



PAPAIOEA
PALMERSTON
NORTH
CITY

PALMERSTON NORTH CITY COUNCIL

AGENDA

COUNCIL

9AM, WEDNESDAY 4 OCTOBER 2023

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

MEMBERS

Grant Smith (Mayor)	
Debi Marshall-Lobb (Deputy Mayor)	
Mark Arnott	Leonie Hapeta
Brent Barrett	Lorna Johnson
Rachel Bowen	Billy Meehan
Vaughan Dennison	Orphée Mickalad
Lew Findlay (QSM)	Karen Naylor
Roly Fitzgerald	William Wood
Patrick Handcock	Kaydee Zabelin
(ONZM)	

AGENDA ITEMS, IF NOT ATTACHED, CAN BE VIEWED AT

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

Waid Crockett

Chief Executive | PALMERSTON NORTH CITY COUNCIL

Te Marae o Hine | 32 The Square
Private Bag 11034 | Palmerston North 4442 | New Zealand
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COUNCIL MEETING

4 October 2023

ORDER OF BUSINESS

1. Karakia Timatanga

2. Apologies

3. 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.

4. 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.

5. **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.)

6. **Confirmation of Minutes**

Page 7

"That the minutes of the ordinary meeting of 6 September 2023 Part I Public be confirmed as a true and correct record."

7. **Confirmation of Minutes**

Page 19

"That the minutes of the extraordinary meeting of 27 September 2023 Part I Public be confirmed as a true and correct record."

REPORTS

8. **Housing outcomes for 17-19 Summerhays Street**

Page 23

Report, presented by Bryce Hosking, Group Manager - Property and Resource Recovery.

9. **Turitea Reserve Wind Farm Proposed Change in Purpose**

Page 35

Report, presented by Mike Monaghan, Group Manager - Three Waters.

10. **Approval for the Mayor to travel to Le Quesnoy in France to attend the Opening of the New Zealand Liberation Museum - Te Arawhata**

Page 65

Memorandum, presented by Waid Crockett, Chief Executive Officer.

11. **Annual Section 10A Dog Control Act 1996 Report 2022/23**

Page 73

Memorandum, presented by Aaron Thornton, Acting Environmental Protection Services Manager.

RECOMMENDATIONS FROM COMMITTEE MEETINGS

13. **Presentation of the Part I Public Culture & Sport Committee Recommendations from its 13 September 2023 Meeting** Page 95

"That the Committees recommendations be adopted or otherwise dealt with."

14. **Presentation of the Part I Public Strategy & Finance Committee Recommendations from its 20 September 2023 Meeting** Page 97

"That the Committees recommendations be adopted or otherwise dealt with."

15. **Presentation of the Part I Public Community Committee Recommendations from its 27 September 2023 Meeting** Page 99

"That the Committees recommendations be adopted or otherwise dealt with."

16. **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
17.	Minutes of the ordinary meeting - Part II Confidential - 6 September 2023	For the reasons setout in the ordinary minutes of 6 September 2023, held in public present.	
18.	Part IIB: Chief Executive's Performance Review [Limited circulation]	Privacy	s7(2)(a)

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].

PALMERSTON NORTH CITY COUNCIL

Minutes of the Council Meeting Part I Public, held in the Council Chamber, First Floor, Civic Administration Building, 32 The Square, Palmerston North on 06 September 2023, commencing at 9.02am

Members Present: Grant Smith (The Mayor) (in the Chair) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and William Wood.

Apologies: Councillor Leonie Hapeta for early departure, and Councillor Kaydee Zabelin on Council Business.

Councillor Leonie Hapeta was not present when the meeting resumed at 10.40am. She was not present for clauses 136 to 151 inclusive.

Councillor Orphée Mickalad left the meeting at 12.22pm after consideration of clause 138. He was present when the meeting resumed at 2.26pm. He was not present for clause 139.

Councillor Karen Naylor was not present when the meeting resumed at 2.26pm. She was not present for clauses 144 to 151 inclusive.

Councillor Billy Meehan was not present when the meeting resumed at 4.09pm. He was not present for clauses 146 to 151 inclusive.

Karakia Timatanga

Councillor Roly Fitzgerald opened the meeting with karakia.

132-23 Apologies

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That Council receive the apologies from Councillor Leonie Hapeta for early departure, Councillor Kaydee Zabelin on Council Business.

Clause 132-23 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent

Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and William Wood.

Declarations of interest

Councillor Leonie Hapeta declared a conflict of interest in Item 15 'District Licensing Committee - Appointment Process' (clause 144). She was not present for that Item.

Councillor Vaughan Dennison declared an interest in Item 16 'Hearings Commissioners List - Review Process' (clause 142) for being a proposed candidate for the selection panel, but stated he would consider the Item with an open mind.

Councillor Orphée Mickalad declared an interest in Item 16 'Hearings Commissioners List - Review Process' (clause 142) for being a proposed candidate for the selection panel and abstained from voting on that Item.

133-23

Presentation - Te Hautū Kahurangi Tertiary Education Union (TEU)

Te Awatea Ward, Massey University TEU Branch Co-President, Harvey Jones, Massey University TEU Branch Vice-President, and Ben Schmidt, TEU organiser for Massey University, made a presentation about the adverse situation Massey University has been facing, their aspirations for the University and the city, and requests to Council.

The presenters stated that:

- The University had been through a process of job losses, courses changes or reductions, an increase of online courses and decrease of programmes in person, and reducing the number of students on campus. Decisions had been taken without appropriate engagement with stakeholders.
- The situation had negative community and economic impacts on students, staff and their families, the institution, and the city.
- The Union wanted a secure place of work for their members, as well as the University to thrive together with the city.

The presenters requested that Council advocate, within its scope of action, for solutions to the situation and to support the Union's aspirations.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the Council receive the presentation for information.

Clause 133-23 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent

Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and William Wood.

134-23 Confirmation of Minutes

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the minutes of the ordinary meeting of 16 August 2023 Part I Public and Part II Confidential be confirmed as a true and correct record.

Clause 134-23 above was carried 14 votes to 0, with 1 abstention, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and William Wood.

Abstained:

Councillor Vaughan Dennison.

135-23 Notice of Motion - Extension of free parking provisions for SuperGold Card holders

Councillor Billy Meehan presented his Notice of Motion.

Moved Billy Meehan, seconded William Wood.

RESOLVED

1. That the Gold Card parking be extended from 9am-12pm Monday to Friday, to 9am -3pm Monday to Friday.

Clause 135-23 above was carried 9 votes to 6, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Leonie Hapeta, Billy Meehan and William Wood.

Against:

Councillors Brent Barrett, Rachel Bowen, Patrick Handcock, Lorna Johnson, Orphée Mickalad and Karen Naylor.

Moved Billy Meehan, seconded William Wood.

Note:

On a motion 'That the Council revoke the following resolution adopted by the Community Committee on 9 August 2023 (clause 28-23): 'That the Committee refer the matter of extending free parking provisions for SuperGold Card holders to be included in the development of the Parking Framework'; the

motion was lost 5 votes to 10, the voting being as follows:

For:

Councillors Mark Arnott, Lew Findlay, Leonie Hapeta, Billy Meehan and William Wood.

Against:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Orphée Mickalad and Karen Naylor.

The meeting adjourned at 10.20am.

The meeting resumed at 10.40am.

Councillor Leonie Hapeta was not present when the meeting resumed.

REPORTS

136-23 Treasury Report - year ending 30 June 2023

Memorandum, presented by Steve Paterson, Strategy Manager - Finance.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the Council note the performance of Council's treasury activity for the year ending 30 June 2023.

Clause 136-23 above was carried 14 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and William Wood.

137-23 Quarterly Performance and Financial Report - Period Ending 30 June 2023

Memorandum, presented by Scott Mancer, Finance Manager, Sue Kelly, Manager - Project Management Office and Andrew Boyle, Head of Community Planning.

Officers rectified an error in Appendix 1, '01. Measure - Arts and Heritage' on page 56 of the Agenda: with regard to Council-owned cultural facilities, the colour for June should be green instead of red.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the Council receive the memorandum titled 'Quarterly Performance and Financial Report – Period Ending 30 June 2023', and related attachments, presented on 6 September 2023.
2. That the Council approve the adjustments to carry forward values per the carry forward report attachment.
3. That the Chief Executive be given delegation to allocate 100% of funds from 1888-Low Carbon Fund to other activities, as well as moving the fund between capital new and capital renewal for the financial year 2023/24.

Clause 137-23 above was carried 14 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and William Wood.

138-23

Options to address key issues raised in the 2022 Annual Residents' Survey

Memorandum, presented by Jessica Papple, Marketing Manager and Andrew Boyle, Head of Community Planning.

Officers noted an omission in the report: a new customer experience working group, which has been recently implemented, should have been included in Table 1 on page 105 of the Agenda.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the Council note the new and ongoing actions to raise awareness of the role of Elected Members, and services and operations of Council as detailed in Table 1 of the report titled 'Options to address key issues raised in the 2022 and 2023 Annual Residents' Survey'.

Clause 138-23 above was carried 14 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and William Wood.

Councillor Orphée Mickalad left the meeting at 12.22pm.

EXCLUSION OF PUBLIC

139-23 Recommendation to Exclude Public

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

"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
22.	City Transport Review - Action Plan	Commercial Activities and Negotiations	s7(2)(h) and s7(2)(i)
23.	Approve list of Code of Conduct Investigators	Privacy	s7(2)(a)
24.	Civic Honours Awards 2023	Privacy	s7(2)(a)
25.	Food HQ Innovation Limited Director nomination	Privacy	s7(2)(a)

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.

- Bevan Sandison (General Manager – Engineering Solutions, Fulton Hogan); and
- Vic Maggs (Regional Manager Manawatu-Whanganui, Fulton Hogan);

because of their knowledge and ability to assist the meeting in answering questions, noting that such person/s will be present at the meeting only for Item 22 'City Transport Review - Action Plan'.

Clause 139-23 above was carried 13 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Billy Meehan, Karen Naylor and William Wood.

The public part of the meeting adjourned at 12.24pm to move into the confidential part of the meeting.

The public part of the meeting resumed at 2.26pm.

Councillor Karen Naylor was not present when the meeting resumed.

144-23 Results of the 2023 Residents' Survey

Memorandum, presented by Andrew Boyle, Head of Community Development.

An additional motion was put requesting the Chief Executive bring back an action plan. The mover stated that the survey results showed a drop in satisfaction in various areas including Council's reputation, and Elected Members needed to understand what work needs to be done to address the issues.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the Council note the results of the 2023 Residents' Survey.
2. That the Council request the Chief Executive to bring back an Action Plan for the 2023 Residents Survey's results.

Clause 144-23 above was carried 13 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Billy Meehan, Orphée Mickalad and William Wood.

145-23 Electoral system for Palmerston North City local body elections

Report, presented by Hannah White, Democracy and Governance Manager.

Moved Rachel Bowen, seconded Lorna Johnson.

RESOLVED

1. That the electoral system for the 2025 local body election be Single

Transferable Voting (STV) electoral system.

2. That the Council note the electoral system will remain STV for the next two local body elections, and until a further Council resolution to the contrary.

Clause 145-23 above was carried 11 votes to 2, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Billy Meehan, Orphée Mickalad and William Wood.

Against:

Councillors Mark Arnott and Lew Findlay.

Moved Grant Smith, seconded Mark Arnott.

Note:

On the motions 'That the electoral system for the 2025 local body election be First Past the Post (FPP) electoral system' and 'That the Council note the electoral system will remain FPP for the next two local body elections, and until a further Council resolution to the contrary', the motions were lost 4 votes to 9, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Mark Arnott, Lew Findlay and Billy Meehan.

Against:

Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Orphée Mickalad and William Wood.

The meeting adjourned at 3.54pm.

The meeting resumed at 4.09pm.

Councillor Billy Meehan was not present when the meeting resumed.

146-23

Hearings Commissioner List - Review Process

Memorandum, presented by Desiree Harvey, Legal Counsel.

Officers advised a change to recommendation 3 of the report: replacing reference to 'Principal Planner Customer' with 'Planning Services Manager', as a more appropriate role to for the selection panel.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the Council instruct the Chief Executive to commence a review

process for Palmerston North City Council's Hearings Commissioners List, according to section 2.4 of this report.

2. That the Council appoint a selection panel to consider applications and bring recommendations to Council, consisting of:
 - Councillor Vaughan Dennison, Chairperson of the Strategy and Finance Committee,
 - Councillor Orphée Mickalad, and
 - the following Council officers: Legal Counsel, Chief Planning Officer and Planning Services Manager.

Clause 146-23 above was carried 11 votes to 0, with 1 abstention, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson and William Wood.

Abstained:

Councillor Orphée Mickalad.

147-23

Adoption of Delegations Manual 2023

Memorandum, presented by Hannah White, Democracy and Governance Manager.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the Council adopt the Delegations Manual 2023 (Attachment 2), noting that financial delegations are under review.

Clause 147-23 above was carried 12 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Orphée Mickalad and William Wood.

148-23

District Licensing Committee - Appointment Process

Memorandum, presented by Hannah White, Democracy & Governance Manager.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the Council instruct the Chief Executive to commence a recruitment process for Palmerston North City Council's list of approved District Licensing Committee members, according to

sections 2.5 and 2.6 of this report.

2. That the Council agree the Mayor, Deputy Mayor, Legal Counsel and Susan Baty, form the selection panel to finalise selection criteria, shortlist and interview candidates and make recommendations to the Council regarding final appointments.
3. That the Council amend the Appointment of Directors Policy 2022 to include the selection process outlined in section 2.6 of this report.

Clause 148-23 above was carried 12 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Orphée Mickalad and William Wood.

149-23 Elected Members' Meeting Attendance Statistics - 1 July 2022 to 30 June 2023

Memorandum, presented by Hannah White - Democracy & Governance Manager.

Councillor Debi Marshall-Lobb requested that the report be corrected to note that she presented an apology for absence on Council Business for the 3 May 2023 Council meeting, which was recorded in the minutes of that meeting.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the Council receive the memorandum titled 'Elected Members' Meeting Attendance Statistics - 1 July 2022 to 30 June 2023', as amended, presented to Council on 6 September 2023 for information.

Clause 149-23 above was carried 12 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Orphée Mickalad and William Wood.

150-23 Council Work Schedule September 2023

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the Council receive its Work Schedule dated September 2023.

Clause 150-23 above was carried 12 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick

Handcock, Lorna Johnson, Orphée Mickalad and William Wood.

RECOMMENDATIONS FROM COMMITTEE MEETINGS

151-23

Community Committee Part I Public - 9 August 2023

Consideration was given to the Community Committee recommendation stated below.

Moved Lorna Johnson, seconded Patrick Handcock.

RESOLVED

That the recommendation from the Part I Public Community Committee meeting of 9 August be adopted (Clause 29.23):

Review of Companion Card Scheme Trial

1. That Council agree to support the Companion Card scheme for the remainder of 2023/24 financial year, and plan to hand over delivery from 2024/25 onwards to an appropriate arts or social sector organisation (Option 1).

Clause 151-23 above was carried 12 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Orphée Mickalad and William Wood.

Karakia Whakamutunga

Councillor Roly Fitzgerald closed the meeting with karakia.

The meeting finished at 4.25pm

Confirmed 4 October 2023

Mayor

PALMERSTON NORTH CITY COUNCIL

Minutes of the Extraordinary Council Meeting Part I Public, held in the Council Chamber, First Floor, Civic Administration Building, 32 The Square, Palmerston North on 27 September 2023, commencing at 1.00PM

Members Present: Grant Smith (The Mayor) (in the Chair) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

Apologies: Councillor Lew Findlay.

Karakia Timatanga

Councillor Roly Fitzgerald opened the meeting with karakia.

152-23 Apologies

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That Council receive the apologies from Councillor Lew Findlay.

Clause 153-23 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

153-23 Public comment

Brian Holmes, from Ebony Coffee and Coffee in a Box, made public comment on Item 6 'Featherston Street Cycleway Update' (clause 154), making the following points:

- Council has not engaged properly with him as owner of affected businesses.
- Small businesses on Featherston Street have been there for a long time and are good contributors to the local economy and a source of employment.
- Lack of testing of major decisions such as removing carpark and

median strips.

- Community have not had the chance to comment on the final designs brought for consideration to this meeting. Residents have not been kept duly informed.
- Supports safety improvements but considers that Council should think of adverse impacts on businesses too.
- A decision will be made without enough grounds, poor risk analysis and actual costing is unknown.
- The loss of carparking outside his business would result in a loss of \$250,000 for the turnover in the first year, and consequently 2 and a half staff would be made redundant.
- Very few cyclists pass by the shop.

He also added, in relation to Summerhill cycleways project, that addressing safety issues only by adding cycleways but not reducing speed has not been the best solution. Latest designs include cycleways on the footpath, so carparks are kept. Affected businesses had advocated for this solution.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the public comment be received for information.

Clause 153-23 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

REPORTS

154-23 Featherston Street Cycleway Update

Memorandum, presented by Bryce Hosking, Acting Group Manager - Transport and Development, and Michael Bridge, Service Manager - Active Transport.

An additional motion was passed requesting a report back to assure the Council and document the engagement process undertaken for this project.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That Council endorse the detailed design for the Featherston Street cycleway (including pedestrian crossings) project (Attachment 1) and support these being submitted to Waka Kotahi for design approval.

2. That Council note the public feedback that was received from the trials that were undertaken for various elements of the Featherston Street Cycleway project.
3. That the Chief Executive provide a Business Assurance Report on Featherston Street Cycleway and Safety Improvements process and engagement.

Clause 154-23 above was carried 10 votes to 5, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Orphée Mickalad, Karen Naylor and Kaydee Zabelin.

Against:

Councillors Mark Arnott, Vaughan Dennison, Leonie Hapeta, Billy Meehan and William Wood.

Karakia Whakamutunga

Councillor Roly Fitzgerald closed the meeting with karakia.

The meeting finished at 2.59pm

Confirmed 4 October 2023

Mayor

REPORT

TO: Council

MEETING DATE: 4 October 2023

TITLE: Housing outcomes for 17-19 Summerhays Street

PRESENTED BY: Bryce Hosking, Group Manager - Property and Resource Recovery

APPROVED BY: Chris Dyhrberg, Chief Infrastructure Officer
 David Murphy, Chief Planning Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council endorse:
 - a. Social housing outcomes for 17-19 Summerhays Street (Option 1); AND
 - b. Medium density housing outcomes for 17-19 Summerhays Street; AND
 - c. Inclusion of sustainable building practices in the development of future options for 17-19 Summerhays Street; AND
 - d. Inclusion of best-practice urban design practices in the development of future options for 17-19 Summerhays Street; AND
 - e. Design options being developed for one- and two-bedroom dwellings within 17-19 Summerhays Street.
2. That Council endorse a housing development layout that has:
 - a. Terraced and Duplex Housing with a central shared green space; OR
 - b. Terraced and Duplex Housing with no central shared space.
3. That Council instruct the Chief Executive to develop designs for the future development of 17-19 Summerhays Street in accordance with the resolutions above.
4. That it be noted that should the Council look to deliver housing at 17-19 Summerhays Street as Joint Venture, the designs are likely to require negotiation with any potential development partner.

