to the reserve use. The balance of the reserve, Takaro Park, is available for general use by the community.
- 5.4 The proposal would see the continued use of part of the reserve by the Takaro Sports Club. The lease does not alter the current user experience or change the existing capacity for other activities.

## 6. LAND STATUS

The legal description and status of the land is:

Title	Reserve status	Comment
Lots 1 -12 inclusive and Lots 14 and 15 Deposited Plan 2938 WN 511/127 WN 293/218 WN 298/166	Recreation Reserve	During transfer of ownership a purpose was not stated on the transfer.  By NZ Gazette 1999 page 775, all lots described were declared to be a recreation reserve within the meaning of the Reserves Act 1997.

## 7. GIVING EFFECT TO THE PRINCIPLES OF THE TREATY OF WAITANGI

- 7.1 The Reserves Act 1977 is subject to Section 4 of the Conservation Act and requires that administering bodies under the Reserves Act 1977 give effect to the principles of the Treaty of Waitangi.
- 7.2 Rangitāne o Manawātū representatives have considered the proposal. Rangitāne are comfortable with this proposal and happy for it to proceed.

## 8. DESCRIPTION AND ANALYSIS OF OPTIONS

**Option 1: Notify the public of Council's intention to continue supporting Takaro Sports Club by granting occupancy via a lease under the Reserves Act 1977 of the existing site being part of Takaro Park**

- 8.1 This is the preferred option.
- 8.2 Council will seek feedback on continuing to support Takaro Sports Club through the process outlined in the Support and Funding Policy.
- 8.3 Council must give people the opportunity to object to the proposal, and be heard, before deciding to grant a lease as per sections 119 and 120 of the Reserves Act 1977.
- 8.4 After considering feedback, Council can then decide to enter a formal lease with the Takaro Sports Club.
- 8.5 Takaro Sports Club contribute to the community and show strong alignment with Council's strategic direction. Takaro Sports Club adds to Council's priority to be one of the most active communities in New Zealand.

**Option 2: Do not notify the public of the preferred option and discontinue the occupancy of Council land to Takaro Sports Club**

- 8.6 The impact of this option would mean that that the opportunity to seek community feedback on Takaro Sports Club's continued occupancy of the site would not occur.
- 8.7 In turn, this would mean that the lease would cease, and Council would then need to follow the process outlined in the Support and Funding Policy to determine the future use of the land/recreation reserve (refer 5.5.1 b). The first step in this process is to carry out a strategic options review.
- 8.8 The implications of this option on the Club would mean that they would not be able to continue leasing the site. Under the Deed of Lease's provisions, a decision would then need to be made regarding the improvements owned by the Club.
- 8.9 This option poses the risk that Council will be negatively perceived by not supporting the activities of the Takaro Sports Club, and predecessor clubs, that have occupied the site for 73 years.

**9. CONCLUSION**

- 9.1 The proposal is consistent with the purpose of recreation reserves as the Takaro Sports Club is a facility supporting public recreation and enjoyment of Takaro Park, Palmerston North. It also meets the requirements of the Support and Funding Policy with continued occupancy allowing the Club to offer a wide range of sporting and recreation activities to the community.
- 9.2 Public notification on the continuing support will provide opportunities for submissions and objections to be made before a decision is made fulfilling the requirements of the Support and Funding Policy 2022 and the Reserves Act.
- 9.3 It is recommended Council proceed with Option 1 which is the preferred option. Takaro Sports Club's activities contribute to outcomes to achieve goal 2 of Council's strategic direction. The Club are sharing their space with other for-purpose groups. The Club enhance the uniqueness of the space.

**10. NEXT STEPS**

- 10.1 Public notification of the intention to grant the lease, seeking submissions and objections.
- 10.2 Provide the opportunity for any submitters that wish to be heard to speak to Council.
- 10.3 Consider the objections and submissions and provide advice to Council on whether to accept, modify or decline the lease proposal.



## 11. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

- 11.1 The proposed consultation process meets the public notification requirements of the Support and Funding Policy 2022 and the Reserves Act that requires a minimum of one month period advertised in the Manawatu Standard and on the Council website.

### COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do, they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 2: A Creative and Exciting City	
The recommendations contribute to the achievement of action/actions in Active Communities	
The actions are:	
Provide sport and recreation opportunities in all of the City's parks and reserves, that are responsive to the needs and views of communities of interest.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The recommendation is in line with Council's Support and Funding Policy which supports community groups to deliver benefits contributing to the cultural, economic, environmental and the social well-being of the city.

### ATTACHMENTS

1. Takaro Sports Club Application [!\[\]\(f2fdbbba686c1099e6b2b8779766e2d3\_img.jpg\)](#) 
2. Assessment of Lease Proposal [!\[\]\(4f8bc95274d4d489592709b569351eb7\_img.jpg\)](#) 



## Request for Community Occupancy/ lease of Council-owned Property (land and/or building)



To be completed by organisation applying.

Date:

Group Name:

Contact Person:

Address:

P O Box:

Suburb:

City:

Telephone No:

Email address:

Applying for: please tick which relates to your application

- ☐ Occupying/leasing a (previously unoccupied) council-owned property
- ☐ Constructing a new community building on council-owned land
- ☒ Renewing an occupancy/lease

### PART 1 – ABOUT YOUR GROUP

- What is the legal status of your organisation? (e.g. charitable company, incorporated society).
  - ~~Charity~~
  - Incorporated Society
  - ~~Social Enterprise~~
  - ~~Other -~~
  - ~~Don't Know~~
- When was your organisation established?

