



**PAPAIOEA**  
**PALMERSTON**  
**NORTH**  
**CITY**

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# **PALMERSTON NORTH CITY COUNCIL**

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AGENDA

## **STRATEGY & FINANCE COMMITTEE**

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**9:00 AM, WEDNESDAY 8 MAY 2024**

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

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# MEMBERS

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

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

Lorna Johnson  
Orphée Mickalad  
William Wood  
Kaydee Zabelin

AGENDA ITEMS, IF NOT ATTACHED, CAN BE VIEWED AT

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

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**Waid Crockett**

Chief Executive | PALMERSTON NORTH CITY COUNCIL

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Te Marae o Hine | 32 The Square  
Private Bag 11034 | Palmerston North 4442 | New Zealand  
[pncc.govt.nz](http://pncc.govt.nz)

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# STRATEGY & FINANCE COMMITTEE MEETING

8 May 2024

## 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.)

**6. Confirmation of Minutes**

Page 7

"That the minutes of the Strategy & Finance Committee meeting of 10 April 2024 Part I Public be confirmed as a true and correct record."

**7. Quarterly Performance and Financial Report - period ending 31 March 2024**

Page 17

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

**8. Treasury Report - quarter ending 31 March 2024**

Page 77

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

**9. Delegation Manual - Financial Delegations section update**

Page 89

Memorandum, presented by Hannah White, Democracy & Governance Manager and Scott Mancer, Finance Manager.

**10. Draft Palmerston North Animals and Bees Bylaw 2024 – Deliberations**

Page 119

Report, presented by Stacey Solomon, Policy Analyst.

**11. Draft Palmerston North Dog Control Policy 2024 - Deliberations**

Page 173

Memorandum, presented by Kate Harridge, Policy Analyst and Stacey Solomon, Policy Analyst.



- 12. Opie Reserve and Tui Park: Proposal to grant a lease on Council land to Te Kōhanga Reo O Ngati Hineaute Ki Rangitane O Manawatū Trust - Deliberations Report** Page 223

Memorandum, presented by Bryce Hosking, Group Manager - Property and Resource Recovery and Perene Green, Property Officer.

- 13. 21 Havelock Avenue (part of Bill Brown Park): Proposal to grant a licence on Council land to Papaioea Pasifika Community Trust - Deliberations Report** Page 229

Memorandum, presented by Bryce Hosking, Group Manager - Property and Resource Recovery and Perene Green, Property Officer (Intermediate).

- 14. Ongley Park - Proposal to continue supporting Rose Gardens Croquet Club Incorporated by notifying the public of the intention to grant community occupancy via a lease of Council land** Page 235

Report, presented by Bryce Hosking, Group Manager - Property and Resource Recovery and Perene Green, Property Officer (intermediate).

- 15. Committee Work Schedule** Page 255

- 16. Karakia Whakamutunga**

- 17. 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
18.	Ashhurst Three Bridges Loop Track	NEGOTIATIONS: This information needs to be kept confidential to	s7(2)(i)

		ensure that Council can negotiate effectively, especially in business dealings	
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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 Strategy & Finance Committee Meeting Part I Public, held in the Council Chamber, First Floor, Civic Administration Building, 32 The Square, Palmerston North on 10 April 2024, commencing at 9.00am

**Members Present:** Councillors Vaughan Dennison (in the Chair), Karen Naylor, Mark Arnott, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, William Wood and Kaydee Zabelin.

**Non Members:** Councillors Roly Fitzgerald and Billy Meehan.

**Apologies:** The Mayor (Grant Smith) (late arrival, on Council business), Councillor Brent Barrett.

Councillor Billy Meehan left the meeting at 10.17am during consideration of clause 18. He was not present for clauses 18 and 19.

Councillor Orphée Mickalad left the meeting at 10.20am during consideration of clause 18. He was not present for clauses 18 and 19.

#### Karakia Timatanga

Councillor Roly Fitzgerald opened the meeting with karakia.

#### 10-24 Apologies

Moved Vaughan Dennison, seconded Karen Naylor.

#### The COMMITTEE RESOLVED

1. That the Committee receive the apologies.

Clause 10-24 above was carried 12 votes to 0, the voting being as follows:

#### For:

Councillors Vaughan Dennison, Karen Naylor, Mark Arnott, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, William Wood, Kaydee Zabelin, Roly Fitzgerald and Billy Meehan.

#### Declarations of Interest

Councillor Roly Fitzgerald declared a conflict of interest in item 9 (clause 14): Hearing of Submissions: Proposal to grant a lease to Te Kōhanga Reo O Ngāti Hineaute Ki Rangitaane O Manawatū Trust - Opie Reserve and item 10 (clause 15): Proposal to grant lease to Te Kōhanga Reo O

## Ngāti Hineaute Ki Rangitaane O Manawatū Trust – Summary of Submissions.

### 11-24 **Confirmation of Minutes**

Moved Vaughan Dennison, seconded Karen Naylor.

The **COMMITTEE RESOLVED**

1. That the minutes of the Strategy & Finance Committee meeting of 21 February 2024 Part I Public be confirmed as a true and correct record.

Clause 11-24 above was carried 11 votes to 0, with 1 abstention, the voting being as follows:

**For:**

Councillors Vaughan Dennison, Karen Naylor, Mark Arnott, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, William Wood, Kaydee Zabelin and Roly Fitzgerald.

**Abstained:**

Councillor Billy Meehan.

### 12-24 **Hearing of Submissions: Proposal to grant a licence of Council-owned land to Papaioea Pasifika Community Trust - 21 Havelock Avenue (part of Bill Brown Park)**

Moved Vaughan Dennison, seconded Karen Naylor.

The **COMMITTEE RESOLVED**

1. That the Strategy & Finance Committee hear submissions from presenters who indicated their wish to be heard in support of their submission.
2. That the Committee note the Procedure for Hearing of Submissions, as described in the procedure sheet.

Clause 12-24 above was carried 12 votes to 0, the voting being as follows:

**For:**

Councillors Vaughan Dennison, Karen Naylor, Mark Arnott, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, William Wood, Kaydee Zabelin, Roly Fitzgerald and Billy Meehan.

The Committee considered submissions on the Proposal to grant a licence of Council-owned land to Papaioea Pasifika Community Trust - 21 Havelock Avenue (part of Bill Brown Park) with supporting oral statements including additional tabled material.

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

### **Environment Network Manawatū (Helen King) (40)**

Helen spoke to their submission and made the following additional comment:

- Please fast track this process considering how important food security is.

### **Te Whatu Ora, National Public Health Service - MidCentral (Sally Darragh & Gillian Anderson) (20)**

Sally and Gillian spoke to their submission and made the following additional comments:

- Garden helps make the healthy choice, the easy choice, from a health point of view. Community garden can improve health in three ways:
  - Mauri ora (which is healthy individuals) through access to good kai, connection to community, as gardening and social connection is good for our wairua and good for our mental wellbeing
  - Whānau ora (healthy families) - it's the same as mauri ora but including connections to our community
  - Wai ora (healthy environments) planting food and giving it back to the community is a big part of health
- As per the Pasifika community, growing food in Palmerston North is very different from doing so in the Islands; both the types of foods and how to grow them can differ greatly.
- This garden is a great opportunity to offer a teaching garden, where the community can learn about new vegetables and share growing tips, and also figure out ways to grow the vegetables, fruits, etc. that they want to grow from the islands. Also an opportunity to learn about sustainable practices for the soil here, which we know is different.
- From a whole world point of view gardening and connection with the environment are good for our wairua.