SUMMARY OF OPTIONS ANALYSIS FOR

Problem or Opportunity	<p>Council resolved to achieve housing outcomes at 17-19 Summerhays Street, Palmerston North.</p> <p>This report seeks further direction from Council on the housing outcomes it wishes to achieve.</p> <p>Alongside the determination of the type of housing to be achieved through the site, Council also has an opportunity to provide direction as to the size of the housing, the density of development, and how the housing is designed and built.</p>
Community views	<p>In June and July 2021 Council consulted the community about Council's proposal to repurpose the site for housing. Analysis of those submissions was provided to the Planning and Strategy Committee 20 October 2021.</p> <p>Most people who participated in the consultation favoured the site being repurposed for housing, with a variety of views expressed about the type of housing which could be developed.</p>
OPTION 1:	Achieve social housing outcomes at 17-19 Summerhays Street
Benefits	<ul style="list-style-type: none"> Helps to meet the demand for social housing in the city. Aligns with Council's Goal 3 strategic direction to develop and support more social housing in the city.
Risks	<ul style="list-style-type: none"> The housing contractor market has limited capacity in the region at present. There is a risk of fluctuation of materials costs and availability resulting in price escalation. This could impact the rate of return and profit that could be achieved. Neighbouring residents may have a negative perception of a view of social housing.
Financial	<ul style="list-style-type: none"> The cost to Council for rezoning the recreational half of the site is circa \$35K and being funded through the better off funding. The total cost of development is estimated to be between \$15 million (terraced housing) – \$30 million (apartment-style housing) depending on the density and typology of housing built. \$4.56M of the project is being funded through the better off funding. Council has a \$14M budget in the 2021-31 Long Term Plan (2021-31 LTP) for delivering additional social housing in the city. These funds could be used to make up the balance of the development cost.

OPTION 2:	Achieve private market housing outcomes at 17-19 Summerhays Street
Benefits	<ul style="list-style-type: none"> Aligns with Council's Goal 1 strategic direction to develop and support more housing in the city. Opportunity for unbudgeted additional revenue through the sale of sections or house and land packages. Opportunity to demonstrate best practice urban design and/or sustainable design to development community.
Risks	<ul style="list-style-type: none"> Currently no budgets in the 2021-31 LTP for this type of development. May be viewed negatively by the development community as being in direct competition with private developers. The housing contractor market has limited capacity in the region at present. The private housing market is subject to several external factors which may influence the purchaser demand. There is a risk of fluctuation of materials costs and availability resulting in price escalation. This could impact the rate of return and profit that could be achieved.
Financial	<ul style="list-style-type: none"> The cost to Council for rezoning the recreational half of the site is circa \$35K and being funded through the better-off funding. The total cost of development is estimated to be between \$15 million (terraced housing) – \$30 million (apartment-style housing) depending on the density and typology of housing built. \$4.56M of the project is being funded through the better off funding. Partner funding or a further budget allocated by Council will be required. Unbudgeted additional revenue could be achieved which would not only cover the cost of development but also should produce a profit that could be used to offset other Council expenditure or pay back debt.
OPTION 3:	A mix of social and private market housing outcomes for 17-19 Summerhays Street
Benefits	<ul style="list-style-type: none"> Helps to meet the demand for social housing in the city. Aligns with Council's Goal 1 and Goal 3 strategic direction to develop and support more housing in the city. Opportunity for unbudgeted additional revenue through

	<p>the sale of sections or house and land packages.</p> <ul style="list-style-type: none"> • Opportunity to demonstrate best practice urban design and/or sustainable design to development community.
Risks	<ul style="list-style-type: none"> • We do not yet know how attractive a mixed-use development would be to the private housing market. • The housing contractor market has limited capacity in the region at present. • There is a risk of fluctuation of materials costs and availability resulting in price escalation. This could impact the rate of return and profit that could be achieved.
Financial	<ul style="list-style-type: none"> • Council has a \$14M budget in the 2021-31 LTP for delivering additional social housing in the city. • The cost to Council for rezoning the recreational half of the site is circa \$35K and being funded through the better off funding. • The total cost of development is estimated to be between \$15 million (terraced housing) – \$30 million (apartment-style housing) depending on the density and typology of housing built. • \$4.56M of the project is being funded through the better off funding. Partner funding or a further budget allocated by Council will be required. • As with Option 2 there is an opportunity to generate unbudgeted revenue.

RATIONALE FOR THE RECOMMENDATIONS

1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 Council owns the 8,276m² site at 17-19 Summerhays Street. This site was formerly occupied by the Terrace End Bowling Club who vacated the site in mid-2020 to merge with the Northern Bowling Club.
- 1.2 Council has already decided to achieve housing outcomes at the 17-19 Summerhays Street site.
- 1.3 Following the workshop held on 9 August 2023, this report seeks to confirm the housing outcomes that Council wishes to achieve at the site.

2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

Consultation on the change of use of 17 Summerhays Street

- 2.1 In June and July 2021 Council undertook consultation under the Local Government Act 2002 with the community about Council's intent to repurpose the site for housing.
- 2.2 On 20 October 2021, the report titled 'The Future Use of 17 Summerhays Street (Former Terrace End Bowling Club) – Deliberations on Submissions' was presented to the Strategy and Planning Committee for further background information.
- 2.3 Council resolved the following:
 1. *That the future use of 17 Summerhays Street (Former Terrace End Bowling Club) be confirmed for housing.*
 2. *That the Chief Executive be directed to further investigate the need, design, and location of any public green space to support the repurposing of 17 Summerhays Street for housing as part of the necessary amendments to the District Plan and/or resource consent process.*
 3. *That the Chief Executive be directed to initiate a District Plan change to enable the proposed repurposing of 17 Summerhays Street for housing.*
 4. *That it be noted that should the District Plan be amended to enable the repurposing of 17 Summerhays Street for housing, the District Plan change process will include public submissions and an assessment of potential environmental effects, including those identified in submissions received on the Future Use of 17 Summerhays Street Statement of Proposal.*
 5. *That it be noted that should the Council wish to repurpose 17 Summerhays Street for housing in advance of a District Plan change, the Council could consider a resource consent application.*

Three Waters Better-Off Funding

- 2.4 On 7 September 2022 Council resolved to use the better-off funding to proceed with six initiatives. The approved initiatives included design and construction of housing at Summerhays Street.
- 2.5 There is \$4.56M allocated from the Tranche 1 better-off funding, although the total project cost will not be known until the design phase is completed.
- 2.6 Tranche 2 of the better-off funding is no longer going ahead.

3. ANALYSIS OF HOUSING OUTCOME OPTIONS

- 3.1 As mentioned in 1.3 of this report, a workshop was held with Council on 9 August 2023 to discuss the housing outcomes that could be achieved at 17-19 Summerhays Street. The direction received through the workshop discussion is reflected in the resolutions of this report, however, this report still provides an analysis of the three housing outcome options.

Option Analysis

- 3.2 All three options provide strategic alignment to Council's strategies particularly to the Connected Communities Strategy and Innovative and Growing Strategy.
- 3.3 Additionally, Council Officers have the capability and capacity to deliver any of the three options as demonstrated by the recent housing projects at Papaioea Place and Tamakuku Terrace. As the development size and typology is similar for each of the options, the resource requirements and overall development cost for each option is also considered to be similar regardless of which option is chosen.

Option 1: Social Housing

- 3.4 Council Officers consider this option to present the lowest risk of the three options.
- 3.5 As at March 2023, the Ministry of Social Development social housing register in Palmerston North was 623 (53% require one-bedroom and 30% two-bedroom). This illustrates the demand for social housing in the city, removing any risk of a lack of demand for the housing once built.
- 3.6 Additionally, Council has experience in delivering social housing projects and has a strong understanding of the user requirements which further mitigates the risk for the project.
- 3.7 From a financial perspective, as Council has a \$14M budget in the 2021-31 LTP for delivering additional social housing in the city. These funds could be used to make up the balance of the development cost, rather than having to find a development partner or allocating additional unbudgeted funding.

Option 2: Private Market

- 3.8 This option presents a higher risk than Option One, as it is heavily influenced by the wider housing market through things like bank lending, more competing housing options etc.
- 3.9 That said, the option does present the benefit of achieving potentially sizeable additional unbudgeted revenue which would not only cover the cost of development but also should produce a profit that could be used to offset other Council expenditure or pay back debt.
- 3.10 Financially, other than the \$4.56M of the project is being funded through the better off funding, partner funding or a further budget allocated by Council will be required.

Option Three: Mixed Social and Private Market Housing

- 3.11 Despite providing a mix of the benefits achieved from Options One and Two, this option does also present the highest overall risk. Particularly, there is a

significant risk in respect to the uncertainty of demand for a mixed development, particularly from the private market housing dwellings.

- 3.12 Financially, Council would have to decide how much of the \$14M social housing funding in the 2021-31 LTP would be used, versus additional or partner funding.

4. DENSITY AND TYPOLOGY CONSIDERATIONS

- 4.1 As with the overall housing outcomes to be achieved (options one to three), there are also opportunities for Council to provide guidance on the design and typology that should be included in the next stage of decision-making.
- 4.2 Council's strategic direction is supportive of:
- More intensive housing (Goal 1: City Growth Plan)
 - The use of best-practice urban design, and (Goal 2: City Growth Plan)
 - Sustainable building practices (Goal 4: Sustainable Practices Plan)
- 4.3 Any of the options put forward could also support these outcomes. For this reason, this report also puts forward recommendations for Council to consider regarding the type of housing that will be achieved through the site.

Medium Density Housing

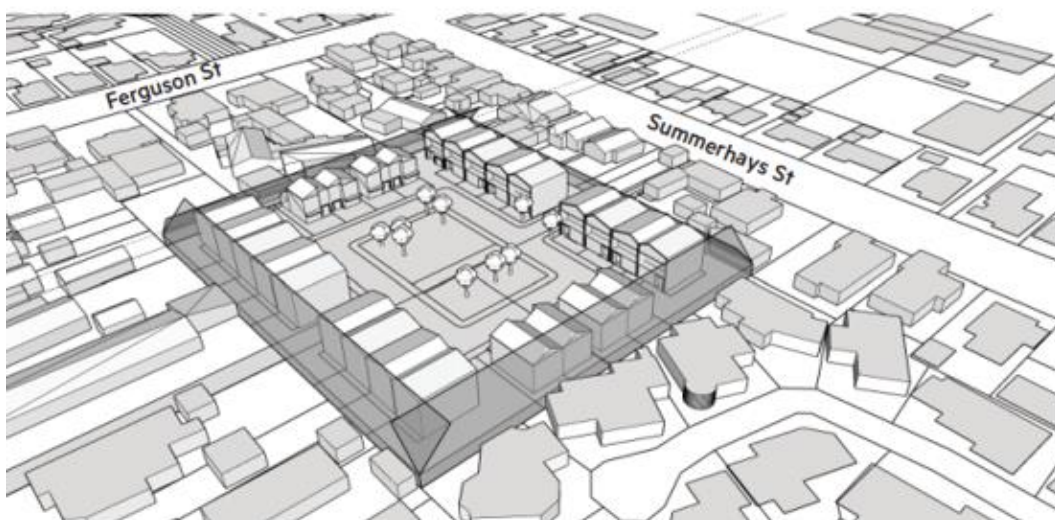
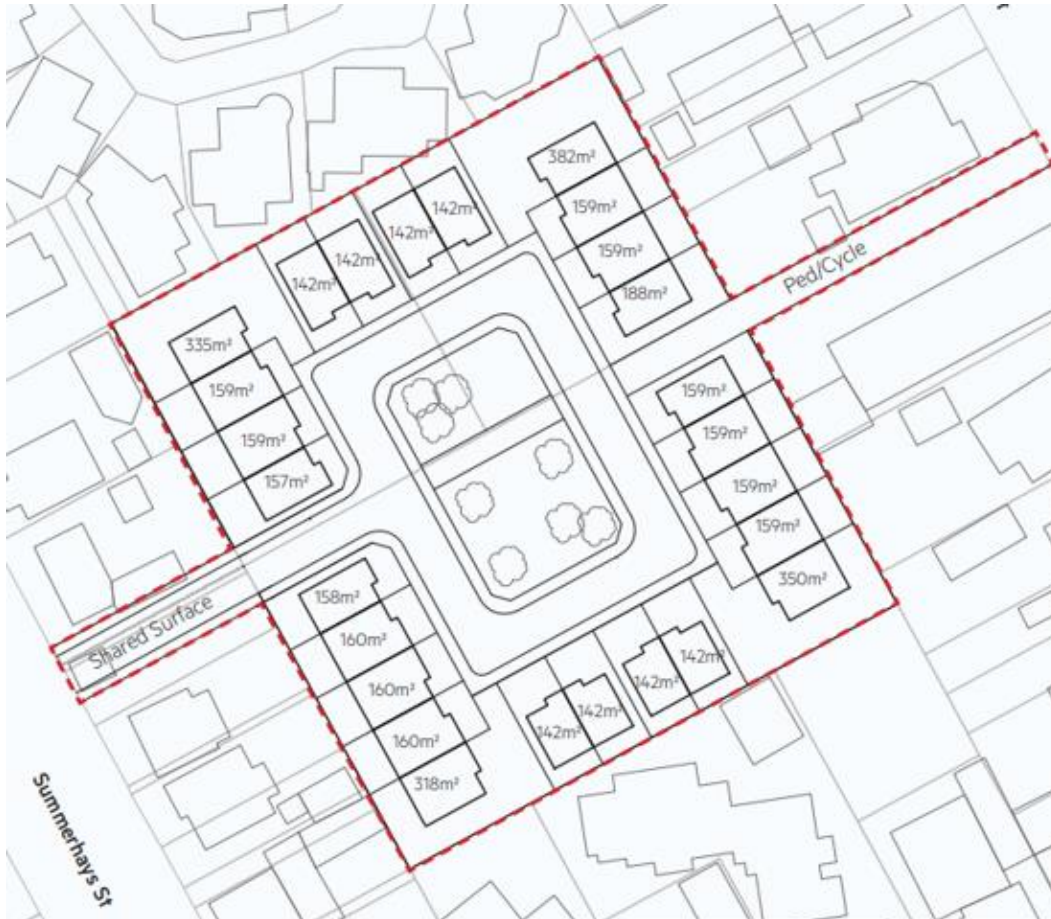
- 4.4 An effective way to deliver a medium density development would be through duplexes and terraced housing which could either be single or two-storeyed. It can be designed to provide similar quality and sizes of homes to meet a specific market or a variety which would lead to mixture of residents living on site. An example of terraced housing in Council's existing housing portfolio would be the Papaioea Place Social Housing Redevelopment, whereas an example of duplex housing would be Achilles Court.
- 4.5 Bringing both housing types into a future medium density development helps to create variety and a better overall design outcome.
- 4.6 Below are a couple of indicative layouts that could be advanced. Council has the option to either create a development with slightly less dwellings around a shared green space or to create a more intensified development with more dwellings. Both layouts effectively demonstrate the principles mentioned in Clause 4.2 above.

Layout 1: Terraced and Duplex Housing with a central shared green space

- 4.7 This layout will provide circa 26 dwellings could be achieved, made up of 18 terraced dwellings and 8 duplex units.
- 4.8 The site's principal entrance is off Summerhays Street, with vehicles circulating around a central green. A through block link is retained for active modes, which have exclusive use of the Ruahine Street access way.

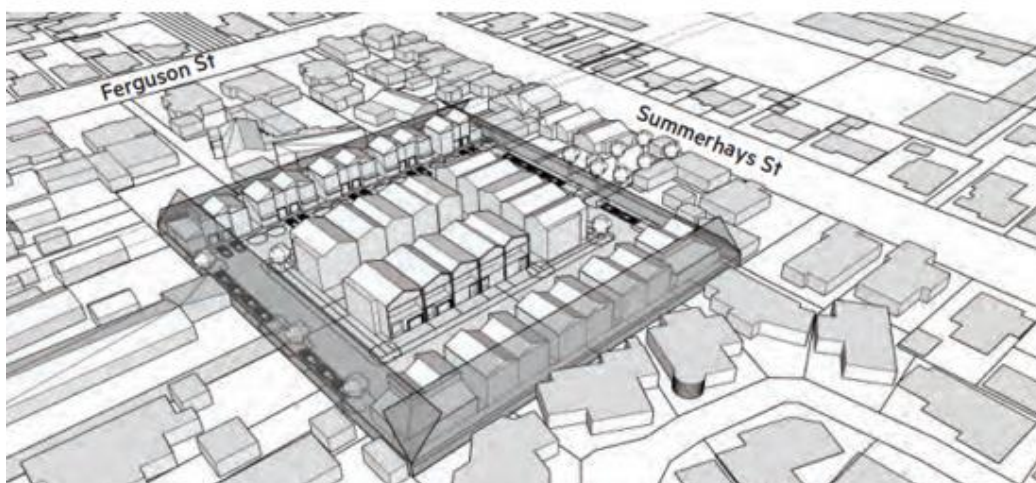
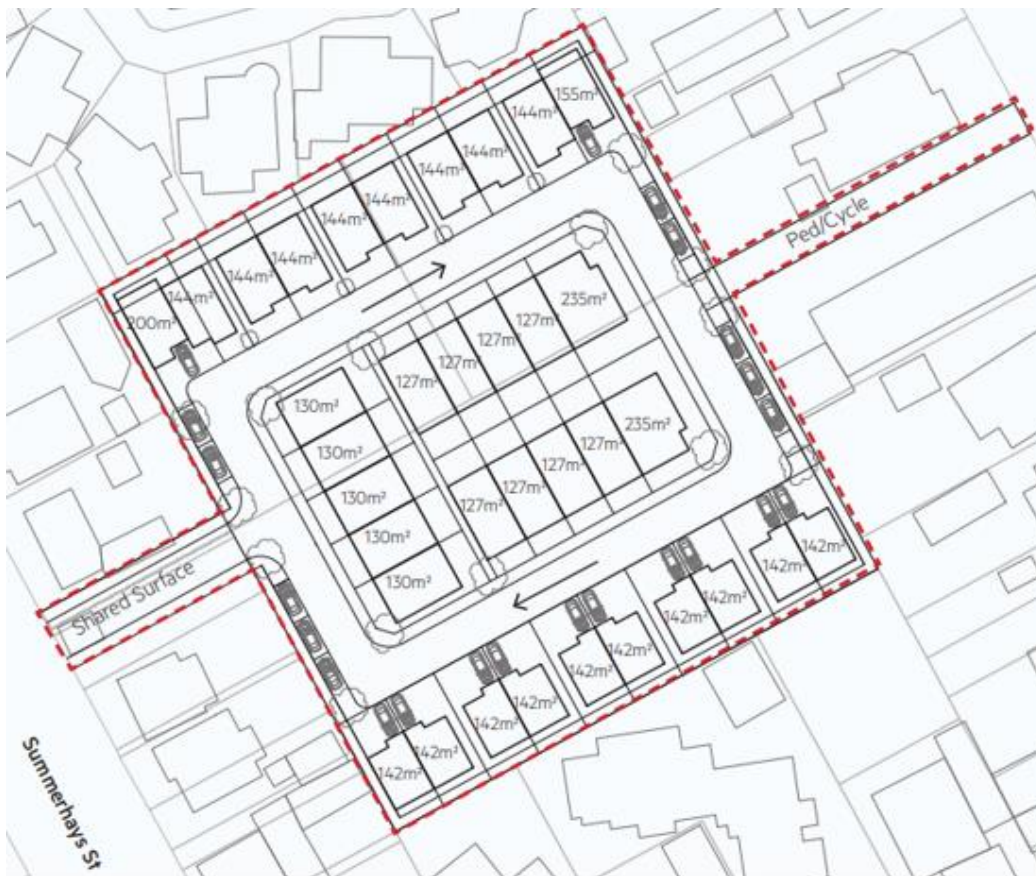
4.9 Terraces are no more than five units long. These are located along the site's eastern and western boundaries. The Duplex units flank the northern and southern boundaries, with most of the dwellings fronting the large central green space.