3. What is the Vision of the organisation, what are you wanting to achieve?

To operate and build a multi sports club

4. How are the major decisions in your organisation taken? (e.g. Trust Board, Management Committee)

Board

5. Who are the current members of the major decision-making group?

Gary Mitchell, Marilyn Sones, Philip Meads

6. Are staff employed or is all work carried out voluntarily?

A greenkeeper is employed on a contract basis but all other work is voluntary

7. If staff are employed, what is the source(s) of funding used to pay them?

From subscriptions (bowls) and advertising/ sponsorship

8. What are the key positions in the organisation (paid and/or voluntary)?

Chairperson, Manager, Secretary, Treasurer, Greenkeeper, Facility Administrator

9. What in general terms are the roles of these positions?

Chairperson –Chair of the Board  
Secretary- Administration  
Manager- Manager of the overall sports club  
Treasurer – Financial  
Greenkeeper- maintenance of the outdoor bowling greens  
Facility Administrator- coordinates and manages use of the premises and outdoor events

10. Who currently holds these positions? Please give names and brief resumes.

Chairperson/ Manager – Gary Mitchell. Retired. Previously DB Breweries.  
Secretary – Marilyn Sones. Retired. Previously worked for an accountant.  
Treasurer- Philip Meads. Company Director.  
Greenkeeper- Trevor Tuatara. Greenkeeper.  
Facility Administrator- Janeen Noble. Inland Revenue Compliance .

11. Please summarise your organisation's achievements since its establishment?

Started as a bowling and croquet club and then followed by growing in to a sports club with new extension to building and the only artificial bowling green in Palmerston North

## PART 2 – INTENDED USE OF COUNCIL PROPERTY

12. What is the intended use of the property?
- a. Sport and recreation
  - ~~b. Community or social service~~
  - ~~c. Education~~
  - ~~d. Youth organisation~~
  - ~~e. Other~~
13. What service or activity is to be provided from the property? Please give a full description continuing a separate sheet if required.

A facility for outdoor lawn bowls, indoor bowls, beach volleyball, pool, chess, boccia along with providing a venue for functions to support our cost structure and as a club that acts as a base for other sports that play at other venues (at present that is Takaro Football, Takaro Netball and Takaro Softball)

14. What are the objectives of the service or activity?

To provide the facilities for the above sports/ activities

15. Who is expected to benefit from the service/activity? (i.e. who will be the end users or client group?)

Members and competitors of the above listed clubs and sections.

- a) What geographic catchment will the project serve?

Palmerston North and some of the wider Manawatu/ Horowhenua area.

- b) What is the demographic profile of those who are expected to benefit from the service / project?

All ages (above 10)

- c) How many people are expected to use the service/project on an annual basis?

2000 plus with visiting teams. There is 750 members as part of Takaro Sports Club

16. What need does the project/service aim to address?

Provide suitable facilities for our members and their visitors

17. How was this need identified?

Not Applicable

18. Which organisations in the City are providing services for a similar target group? (i.e. similar geographic location, demographic profile)

None that we are aware of

19. In what way does your service/project differ from that supplied by these other organisations?

Not Applicable

20. What evidence do you have that the service/project will meet the need identified?

Not Applicable

21. Has the service/project been pilot tested for effectiveness? If so, please give details of pilot test and results.

Not Applicable

22. Has the service/project previously been operated in Palmerston North or anywhere else in New Zealand? If yes, please give details.

Not Applicable

23. How will you measure the level of success of this service/project?

Not Applicable

### PART 3 – GROUP'S READINESS TO OCCUPY

24. What are the costs involved in establishing this project/service?

Please give the main categories of cost and as close an estimate as you can manage for each category.

Nil

25. How do you anticipate funding these costs? (e.g. funds in hand, grants, fund raising)

Please specify which funds have already been secured and which are subject to further work/decisions.

Not Applicable

26. What are the estimated costs of operating the service/project on each year?

Not Applicable

27. How do you anticipate funding these costs?

Not Applicable

28. Have you prepared a business plan for the service/project? If yes, please supply a copy.

Not Applicable

29. Please supply a copy of your most recent audited accounts.

Attached

30. If you are leased a property, what is the timeline for the service/project to be operational?

Long Term Lease

31. Please specify plans for resourcing (equipment, services, people, tools etc.)

Not at this stage

32. Have you prepared any conceptual and technical plans? Please attach with application

#### PART 4 – FIT WITH COUNCIL DIRECTION

Support and Funding Policy – Occupancy of council-owned Property by for Purpose groups

**Purpose:** The purpose of this support is to provide to allow for-purpose groups to occupy and operate out of, Council owned property for sporting, recreational, community/social services and educational purposes, at community rental rates.

**Support Priorities:** For-purpose groups that contribute to outcomes to achieve goals 2, 3, and/or 4 of Council's strategic direction. For- purpose organisations who are jointly seeking a shared space within a Council-owned building; and their presence fits with the identified space and will maintain or enhance the uniqueness of the space.

#### **Policy on Use of Public Spaces 2019<sup>1</sup>**

In considering an application to use public space, and particularly where there are competing applications for the use of public space or high demand for a public space, the Council will consider whether the activity:

- supports the achievement of the Council's goals
- adds to the variety of events or activities available in Palmerston North
- enhances any precinct identities (e.g. Broadway as a hospitality precinct)
- provides an experience (rather than a simple commercial exchange)
- does not significantly limit the availability of space for general community use.

Council may also consider:

- whether the event or activity is inclusive of and accessible to the wider community
- iwi feedback on the proposed event or activity
- the opportunity to enhance or celebrate the heritage values of the public space
- the opportunity to enhance or celebrate the natural environment of the public space
- the opportunity to contribute to preparedness for emergency response, disaster response, or national security concerns
- potential impact on existing city businesses. Council may require applications to be subject to public consultation where an application is likely to be controversial, or where it is unclear if the proposal is consistent with the overall intent of the policy.

Note that none of the criteria or considerations provided for in this policy outweigh the freedoms guaranteed under the Bill of Rights Act.

33. Please explain how your proposed occupancy/lease will contribute to one or more goals<sup>2</sup> of Council (it is not necessary to contribute to more than one goal):
- Goal 2: A creative and exciting city

<sup>1</sup> <https://www.pncc.govt.nz/council-city/official-documents/policies/policy-for-the-use-of-public-space/>

<sup>2</sup> <https://www.pncc.govt.nz/council-city/official-documents/strategic-direction/>



Goal 3: A connected and safe community  
Goal 4: An eco-city

We provide facilities for a wide range of sports and activities for a broad age range of participants

34. Is the need which this project/service aims to address identified in any other City Council plans or research? If so please indicate the report and relevant sections.