### **Niue PN Community (Sunlou Liuvaie) (23)**

Sunlou spoke to their submission, made a presentation, and made the following additional comments:

- Instead of families continually relying on external organizations, it is empowering for them to be able to make changes.
- Because the community operates on Council land, it has been an extremely long and frustrating process to be able to move forward on projects to make community gardens. He recommended Council make the process easier, so more community gardens can be made, and communities can learn

and improve their skills to grow crops.

- They work with groups of young and old people, which he considers is the best marriage between the high levels of enthusiasm and energy that young people can provide and the wisdom and experience that old people can provide.

### **Ruth Jackson (19)**

Ruth spoke to her submission and made no additional comments.

## **13-24 Proposal to grant a licence of Council-owned land to Papaioea Pasifika Community Trust - Summary of Submissions**

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

Moved Vaughan Dennison, seconded Karen Naylor.

### **The COMMITTEE RESOLVED**

1. That the Committee receive the memorandum titled 'Proposal to grant a licence of Council-owned land to Papaioea Pasifika Community Trust – Summary of Submissions' presented to the Strategy & Finance Committee on 10 April 2024.

Clause 13-24 above was carried 12 votes to 0, the voting being as follows:

#### **For:**

Councillors Vaughan Dennison, Karen Naylor, Mark Arnott, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, William Wood, Kaydee Zabelin, Roly Fitzgerald and Billy Meehan.

## **14-24 Hearing of Submissions: Proposal to grant a lease to Te Kōhanga Reo O Ngāti Hineaute Ki Rangitaane O Manawatū Trust - Opie Reserve**

Moved Vaughan Dennison, seconded Karen Naylor.

### **The COMMITTEE RESOLVED**

1. That the Strategy & Finance Committee hear submissions from presenters who indicated their wish to be heard in support of their submission.
2. That the Committee note the Procedure for Hearing of Submissions, as described in the procedure sheet.

Clause 14-24 above was carried 11 votes to 0, the voting being as follows:

#### **For:**

Councillors Vaughan Dennison, Karen Naylor, Mark Arnott, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, William Wood, Kaydee Zabelin and Billy Meehan.

#### **Note:**

Councillor Roly Fitzgerald declared a conflict of interest, withdrew from the discussion and sat in the gallery.

The Committee considered submissions on the Proposal to grant a lease to Te Kōhanga Reo O Ngāti Hineaute Ki Rangitaane O Manawatū Trust - Opie Reserve with supporting oral statements.

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

**Ruth Jackson (78)**

Ruth spoke to her submission and made no additional comments.

**Highbury Whānau Centre (Peter Butler) (7)**

Peter spoke to their submission and made the following additional comments:

- No reason why Council should oppose this, as the zone that is looking to be redeveloped has been a wasteland for many years. After the club closed that zone was left behind and has been vandalised since then. He considers there are huge cultural, educational and spiritual benefits to a Kōhanga Reo being built there.
- Young people who come through this system are usually not getting involved in conflicts or being called to court because they have a strong cultural identity, they are connected to culture, people and place, and they respect the place where they came from.

**15-24 Proposal to grant lease to Te Kōhanga Reo O Ngāti Hineaute Ki Rangitaane O Manawatū Trust – Summary of Submissions**

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

Moved Vaughan Dennison, seconded Karen Naylor.

The **COMMITTEE RESOLVED**

1. That the Committee receive the memorandum titled 'Proposal to grant lease to Te Kōhanga Reo O Ngāti Hineaute Ki Rangitaane O Manawatū Trust – Summary of Submissions' presented to the Strategy & Finance Committee on 10 April 2024.

Clause 15-24 above was carried 11 votes to 0, the voting being as follows:

**For:**

Councillors Vaughan Dennison, Karen Naylor, Mark Arnott, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, William Wood, Kaydee Zabelin and Billy Meehan.

**Note:**

Councillor Roly Fitzgerald declared a conflict of interest, withdrew from the

discussion and sat in the gallery.

**16-24**

**Hearing of Submissions:**

**Draft Palmerston North Animals and Bees Bylaw 2024  
Draft Palmerston North Dog Control Policy 2024**

Moved Vaughan Dennison, seconded Karen Naylor.

The **COMMITTEE RESOLVED**

1. That the Strategy & Finance Committee hear submissions from presenters who indicated their wish to be heard in support of their submission.
2. That the Committee note the Procedure for Hearing of Submissions, as described in the procedure sheet.

Clause 16-24 above was carried 12 votes to 0, the voting being as follows:

**For:**

Councillors Vaughan Dennison, Karen Naylor, Mark Arnott, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, William Wood, Kaydee Zabelin, Roly Fitzgerald and Billy Meehan.

**Draft Palmerston North Animals and Bees Bylaw 2024**

The Committee considered submissions on the Draft Palmerston North Animals and Bees Bylaw 2024 with supporting oral statements including additional tabled material.

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

**Llyvonne Barber (31)**

Llyvonne spoke to her submission and made the following additional comments:

- Council and people in general can set cat traps, then ask the Council to pick them up and contact the owner. Council can do the same as they do with dogs – the first time a roaming cat is caught there will be no charge; from the second time onwards will incur a fine to the owner.

**Royal NZ SPCA (Dr Christine Sumner) (32)**

Christine spoke to their submission, made a presentation, and made the following additional comments:

- The bylaws can set the tone, but we need people in the community to provide support and information, to educate people as to why de-sexing and microchipping cats is important



and not just something that a bylaw requests they do.

### **Draft Palmerston North Dog Control Policy 2024**

The Committee considered a submission on the Draft Palmerston North Animals and Bees Bylaw 2024 with supporting oral statements including additional tabled material.

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

### **Royal NZ SPCA (Dr Alison Vaughan) (78)**

Christine spoke to their submission, made a presentation, and made the following additional comments:

- Dogs needs at least 60 minutes exercise per day. Off-leash exercise areas benefit owners' and dogs' physical and mental health as well as increasing community connectiveness.
- Dogs walk faster than people, so they should have an off-leash area to help them with that excess energy. Considering the increasing numbers of registered dogs, Council should create more off-leash areas for dogs and owners.
- Once a dog receives a menacing classification it will carry it for the rest of its life which will have negative impacts on the dog's wellbeing; some of these include:
  - Dog forced to be on leash on public
  - People not allowed to rent a place with a menacing dog

Other councils, on the advice of SPCA, provide options to change or review this classification. These options include evidence of training courses or behaviour assessments completed at the owner's expense. This is not only for the dogs; the owners should not have any infringement for at least 12 months and be part of a preferred owners scheme. This was applied by Auckland City Council and Officers said it was a helpful tool.

**17-24**

### **Ongley Park, Park Road - Proposal to continue supporting Manawatu Cricket Incorporated by notifying the intention to grant occupancy via a lease of Council land and building**

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

Moved Vaughan Dennison, seconded Karen Naylor.