4.10 Below is the indicative layout and elevation:



Layout 2: Terraced and Duplex Housing with no central shared space

- 4.11 This layout will provide circa 35 dwellings could be achieved, made up of 15 terraced dwellings and 20 duplex units.
- 4.12 Vehicle access is provided to each dwelling via an east-west oriented loop road. The Duplexes flank the northern and southern boundaries, whereas the Terraces occupy the central block, with all dwellings fronting the loop road.
- 4.13 Below is the indicative layout and elevation:



5. JOINT VENTURE/ DEVELOPMENT PARTNER CONSIDERATIONS

5.1 Council will eventually need to decide whether to deliver the project itself or to enter a joint venture for the delivery of the Summerhays project. If Council wished to explore joint venture or development partnership opportunities in detail, this would need to be provided in a subsequent report, however, there are several factors to consider for a joint venture in property which officers raise for Elected Member consideration at this stage.

5.2 Below is a high-level list of considerations:

- The different types of joint venture – equal partner, skilled partner, and an outright investor.
- Relationship – both during construction and on-going.
- Liability – the structure of the partnership which best balances risk and liability with outcomes.
- Funding arrangements – equal financial contributions, council contributes the land, someone else the housing etc.
- Flexibility – structuring the arrangement to allow for the ability to pivot objectives if required to meet the individual partners outcomes.
- Project management and governance – who makes decisions, which party manages the day-to-day decisions etc.
- Confidentiality – balancing of investor wishes for confidentiality against public interest in project.
- Conclusion of the project – who retains ownership, is one partner buying out the other, will there be an on-going return or revenue sharing etc.

Benefits and Risks

5.3 The benefits of joint ventures can be summarised to include, but are not limited to:

- Mitigating and spreading risk.
- Potentially greater access to capital and financial resources.
- Utilising different skill sets and maximising experience and knowledge especially if it is felt that council are not best placed to deliver the project.
- Potential increased return on investment (ROI), although in a social housing development this may not be a tangible benefit.

5.4 The risks of a joint venture can be:

- Exit strategies – how would the venture come to an end if it were not proceeding to plan.
- Choosing the right investor or partner – this is a critical risk of a joint venture.

- Legal agreements (and how binding they are).
- Liabilities – the ability to limit risk and financial liability for both parties.
- Tax implications – all parties need to consider the tax responsibilities and understand how it affects their position.

5.5 It is crucial that the joint venture structure is set up appropriately and correctly. It must be aligned with the underlying asset and outcomes that are being sought if the benefits listed above are to be realised and the risks best mitigated.

6. CONCLUSION

6.1 All three options are considered valid and provide several benefits and risks. To enable more detailed options to be developed, a decision about the desired outcomes for 17-19 Summerhays Street is needed.

6.2 The future development of 17-19 Summerhays Street also provides opportunities for the Council to achieve other objectives, including medium density housing, best-practice urban design, and more sustainable building.

7. NEXT ACTIONS

7.1 Once the housing outcome is determined by Council, a subsequent report will be developed with detailed options for delivery, including the potential for partnerships.

7.2 If Council wished to explore joint venture or development partnership opportunities in detail, this would need to be provided in a subsequent report.

7.3 Should Council agree Option 1, further financial information will be provided in a subsequent report as designs progress.

7.4 Should Council agree Option 2, then further financial information will be provided in a subsequent report once a more detailed purpose is identified by Council.

8. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

8.1 Consultation on the change of use of the site is detailed in Section 2 of this report.

8.2 Further consultation on the project will be undertaken as part of the 2024-34 LTP and as part of the consenting process.

9. COMPLIANCE AND ADMINISTRATION

Does the Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do, they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	Yes
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 5: A Driven & Enabling Council	
The recommendations contribute to the achievement of action/actions in Governance and Active Citizenship	
The action is:	
<ul style="list-style-type: none"> This report provides Council with information to enable a decision to be made about which strategic goal/s should be the focus of the future development of 17 Summerhays Street. 	
Contribution to strategic direction and to social, economic, environmental, and cultural well-being	<p>Developing the Summerhays Street site will contribute to housing outcomes (Goals 1 and/or 3).</p> <p>This report contributes to Goal 5 by providing Council with information to enable decision-making.</p>

ATTACHMENTS

NIL

REPORT

TO: Council

MEETING DATE: 4 October 2023

TITLE: Turitea Reserve Wind Farm Proposed Change in Purpose

PRESENTED BY: Mike Monaghan, Group Manager Three Waters

APPROVED BY: Chris Dyhrberg, Chief Infrastructure Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council, as the Administering Body of the Turitea Reserve under the Reserves Act 1977, approve the classification under Section 16 of the Reserves Act 1977 (to bring into current legislation) of:
 - a) Sections 17 and 18 Block XIX Mangahao Survey District held in Record of Title 48653 as Local Purpose Reserve (Water Supply).
2. That Council, as the Administering Body of the Turitea Reserve under the Reserves Act 1977, approve the change in classification under Section 24 of the Reserves Act 1977 of:
 - a) Areas A, B, C, and D on draft SO 594888 version dated 9 September 2023 being part of Part Section 2 SO 37039, Part Sections 307, 308 & 309 Town of Fitzherbert, Parts Section 276 & 306 Town of Fitzherbert held in Records of Title WN373/131, WNF4/549 and WNB2/710 from Local Purpose reserve (renewable electricity generation and electricity transmission, water supply and protection of indigenous flora and fauna) to Local Purpose reserve (renewable electricity generation and electricity transmission and protection of indigenous flora and fauna); and
 - b) Sections 17 and 18 Block XIX Mangahao Survey District held in Record of Title 48653 from Local Purpose Reserve (Water Supply) to Local Purpose Reserve (renewable electricity generation and electricity transmission, and protection of indigenous flora and fauna).
3. That Council delegate authority to the Chief Executive to sign and publish the gazette notices required to implement these recommendations.

SUMMARY OF OPTIONS ANALYSIS FOR

<p>Problem or Opportunity</p>	<p>In July 2020 the Government announced the Three Waters Reform Programme with a further announcement made in October 2021 to progress the reforms. As set out in the Water Services Legislation Bill, land with its primary purpose or predominant use, that relates to providing Water Services, will transfer to a new Water Services Entity.</p> <p>Mitigation actions against the risk of the whole Turitea Reserve potentially transferring are achieved primarily with a change in purpose under the Reserves Act 1977 ('Act').</p> <p>For this to occur, it is proposed that the classification of parts of the reserve should be changed to better reflect the primary purpose for which the land is used, as shown in Appendix A.</p> <p>The Act requires Council to classify land for its primary purpose (s.18). Whilst most of the land is already classified, land sections 17 and 18 have never been formally classified under the Act.</p> <p>The Act allows Council to change the purpose of the reserve (s.24). Council is permitted to execute a gazette notice to change the classification under a delegation from the Minister of Conservation.</p> <p>The proposed approach is to remove water from the current classification as it is not viewed as a primary purpose in relation to Areas A, B, C, and D on draft SO 594888 and all the land in Record of Title 48653 being the land shown hatched on the plan in Appendix A (the Subject Land).</p> <p>This approach also protects an existing income stream for Palmerston North ratepayers, associated with the Turitea Wind Farm, located on Council land.</p>
<p>OPTION 1:</p>	<p>Council approve the change of purpose as outlined in the recommendations.</p>
<p>Community Views</p>	<p>Community views on the proposal to change the classification have not been sought. Extensive consultation was undertaken during the consenting process for the Wind Farm. The primary purpose of the reserve was determined through this process and as such further consultation with the community is deemed not necessary given the administrative action proposed.</p> <p>In respect of the land in Record of Title 48653, the land is already a reserve under an old Act and the gazette notice proposed under Section 16 of the Act formally brings this land under the Act.</p> <p>Notification requirements for changes of classification or purpose are set out in Section 24(2) of the Act. The Subject Land is local purpose reserve. Section 24(7) of the Act specifically</p>

	exempts public notification requirements for a change to classification or purpose of a local purpose reserve.
Benefits	The action will provide a clear primary purpose for reserve administration and removes any ambiguity.
Risks	There is no inherent risk with this approach. Council has authority to determine the primary purpose and removing water from the purpose provides for no increased risk.
Financial	The costs associated with undertaking this work will be claimed as part of the already approved Three Waters Transition Support funding package.
OPTION 2:	Council does not adopt the change of purpose
Community Views	Community views have not been sought as Option 2 would result in status quo of the current primary purpose.
Benefits	Negligible cost saving.
Risks	Potential loss of income derived from activities associated with the subject land. Inconsistency with the actual primary purpose particularly in relation to land sections 17 and 18 which are only held for water purpose.
Financial	The activities on the Subject Land provide an income source to Council and could be affected if status quo remains.

RATIONALE FOR THE RECOMMENDATIONS

1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 Section 16 of the Act requires reserves to be classified according to their principal or primary purpose.
- 1.2 Section 24 of the Act provides for the administering body of the reserve to change the classification or purpose of a reserve. A gazette notice for the change in classification pursuant to Section 24 of the Act can be executed by Council under delegation from the Minister of Conservation.
- 1.3 The introduction of Water reform and potential asset transfer to the new Water Services Entity prompted a review of the land status for both treatment plants.
- 1.4 The review has identified an opportunity to align the current primary use with the formal statutory purpose.
- 1.5 Where only part of the Reserve is affected by a change in purpose, a legal survey is required. Council has commissioned a survey plan for this purpose. The draft Survey Office Plan 594888 is shown in Appendix B.

- 1.6 In addition to the surveyed land, the proposed reclassification also affects all land in Record of Title 48653. As a technicality, the land in Record of Title 48653 is first required to be brought under the Act by classifying this land as reserve under Section 16 of the Act. This is because the land must be classified for the purpose for which it was held immediately before the commencement of the Act.
- 1.7 This report proposes the removal of “water” from parcels of land where water is not the primary purpose. The intent of this action is to remove any ambiguity that could be formed when considering the transfer of land under the new Water Services Legislation e.g. Parcel 17 as shown on location plan in Appendix A, where this is entirely occupied by Wind Turbine and is currently only classified as Water.

2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

- 2.1 The Turitea Reserve is held in nineteen separate parcels of land in ten Records of Title. The status of the land comprises a mix of Public Reserve (subject to the Act) and land that is subject to the Public Works Act 1981 (PWA).
- 2.2 At over 3,500 hectares, the Turitea Reserve is the largest reserve administered by the Council. For the purposes of classification (and management) the reserve has been divided into three zones: Water Supply Catchment; Water Structures Area; and Hardings Park. The scope of this reclassification only relates to the Subject Land shown hatched on the location plan attached at Appendix A.
- 2.3 A timeline of processes and engagements in relation to the Turitea Reserve over many years is outlined below:

1905	Land granted to the Borough of Palmerston North for water supply purposes by central government
1946	Sections 17 and 18 Block XIX Mangahao Survey District (being the land Record of Title 48563 changed from gravel reserve to reserves for water-supply purposes under the Public Reserves, Domains, and National Parks Act 1928
2003	Turitea Reserve gazetted under the Reserves Act 1977 for local purpose (water supply and protection of indigenous flora and fauna)
2004	Turitea Reserve Management Plan Finalised
2005	Rangitāne o Manawatū Deed of Settlement
2006	Turitea Reserve Management Plan amended to include electricity generation

2007	Purpose of Turitea Reserve changed by gazette to local purpose (renewable electricity generation, water supply and protection of indigenous flora and fauna)
2011	Final Report and Decision of the Board of Inquiry into the Turitea Wind Farm Proposal.
2019	The construction of the first 33 of 60 consented wind turbines began August 2019
2021	PNCC approve a partial review of the Turitea Reserve Management Plan (2006)
2021	Purpose of Turitea Reserve changed by gazette to local purpose (renewable electricity generation and electricity transmission, water supply and protection of indigenous flora and fauna)
2023	Turitea Wind Farm fully commissioned and operational

- 2.4 Government announcement of Water Reform in 2020 initially provided limited visibility on how land assets would transfer to the new Water Services Entity. Officers undertook a risk analysis of land owned by Council that could be impacted by Water Reform and determined it is an ideal time to tidy up parcels of land to remove ambiguity.
- 2.5 Whilst greater clarity has since been provided, administratively this is still seen to be a prudent action for Council to take to reclassify parcels to better reflect their primary purpose.
- 2.6 In March 2021, Council approved the partial review of the Turitea Reserve Management Plan. This has not progressed due to the Water reform announcement and potential impact of reform. There have also been significant staff changes within the Water team precluding any advancement.
- 2.7 The actions proposed in this report will have minimal impact on the review of the Turitea Reserve Management Plan.

3. DESCRIPTION OF OPTIONS

- 3.1 Option 1 – Pursuant to Section 16 of the Act, classify the land in Record of Title 48653 for Local Purpose (water supply) and then pursuant to Section 24 of the Act, amend the primary purpose of the Subject Land. The action required to achieve this is to publish gazette notices and register these against the relevant land titles.
- 3.2 Option 2 – Status quo remains.

4. CONCLUSION

- 4.1 The proposed changes in classification are consistent with a prudent approach of risk mitigation and sound Reserve management practice.
- 4.2 The process is procedural in nature and given ongoing uncertainty in Water reform this is a low-cost option to conclude an ongoing workstream.

5. NEXT ACTIONS

- 5.1 Conclude actions to finalise the survey plan, publish and register the gazette notice.

6. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS



- 6.1 Consultation with affected parties on the proposed approach has been undertaken and has received endorsement.

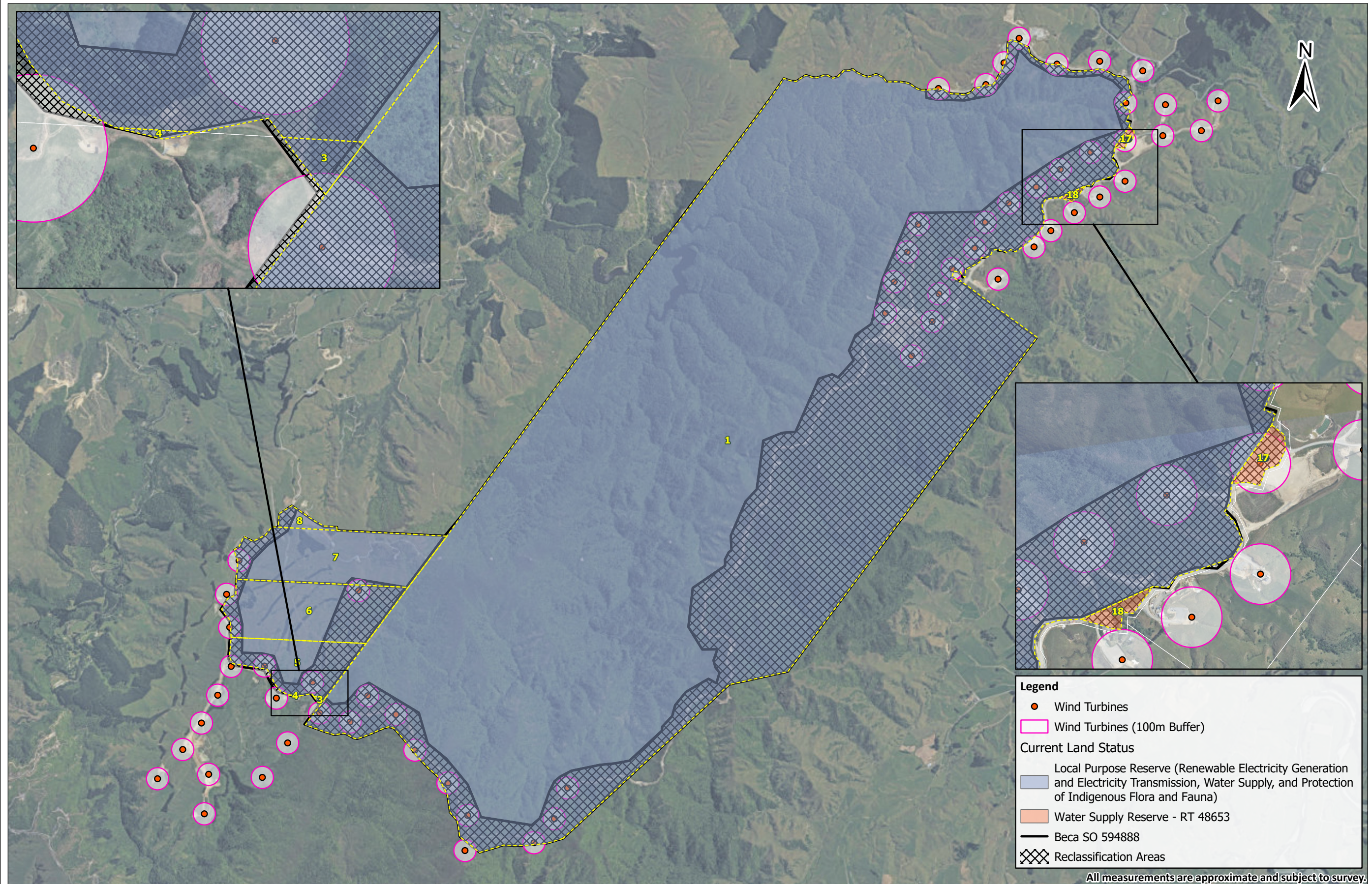
7. COMPLIANCE AND ADMINISTRATION

Does the Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	Yes
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 2: A Creative and Exciting City	
The recommendations contribute to the achievement of action/actions in Active Communities	
The action is: Administer the Reserves Act 1977	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	All of our parks are protected, and Council effectively administers the Reserves Act 1977. The proposed changes in classification are consistent with a prudent approach of risk mitigation and sound Reserve management practice. The recommendations will allow Council to retain the Subject Land in Turitea Reserve for reserve purposes.

ATTACHMENTS

- 1. Appendix A 20230913 TPG Map - Overview Turitea Reserve -

- Reclassification [↓](#) 
2. Appendix B 2023 09 08 SO 594888 Title Plan DRAFT [↓](#) 



Contains data sourced from LINZ Data Service licenced for reuse under CC BY 4.0, including imagery and property boundaries.
 Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas.
 Datum: NZGD 2000
 Coordinate System: NZGD 2000 New Zealand Transverse Mercator
 This map was produced with ArcGIS Pro (Esri).