Not that we aware of

### **PART 5 – TYPE OF PROPERTY (new requests only)**

35. Does your group require a building or land only?

36. Please describe the type of property you require? Size, type, what attributes must it have etc.

37. Does the property need to be located in a particular area of the City? If so, where?

38. Is this location essential or desirable?

Please bear in mind that if you mark essential and the Council does not have suitable property in that location then no property at all may be offered.

39. Do you have a location or Council property in mind? If so where?

40. Approximately how long do you anticipate requiring Council property for?

41. Please attach any other information you wish to supply as part of your application. For example: constitution, annual reports or similar.

I confirm that all information given or written is true, complete and accurate.

I give authority for Council to use the information provided publicly, such as in a report to the Council, to assess our proposal.

Full Name: Philip Lawrence Meads

Signature



### Assessment of Lease Proposal – Support and Funding Policy

In considering an application of a for purpose organisation to use public space, and particularly where there are competing applications for the use of public space or high demand for a public space, the Council will assess the applications against the criteria set out in both policies.

**Date:** 11 January 2023

**Group Name:** Takaro Sports Club

**Proposed Lease Location:** 16 Featherston Street, Takaro Park, Palmerston North

### Use of Public Space Policy

Criteria	Assessment
Supports the achievement of the Council's goals	Activities of Takaro Sports Club are consistent with goals two and three of Council's strategic direction.
Is accessible to the wider community	The Takaro Sports Club activities seek and support the Palmerston North community.
Adds to the variety of events or activities available in Palmerston North	Takaro Sports Club provides opportunities to promote confidence and create connections within the community
Enhances any precinct identities (e.g. Broadway as a hospitality precinct)	Takaro Sports Club supports and enhances the range of recreational activities at Takaro Park.
Provides an experience (rather than a simple commercial exchange)	Takaro Sports Club are focused on personal development and community engagement.
Does not significantly limit the availability of space for general community use	The lease does not affect the availability of the space for general community use.
Rangitāne o Manawatu feedback on the proposed activity	Rangitāne o Manawatu representatives have considered the proposal and have no comment.
Potential impact of the occupancy and proposed activities	Takaro Sports Club has been occupying in this location since 1950. The lease has no negative impact on the public's benefit and enjoyment of the land/reserve. The lease will not affect the availability of space for the general community use or other for-purpose groups, as it is an existing use.

**Reserves Act 1977 Considerations**

Criteria	Assessment
Meets the defined purpose of recreation reserve in Section 17(1) of the Reserves Act 1977.	Takaro Sports Club is providing a sports club organisation to the local community. It is undertaken in people's leisure time and contributes to the community. This activity is consistent with the purpose of recreation reserves.
The public shall have freedom of entry and access to the reserve, except for the ability to lease areas under Section 54.	The area is proposed to be leased under Section 54 and therefore public access is not required.
Where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve.	No trees or vegetation are required to be removed by the proposal.
Those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and the better use and enjoyment of the reserve shall be conserved.	The Takaro Sports Club, as an existing occupier since 1950, will not negatively impact the existing pleasantness and enjoyment of the reserve.
To the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.	The proposed lease will not impact on soil, water and forest conservation.
Does not significantly limit the availability of space for general community use	The lease does not affect the availability of the space for general community use.

**Impact on the locality and Park operations**

Criteria	Assessment
Aesthetics	The Takaro Sports Club currently occupies the site. There are no additional impacts from the continuing occupation of the site
Security	The Takaro Sports Club will be responsible for security of their buildings and assets
Cleaning and Offensive litter	The Takaro Sports club is responsible for managing litter within its leased area
Vegetation	No trees or shrubs would be required to be removed
Carparking	Existing car parking is available. No new effects are created in approving a new lease
Affected Parties	Parties identified include: <ul style="list-style-type: none"> <li>- Members of the Takaro Sports Club</li> <li>- Neighbouring residents and tenants</li> <li>- Local Community</li> <li>- Rangitane o Manawatu</li> </ul>



## REPORT

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** 21 Guildford Street (part of Ashhurst Village Valley Centre), Ashhurst - Proposal to continue supporting the Ashhurst Community Trust by renewing exclusive community occupancy of Council land

**PRESENTED BY:** Bryce Hosking, Acting Chief Infrastructure Officer

**APPROVED BY:** Cameron McKay, Chief Financial Officer

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### RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE

1. That the Committee supports Ashhurst Community Trust's proposal by notifying the public of its intention to grant community occupancy of Council land at 21 Guildford Street (part of Ashhurst Village Valley Centre), Ashhurst, in accordance with the Support and Funding Policy 2022.
2. That the Committee notes that the land affected by the community occupancy of Ashhurst Community Trust is described as part of Sections 339 and 340, DP 152.

## SUMMARY OF OPTIONS ANALYSIS FOR

<b>Problem or Opportunity</b>	<p>The Ashhurst Community Trust propose to expand the area they lease from Council at 21 Guildford Street (part of Ashhurst Village Valley Centre), remove one of its buildings and replace it with a new building.</p> <p>Under the Council's Support and Funding Policy, if a for-purpose organisation requests a new lease for the occupancy of Council land, the proposal is to be publicly advertised to seek feedback from the public.</p>
<b>OPTION 1:</b>	<b>Notify the public of Council's intention to support Ashhurst Community Trust by entering a new lease and expanding their lease area from 456m<sup>2</sup> to 936m<sup>2</sup> at 21 Guildford Street, Ashhurst.</b>
Community Views	<ul style="list-style-type: none"> <li>Community views will be sought during the public notification period.</li> <li>The Trust has had general conversations with the community and reports great enthusiasm for this proposal.</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>The community views, along with any objections received as required under the Support and Funding Policy, will be considered to inform the decision to enter a lease.</li> <li>Council can support a new positive community initiative. This enables The Trust to expand its activities and present the community with further opportunities.</li> </ul>
Risks	<ul style="list-style-type: none"> <li>The proposal will alter the current visual appearance of the site and see a new building erected on the site which may not be viewed positively by residents who do not have an interest in the new Woodshed activities.</li> <li>Dependant on finalised plans for the proposal, this option may result in the removal of a few long-standing trees on the site. This risk could be managed through the consenting process through additional landscaping as a consent condition.</li> </ul>
Financial	<ul style="list-style-type: none"> <li>Cost of public notification will be minor.</li> <li>Council will continue to receive the annual rent of \$100 (excluding GST) even if the proposed expanded lease area is granted.</li> </ul>
<b>OPTION 2:</b>	<b>Do not notify the public of the intention to enter a new lease and expand the land lease area, noting that their current lease would continue in its current form and that this would effectively prevent the Trust proceeding with their proposed development</b>