The **COMMITTEE RESOLVED**

1. That the Committee continue to support Manawatū Cricket Incorporated by notifying the public of its intention to grant occupancy of Council land and building at Ongley Park, Park Road, Palmerston North in accordance with the Support and Funding Policy 2022, and Section 54 of the Reserves Act 1977.
2. That the Committee note that the land affected by the occupancy of Manawatū Cricket Incorporated is described as Lot 2 DP 77988.

Clause 17-24 above was carried 12 votes to 0, the voting being as follows:

**For:**

Councillors Vaughan Dennison, Karen Naylor, Mark Arnott, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, William Wood, Kaydee Zabelin, Roly Fitzgerald and Billy Meehan.

**18-24**

**154 Centennial Drive (The Chalet) - Proposal to grant a lease for part of Council building and land to Palmerston North Canoe Club Incorporated**

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

Councillor Billy Meehan left the meeting at 10.17am.

Councillor Orphée Mickalad left the meeting at 10.20am.

Moved Vaughan Dennison, seconded Karen Naylor.

The **COMMITTEE RESOLVED**

1. That the Strategy and Finance Committee grant a lease for the land and building at 154 Centennial Drive (The Chalet), Palmerston North described as Part Lot 3 DP 1332 to Palmerston North Canoe Club Incorporated, in accordance with Section 54 of the Reserves Act 1977.

Clause 18-24 above was carried 10 votes to 0, the voting being as follows:

**For:**

Councillors Vaughan Dennison, Karen Naylor, Mark Arnott, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, William Wood, Kaydee Zabelin and Roly Fitzgerald.

**19-24**

**Committee Work Schedule**

Moved Vaughan Dennison, seconded Karen Naylor.

The **COMMITTEE RESOLVED**

1. That the Strategy & Finance Committee receive its Work Schedule dated April 2024.

Clause 19-24 above was carried 10 votes to 0, the voting being as follows:

**For:**

Councillors Vaughan Dennison, Karen Naylor, Mark Arnott, Lew Findlay, Patrick

Handcock, Leonie Hapeta, Lorna Johnson, William Wood, Kaydee Zabelin and Roly Fitzgerald.

### **Karakia Whakamutunga**

Councillor Roly Fitzgerald closed the meeting with karakia.

The meeting finished at 10.24am.

Confirmed 8 May 2024

**Chair**



## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 8 May 2024

**TITLE:** Quarterly Performance and Financial Report - period ending 31 March 2024

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

**APPROVED BY:** Cameron McKay, Chief Financial Officer  
David Murphy, Chief Planning Officer

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### RECOMMENDATION TO COMMITTEE

1. That the Committee receive the memorandum titled 'Quarterly Performance and Financial Report – period ending 31 March 2024', and related attachments, presented on 8 May 2024.

### RECOMMENDATIONS TO COUNCIL

2. That the Capital New revenue and expenditure budgets for 2207-Urban Cycle Infrastructure Network Improvement (Transport Choices) be reduced by \$4,092k to \$751k.
  3. That the Chief Executive is given delegation to move budgets in excess of the existing delegations between Roading and Active and Public Transport, and between Stormwater, Water and Wastewater and that these budget movements will be reported with the June 2024 quarterly report.
- 

### 1. ISSUE

To provide an update on the performance and financial achievements of the Council for the period ending 31 March 2024.

### 2. BACKGROUND

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

### 3. NEXT STEPS

The June 2024 quarterly report will be presented to Council after the completion of that quarter.

#### 4. COMPLIANCE AND ADMINISTRATION

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

#### ATTACHMENTS

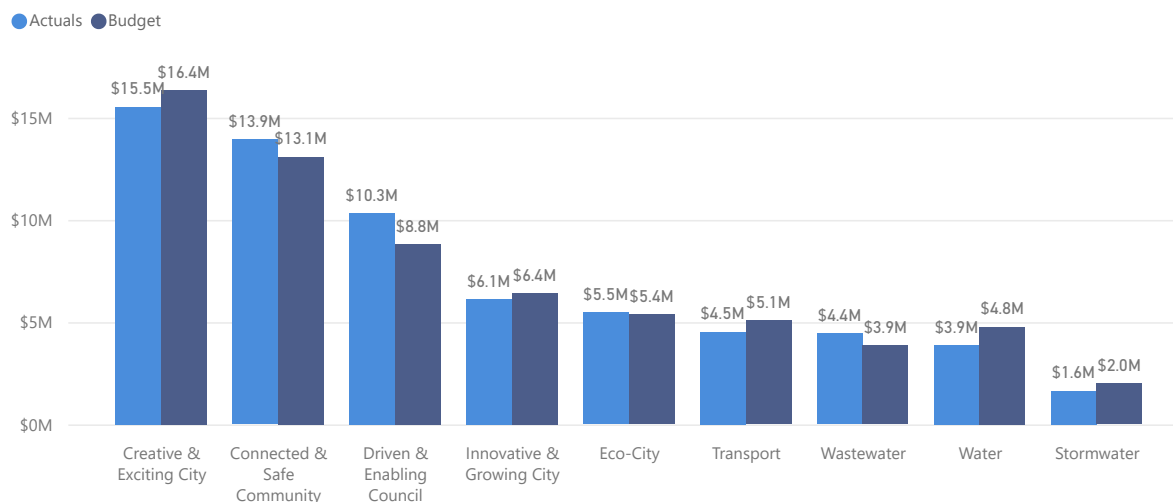
1. FY2024 31 March 2024 Financial Dashboard [↓](#) 
2. FY2024 31 March 2024 Quarterly Report to Strategy and Finance [↓](#)
3. FY2024 31 March 2024 Appendix 1 to Quarterly Report [↓](#) 
4. FY2024 31 March 2024 Appendices 2-10 to Quarterly Report [↓](#) 