Location Plan - Turitea Reserve

Land Status

DATE
5/09/2023

A3 Scale 1:30,000

SHEET
1 OF 1

PREPARED BY
Louis Worthington

TPG REF.
717166

0 1,000 Metres





Title Plan - SO 594888

Survey Number	SO 594888
Surveyor Reference	3324893/101/**** Turitea Reserve Reclassification
Surveyor	Naomi Maria Walker
Survey Firm	Beca Limited
Surveyor Declaration	

Survey Details

Dataset Description	Areas A - D Over Part Section 2 SO 37039 & Part Sections 276 & 306 - 309 Town of Fitzherbert		
Status	Initiated		
Land District	Wellington	Survey Class	Class B
Submitted Date		Survey Approval Date	
		Deposit Date	

Territorial Authorities

Palmerston North City

Comprised In

RT WNB2/710
RT WNF4/549
RT WN373/131

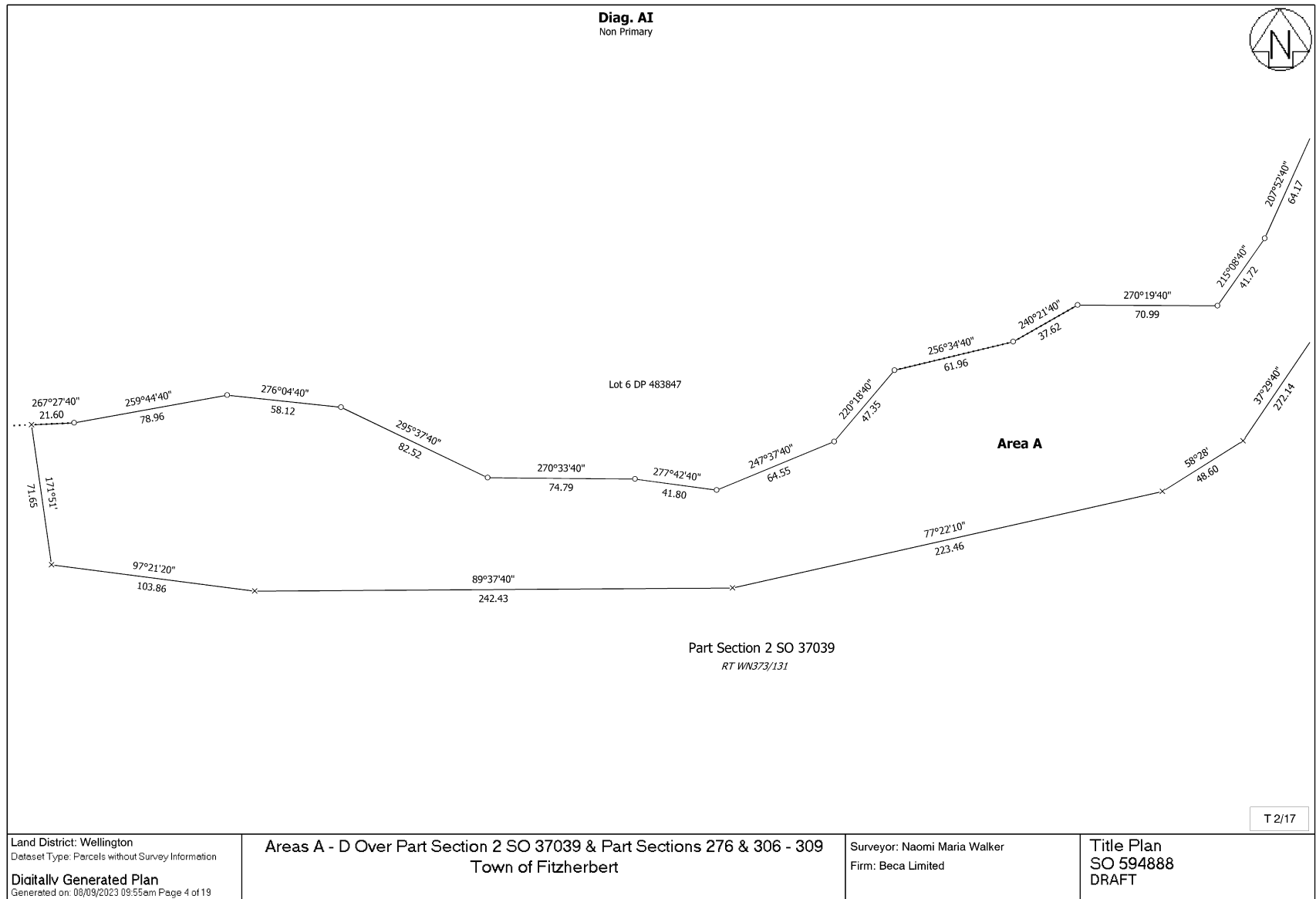
Created Parcels

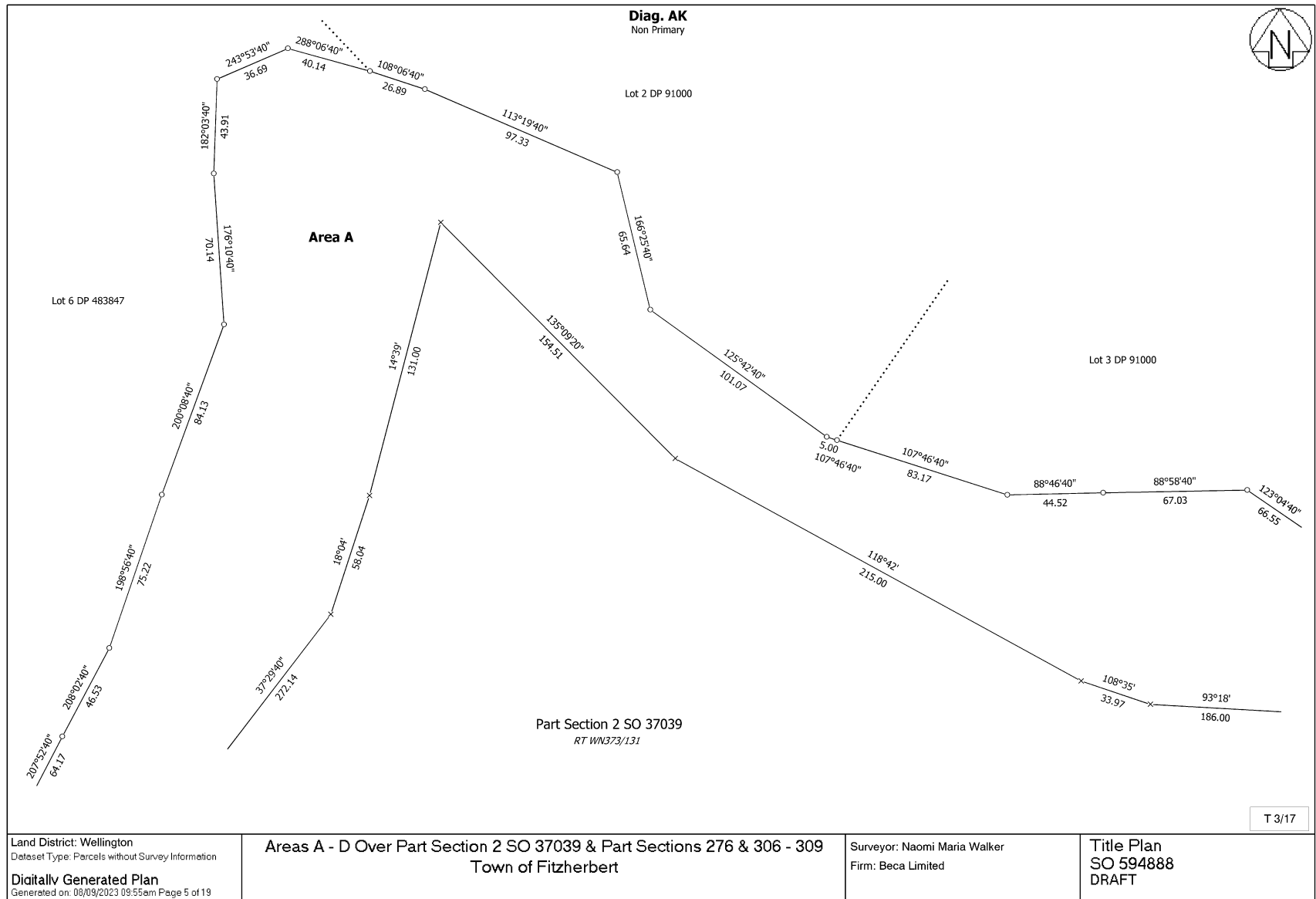
Parcels	Parcel Intent	Area	RT Reference
Area A Survey Office Plan 594888	Reserve Reclassification	720.0000 Ha	
Area B Survey Office Plan 594888	Reserve Reclassification	56.7700 Ha	
Area C Survey Office Plan 594888	Reserve Reclassification	9.7800 Ha	
Area D Survey Office Plan 594888	Reserve Reclassification	1.5770 Ha	
Total Area		788.1270 Ha	

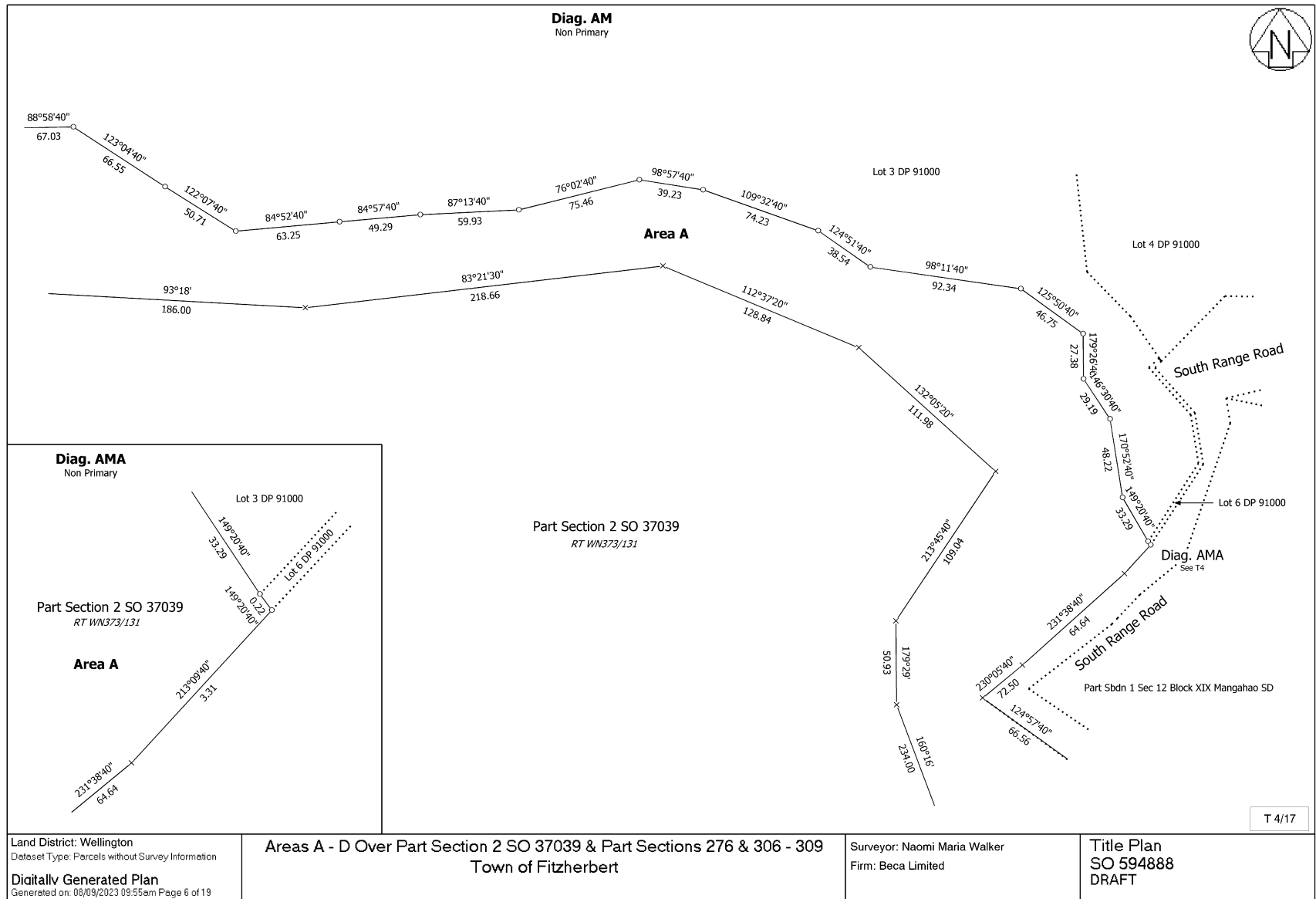
SO 594888 Schedule of Areas

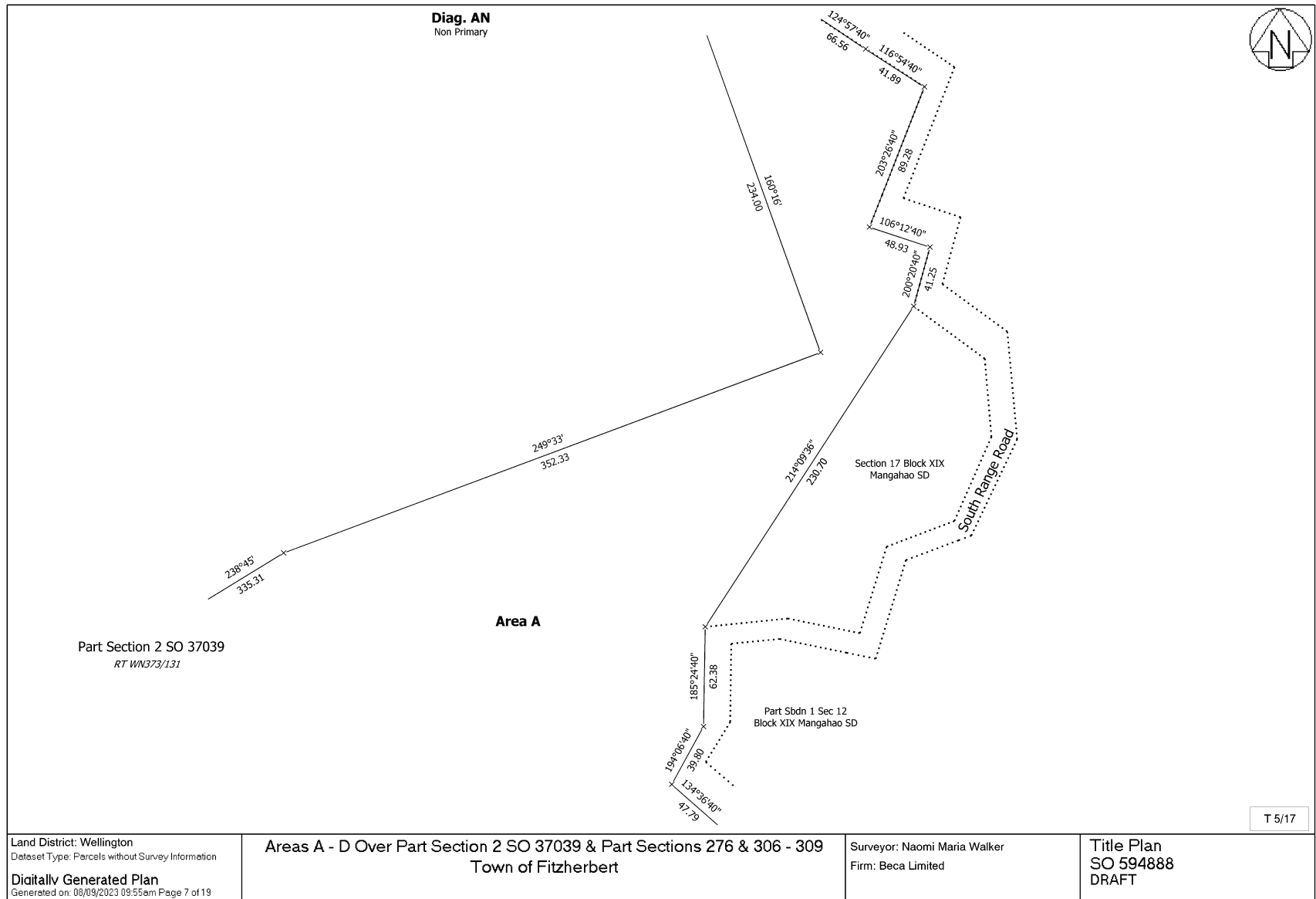
Area to be Local Purpose Reserve (renewable electricity generation and electricity transmission, and protection of indigenous flora and fauna)			
Shown	Description	Comprised in	Area
Area A	Part Section 2 SO 37039	RT WN373/131	720.0000Ha*
Area B	Part Sections 307, 308 & 309 Town of Fitzherbert	RT WNF4/549	56.7700Ha
Area C	Parts Section 276 & 306 Town of Fitzherbert	RT WNB2/710	9.7800Ha
Area D	Part Section 306 Town of Fitzherbert	RT WNB2/710	1.5770Ha