	<b>at this time.</b>
Community Views	<ul style="list-style-type: none"> <li>No community views would be sought.</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>The Trust's current occupation would continue, and they would be able to continue to occupy their current 465m<sup>2</sup> lease area until 31 March 2024 when their current lease expires.</li> <li>The lease area will remain the same as no additional buildings or alterations will be placed on the site.</li> </ul>
Risks	<ul style="list-style-type: none"> <li>Council may be perceived as not supporting the activities of The Trust and not supporting new initiatives in the Ashhurst community.</li> </ul>
Financial	<ul style="list-style-type: none"> <li>Council will continue to receive \$100 (exclidong GST) until 31 March 2024 at which time the lease will be reviewed.</li> </ul>

## RATIONALE FOR THE RECOMMENDATIONS

### 1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 The Ashhurst Community Trust has been receiving support from Council by occupying Council land, via a lease at community rental rates. The Trust have been occupying Council land at 21 Guildford Street (part of Ashhurst Village Valley Centre) since 2014.
- 1.2 The current lease is for the land only and expires in March 2024. The 456m<sup>2</sup> piece of land subject to the lease has two buildings on it that are both owned by the Trust. The Trust uses these for occasional meetings and they are also used by Ashhurst Drama group.
- 1.3 The Trust propose to expand the area they lease from Council, remove one of its buildings and replace it with a new building (an old schoolhouse) of approximately 292m<sup>2</sup> to create 'The Woodshed'. The Woodshed will provide opportunities for members of the community to take part in joinery and fabrication projects that support and create connections within the community.
- 1.4 Under the Council's Support and Funding Policy, if a for-purpose organisation requests a new lease for the occupancy of Council land the proposal is to be publicly advertised to seek feedback from the public.
- 1.5 This report seeks Council's approval to commence the public notification process for the preferred option in accordance with the Support and Funding Policy 2022.

## **2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS**

- 2.1 Ashhurst Community Trust is a for purpose group whose objective is to pursue community initiatives. The Trust have been involved in the Ashhurst Skate Park project, providing financial support to drama groups, preschool music and movement groups, amongst other additional support to the community.
- 2.2 The Trust's current lease commenced on 1 April 2014 and expires on 31 March 2024.
- 2.3 The Trust acknowledges there is a lack of woodworker groups in Ashhurst; senior members of the community who are skilled craftsmen wish to pass on their skills to other members of the community. Similar activities have been successful in the Palmerston North area, and the Trust believe this activity will be of great benefit to the Ashhurst community and the wider valley area.
- 2.4 The Trust wish to expand their building footprint by removing one of their current buildings and replacing it with an old schoolhouse building. This will require a resource consent and detailed plans.
- 2.5 If Council approves public consultation, a detailed plan will be provided to Council as part of the post consultation report seeking Council's decision to proceed or not.

## **3. THE PROPOSAL**

- 3.1 The Trust propose to remove one of its buildings and replace it with a new building of approximately 292m<sup>2</sup> (previously used as a school classroom), which will be moved onsite. They plan to attach the classroom to the existing building and include an additional storage shed.
- 3.2 The current leased area is less than what is required for the Trust to implement their proposal. The lease area sought by the Trust is approximately 936m<sup>2</sup>, situated at 21 Guildford Street outlined in red as shown in Figure One.
- 3.3 The Trust proposes to invest a significant amount to expand its services to the community on Council land. It is important that they surrender their current lease and enter a new lease. This process enables the Trust to secure long-term tenure to access long-term funding to proceed with its proposed expansion.
- 3.4 If the land lease is granted, the proposed annual rent is to be \$100.00 (excluding GST). This is consistent with the rental framework in Council's Support and Funding Policy 2022.
- 3.5 The proposed term would be five (5) years, with a right of renewal for a further 5 years.
- 3.6 If a new land lease is granted, the use of the site will also enhance the range of recreational activities available at the Ashhurst Village Valley Centre.



Figure One: Proposed lease area

#### 4. ASSESSMENT OF PROPOSAL AGAINST THE SUPPORT AND FUNDING POLICY

- 4.1 The Support and Funding Policy provides a framework for how Council will deliver support and funding to groups, organisations and individuals to achieve the vision of the city.
- 4.2 A form of support within the policy is to enable for-purpose groups to occupy Council-owned property for the operation of sporting, recreational and community/social services along with early childhood educational purposes, at community rental rates.
- 4.3 All for-purpose groups expressing an interest in occupying Council-owned property, either for a new occupancy or renewal of an existing occupancy, must make an application. The application is then assessed by Council Officers to ensure that firstly they meet the policy's eligibility criteria before proceeding any further. The Trust meets the eligibility criteria of a for-purpose organisation as a charitable trust.
- 4.4 A copy of the Trust's application is contained within Appendix 1.
- 4.5 Further assessment considerations are outlined in section Part B - 8c of the policy. In broad terms, the assessment covers three main areas:
  - a) The Policy for the Use of Public Space – guidelines relevant to the application.
  - b) Reserves Act 1977 – this is not applicable in this case as the land does not have reserve status.
  - c) Impact on the locality and park operations.

This assessment is contained within Appendix 2.

- 4.6 In summary, following the assessment against the policy, Officers conclude that Ashhurst Community Trust is providing community good, however, as a result of the expansion, there is some impact on the locality and park operations in the area.