# March Financial Dashboard - Profit and Loss

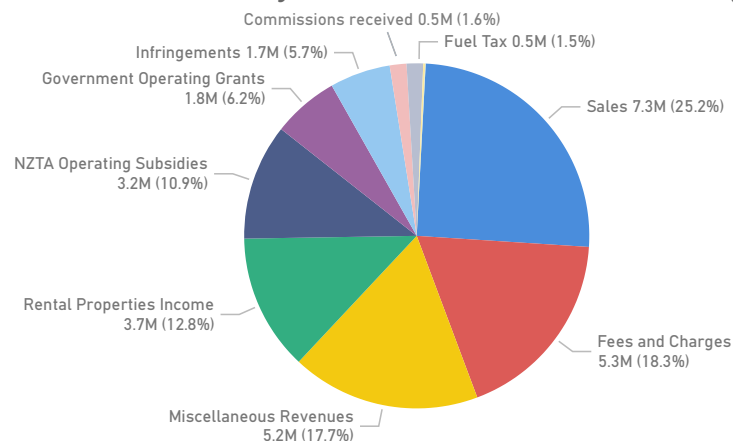
## YTD operating position - Council

Category	Actual	Budget	Variance
<b>Operating Revenue</b>	<b>(29.2M)</b>	<b>(30.3M)</b>	<b>(1.2M)</b>
Fees and charges	(5.3M)	(6.1M)	(0.8M)
Grants and subsidies received	(5.0M)	(5.5M)	(0.5M)
Other revenues	(18.8M)	(18.8M)	0.1M
<b>Operating Expenditure</b>	<b>95.1M</b>	<b>96.1M</b>	<b>1.0M</b>
Contractors	18.5M	16.6M	(1.9M)
Grants and subsidies paid	7.6M	8.1M	0.5M
Materials	3.0M	3.6M	0.5M
Net Internal Expenses	(9.4M)	(7.7M)	1.8M
Other operating expenses	13.8M	14.7M	1.0M
Professional Services	12.7M	12.9M	0.2M
Remuneration	46.3M	45.6M	(0.7M)
Utilities	2.5M	2.2M	(0.3M)
<b>Other operating</b>	<b>(86.4M)</b>	<b>(85.9M)</b>	<b>0.5M</b>
Net Interest	7.2M	7.3M	0.1M
Rates Revenue	(93.6M)	(93.2M)	0.4M
<b>Total</b>	<b>(20.5M)</b>	<b>(20.2M)</b>	<b>0.3M</b>

## YTD operating position - by Group of Activity



## Non-rates revenue YTD by resource



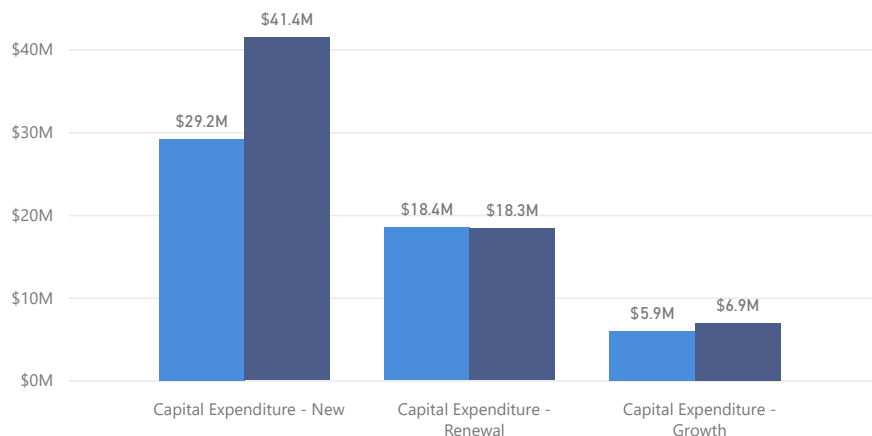
## Operating position:

- The net operating position at the end of March is 0.2M unfavourable against the YTD revised budget.
- From a revenue perspective, key deviations from budget are:
  - Fees and charges are unfavourable by 0.8M related to Building Consents, this is partially offset by savings in related expenditure (professional services) within the relevant budget.
  - Grants and Subsidies revenue is unfavourable YTD by 0.5M related to Better-Off Funded programmes. These programmes have offsetting expenditure savings in grants paid and professional services and are related to City Growth and Connected Communities activities.
- From an expenditure perspective, key deviations from budget are:
  - Contractors are unfavourable by 1.9M predominantly related to timing of Roading maintenance work.
  - Unfavourable variance for remuneration of 0.7M related to accrued holiday pay. This is more than offset by the favourable result for net internal expenses (capitalised labour) of 1.8M.
  - Other operating expenses are favourable by 1.0M largely related to miscellaneous expenditure for Roading, Connected Communities, and Economic Development
  - Grants and subsidies paid are favourable by 0.5M predominantly related to timing of expenditure on Better-Off Funded programmes.
- Miscellaneous Revenue as shown in the pie chart largely consists of MDC Building Contract 0.9M, Windfarm Royalties 1.0M, Catering Cost Recoveries 1.0M and Commercial Waste Minimisation 0.5M [3.4M of 5.2M].
- Sales revenue includes parking meter revenue (1.9M), rubbish bags (1.4M), and after hours contact centre (1.5M) revenue [4.8M of 7.3M].

# March Financial Dashboard - Balance Sheet

## YTD capital spend

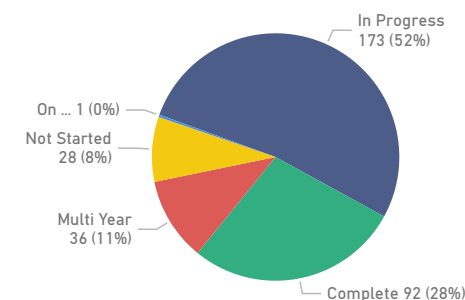
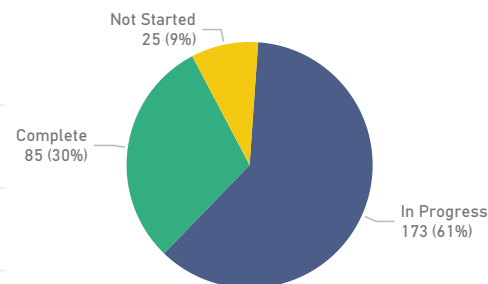
● Actuals ● Budget



## Capital programme:

- A March capital spend of 10.0M brings the YTD capital programme spend to 53.5M. The YTD spend for the previous financial year was 43.6M for the equivalent period.
- The YTD capital spend equates to 50.9% of the full year capital programme budget.
- Of the 'not started' category, 11 projects are expected to commence by the end of June, with the remainder largely either dependent on external decisions or are being reviewed as part of carry forwards.
- Net debt is tracking above budget with a current position of 246.6M against a YTD budget of 244.7M, relating to timing of borrowing.
- Interest rates have moved during the year resulting in a favourable interest revenue position YTD, more than offsetting the additional interest paid associated with a higher debt balance. However, due to timing of borrowings and repayments over the remainder of the year, this favourable variance will reduce.

## Capital programme - FY24 only (Infrastructure) Full capital programme (Infrastructure)

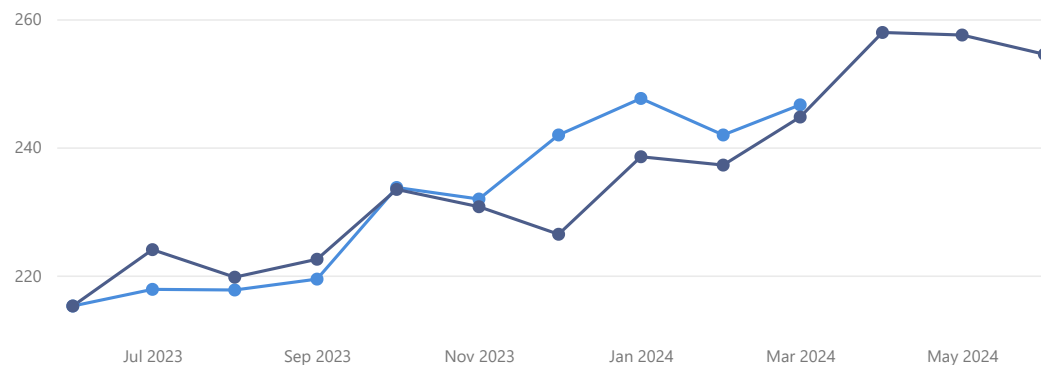


## YTD capital spend - all Council

Category	Actual	Budget	Variance	FY budget	Percentage spend
Capital Expenditure - Growth	5.9M	6.9M	1.0M	11.3M	52.6%
Capital Expenditure - New	29.2M	41.4M	12.2M	65.6M	44.4%
Capital Expenditure - Renewal	18.4M	18.3M	(0.1M)	28.2M	65.5%
<b>Total</b>	<b>53.5M</b>	<b>66.6M</b>	<b>13.1M</b>	<b>105.1M</b>	<b>50.9%</b>

## Net debt by month

● Actual ● Budget





# Performance and Financial Report to Council

March 2024

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## Chief Executive's Summary

This report covers the third quarter of the 2023/24 financial year. At the end of March Council's net operating position is 0.2M unfavourable against the revised budget. There are some key variances across operating revenue and expenditure and further information outlining operating variances is provided in the subsequent sections of this report.