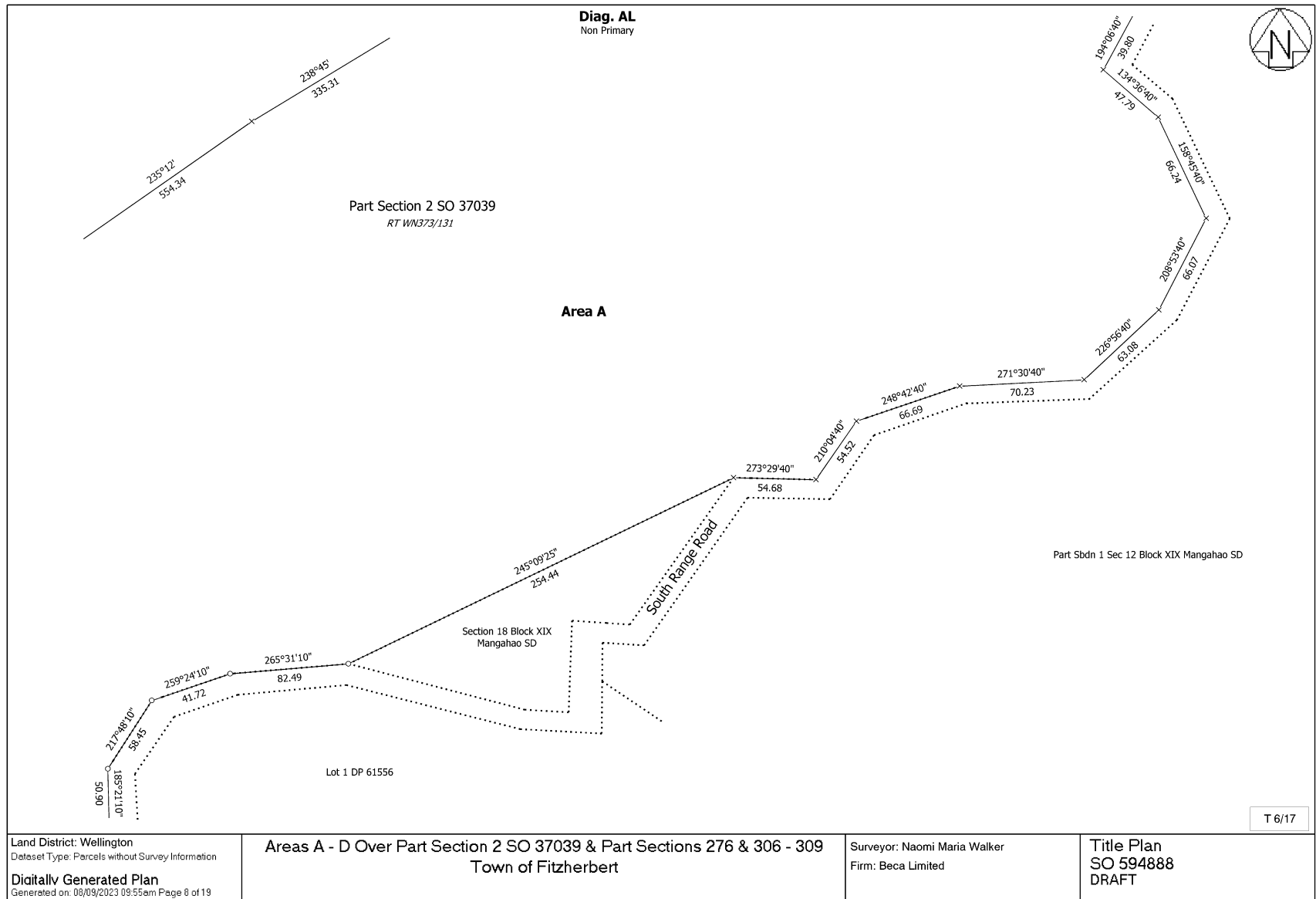
* Area not determined by survey

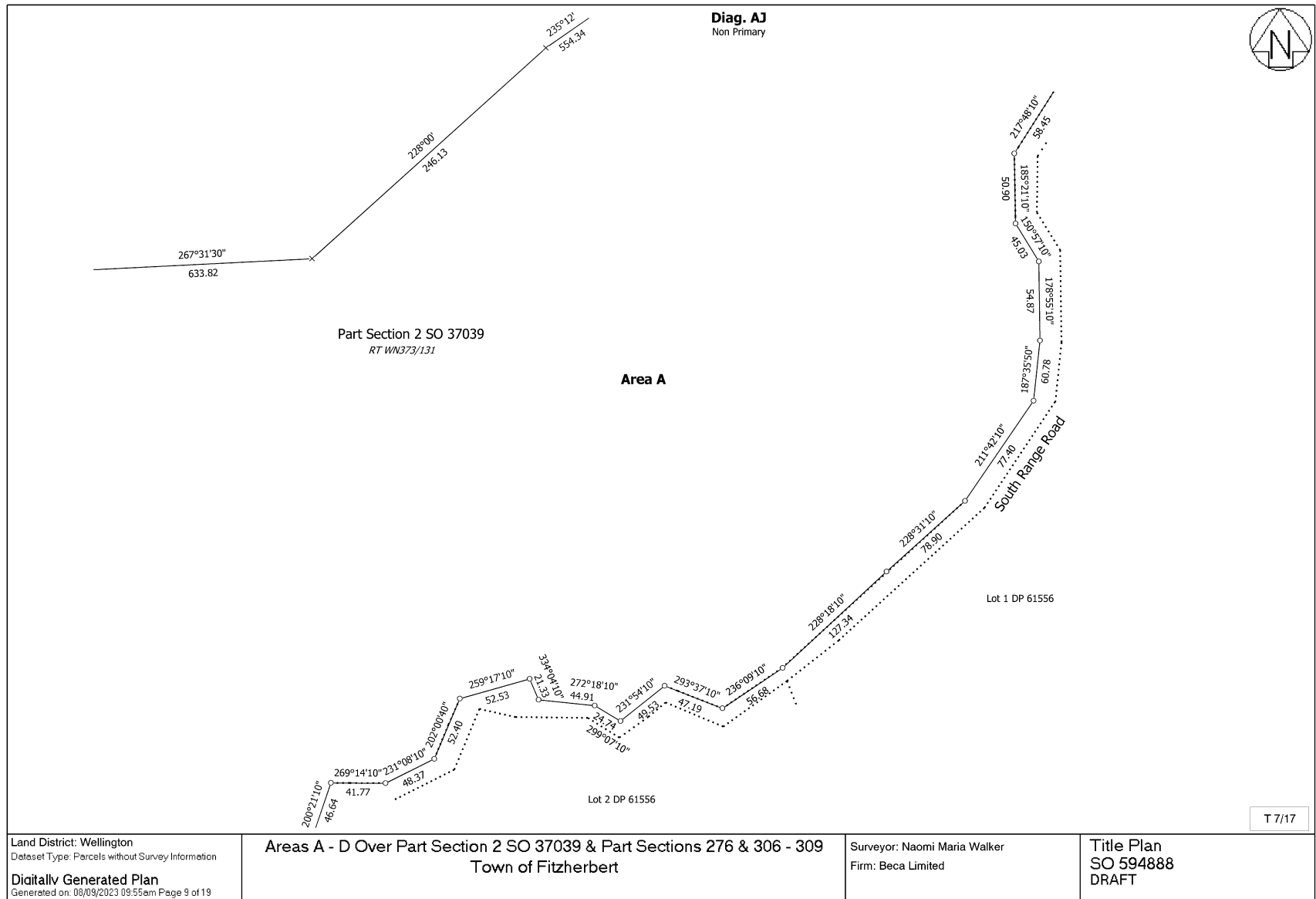


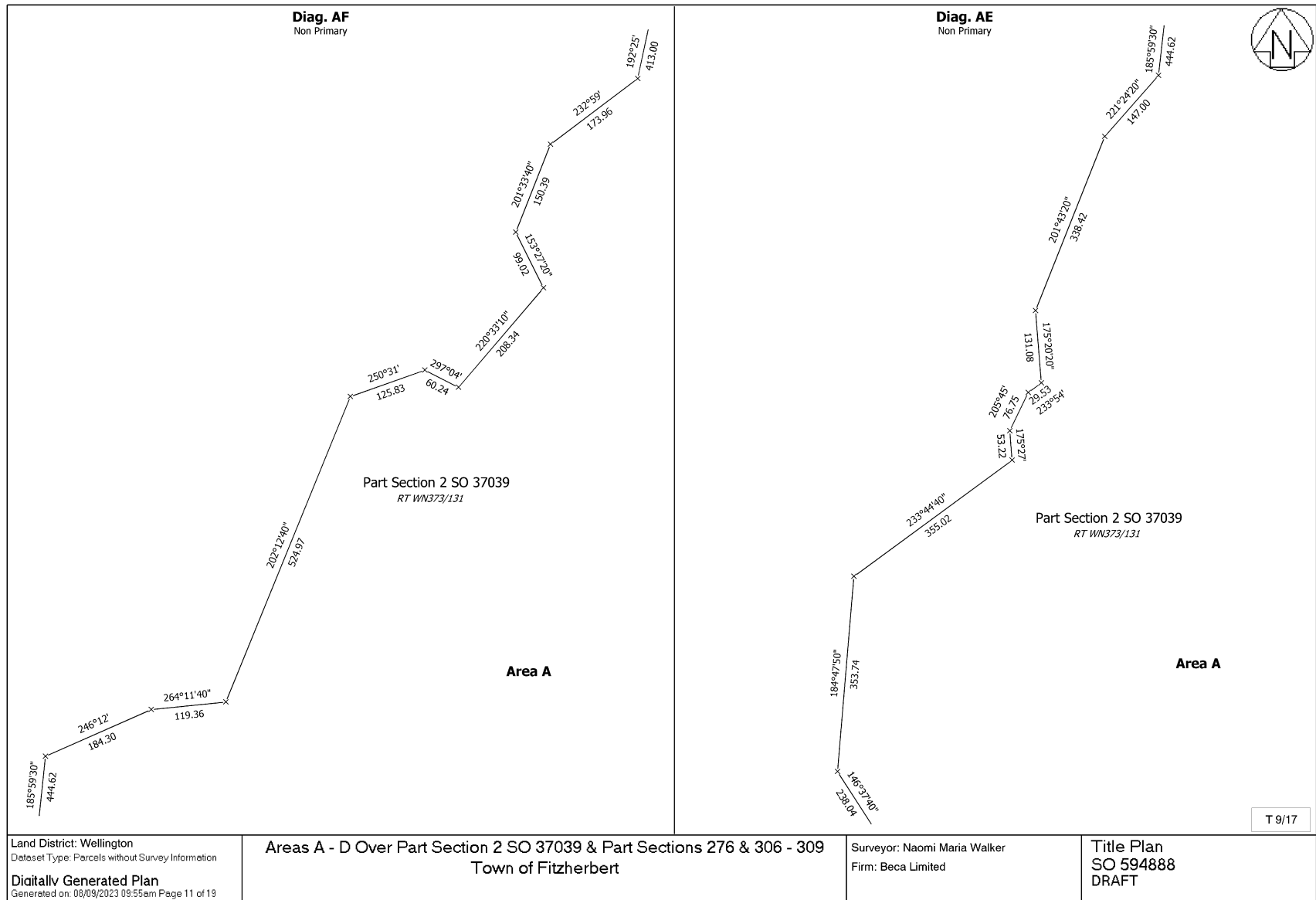


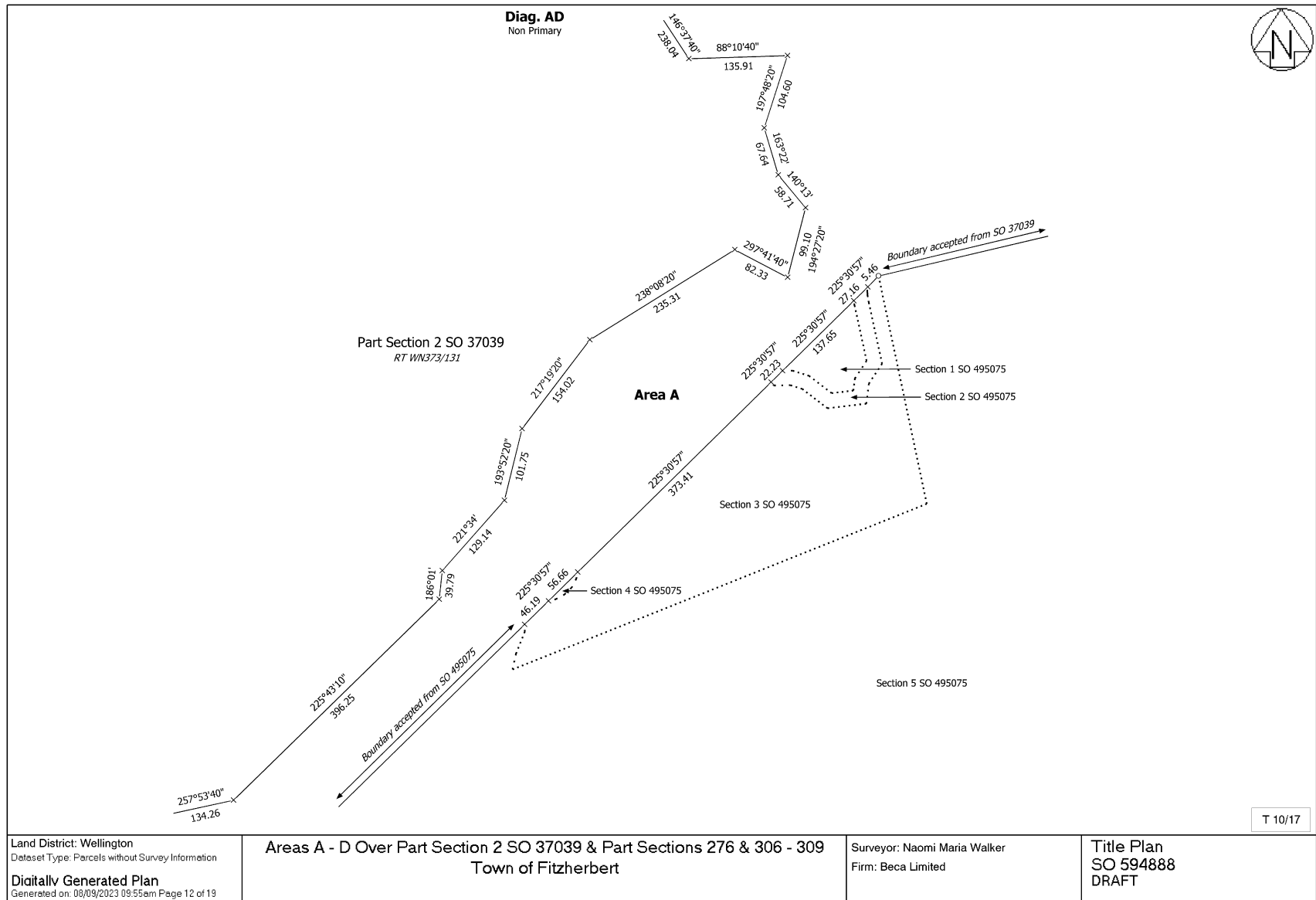


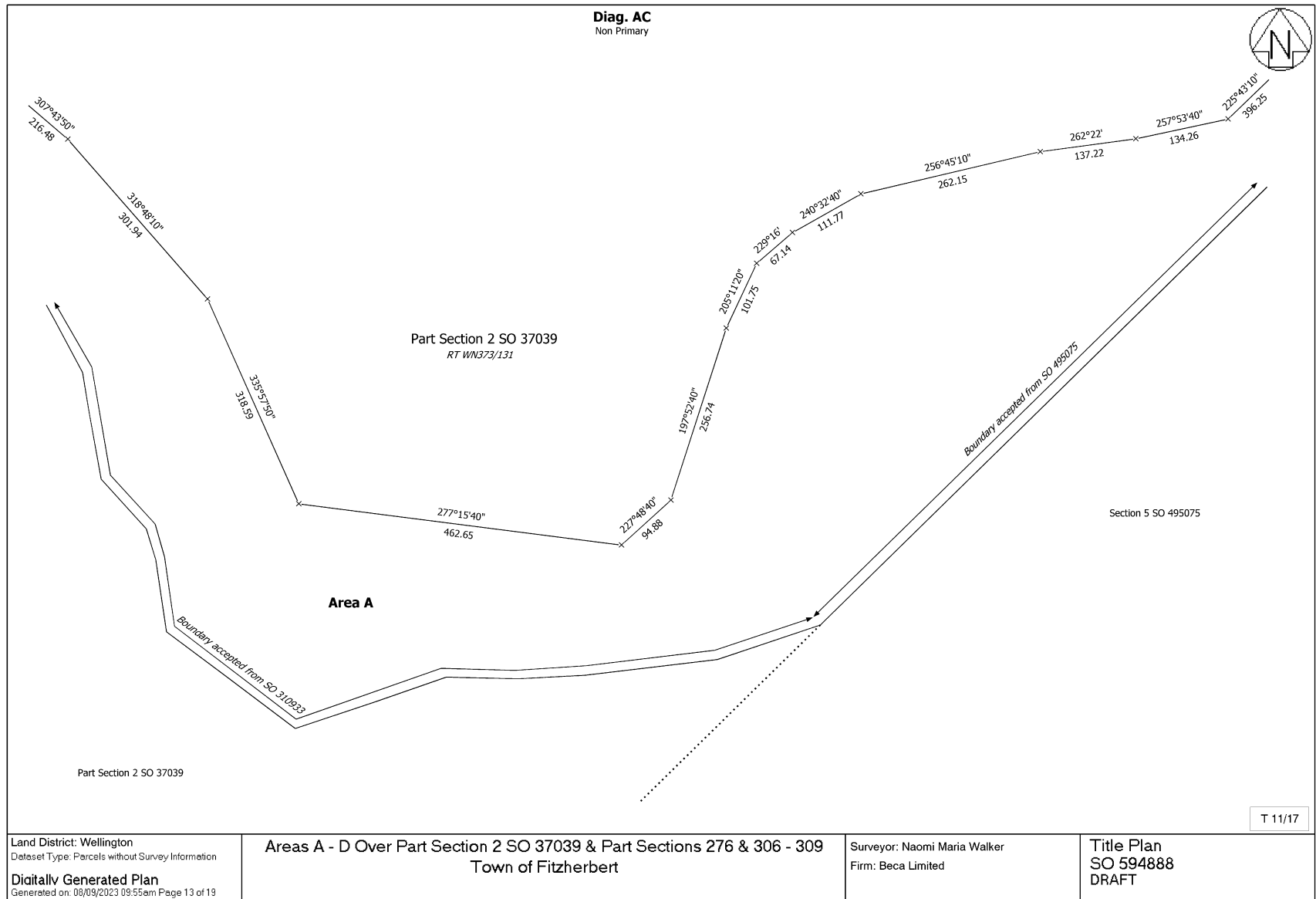


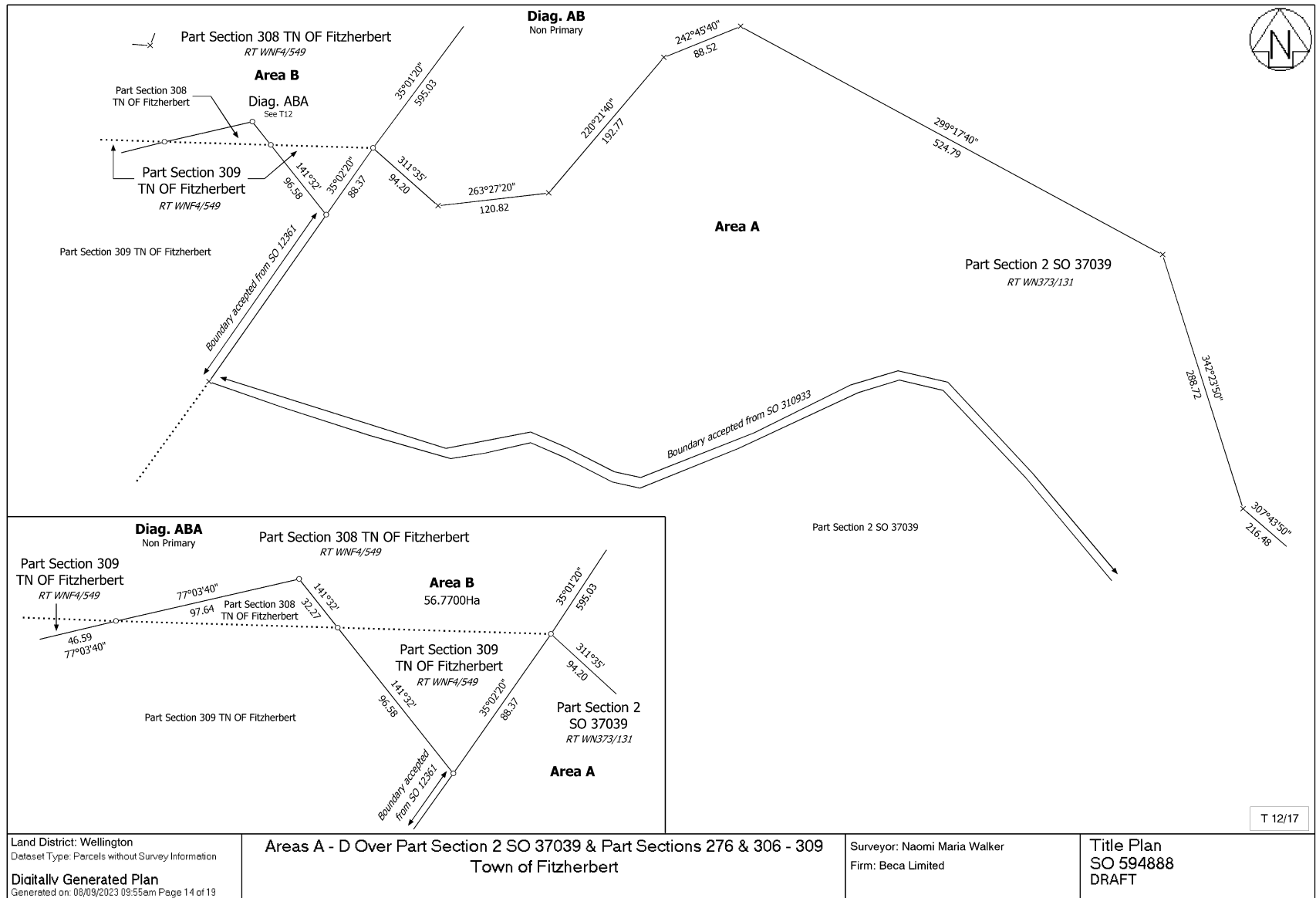


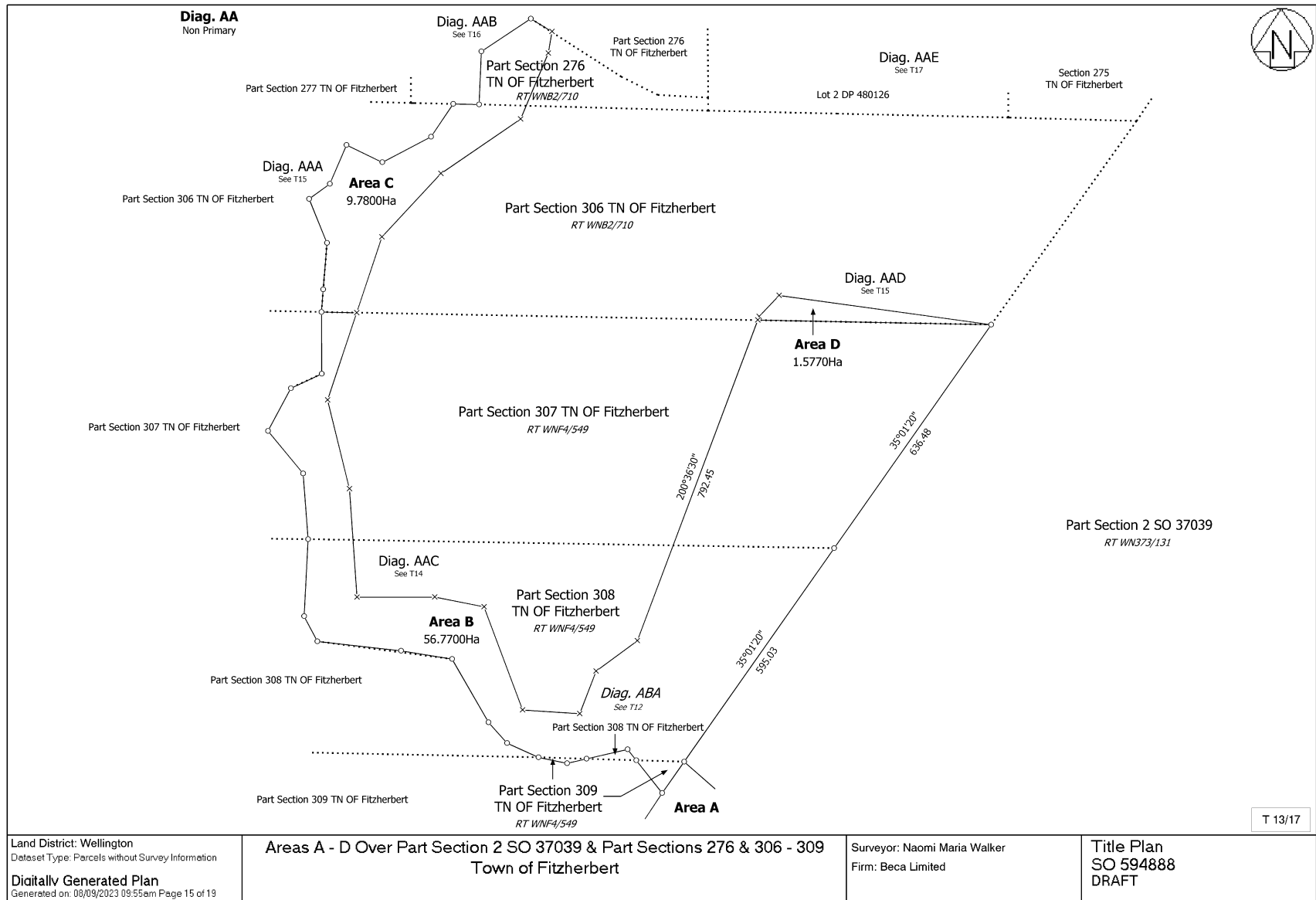


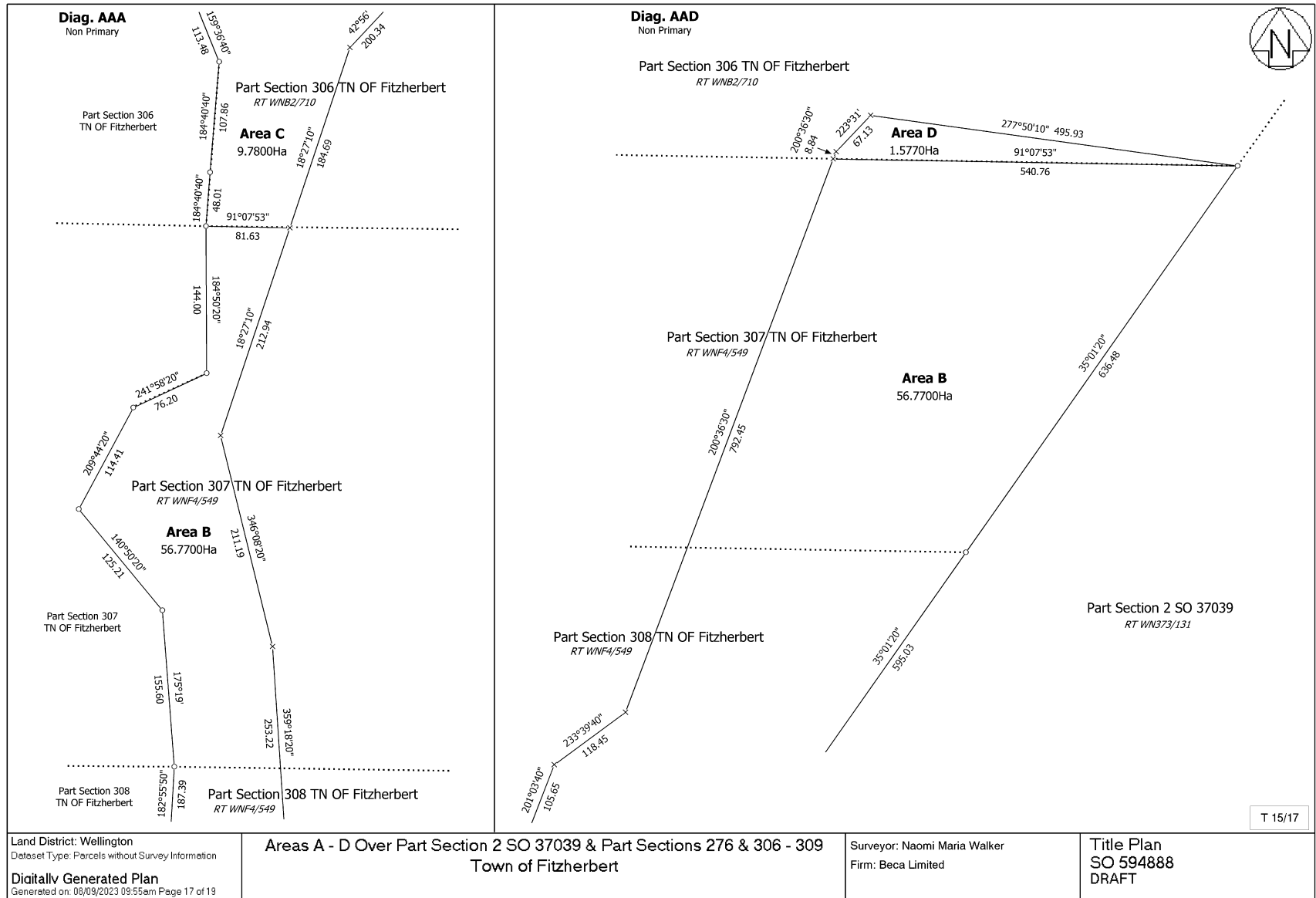


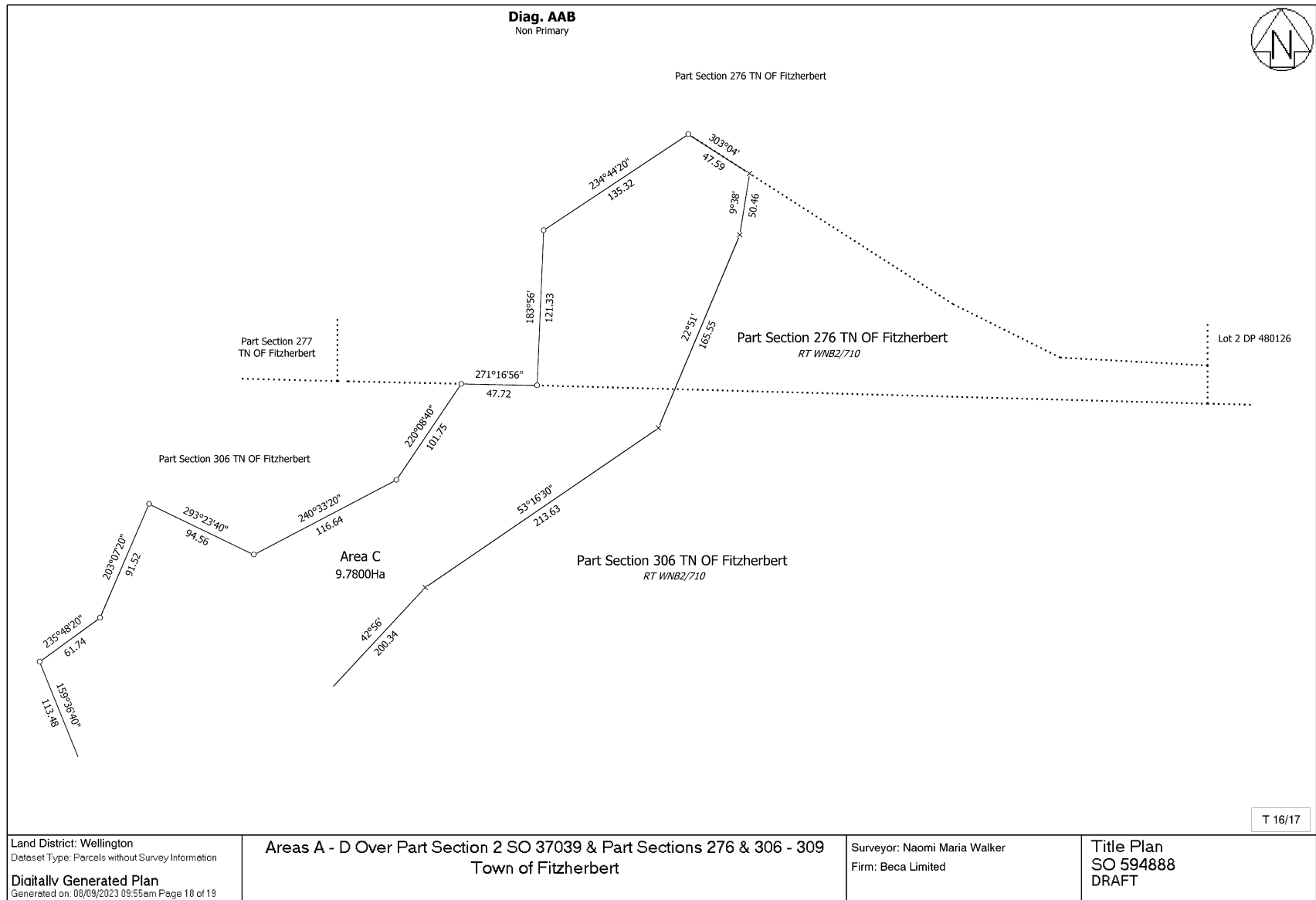


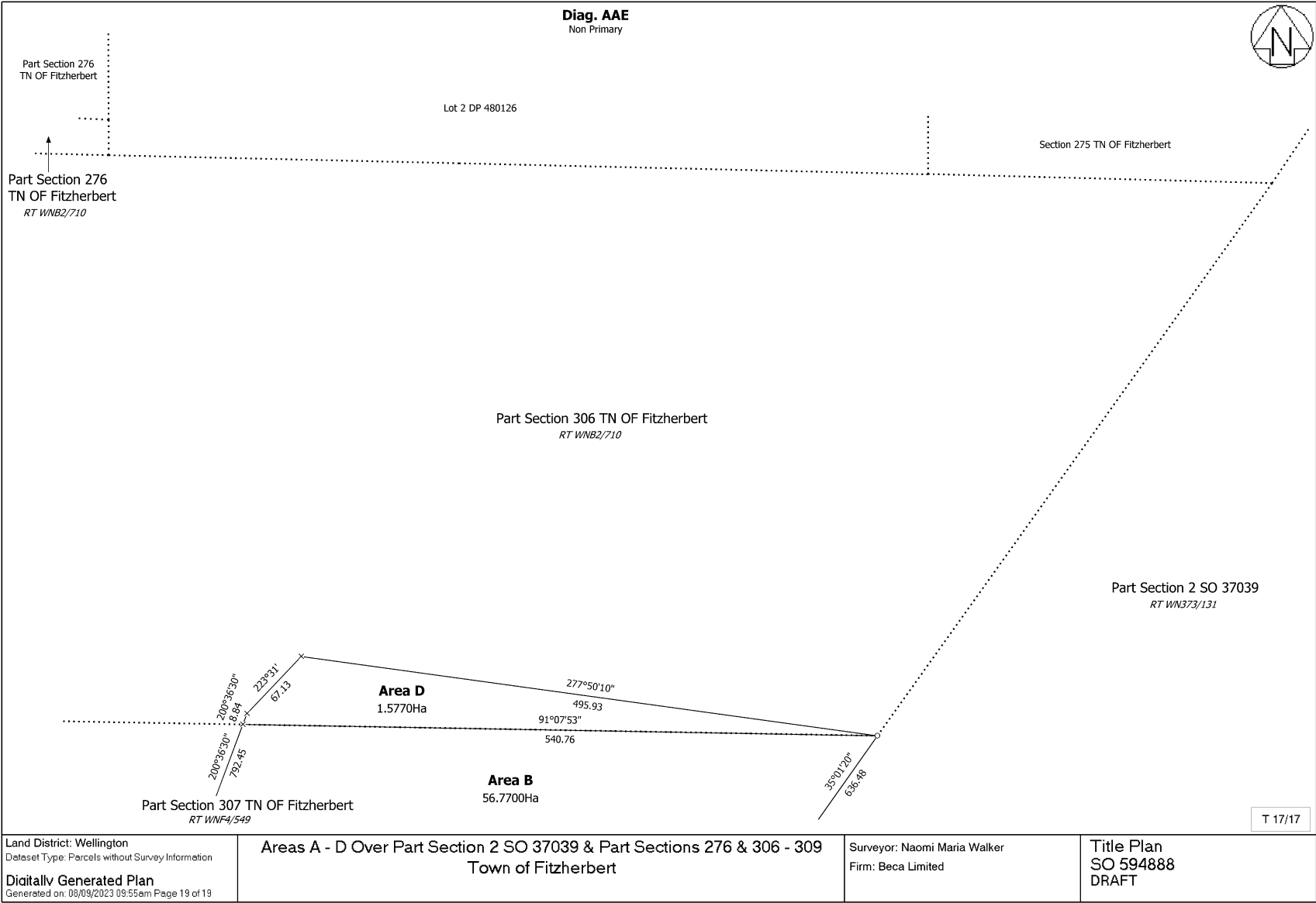












MEMORANDUM

TO: Council

MEETING DATE: 4 October 2023

TITLE: Approval for the Mayor to travel to Le Quesnoy in France to attend the Opening of the New Zealand Liberation Museum - Te Arawhata

PRESENTED BY: Waid Crockett, Chief Executive Officer

APPROVED BY: Waid Crockett, Chief Executive Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council approve the Mayor to travel to Le Quesnoy, France from 7 October 2023 to 17 October 2023 to attend the Opening of the New Zealand Liberation Museum – Te Arawhata.
 OR
 That Council grant a leave of absence to the Mayor from 7 October 2023 to 17 October 2023.
 2. That Council agree to reimburse the Mayor for travel and associated costs according to
 Option 1, 2 OR 3
-

1. ISSUE

- 1.1. A formal invitation for the Mayor to travel to Le Quesnoy in France to attend the official Opening of the New Zealand Liberation Museum – Te Arawhata has been received and accepted by the Mayor.
- 1.2. The Elected and Appointed Members' Expenses and Allowances Policy sets out that Council approval must be granted for the Mayor to travel further than New Zealand or Australia for business purpose. Further, Council approval can be sought for the Mayor's partner to accompany. Thus, approval is sought for the Mayor and the Mayoress to travel to France in order to undertake ceremonial duties at the opening of the New Zealand Liberation Museum – Te Arawhata.
- 1.3. This memorandum has been brought as soon as was practicable. However due to the timing of when the invitation was received and when the event is to take place, the Mayor has gone ahead and paid for this travel personally.

- 1.4. Consequently, this memorandum also requests Council's reimbursement of travel and associated costs within the Elected and Appointed Members' Expenses and Allowances Policy.

2. BACKGROUND

- 2.1 The New Zealand Liberation Museum – Te Arawhata was a project fundraised by the New Zealand Memorial Museum Trust in 2018 as part of New Zealand's commemoration of the 100 year anniversary of World War I.
- 2.2 At the Committee of Council hearings to the Long Term Plan 2021-31 on 27 May 2021, Sir Don McKinnon spoke to a submission about the New Zealand Memorial Museum Trust raising funds for the museum in Le Quesnoy as part of 100 Years of New Zealand's involvement in World War I.