## 5. LAND STATUS

- 5.1 The legal description of the land is:

Title	Reserve status	Comment
Section 339 Town of Ashhurst (DP 152) Section 340 Town of Ashhurst (DP 152)	None	The land that forms the Ashhurst Village Valley Centre is not held as a reserve and is not therefore subject to the provisions of the Reserves Act

## 6. GIVING EFFECT TO THE PRINCIPLES OF THE TREATY OF WAITANGI

- 6.1 The Support and Funding Policy requires that Rangitāne o Manawatu are consulted on the proposed activity.
- 6.2 Rangitāne o Manawatu will be consulted during the public notification period.

## 7. DESCRIPTION AND ANALYSIS OF OPTIONS

**Option 1: Notify the public of Council's intention to support Ashhurst Community Trust by entering a new lease and expanding their lease area from 456m<sup>2</sup> to 936m<sup>2</sup> at 21 Guildford Street, Ashhurst**

- 7.1 This is the preferred option.
- 7.2 Council will seek feedback on continuing to support the Trust through the process 5.5.1 (a) outlined in the Support and Funding Policy.
- 7.3 Council must give people the opportunity to object to the proposal, and be heard, before deciding to grant a lease as per the Support and Funding Policy.
- 7.4 After considering feedback, Council can then decide to enter a formal lease with the Trust.
- 7.5 The Trust contributes to the community and shows a strong alignment with Council's strategic direction. The Trust adds to Council's priority to lease

Council land and facilities to for-purpose organisations, in line with the Community Support and Funding Policy.

**Option 2: Do not notify the public of the intention to enter a new lease and expand the land lease area, noting that their current lease would continue in its current form and that this would effectively prevent the Trust proceeding with their proposed development at this time**

- 7.6 The impact of this option would mean that that the opportunity to seek community feedback on the Trust's continued occupancy of the site would not occur.
- 7.7 In turn, this would mean the current lease will continue and would expire on 31 March 2024. Three months prior to lease expiry Officers will contact the Trust to determine future intentions.
- 7.8 This option poses the risk that Council will be perceived as not supporting the activities of the Trust.

## 8. CONCLUSION

- 8.1 The proposal would see the Trust enhance the range of activities offered from the Ashhurst Village Valley Centre site. The Trust shares the space with other for-purpose groups and intends to continue with this arrangement.
- 8.2 Public notification on the continuing support will provide the opportunity for submissions and objections to be made before Council decides whether to grant a new lease or not.
- 8.3 It is recommended Council proceed with Option 1 and undertake public consultation.

## 9. NEXT ACTIONS

- 9.1 Public notification of the intention to grant the lease, seeking submissions and objections.
- 9.2 Provide the opportunity for any submitters that wish to be heard to speak to Council.
- 9.3 Consider the objections and submissions and provide advice to the Committee on whether to accept, modify or decline the lease proposal.
- 9.4 If Council approves public consultation, a detailed plan will be provided to Council as part of the post consultation report seeking Council's decision to proceed or not.

## 10. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

- 10.1 The proposed consultation process meets the public notification requirements of the process 5.5.1 (a) of the Support and Funding Policy 2022.

### COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do, they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 2: A Creative and Exciting City	
The recommendations contribute to the achievement of action/actions in Connected Communities	
The action is: Build and maintain relationships with local communities of identity, interest and place to understand and support their strengths and aspirations.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The recommendation is in line with Council's Support and Funding Policy which supports community groups to deliver benefits contributing to the cultural, economic, environmental and the social well-being of the city.

### ATTACHMENTS

1. Application to occupy Council land [↓](#) 
2. Assessment against the Support and Funding Policy [↓](#) 

## RECREATION AND COMMUNITY ASSETS - LEASING REQUEST



To be completed by organisation applying.

Date:

Group Name:

Contact Person:

Address:

P O Box:

City:

Telephone No:

Email address:

### PART 1 – ABOUT YOUR GROUP

1. What is the legal status of your organisation? (e.g. charitable company, incorporated society).
2. Does your organisation have a current constitution? If yes, please enclose a copy.
3. When was your organisation established?
4. How are the major decisions in your organisation taken? (e.g. Trust Board, Management Committee)

All decisions are made at Trust Board meetings and delegated for implementation.

5. Who are the current members of the major decision-making group?

Richard Tankersley – Trustee (Chair)  
Christopher Mitchell – Trustee (Secretary)  
David Hoskin - Trustee

6. What are the key positions in the organisation, are they paid or voluntary, and if paid what are the sources of funding to pay them?

All Trustees are voluntary. There are no paid staff.

7. What in general terms are the roles of these positions?

8. Richard Tankersley – Trustee (Chair)  
9. Christopher Mitchell – Trustee (Secretary)  
10. David Hoskin - Trustee

11. Who currently holds these positions? Please give names and brief resumes.

Richard Tankersley – Trustee (Chair) - is a local businessman and avid community supporter.  
Christopher Mitchell – Trustee (Secretary) – is an Area School Principal and avid supporter of the Ashhurst community  
David Hoskin - Trustee – Local businessman and avid supporter of the Ashhurst community.

12. Please summarise your organisation's achievements since its establishment.



The Ashhurst Community Trust has taken under its governance:	
	<ul style="list-style-type: none"> <li>- The Ashhurst Festive Lights. Stewardship, additional lights and maintenance (2012).</li> <li>- The Ashhurst Drama Group. This group has performed for over 50 years. ACT has provided financial and management support for this long time Ashhurst asset. (2013)</li> <li>- Kid's n Motion community preschool music and movement group. Provision of governance and financial support. (2019)</li> <li>- Funding and creation of the Ashhurst Skate Park project. A \$190,000 project undertaken by the Trust for our community (2017-19).</li> </ul>

## PART 2 – INTENDED USE

13. What is the intended use/s of the property? Please detail all uses.

<p>Currently used by ACT for Ashhurst Drama Group storage and occasional meetings.</p> <p>It is intended to expand the site to utilise an opportunity of another building and equipment to provide long-term woodworking and training for community members. This is along the lines of a 'Menz Shed'. The name for our facility will be The Wood Shed. We have the equipment and a skilled craftsman to head to training. Public consultation will create a management team to run and oversee the facility under the governance of the Trust.</p>
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14. Who is expected to benefit from the service/project? (i.e. who will be the end users or client group?)