Throughout February, Officers completed a forecast exercise, combining seven months of actual data with five months of forecasted spend. Officers are completing a rolling forecast each month, updating actuals and reviewing the year end forecast position. Based on current commitments, we are forecasting to be 1.3M unfavourable against the revised budget at year end. Management is reviewing its spend to bring expenditure back to as close to budget as possible by the end of June.

Throughout the fourth quarter, we anticipate budget pressures within activities, and we expect that we will have to move budgets between activities to manage to Council's total budget. There may be some pressure on this as a result of unavoidable and uncontrollable costs incurred. Some of these budget changes will be above the CE delegation and will be reported as requested to Council and in some instances, retrospectively through the fourth quarter report.

Following the Minister for Local Government's recent announcements about the next stage of Local Water Done Well (LWDW), we are working to understand the potential consequence of Cabinet's decision to realign funding to LWDW. Further information is provided in Appendix 10.

For the Capital Programme, delivery momentum has continued from the first half of FY2024. Capital spend for the first three quarters of FY2024 reached 53.5M, compared to a 43.6M spend for the equivalent period of FY2023. Capital programme delivery confidence is high with further system support being introduced in the next financial year. Staff and contractors are actively planning for longer supply lead times and other delivery challenges are being mitigated. Alongside delivering this year's programme, there is significant preparation for the FY24/25 in action, with a Capital Programme Delivery Plan being established formally for the first time.

### **New financial and regulatory systems transition**

Over the first nine months FY2024, officers have been working hard to implement Authority Altitude (AA), the new finance and regulatory system, as well as a new reporting and planning tool. Officers anticipated implementation issues with a new finance system and have been working through these issues with the system provider (Civica). Officers are reviewing the issues and the performance of the system that our staff are experiencing and have developed an action plan on how issues are improved. These messages have been communicated to the vendor and are being addressed.

## Operating Performance

Summary of Financial Performance For the period to 31 March 2024	2023/24 (\$M)			
	Year to Date			FY
	Actual	Budget	Variance	Budget
Fees and charges	5.3	6.1	(0.8)	8.0
Grants and subsidies received	5.0	5.5	(0.5)	8.1
Other revenues	18.8	18.8	0.1	25.1
<b>Operating Revenue</b>	<b>29.2</b>	<b>30.3</b>	<b>(1.2)</b>	<b>41.3</b>
Other operating expenses	13.8	14.7	1.0	18.6
Contractors	18.5	16.6	(1.9)	22.6
Grants and subsidies paid	7.6	8.1	0.5	10.8
Materials	3.0	3.6	0.5	4.7
Professional Services	12.7	12.9	0.2	17.1
Remuneration	46.3	45.6	(0.7)	61.2
Utilities	2.5	2.2	(0.3)	3.0
Net Internal Expenses	(9.4)	(7.7)	1.8	(10.3)
<b>Operating expenses</b>	<b>95.1</b>	<b>96.1</b>	<b>1.0</b>	<b>127.8</b>
<b>Net Operating Surplus/(Deficit)</b>	<b>(65.9)</b>	<b>(65.7)</b>	<b>(0.2)</b>	<b>(86.5)</b>
Rates Revenue	93.6	93.2	0.4	124.2
Net Interest	(7.2)	(7.3)	0.1	(9.7)
<b>Operating Controllable Surplus/ (Deficit)</b>	<b>20.5</b>	<b>20.2</b>	<b>0.3</b>	<b>28.0</b>
Depreciation and amortisation	(32.3)	(32.3)	0.0	(43.0)
Non-operating revenues	8.7	17.0	(8.4)	23.8
Non-operating expenses	(3.2)	0.0	(3.2)	0.0
<b>Net result</b>	<b>(6.4)</b>	<b>4.9</b>	<b>(11.3)</b>	<b>8.7</b>

The net operating position at the end of March is unfavourable by 0.2M, with some key deviations from budget to highlight:

- Operating revenue
  - Fees and charges revenue are unfavourable YTD by 0.8M related to building services driven by lower demand. This is partially offset by savings in professional services within the same sub-activity.
  - Grants and Subsidies received are unfavourable YTD by 0.5M related to City Growth & Connected Communities. This is related to timing of Better-Off Funded programmes which are partially offset by savings in professional services and grants paid expenditure respectively.

- Operating expenditure
  - Contractors are unfavourable YTD by 1.9M related to Roothing & Landfill management.
  - Other operating expenses are favourable by 1.0M predominantly related to timing of expenditure for Connected Communities and Roothing.
  - Grants and subsidies paid are favourable by 0.5M largely related to timing of expenditure on Better-Off funded programmes. This variance at least partially offsets unfavourable variances in grants revenue.
  - Utilities are unfavourable YTD by 0.3M. This relates to the BioGas generator being offline for a period of time. This has since been repaired and the variance, sitting against the wastewater activity, has remained stable in recent months and is expected to remain to year end.
  - Remuneration is unfavourable by 0.7M YTD related to revaluation of long service and annual leave provisions. This variance is more than offset by a favourable variance for net internal expenses (capitalised labour) of 1.8M.
- Non-operating
  - The net result overall is unfavourable to budget, mainly due to non-operating revenue. This relates to capital subsidies, including Transport Choices and Better Off Funding for Summerhays.