- 2.3 After four years of German occupation, the French town of Le Quesnoy was finally freed by the New Zealand Division on 4 November 1918. It was New Zealand's most successful day of the whole campaign on the Western Front. The day's action cost the lives of 135 New Zealand soldiers, virtually the last of the 12,483 who fell on the Western Front between 1916 and 1918.
- 2.4 Subsequently, on 9 June 2021, Council approved a \$5,000 contribution towards the New Zealand World Wars Memorial in Le Quesnoy in France.
- 2.5 The New Zealand Liberation Museum in Le Quesnoy highlights the battle of 4 November 1918 alongside exhibitions and displays relating to all New Zealand's valiant efforts during World War I and World War II. It honours the New Zealanders who served in the World Wars, many of whom never returned home.
- 2.6 The Elected and Appointed Members' Expenses and Allowances states,

"The prior approval of Council is required for:

 - Any travel by the Mayor outside New Zealand or Australia for the purpose of exploring partnerships, initiatives, facilities or operations which may be of benefit to Palmerston North.
 - The associated travel, accommodation and incidental costs for the Mayor's partner to accompany the Mayor on overseas trips (excluding Australia)."

3. OPTIONS FOR TRAVEL COSTS

3.1 Option 1: Full cover of Mayor and Mayoress

International and domestic airfares to and from Le Quesnoy, accommodation for travel to and from Le Quesnoy, meals and incidentals for the same. Estimated cost to Council of approximately \$13,000.

3.2 Option 2: Le Quesnoy costs

Cover the accommodation, meals, internal transport (in France), and any incidentals. Estimated cost to Council of approximately \$4,000.

3.3 Option 3: Agreed contribution

Any other combination of some costs for reimbursement, with remainder to be covered by the Mayor personally.

3.4 Option 4: No Council contribution

Council does not provide any contribution towards travel for this event. Under this option, the Mayor requests a leave of absence.

4. FINANCIAL IMPACT

4.1 There is funding available in the Arts, Culture and Heritage budget, which appears to be the most appropriate place for the proposal to be funded from given the City's links to Military Heritage.

4.2 If, for instance, Option 2 were selected it is not anticipated that there will be a significant reduction to the service or programmes covered by this budget.

5. NEXT STEPS

5.1 Should Council agree Option 1, 2 or 3, the Mayor will be reimbursed appropriately.

5.2 Should Council agree Option 1, 2 or 3, the Mayor will provide a full report on the visit.

6. COMPLIANCE AND ADMINISTRATION

Does the Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do, they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	No
Are the recommendations inconsistent with any of Council's policies or plans?	No
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the achievement of action/actions in Connected Communities	

The action is: Provide and support initiatives that celebrate the city's history and its heritage, connect people and encourage participation in the community.