The end users are the members of the Ashhurst community, young and old.
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- a) What geographic catchment will the project serve?

Ashhurst and wider valley area.
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- b) What is the demographic profile of those who are expected to benefit from the service / project?

All ages and peoples. There may be a partnership developed with the Ashhurst School.

- c) How many people are expected to use the service/project on an annual basis?

50 to 200 people.

15. What need does the project/service aim to address?

The loss of skills and craftsmanship of wood working. We have some senior members of our community who are very skilled master craftsmen who want to impart their learning and craft to the next generation.

16. How was this need identified?

As seen with the Menz Shed expansion throughout the country, there has been a retreating of intergenerational connection through clubs and community connections. We also identify the loss of trade and craft skills occurring through this isolation.

17. Which organisations in the City are providing services for a similar target group? (i.e. similar geographic location, demographic profile)

Menz Shed is operating Palmerston North and Feilding.

18. In what way does your service/project differ from that supplied by these other organisations?

We are here to serve our immediate community. There will be a structured training regime that people will progress through as they gain confidence and skills in working with woods and equipment.

19. What evidence do you have that the service/project will meet the need identified?

The general conversations held with individuals and our local Lions Club have been met with great enthusiasm. Nationally Menz Shed ventures are thriving connections within a community. There are 120 sheds and 18 in development.

20. Has the service/project been pilot tested for effectiveness? If so, please give details of pilot test and results.

We are multiple similar projects successfully operating throughout New Zealand (Menz Sheds).

21. Has the service/project previously been operated in Palmerston North or anywhere else in New Zealand? If yes, please give details.

Menz Shed is operating Palmerston North and Feilding.

22. How will you measure the level of success of this service/project?

Community 'membership', intergenerational connections (School and young adults), celebrations of training and project builds.

### PART 3 – READINESS

Existing tenants seeking the lease renewal, please provide a copy of your latest audited accounts and move to Part 4.

For new leases please complete all of Part 3

23. What are the costs involved in establishing this project/service?

Please give the main categories of cost and as close an estimate as you can manage for each category.

Design – placement and services \$5,000  
Provision of Building – relocatable \$45,000  
Relocation of building to site \$50,000  
Connection of services \$12,500  
Building fit out – electrical, alarms and cameras \$27,500  
Finishing of building exterior and grounds \$15,000

24. How do you anticipate funding these costs? (e.g. funds in hand, grants, fund raising)

Please specify which funds have already been secured and which are subject to further work/decisions.

Design – placement and services \$5,000 **Grant/s**  
 Provision of Building – relocatable \$45,000 **Secured**  
 Relocation of building to site \$50,000 **Secured**  
 Connection of services \$12,500 **Grant/s**  
 Building fit out – electrical, alarms and cameras \$27,500 **Grant/s**  
 Finishing of building exterior and grounds \$15,000 **Grant/s**  
 Labour – Lions Club **Secured**

25. What are the estimated costs of operating the service/project on each year?

Annual costs (not including equipment) are \$5,022.

26. How do you anticipate funding these costs?

Funding through The Wood Shed membership and training fees.

27. Have you prepared a business plan for the service/project? If yes, please supply a copy.

This is in progress and will be signed off by the management team once this team is fully established.

28. Please supply a copy of your most recent audited accounts.

Annual accounts of ACT attached.

29. If you are leased a property, what is the timeline for making the service/project operational?

ACT would like this facility to be operational within 3 to 6 months. We have the building and equipment to operate.

## PART 4 – FIT WITH COUNCIL DIRECTION

### Policy on Use of Public Spaces 2019<sup>1</sup>

<sup>1</sup> <https://www.pncc.govt.nz/council-city/official-documents/policies/policy-for-the-use-of-public-space/>

In considering an application to use public space, and particularly where there are competing applications for the use of public space or high demand for a public space, the Council will consider whether the activity:

- supports the achievement of the Council's goals
- adds to the variety of events or activities available in Palmerston North
- enhances any precinct identities (e.g. Broadway as a hospitality precinct)
- provides an experience (rather than a simple commercial exchange)
- does not significantly limit the availability of space for general community use.

Council may also consider:

- whether the event or activity is inclusive of and accessible to the wider community
- iwi feedback on the proposed event or activity
- the opportunity to enhance or celebrate the heritage values of the public space
- the opportunity to enhance or celebrate the natural environment of the public space
- the opportunity to contribute to preparedness for emergency response, disaster response, or national security concerns
- potential impact on existing city businesses. Council may require applications to be subject to public consultation where an application is likely to be controversial, or where it is unclear if the proposal is consistent with the overall intent of the policy.

Note that none of the criteria or considerations provided for in this policy outweigh the freedoms guaranteed under the Bill of Rights Act.

30. Please explain how your proposed lease will contribute to one or more goals<sup>2</sup> of Council (it is not necessary to contribute to more than one goal):
- Goal 1: An Innovative and growing city
  - Goal 2: A creative and exciting city
  - Goal 3: A connected and safe community
  - Goal 4: An eco-city

This project contributes to innovation through the imparting of skills of craftsmen to the next generation. It allows the creativity of the use of natural products. One of our sites is a historic building from Awahuri, the old school house. It is in need of some love and attention. We have already identified it as a project for the classes to work on it and learn about replacing timbers and caring for

31. If your activity contributes to the variety of events and activities in Palmerston North, please explain how.

<sup>2</sup> <https://www.pncc.govt.nz/council-city/official-documents/strategic-direction/>

32. What other activities and groups may also use you leased area or building alongside your activities.

There will be a training room that may be used by similar craft groups for meetings and training.

## PART 5 – TYPE OF PROPERTY

33. Does your group require a building or land only?

We already have a building. ACT already lease this land off PNCC.

34. Please describe the type of property you require. Size, type, what attributes must it have etc.

ACT already lease this land off PNCC. It is the ideal location and size.

35. Does the property need to be located in a particular area of the City?

We are here to support the Ashhurst community.