For further information on YTD performance see:

- Appendix 1 - Detailed Non-Financial Performance Measures
- Appendix 2 – Activities Net Operating Cost
- Appendix 3 – Operating Programme Reporting
- Appendix 7 – Financial Statements
- Appendix 8 – Approved variations to Annual Budget
- Appendix 10 – Funding update

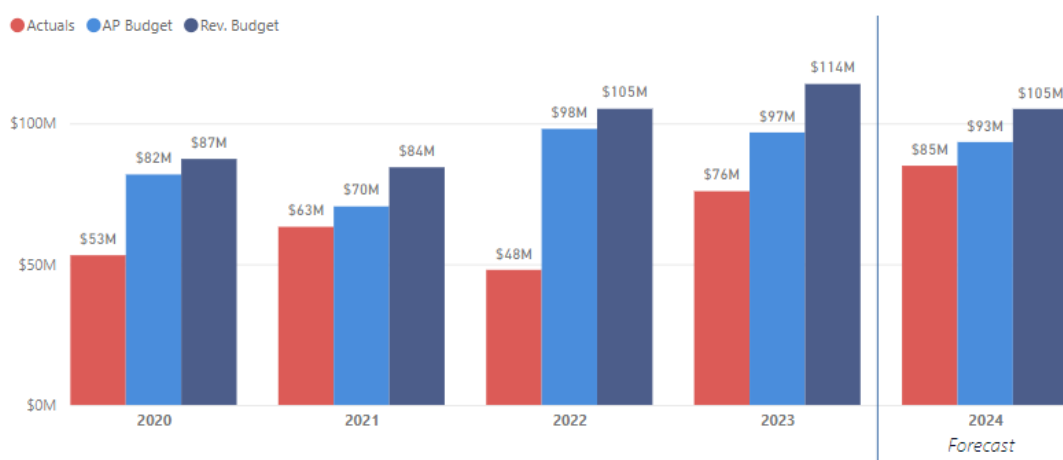
## Capital Delivery Status

### Current Delivery Status

The quarter three spend of 21.2M continues the delivery momentum generated over the first two quarters of FY2024. The YTD capital spend of 53.5M is encouraging when compared to 43.6M for the same period in FY2023. Settled weather is a key factor which has enabled steady progress particularly for capital renewal projects.

Whilst a solid quarter there is a YTD variance of 13.1M against YTD revised budget, which includes budget adjustments outlined in Appendix 8. The graph below illustrates the actual capital delivery against Annual Plan budget and Revised budget for FY21, FY22, and FY23 respectively, as well as the full year forecast capital spend for FY2024.

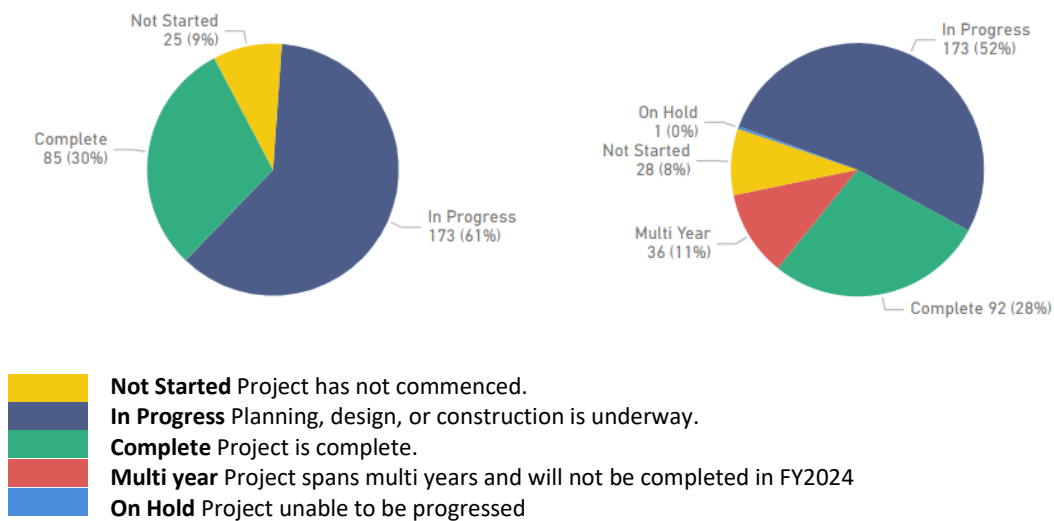
**Capital programme spend against Budget**



The YTD capital spend comprises 29.2M capital new, 5.9M capital growth and 18.4M capital renewal. Of the 330 total capital projects, 209 projects are in progress (single or multi-year), 28 not started, 92 are complete. As per the project pie charts, there is one project on hold, which is the Bill Brown Park car park extension. This has been deferred to the 2024-34 Long-term Plan. The design panel continues to improve design integrity with regular design review meetings, inclusive of the in-house construction team leaders to ensure lessons learned from the field are incorporated into the designs. At 31 March, there were 84 design and investigation requests in progress which will feed into Capital Delivery planned for Year 1 of the LTP.

	Council wide actuals YTD	Council wide budget YTD	Variance	Council wide AP budget	Council wide revised budget	% YTD spend to revised budget
Capital New	29.2	41.4	12.2	52.4	65.6	44%
Capital Growth	5.9	6.9	1.0	13.0	11.3	53%
Capital Renewal	18.4	18.3	(0.1)	27.9	28.2	65%
<b>Total Capital</b>	<b>53.5</b>	<b>66.6</b>	<b>13.1</b>	<b>93.3</b>	<b>105.1</b>	<b>51%</b>

### Capital programme - FY24 only (Infrastructure) Full capital programme (Infrastructure)



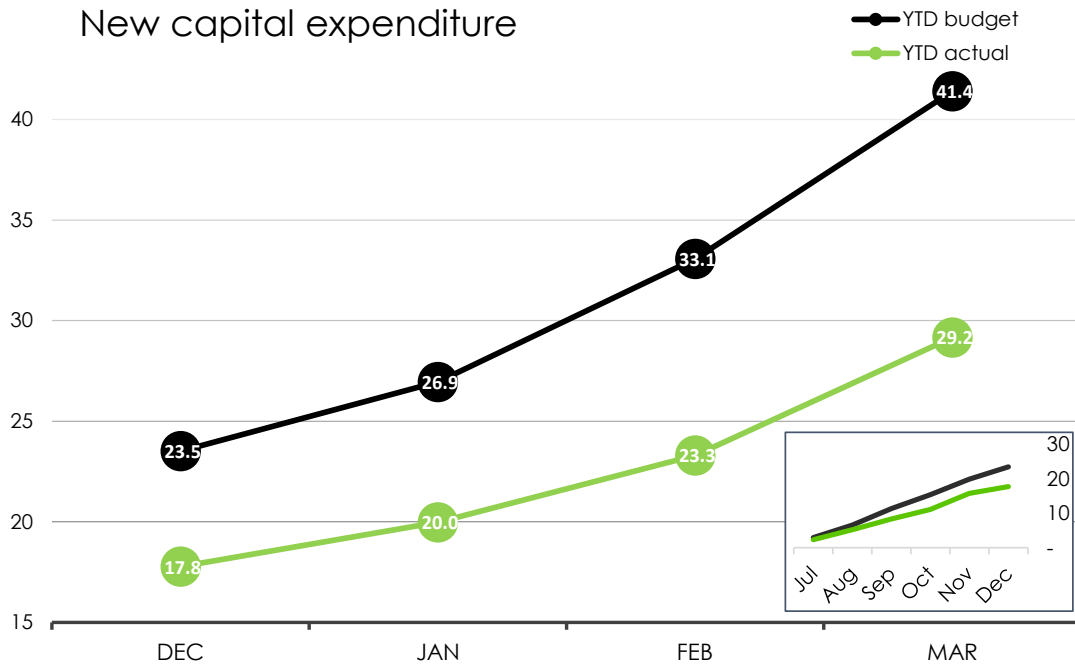
As part of this report, there is a recommendation to reduce the budget on Programme 2207 – Urban Cycle Infrastructure Network Improvement as NZTA are no longer funding this programme. The recommendation will request a budget reduction of 4,092k to bring the budget in line with the total spend on the programme to date (751k). If this recommendation is resolved, the Capital new revised full year budget will reduce to 61.5M, and the total Council wide capital budget reduced to 101.0M.