Contribution to strategic direction and to social, economic, environmental and cultural well-being

The participation of the Mayor and the Mayoress in the opening of the New Zealand Liberation Museum – Te Arawhata honours the New Zealanders who served in the World Wars, especially our own local soldiers from Palmerston North.

It reflects our reputation and commitment to military heritage.

ATTACHMENTS

1. Invitation letter to the Mayor and Mayoress [↓](#) 
2. Events of the Opening of the NZ Liberation Museum [↓](#) 

Mayor Grant and
Mayoress Michelle

**I have the great pleasure of inviting
you to the official opening of the
NZ Liberation Museum – Te Arawhata**



The Rt Hon. Sir Don McKinnon, ONZ, GCVO, PC
Chair of the New Zealand Memorial Museum Trust – Le Quesnoy

Where: 18 Rue Achille Carlier, Le Quesnoy

When: 11am, Wednesday 11 October 2023

Please **RSVP** by Friday 1 September 2023
Email kere.mckinnon@nzmmtlq.nz

For more information please contact Kere McKinnon.

**NEW
ZEALAND
LIBERATION
MUSEUM
TE ARAWHATA**
Musée Néo-Zélandais
de la Libération
Le Quesnoy France



EVENTS FOR THE OFFICIAL OPENING

THE NZ LIBERATION MUSEUM – TE ARAWHATA, LE QUESNOY, FRANCE

18 Rue Achille Carlier,
Le Quesnoy

When you arrive please collect your named lanyard (BLACK).
Please wear this throughout proceedings to gain entry to events.

☒ Please tick/click the events you'd like to attend, save the PDF and send the file back to Kere

Tuesday 10 October

- | | | |
|--------------------------|-------------------|---|
| <input type="checkbox"/> | 7am | The Dawn Blessing with Ngāti Waewae, meet at the Museum Gate
DRESS CODE – WARM TIDY CASUAL DECORATIONS MAY BE WORN |
| <input type="checkbox"/> | 9am | Champagne Breakfast hosted by the Town Hall, a short walk from the Museum
DRESS CODE – WARM TIDY CASUAL |
| <input type="checkbox"/> | 10.30am
to 1pm | Guided Historical Walking Tour, meet at the Museum Gate
DRESS CODE – WARM TIDY CASUAL |
| <input type="checkbox"/> | 1.30pm
to 3pm | Guided Bus Tour
Meet at the Royal Hainut Hotel, 6 Place de L'Hôpital Général, Valenciennes
DRESS CODE – WARM TIDY CASUAL |
| <input type="checkbox"/> | 7pm | Donor's Dinner – At Valenciennes, hosted by Sir Jerry Mateparae GNZM, QSO, KStJ
The Royal Hainut Hotel, 6 Place de L'Hôpital Général, Valenciennes
DRESS CODE – BUSINESS PROFESSIONAL |

Wednesday 11 October

- | | | |
|--------------------------|--------|--|
| <input type="checkbox"/> | 11am | Official Opening Ceremony at the Museum, seated by 10.30
DRESS CODE – BUSINESS PROFESSIONAL DECORATIONS MAY BE WORN |
| <input type="checkbox"/> | 1pm | Light Celebratory Lunch hosted by the Town Hall, a short walk from the Museum
DRESS CODE – BUSINESS PROFESSIONAL |
| <input type="checkbox"/> | 5.30pm | Soirée – Cocktail Event, Le Réveil de la Bruyère, 13 N Route nationale, Wargnies-le-Petit
DRESS CODE – COCKTAIL ATTIRE |

MEMORANDUM

TO: Council

MEETING DATE: 4 October 2023

TITLE: Annual Section 10A Dog Control Act 1996 Report 2022/23

PRESENTED BY: Aaron Thornton, Acting Environmental Protection Services Manager

APPROVED BY: Kerry-Lee Probert, Acting Chief Customer Officer

RECOMMENDATION(S) TO COUNCIL

1. That Council receive the report of the Dog Control Policy and Practices for the Palmerston North City Council pursuant to Section 10A of the Dog Control Act 1996 for the period 2022/23, as attached to this memorandum titled 'Annual Section 10A Dog Control Act 1996 Report' presented to the Council on 4 October 2023.
-

1. ISSUE

- 1.1 The Dog Control Act 1996 ("the Act") requires the Council to produce an annual report on the administration of its Dog Control Policy and Practices.
- 1.2 This is the Palmerston North City Council report for the 2022/23 year.

2. BACKGROUND

- 2.1 The Act requires the following information to be provided:
 - (a) The number of registered dogs to the territorial authority district;
 - (b) The number of probationary owners and disqualified owners in the territorial authority district;
 - (c) The number of dogs in the territorial authority district classified as dangerous;
 - (d) The number of dogs in the territorial authority district classified as menacing;
 - (e) The number of infringement notices issued by the territorial authority;
 - (f) The number of dog related complaints received by the territorial authority in the previous year and the nature of those complaints; and

- (g) The number of prosecutions taken by the territorial authority under this Act.
- 2.2 The attached report on the Council's administration of its Dog Control Policy and Practices for 2022/23 reveals the following trends.
- 2.3 A notable decrease of 6.2% in the total number of complaints and investigations compared to the previous year (2021/22) which may be attributed to improved compliance.
- 2.4 While dog attack complaints have decreased by 3.4%, complaints related to aggressive and rushing dogs have increased by 12.3% over the previous year. This emphasises the ongoing need to provide the community with education on good ownership practices and how to address aggressive dog behaviour.
- 2.5 The report also notes a significant spike in barking complaints (29.2%) and roaming complaints (19.6%). It is unknown as to why this has occurred, however other Territorial Authorities' have also reported experiencing an increase.
- 2.6 Readers will note an increase in the percentage of impounded dogs that were euthanized compared to the previous year. This increase is attributed to a higher number of impounded dogs and dogs surrendered, which for reasons of breed or behavioural issues cannot be rehomed, and dogs not being collected post-attack, which may be attributed to the economic challenges that many households currently face.
- 2.7 During the presentation of last year's report, Elected Member's requested that Officers establish reporting on key timeframes and indicators. Data was collected on complaint response times for all complaint types, unfortunately due to the implementation of Authority Altitude Officers have been unable to extract this data in time for this report. However, as dog attack data has been recorded in a separate database, it is possible to report that the average response time for dog attacks was 22 minutes, well within the team's Key Performance Indicator (KPI) of 30 minutes.

3. NEXT STEPS

The annual report, if received, will be placed on the Council's website and publicly notified.

4. COMPLIANCE AND ADMINISTRATION

Does the Council have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special	No

Consultative procedure?		
Is there funding in the current Annual Plan for these actions?		Yes
Are the recommendations inconsistent with any of Council's policies or plans?		No
The recommendations contribute to Goal 3: A Connected and Safe Community		
The recommendations contribute to the achievement of action/actions in Safe Communities		
The action is: Achieve compliance with relevant legislation, bylaws and policies through the provision of information, education and enforcement.		
Contribution to strategic direction and to social, economic, environmental and cultural well-being	Meeting the requirements set out in Section 10A of the Dog Control Act 1996, contributes to Council's reputation for good governance, accountability and transparency.	

ATTACHMENTS

1. Annual Section 10A Dog Control Act 1996 report 2022/23 [↓](#) 

Annual Section 10A Dog Control Act Report 2022/23

This report has been prepared to satisfy the requirements of Section 10A of the Dog Control Act 1996 ('the Act').

The report covers the 2022/23 fiscal year.

1.1 Policy on Dogs

The Dog Control Policy review process is scheduled to start around November 2023 and will continue through until May 2024. As a result of this review, the current Dog Control Bylaw is scheduled to be repealed and substituted with a new version in June 2024.

1.2 Accommodation

The Animal Management Office is located at Palmerston North City's Central Administration Building, situated on The Square. The Council Pound can be found on Totara Road, Palmerston North, positioned at the rear of the racecourse and adjacent to the wastewater treatment plant. Within this facility, there is kennelling for 36 dogs and six puppies, alongside a designated dog exercise area and administrative space for two staff members.

At present, a new Shelter is being constructed. Once completed, the new facility will have the capacity to house 45 dogs distributed among three kennel blocks, with room for expansion on the site should Council need to add another kennel block in the future. These kennel blocks will include a dedicated area for pregnant dogs, accommodating whelping needs, as well as eight kennels specifically designed for small dogs or puppies. Additionally, there will be 11 purpose-built kennels to safely house and manage dangerous dogs. There will be administrative space to accommodate the current Animal Management team with room for expansion.

1.3 Personnel

The Animal Management team is part of the Customer Unit and reports to the Environmental Protection Services Manager. The Team Leader of Animal Management and Education is focused on service efficiency improvements for the benefit of customers. Supporting the Team Leader are three experienced Animal Control Officers and a Kennel Manager/Education Officer, who is also warranted as an Animal Control Officer.

1.4 Hours of Operation

Normal working hours are 8am to 5pm on weekdays. The contracted after-hours services, provided by Allied Security, are limited to responding to dog attacks, secured dogs, aggressive dogs and roaming dogs.

The Pound is open to the public Monday to Friday, 8.30am to 9.30am and 2.30pm to 4.30pm. The emergency release of animals outside these hours is available but is subject to an additional fee.

1.5 Fees

The Palmerston North City Council has fee categories for general registration, with a reduced fee for de-sexed dogs, approved preferred owners and rural working dogs. Disability assist and special working dogs do not attract fees.

Under the Dog Control Act 1996, fees and charges are reviewed annually. As of 1 July 2022, there was an average increase of 4% across all dog registration fee categories except for the Preferred Owner application fee which was not increased. The increases were in line with CPI.

Dog registration fees, fines and impound fees contributed 88% of the cost of dog control in Palmerston North City in 2022/23. This is up 2% on the last fiscal year however, still within the approved funding policy of 80/20.

1.6 Dog Registration

There were 9636 dogs registered in 2022/23 to 7252 owners, this is an increase of 0.7% (71 dogs) in registered dogs from the previous year. Alongside this, there was a decrease in the number of dog owners within the city, with a decline of 161 owners.

1.7 Preferred Owners

The financial benefit of being a preferred owner is a reduction in the annual registration fees. In July 2020, changes were made to the structure of registration categories allowing both urban and rural pet dog owners to be eligible for this scheme.

To qualify as a preferred owner, the owner must;

- Have had the dog(s) registered for the past 12 months,
- Provide a satisfactory secure environment in respect to fencing, sleeping quarters and exercise space,
- Demonstrate an understanding of basic dog welfare and owners' obligations,
- Have no more than one dog impounded or found roaming in the past 12 months,
- Have no more than one substantiated complaint about their dog(s) in the past 12 months and
- Have paid dog registration fees on time.

In 2021/22 there were 2739 preferred dog owners, which decreased by 2.41% to 2673 in 2022/23. The decrease in numbers is thought to be from older dogs passing, owners having left the city and removal of preferred owner status due to non-payment of registration.

1.8 Complaints

During the year, a total of 2,967 complaints or investigations took place, showing a 6.2% decrease (197 fewer complaints) compared to the previous year. Reported dog attacks decreased by 3.42% (four attacks less) from last year, making this year 8.5% higher than the five-year average. The primary source of complaints were roaming/secured dogs, accounting for 1,357 complaints (45.7%), which marked a 19.6% increase (222 more complaints) on the previous year. Barking dogs accounted for 917 complaints (30.9%), reflecting a 29.2% increase in barking complaints on the previous year. Successful efforts to identify unregistered dogs resulted in a 96.9% compliance rate for dog registration.

1.9 Dog Attacks

There were 113 reported dog attacks during the year, 47 of these were attacks on a person, 26 were assessed as minor, 14 moderate, four were serious and the remaining three complaints were false or withdrawn. There were 51 attacks on other dogs, with 23 assessed as minor, 19 as moderate, seven as serious (four of which were in relation to the same attack) the remaining two complaints were false or withdrawn. There were 15 attacks on other animals, with 7 assessed as minor, 7 as moderate and the remaining attack was false.

1.10 Impounded Dogs

In 2022/23, 428 dogs were impounded compared with 351 for the previous year. Of these, 273 (63.8%) were returned to their owner, 109 (25.5%) were euthanised and 46 (10.8%) were rehomed, with 20 being transferred to the SPCA or another rehoming agency. The remaining four (1%) are dogs that are awaiting collection.

In comparison with the 2021/22 figures, which saw 17% of dogs euthanised, euthanasia numbers have increased by 8.5% (50 dogs) additionally, the number of dogs rehomed or transferred to another agency also rose by 21% (8 dogs) this bucks a trend being experienced in other TA's where there has been difficulty rehoming dogs. Contributing to the number of dogs euthanised in this period there were 30 dogs surrendered to the Council, 26 were deemed unsuitable for rehoming due to behavioural problems or were deemed a menacing breed, and were euthanised. In addition to these 14 dogs were seized for attacks and subsequently euthanised due to either not being collected or being surrendered to Council.

Note: The number of dogs impounded directly relates to the increase in roaming complaints and the actions that officers have taken when responding to these.

1.11 Infringements

Council continued to focus on ensuring that all known dogs were registered and kept under proper control by their owners. Infringements were issued to multiple offenders and in some cases, dogs were impounded.

In 2022/23, a total of 163 infringement notices were issued, 138 for unregistered dogs, 20 for failing to have a dog under control or confined, four for failing to comply with a classification and one for failing to comply with a barking notice. Of the 163 infringements issued, 10 (6%) were waived or cancelled because of extenuating circumstances.

1.12 Menacing Dog Classification Appeals

There was one objection to a Menacing Classification made during the 2022/23 year. Despite dates being set for the dog owner to have their objection heard, they did not appear, subsequently the Classification was upheld.

1.13 Prosecutions

There was one prosecution brought before the courts in the 2022/23 year, this was a successful prosecution for a serious dog attack on a person.

1.14 Customer Satisfaction

A residents' satisfaction survey for 2022/23 found 59% satisfied (63% in 2021/22 with the control of roaming dogs, while 26% were neutral, and 15% were dissatisfied. On the control of barking dogs, 51% were satisfied, 34% neutral and 15% dissatisfied. In 2021/22 50% were satisfied. The survey indicated that residents in Takaro ward are more likely to be dissatisfied than other wards when it comes to control of roaming (43%) and barking (40%) dogs. The survey had 536 independently selected respondents from across the city.

1.15 Improvement Opportunities

The Code of Welfare amendment for the Temporary Housing of Companion Animals Code came into force in 2018. This meant the current dog pound was identified as not being fit for purpose. A Ministry for Primary Industries audit identified the most concerning matters, which were remedied in June 2020.

The construction of the city's new animal shelter facility has commenced and is due for completion in February 2024. The existing facility has continued to operate during the construction to allow for continuity of service.

The new facility will not only meet the current requirements of the code of welfare, but also allows Council to comply with any future amendments to the code.

In addition, the new facility provides expansion opportunities for the facility to grow with the city's animal management needs.

1.16 Community Outreach and Education

The Animal Management team attended two community events during the year, these being Linton Camp Community day, Esplanade open day in addition to hosting a free microchipping and education event at Linklater Reserve.

Four educational events were held at local schools targeting bite prevention, and one dog safety training was provided to a local agency. The team received positive feedback for the events. Further events were planned however these are currently on hold due to resourcing.

Following the evacuation of local homes due to severe flooding caused by a severe weather event in early 2023, four dogs were placed under the care of Civil Defence Emergency Management and housed at the PNCC Pound. Animal Management staff worked with the owners to care for the dogs and ensure visiting their pets was seamless. Additionally, during the recovery from Cyclone Gabrielle, Animal Management offered to house animals for effected Territorial Authorities.

1.17 2022/23 Programme

Some additional points of focus are:

- Contributing to the final design detailing and development of the new animal shelter.
- To improve animal welfare, owner behaviour and the public's understanding of how to safely behave around dogs, by continuing to deliver animal management and education.
- Contribute to the Bylaw and Policy review.

1.18 Summary

The reporting requirements of the Dog Control Act 1996 for the period 2022/23 are:

Number of registered dogs	9636
Number of disqualified owners	0
Number of probationary owners	0
Number of dogs classified as dangerous under Section 31 of the Act	12
Number of dogs classified as menacing under Section 33A of the Act	112
Number of dogs classified as menacing under Section 33C of the Act	50
Number of dog-related complaints (See Appendix 1 for details)	2967
Number of prosecutions	1
Number of infringements	163

Attached as Appendix 1 are details of dangerous and menacing dogs.

Attached in Appendix 2 is a comparative summary of Dog Control Statistics for the period 2018/19 to 2022/23. This contains the information above with the addition of a breakdown of types of complaints processed by staff.

Aaron Thornton

ACTING ENVIRONMENTAL PROTECTION SERVICES MANAGER

Appendix 1: Dangerous and Menacing Dog Details

Dog Control Act 1996 S 31 – Dangerous Dogs

Section 31 requires the territorial authority to classify a dog as a dangerous dog if:

- The owner of the dog has been convicted of an offence in relation to dog attack,
- The territorial authority has sworn evidence and reasonable grounds to believe that the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife; or,
- The dog owner admits in writing that the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife.

Dogs within the jurisdiction of Council that are classified as dangerous under S 31 were as follows:

Breed	Number
Alaskan Malamute	1
German Shepherd	1
Greyhound	1
Rottweiler	2
Siberian Husky	2
Shar Pei	2
Terrier, American Staffordshire	1
Terrier, Staffordshire Bull	1
Whippet	1
Total	12

Dog Control Act 1996 S 33A – Menacing Dogs

Section 33A menacing dogs are dogs that have not been classified as a dangerous dog, but the territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of any observed or reported behaviour of the dog or any characteristics typically associated with the dog's breed or type.

A total of 112 dogs are classified under section 33a of these 12 classifications were made in the 2022/23 year.

Dogs within PNCC jurisdiction that are classified as menacing under S33A, were as follows:

Breed	Number
Akita	1
Australian Koolie	1
Boxer	1
Bulldog	1
Bulldog, American	4
Collie, Bearded	1
Collie, Border	1
Greyhound	3
Heading	2
Mastiff	1
Mastiff, Bull	3
Mastiff, Neapolitan	1
Pointer, English	1

Pomeranian	1
Poodle, Standard	1
Retriever, Labrador	10
Rottweiler	9
Shar Pei	4
Shepherd, German	7
Siberian Husky	3
Terrier, American Pit Bull	39
Terrier, American Staffordshire	4
Terrier, Bull	4
Terrier, Jack Russell	1
Terrier, Staffordshire Bull	8
Grand Total	112

Note: Some dogs that would normally be classified under Section 33C are included above as they have displayed behaviours which better fit a classification under section 33A, this behaviour has been identified and confirmed through customer complaint investigations.

Dog Control Act 1996 S 33C – Menacing Dogs

Under section 33CA the territorial authority must classify as menacing any dog that the territorial authority has reasonable grounds to believe belongs wholly or predominantly to one or more of the following breeds or types:

- Brazilian Fila
- Dogo Argentino
- Japanese Tosa
- Perro de Presa Canario
- American Pit Bull Terrier Type

A total of 50 dogs are classified under section 33c of these 8 were newly classified in the 2022/23 year.