36. Is this location essential or desirable?

Please bear in mind that if you mark essential and the Council does not have suitable property in that location then no property at all may be offered. If you are an existing tenant please skip this question.

ACT already lease this land off PNCC.

37. Do you have a location or Council property in mind? If so where? If so, where? If you are an existing tenant please skip this question.

ACT already lease this land off PNCC.

38. Approximately how long do you anticipate requiring Council property for?

This is a long term venture for our community.





### Assessment of Lease Proposal – Support and Funding Policy

In considering an application of a for purpose organisation to use public space, and particularly where there are competing applications for the use of public space or high demand for a public space, the Council will assess the applications against the criteria set out in both policies.

**Date:** 3 February 2023  
**Group Name:** Ashhurst Community Trust  
**Proposed Lease Location:** 21 Guildford Street (part of Ashhurst Village Valley Centre)  
 Ashhurst

### Use of Public Space Policy

Criteria	Assessment
Supports the achievement of the Council's goals	Activities of the Trust are consistent with goals two, Creative and Exciting and three, Safe and Connected of Council's strategic direction.  Similar activities in Palmerston North have an excellent track record and it is anticipated that the potential in Ashhurst is similar, if for a smaller population.
Is accessible to the wider community	The Trust activities support the Ashhurst and to a lesser the wider Palmerston North community.
Adds to the variety of events or activities available in Palmerston North	The Trust provides opportunities to take part in joinery and fabrication projects that support and create connections within the community
Enhances any precinct identities (e.g. Broadway as a hospitality precinct)	The Trust supports and enhances the range of recreational activities at Ashhurst and may enhances the range of activities available to close proximity to the Village Valley Centre
Provides an experience (rather than a simple commercial exchange)	The Trust are focused on supporting community initiatives, providing a service for the community to learn skills working with wood and equipment.
Does not significantly limit the availability of space for general community use	The lease would reduce the availability of the space for general community use. Such as parking and low-level recreation and amenity value. This is not expected to be a significant impact

	however, this would be tested through the consultation on the proposed lease.
Rangitāne o Manawatu feedback on the proposed activity	Rangitāne o Manawatu representatives will be consulted during the public consultation period
Potential impact of the occupancy and proposed activities	The Trust has been occupying in this location since 2014. The proposed lease will extend the current leased area. It will have an impact on the amount of greenspace, occasional overflow carparking use for the Village Valley Centre and require the removal of trees.

#### Impact on the locality and Park operations

Criteria	Assessment
Aesthetics	The area has limited amenity to being a grassed space and rear building walls. Landscaping requirements can help offset loss of amenity.
Security	The Trust will be responsible for security of their buildings and assets  A small enclave area would be created between the proposed building and the Village Valley Centre. This is not expected to create significant safety concerns and can be managed, if required, via CCTV cameras.
Cleaning and Offensive litter	The Lease holder would be made responsible for cleaning litter from the area of their lease.
Vegetation	There would be a reduction in grassed lawn area by approximately 400spm and potentially trees on site.  This can be offset to some degree by requiring some landscaping as part of the facility development.
Carparking	The rear of the Village Valley Centre has a service entry which would be retained and arguably enhanced by the proposed vehicle access improvements.

	<p>Reserved accessible parks may provide some minor benefit to the Village Valley Centre where they are available outside of the hours the Woodshed is in use.</p> <p>While no quantitative assessment has been completed it is suggested that there is ample on the street parking available. The likely effects on carparking will be modest, with large events in the Village Valley Centre having less overflow grass parking meaning additional walking distances.</p>
Affected Parties	<p>Parties identified include:</p> <ul style="list-style-type: none"> <li>- Members of the Trust</li> <li>- Neighbouring residents and tenants</li> <li>- Local Community</li> <li>- Rangitane o Manawatu</li> <li>- Squash Club</li> <li>- Users of the Village Valley Centre.</li> <li>- Ashhurst Fire Station.</li> </ul>



## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** Elected Member Expenditure 2021/22

**PRESENTED BY:** Scott Mancer, Finance Manager

**APPROVED BY:** Cameron McKay, Chief Financial Officer

### RECOMMENDATION(S) TO STRATEGY & FINANCE COMMITTEE

1. That the Committee receive the memorandum titled 'Elected Member Expenditure 2021/2022', presented to the Strategy & Finance Committee on 22 March 2023.

#### 1. ISSUE

This report is presented annually in accordance with the Elected Member Expenses Policy which requires annual reporting of the Mayor and Deputy Mayor expenses to the Committee.

It is presented to the first Strategy & Finance Committee meeting of the triennium.

The memorandum also covers off a series of directions given through resolutions of the Finance & Audit committee of the previous term of Council:

- 'That the annual Expenses of the Mayor & Deputy Mayor report address discretionary expenditure and that the expenses of the Mayor and Deputy Mayor be reported separately.' (40-20)
- 'Discretionary expenditure' was itemised by the Chair as covering hospitality, training, travel, accommodation and gifts and was also to include credit card expenditure and the Mayoral Relief and Discretionary funds. These have been listed separately below as spending by the Mayor, Deputy Mayor, Mayor's office and discretionary budgets.
- 'That all expense claims by Elected Members are reported annually to the Finance & Audit Committee.' (41-21)

A subsequent resolution to include taxi chit charges in expense claims will be included in 2022/23 FY reporting.

There was a further resolution of the Committee, related to the Elected Member Training and Development Policy. This is reported through the Quarterly Performance Report.

- 'That attendance approved, and expenditure of the Elected Member Development and Training Budget is provided quarterly to the Finance & Audit Committee.' (24-21)

## 2. BACKGROUND

- 2.1 At its meeting of 16 November 2022, Council gave delegation to the Chairperson of the Strategy & Finance Committee or the Chair of Risk & Assurance Committee to approve expenses (all invoices and credit card transactions) incurred by the Mayor, retrospectively.
- 2.2 Furthermore, the expenditure reported here is subject to audit undertaken by Audit NZ through the audit of the annual report. Their scope includes reviewing the effectiveness and efficiency, waste, and testing for a lack of probity or financial prudence. Findings are then reported to the Strategy & Finance Committee.
- 2.3 This report, therefore, adds a level of good practice by providing a summary of the expenses of the Mayor and Deputy Mayor to the Strategy & Finance Committee in a regular and timely manner.