Throughout the third quarter there has been good progress on several significant projects including:

- The new Animal Shelter
- Transport Choices – Public Transport (Bus Stops)
- Crematorium Seismic Improvements
- City-Wide Wastewater Pipe Renewal
- City-Wide Sealed Road Resurfacing
- Arena 3 Upgrades
- Streets for People Featherston Street Cycleway
- Urban-Growth Whakarongo Stormwater

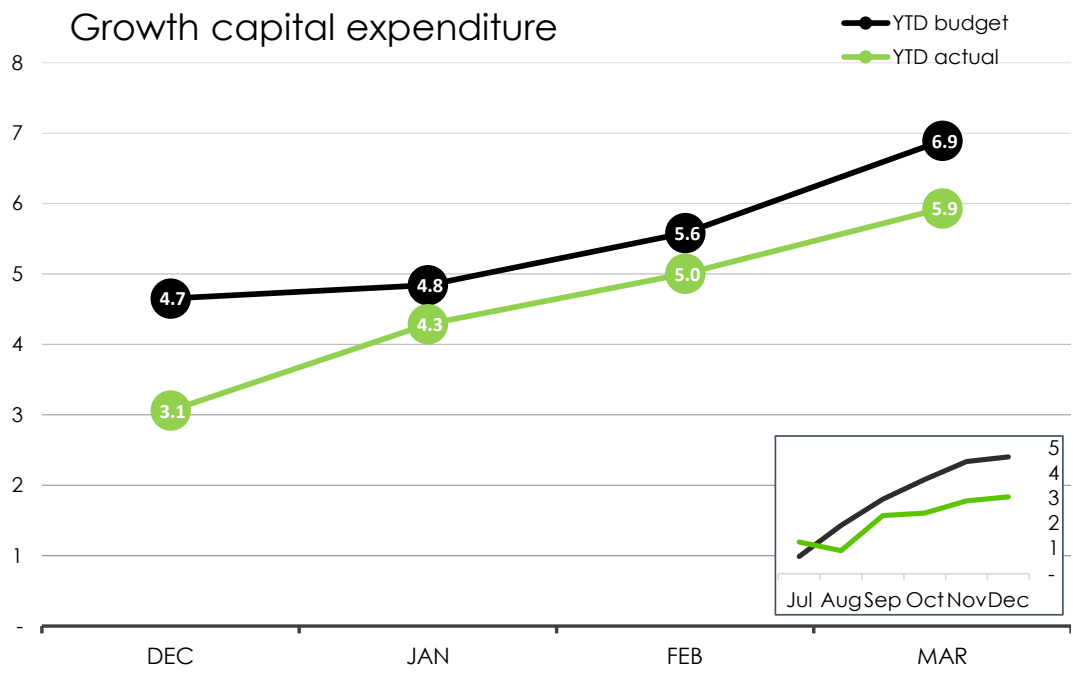
Major capital works planned for construction/completion throughout the fourth quarter include:

- Crematorium Seismic Strengthening
- Wastewater Pipe Renewals
- Arena 3 Upgrade
- City-Wide Sealed Road Resurfacing
- Transport Structure Culvert Renewal – Highbury
- Storm Damage Roding – Glenburn Road Retaining Wall
- Urban Cycleways - Streets for People – Featherston Street
- Transport Choice – Public Transport



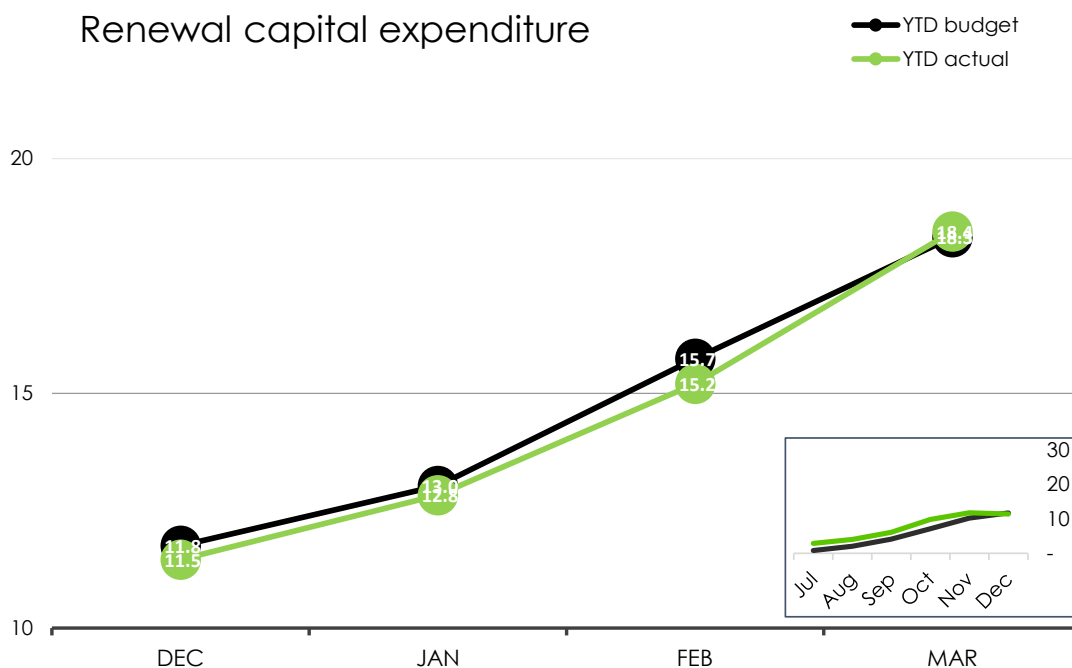
Programmes with the largest variance against budget include: City-Wide-Urban Cycle Infrastructure Network Improvements (3.2M), City-Wide-Transport Choices-Public Transport (2.1M), City-Wide-New Community Hubs (2M).

If the recommendation in the covering report is resolved, this will reduce the full year capital new budget to 61.5M.



There are no major programmes variance to note for growth programmes. This work is usually affected by external factors which impacts the timing of work. Further details can be found in Appendix 5 and 6.