Dogs within the jurisdiction of Council that were classified as menacing under S33C, were as follows:

Breed	Number
Dogo Argentino	4
Terrier, American Pit Bull Type	46
Total	50

Appendix 2: Dog Control Statistics 2017/2018 to 2022/2023

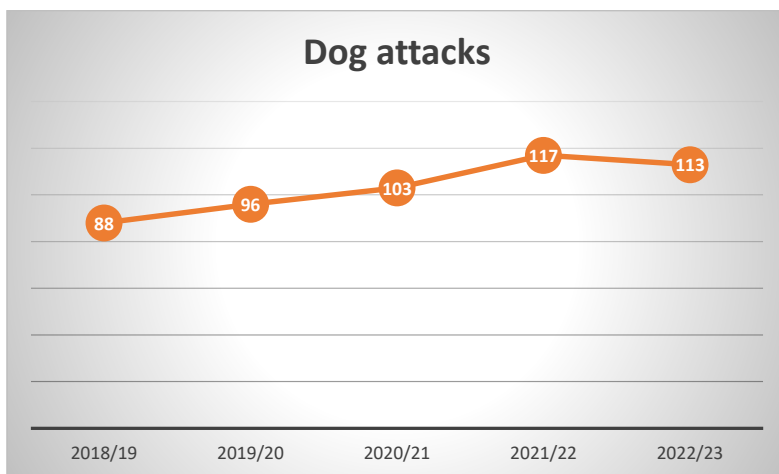
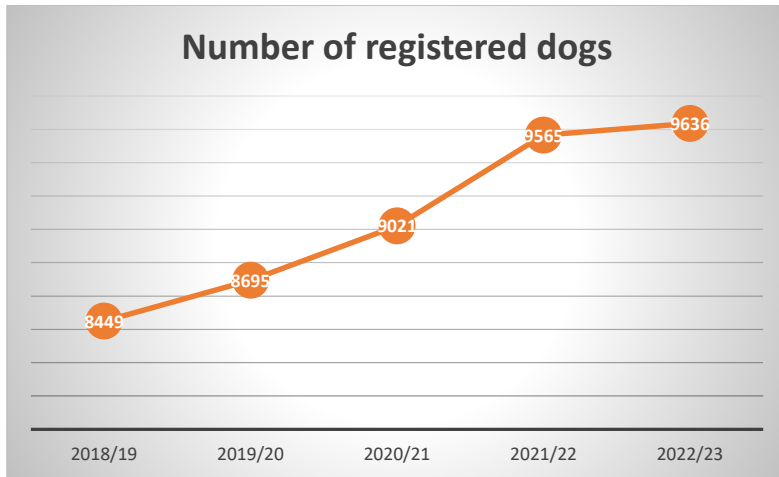
Serial	Topic	2018/19	2019/20	2020/21	2021/22	2022/23
1	Number of Dogs Issued with a Registration Tag (Registered Dogs)	8449	8695	9021	9565	9636
2	Number of Disqualified Owners	5	5	2	0	0
3	Number of Probationary Owners	1	1	1	0	0
4	Number of Dogs classified as dangerous under S31 of the Act	5	7	6	10	12
5	Number of Dogs classified as menacing under S33A of the Act (Behaviour)	91	79	88	117	112
6	Number of Dogs classified as menacing under S33C of the Act (Breed)	71	77	69	51	50
7	Number of Dog Complaints or investigations initiated by public or ACO. (Refer to below for details)	3536	3110	3157	3164	2967
	7a Aggressive/Rushing Dogs	133	134	152	146	164
	7b Dog Attacks	88	96	103	117	113
	7c Barking Dogs	724	758	722	710	917
	7d Roaming Dogs	1576	1309	1381	1135	1357
	7e Lost Dogs	367	327	290	244	232
	7f Property Checks	311	220	85	124	37
	7g Other Dog Related Incidents	24	31	52	56	66
	7h Identified/Reported Unregistered dogs	313	235	305	632	81
8	Number of Prosecutions	1	0	0	0	1
9	Number of Infringements	105	341	182	127	163

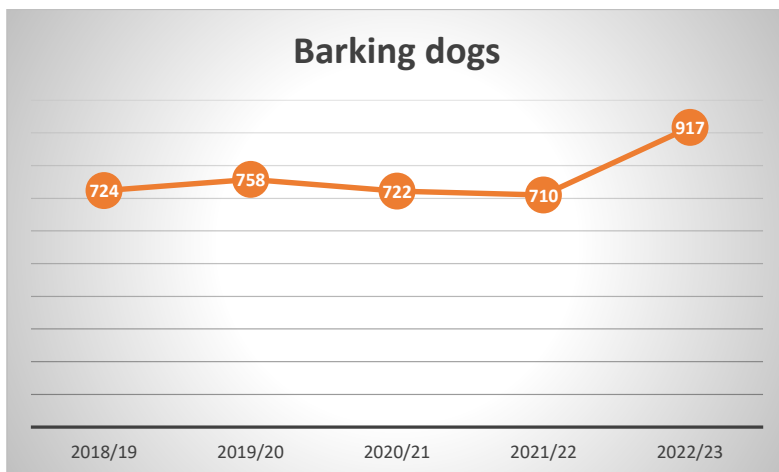
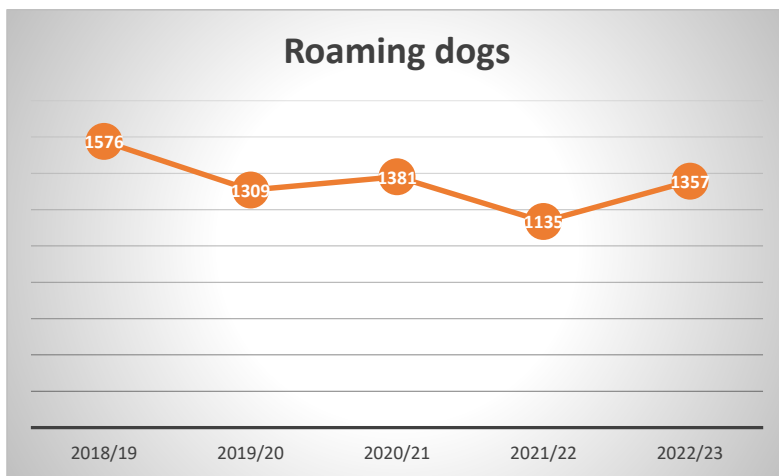
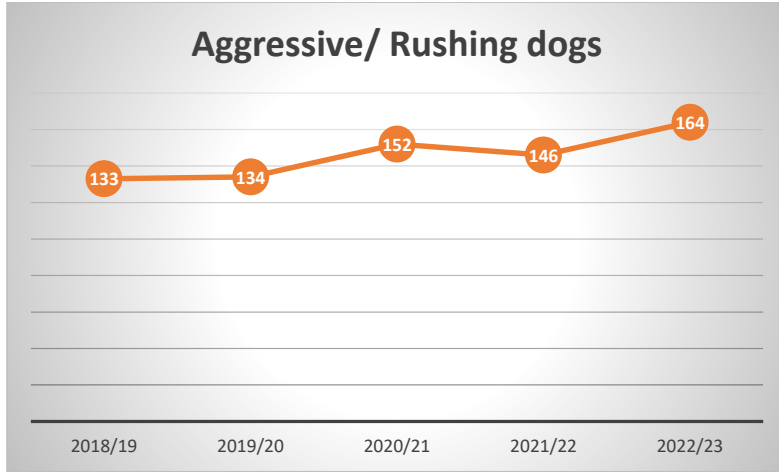
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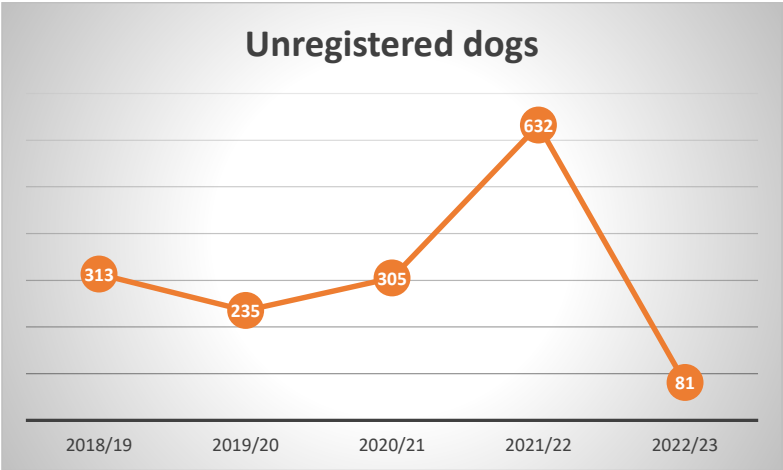
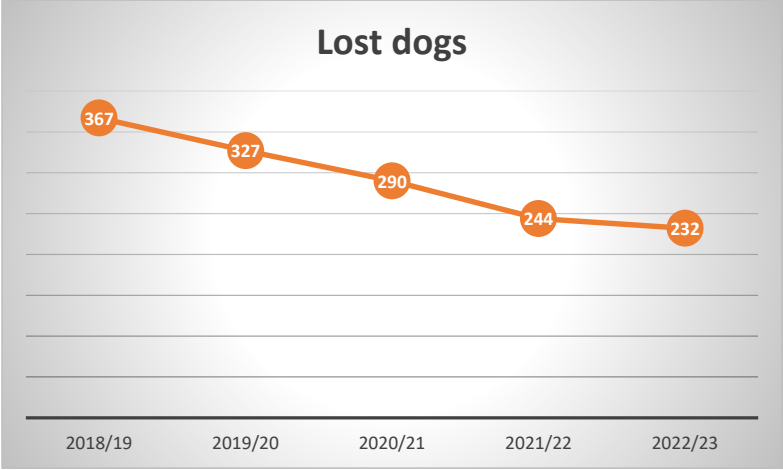
- Although overall the total number of complaints have dropped off there has been a spike in both roaming complaints, barking complaints and an increase in aggressive and rushing complaints. It's possible that the spike is not necessarily reflective of a true increase in incidents, but rather an increase in reporting or awareness of such issues. The rise in complaints, despite the overall reduction in dog ownership, could also potentially be linked to a return to normal working arrangements post lockdowns that were due to the pandemic.
- Lack of socialization and training: During the pandemic, when many people were working from home and practicing social distancing, dogs may have had limited opportunities for socialization with other dogs and people. This lack of exposure and training could lead to

increased instances of aggressive or rushing behaviour when they encounter unfamiliar situations or individuals.

- Separation anxiety: Dogs that became accustomed to having their owners around all day during the pandemic might experience separation anxiety when their owners return to normal working arrangements. This anxiety could manifest as barking, aggression or rushing behaviour in certain situations.
- Reduced exercise and mental stimulation: With owners returning to work outside the home, there might be a decrease in the amount of exercise and mental stimulation provided to dogs. Insufficient physical activity and mental engagement can contribute to behavioural problems, including boredom barking, aggression or rushing.
- Changes in routine: Dogs are creatures of habit, and any significant changes in their daily routine can cause stress and behavioural changes. The return to normal working arrangements could disrupt the established routines of dogs, leading to increased anxiety.
- Increased encounters with unfamiliar individuals or dogs: As people return to work and resume regular activities, there may be more interactions between dogs and unfamiliar individuals or dogs. This increased exposure to new stimuli can trigger defensive or reactive behaviour in some dogs.
- Due to the implementation of application fees for preferred ownership, customers seem to have become more deliberate in submitting their applications. As a result, the quality of the applications has significantly improved, leading to the majority of them being granted preferred owner status without encountering any problems.







COUNCIL WORK SCHEDULE

TO: Council

MEETING DATE: 4 October 2023

TITLE: Council Work Schedule October 2023

RECOMMENDATION(S) TO COUNCIL

1. That the Council receive its Work Schedule dated 4 October 2023.

COUNCIL WORK SCHEDULE 4 OCTOBER 2023

#	Estimated Report Date	Subject	Officer Responsible	Current Position	Date of Instruction & Clause number
1	4 October 25 October 2023	Annual Report 2022/23 - Adopt	Chief Financial Officer	To be considered at the Risk & Assurance Committee meeting on 18 October 2023 and adopted at the Extraordinary Council meeting on 25 October 2023	Terms of Reference
2	4 October 1 November 2023	Nature Calls Adaptive Management - Agree Terms of Reference and appoint to Steering Group	Chief Infrastructure Officer	Postponed due to significant delay in consent lodgement and assessing subsequent s92 requests	30 November 2022 Clause 168-22
3	1 November 2023	Standing Orders - Managing conflicts of interests at meetings	CE Unit Manager		15 February 2023 Clause 7-23

#	Estimated Report Date	Subject	Officer Responsible	Current Position	Date of Instruction & Clause number
4	1 November 2023	Featherston Street - Award tender	Chief Infrastructure Officer		28 June 2023 Clause 104-23
5	1 November 2023	District Licensing Committee - Recommendations for appointment of list members	CE Unit Manager		6 September 2023 Clause 148-23
6	6 December 2023	Palmerston North Airport Ltd - Business Case for extra investment or shareholding opportunities.	Chief Financial Officer		Economic Growth Committee 21 June 2023 Clause 20-23
7	6 December 2023	Quarter 1 Economic Report July-Sept 2023	Chief Planning Officer		Terms of Reference From the Economic Growth Committee
8	6 December 2023	Tamakuku Terrace Six Monthly Update	Chief Infrastructure Officer		Terms of Reference From the Economic Growth Committee
9	6 December 2023	CEDA - Statement of Expectation 2024/25	Chief Planning Officer		Economic Growth Committee 30 August 2023 Clause 37-23

#	Estimated Report Date	Subject	Officer Responsible	Current Position	Date of Instruction & Clause number
10	6 December 2023	Hearings Commissioners List 2023-2026 - Recommendations for appointment of external commissioners	CE Unit Manager		6 September 2023 Clause 146-23
11	6 December 2023	Delegations Manual - Chief Executive's Sub-delegation section review	CE Unit Manager		6 September 2023 Clause 147-23
12	6 December 2023	2023 Residents Survey - Action Plan	Chief Planning Officer		6 September 2023 Clause 144-23
13	18 December 2023	Wastewater Discharge Consent Project - Quarterly Update	Chief Infrastructure Officer		11 May 2022 Clause 26-22 Referred from Sustainability Committee
14	1 February 2024	Civic and Cultural Precinct Master Plan Steering Group - 6-monthly update	Chief Planning Officer		Council 28 June 2023 Clause 106-23 Terms of Reference of the CCMP Steering Group
15	1 March 2024	Remits from PNCC for consideration	CE Unit Manager		
16	Early 2024	College St/Botanical Road Safety Improvements	Chief Infrastructure Officer	Fits under Economic Growth Committee Terms of Reference	31 May 2023 Clause 88.19-23

#	Estimated Report Date	Subject	Officer Responsible	Current Position	Date of Instruction & Clause number
17	Early 2024	CEDA Funding Agreement	Chief Planning Officer		
18	1 April June 2024	Appointment of Trustees on Council Controlled Organisations	CE Unit Manager		
19	TBC 2024	Food HQ Innovation Limited-Director's company progress report	Chief Infrastructure Officer		6 September 2023 Clause 143-23
20	1 June 2024	Remits received from other Territorial Authorities	CE Unit Manager		

PROACTIVE RELEASE OF CONFIDENTIAL DECISIONS

Date of meeting	Report Title	Released	Withheld
3 May 2023	Rating Valuation Services - Awarding contract	Redacted Report, Decision & Division	N/A
14 June 2023	Tender Award - Custom Street Upgrade	Redacted Report, Decision & Division	N/A
14 June 2023	Proposed District Plan Change G: Aokautere Urban Growth - Appointment of Commissioner	Report, Decision & Division	Attachment(s)
28 June 2023	Appointments to the Palmerston North Jaycee Trust Assessment Committee	Report, Decision & Division	Attachment(s)
28 June 2023	Candidates for President and Vice-President of Local Government New Zealand	Report, Decision & Division	N/A

Date of meeting	Report Title	Released	Withheld
16 August 2023	Trustee Appointment to The Globe Theatre Trust Board and Director Appointment to Palmerston North Airport Ltd	Report, Decision & Division	Attachment(s)

All [released confidential decisions](#) can be found on Council's website.

RECOMMENDATIONS FROM COMMITTEE

TO: Council

MEETING DATE: 4 October 2023

TITLE: Presentation of the Part I Public Culture & Sport Committee
Recommendations from its 13 September 2023 Meeting

Set out below are the recommendations only from the Culture & Sport Committee meeting Part I Public held on 13 September 2023. The Council may resolve to adopt, amend, receive, note or not adopt any such recommendations. (SO 3.18.1)

34-23 Options to change the Palmerston North City Coat of Arms

Memorandum, presented by Desiree Harvey, Legal Counsel and Donna Baker, Acting Chief Executive Unit Manager.

The **COMMITTEE RECOMMENDS**

1. That Council retain the current Coat of Arms.

RECOMMENDATIONS FROM COMMITTEE

TO: Council

MEETING DATE: 4 October 2023

TITLE: Presentation of the Part I Public Strategy & Finance Committee Recommendations from its 20 September 2023 Meeting

Set out below are the recommendations only from the Strategy & Finance Committee meeting Part I Public held on 20 September 2023. The Council may resolve to adopt, amend, receive, note or not adopt any such recommendations. (SO 3.18.1)

55-23 Draft Water Supply Bylaw - Deliberations on Submissions

Memorandum, presented by Peter Ridge, Senior Policy Analyst.

The **COMMITTEE RECOMMENDS**

1. That Council adopt the Palmerston North Water Supply Bylaw 2024 and the Palmerston North Water Supply Bylaw Administration Manual 2024 (as shown in Attachments 2 and 3), which will come into effect on 1 February 2024.

57-23 Ashhurst and Te Apiti Campervan Dump Station Budget

Report, presented by Aaron Phillips, Activity Manager – Parks.

The **COMMITTEE RECOMMENDS**

1. That Council approve an increase to the budget for Programme 1535 – City-wide: Campervan Dump Stations from \$113,595 to \$213,595.
2. That Council note that revenue will be increased by \$100,000 of secured external funding, subject to consultation on the proposed dump station, for Programme 1535 – City-wide: Campervan Dump Stations, which means there will be no rates impact from increasing the budget.
3. That Council note that, as per the condition of the Ministry of Business, Innovation and Employment funding, consultation on the proposed new campervan dump station will be carried out. The consultation results and any subsequent recommendations will be reported back to Council.

58-23

Ashhurst Te Apiti Three Bridges Loop Track Investigations Budget & Waka Kotahi Fund Update

Report, presented by Aaron Phillips, Activity Manager – Parks.

The **COMMITTEE RECOMMENDS**

1. That Council adds a new operating programme titled 'Ashhurst Te Apiti Three Bridges Loop Track Investigations'.
2. That Council approves an increase in operating revenue and expenditure budget of \$156,875 for the investigations and design phase of the Te Apiti Three Bridges Loop Track programme, this budget to be 100% funded by Waka Kotahi subsidies.
3. That Council instruct the Chief Executive to report back at the conclusion of the Te Apiti Three Bridges Loop Track investigations and design work with a view to applying to Te Ahu a Turanga Recreation Fund for implementation works.

RECOMMENDATIONS FROM COMMITTEE

TO: Council

MEETING DATE: 4 October 2023

TITLE: Presentation of the Part I Public Community Committee Recommendations from its 27 September 2023 Meeting

Set out below are the recommendations only from the Community Committee meeting Part I Public held on 27 September 2023. The Council may resolve to adopt, amend, receive, note or not adopt any such recommendations. (SO 3.18.1)

35-23 Draft Gambling Venue Policies - Deliberations Report

Memorandum, presented by Stacey Solomon, Policy Analyst.

The **COMMITTEE RECOMMENDS**

1. That the Committee recommend the Council adopt the Class 4 Gambling Venue Policy 2023, attachment 2 of this memorandum.
2. That the Committee recommend the Council adopt the TAB Venue Policy 2023, attachment 3 of this memorandum.