## 3. EXPENDITURE

- 3.1 Below is a summary of relevant expenditure from the Mayoral Office, Mayor's Discretionary, Mayor's Relief Fund and Elected Member Support. The summary presents only a part of these budget lines for the 2021/22 financial year.
- 3.2 For comparative context the table is provided below.

**Table 1: Comparative totals**

Financial year	Total controllable expenditure	Budget
2019/20	133,902	209,780
2020/21	189,569	202,216
2021/22	145,020	221,652

**Table 2: Mayor's Office budgets (discretionary expenditure only)**

	21/22 Actual	21/22 Budget	20/21 Actual
Hospitality	17,935	23,304	33,424
Training	4,300	8,256	6,292
Travel and Accommodation	6,362	22,296	15,817
Gifts	5,884	Not separately budgeted	4,286
<b>TOTAL</b>	<b>\$34,481</b>	<b>\$53,856</b>	<b>\$59,819</b>

**Table 3: Discretionary budgets (Mayor)**

	21/22 Actual	21/22 Budget	20/21 Actual
Mayor Discretionary	11,223	10,800	14,315
Mayor Relief	4,931	1,116	10,275
(Donations received)	(8,732)	n/a	(14,489)
<b>TOTAL</b>	<b>\$7,422</b>	<b>\$11,916</b>	<b>\$10,101</b>

**Table 4: Sensitive expenditure (by Mayor, Deputy Mayor) excluding credit card transactions**

	GRANT SMITH	ALEISHA RUTHERFORD
Hospitality	13,815	90
Training	1,427	
Travel and accommodation	5,941	702
Gifts	3,771	
Internet	231	
<b>TOTAL</b>	<b>\$25,185</b>	<b>\$792</b>

#### 4. EXPENSE CLAIMS

Below is a summary of all expense claims made by all Elected Members. There is overlap with the expenses above.

**Table 5: Reimbursements (all Elected Members)**

	ALEISHA RUTHERFORD	PATRICK HANDCOCK
Hospitality		
Travel and accommodation		27
Gifts		
Internet	463	
<b>TOTAL</b>	<b>\$463</b>	<b>\$27</b>

#### 5. CREDIT CARD USE

Below is a summary of all credit card transactions by the Mayor and Deputy Mayor for the 2021/22 financial year.

**Table 6: Credit card (By Mayor, Deputy Mayor)**

	GRANT SMITH	ALEISHA RUTHERFORD
Hospitality	4,104	55
Travel and accommodation	420	135
Gifts	2,113	
Training	2,873	646
<b>TOTAL</b>	<b>\$9,510</b>	<b>\$836</b>



## 6. NEXT STEPS

Officers will bring a further report to this Committee to consider how we can best present this data to Elected Members and the public in future annual reporting.

## 7. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>No</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 5: A Driven & Enabling Council	
The recommendations contribute to the achievement of action/actions in Governance and Active Citizenship	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	Open and transparent governance contributes to trust and reputation of the Council.

## ATTACHMENTS

Nil



## COMMITTEE WORK SCHEDULE

**TO:** Strategy & Finance Committee

**MEETING DATE:** 22 March 2023

**TITLE:** Committee Work Schedule

### RECOMMENDATION TO STRATEGY & FINANCE COMMITTEE

1. That the Strategy & Finance Committee receive its Work Schedule dated March 2023.

COMMITTEE WORK SCHEDULE – MARCH 2023					
Item No.	Estimated Report Date	Subject	Officer Responsible	Current Position	Date of Instruction/ Clause number
1.	March 2023	Elected Member Expenditure	Chief Financial Officer		Elected Members Expenses Policy 2022
2.	March 2023	Draft Traffic and Parking Bylaw (street racer amendment) hearing	Chief Planning Officer		Terms of Reference
3.	March 2023	Quarterly Performance & Financial Report (quarter 2 ending 31 December 2022)	Chief Financial Officer		Terms of Reference
4.	March 2023	Treasury Report (Quarter 2)	Chief Financial Officer		Treasury Policy
5.	May 2023	Draft Traffic and Parking Bylaw (street racer	Chief Planning Officer		11 May 2022 Clause 24

		amendment) deliberations			
6.	May 2023	Quarterly Performance & Financial Report (quarter 3 ending 31 March 2023)	Chief Financial Officer		Terms of Reference
7.	May 2023	Treasury Report (Quarter 3)	Chief Financial Officer		Treasury Policy
8.	May 2023	Waka Kotahi Recreation Pathways Fund Associated with Te Ahu a Turanga Highway - report on the outcome of the funding application, including any financial implications for consideration as part of the draft 2023/24 Annual Budget process	Chief Infrastructure Officer		27 April 2022 Clause 30
9.	May 2023	Information relating to the description, timing and quantum of the infrastructure work programmes to enable growth in Aokautere	Chief Infrastructure Officer		9 March 2022 Clause 11.4
10.	September 2023	Quarterly Performance & Financial Report (quarter 4 ending 30 June 2023)	Chief Financial Officer	Present to Council	Terms of Reference

11.	September 2023	Treasury Report (Quarter 4)	Chief Financial Officer	Present to Council	Treasury Policy
12.	September 2023	Treasury Policy Review	Chief Financial Officer		Treasury Policy
13.	November 2023	Quarterly Performance & Financial Report (quarter 1 ending 30 September 2023)	Chief Financial Officer		Terms of Reference
14.	November 2023	Treasury Report (Quarter 1)	Chief Financial Officer		Treasury Policy
15.	TBC	Rates review	Chief Financial Officer		
16.	August 2024	Draft Waste Management and Minimisation Bylaw – Approval for Consultation	Chief Planning Officer		11 August 2021 Clause 21
17.	TBC	Vegetation Framework to include a Tree Policy focused on Council administered streets and public spaces	Chief Planning Officer		Committee of Council 9 June 2021 Clause 31.8

## ATTACHMENTS

NIL