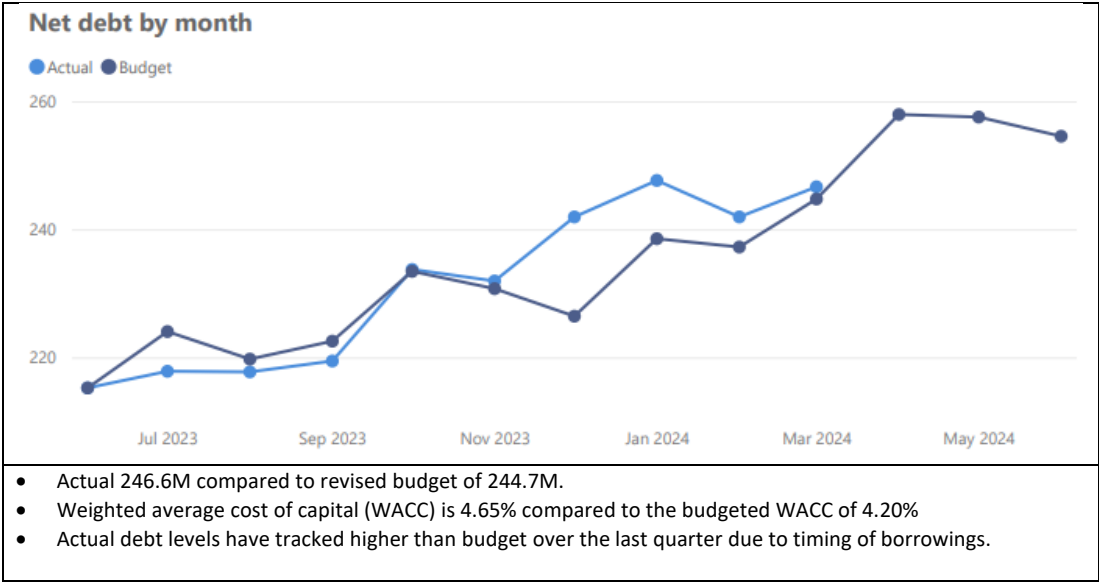




Accelerated work in the Three Waters space – good weather and changes in operational processes have improved performance in capital renewal delivery.

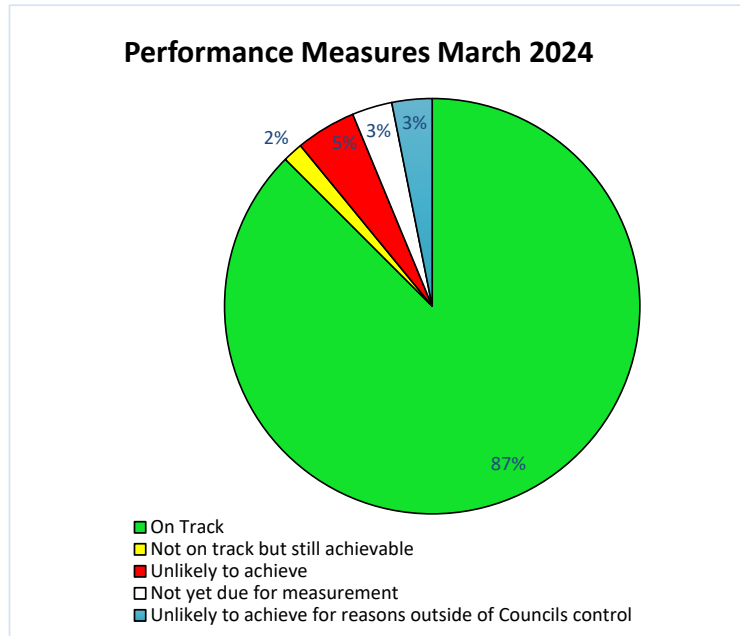
For additional information on capital delivery see:

- Appendix 4 – Capital expenditure by Group of Activities
- Appendix 5 – Capital expenditure by Programme (over \$1,000,000)
- Appendix 6 – Capital expenditure by Programme (under \$1,000,000)
- Appendix 8 – Approved variations to Annual Budget



## Performance Measures

At the end of March 2024, 56 (88%) of performance measures were on track, 2 (3%) are not yet due for measurement, 1 (2%) were not on track but still achievable, 2 (3%) is not on track for reasons outside of Council's control and 3 (5%) are unlikely to be achieved.



The measures categorised as 'not on track but still achievable' are:

- City Growth Measure 3 – Building consent applications: Process efficiencies impacted by structural engineering, planning, and staff absences

The measures categorised as 'unlikely to be achieved' are:

- City Growth Measure 2 – Resource consents: Complex consents (particularly related to multi-unit developments) have been affecting both output and processing speed.
- Transport Measure 5 – Road safety and critical requests: Impacted by contractor or internal staff capacity
- Leadership Activity Measure 1 – Satisfaction trends

The measures categorised as 'unlikely to achieve for reasons outside of Councils control' are:

- Transport Measure 1 – Long-term accident trends: Fatal crash data Palmerston North

For additional information on performance measures see:

- Appendix 1 – Detailed performance measures

# Resourcing

A summary of PNCC Resourcing is included below for your information. The figures below include all approved positions in the structure.

Employment Status	Number of Staff	FTE	Budgeted FTE
Permanent Full-time	548	548	521
Permanent Part-Time	107	72.9	69.1
Vacancies	61	58.5	68.1
Temporary	21	18.7	
<b>Total Number of Positions (excl. casuals)</b>	<b>737</b>	<b>698.1</b>	<b>658.2</b>
Add Casual	40	18.3	-
Less vacancies	61	58.5	-
<b>Total Positions</b>	<b>716</b>	<b>657.9</b>	<b>658.2</b>

## Quarterly Performance and Financial Report - March

Performance Measures	Comments	Sep	Dec	Mar	Jun
<b>Goal 1: An Innovative and Growing City</b>					
<b>City Growth</b> (Page 32 of the 10 Year Plan)					
<b>01. Measure:</b> Enough land is zoned, infrastructure enabled and feasible to develop, to meet growth demand. <b>Target:</b> At least three years of housing and business land with services is immediately available.	The 2023 Housing and Business Needs Assessment indicates we need to provide 9883 dwellings over the next 30 years to meet demand. - Existing Residential Zone: projected supply in the short term is reliant on infill subdivision continuing at historical levels to hedge any delivery risk for greenfield areas. - Greenfield: we anticipate capacity for approximately 9600 dwellings in greenfield growth areas, predominately in the medium and long term as these areas have significant infrastructure servicing needs. This timing is likely to work out well to meet a slowing future supply of infill development as the easy lots all get developed, and will also hedge risk if stormwater ponding risk becomes a significant constraint to medium density. Developer agreements are expected to expedite infrastructure provision for short term growth areas. Feedback from some developers is that they have land stocked in both greenfield and existing residential areas to provide housing in either to hedge risk. This supports our current growth programme, which is seeking to progress medium density alongside a balanced mix of greenfield growth areas over the next 30 years.	R	G	G	
<b>02. Measure:</b> Resource consent applications are processed within statutory frameworks. <b>Target:</b> At least 95%	194 resource consents (RC) have been granted through the first three quarters of the 2023/24 Financial Year with 74% (144) processed within statutory timeframes. For the same period in the 2022/23 Financial Year 332 consents were issued with 52% (171) processed within statutory timeframes. The current improvements in meeting statutory timeframes can be attributed to a 10% decrease in RC's through the first three quarters of this period (313 for FY2024 vs 348 for FY2023), although we do continue to focus the team on statutory compliance. As noted in the previous quarterly report, complex consents (particularly those related to multi-unit developments) have been affecting both output and processing speed. It continues to be the expectation that the number of RC's lodged, and hence issued, will continue to track lower than the 2022/23 Financial Year, reflecting a less buoyant economy in general with relatively high interest rates persisting.	Y	R	R	

Performance Measures	Comments	Sep	Dec	Mar	Jun
<b>03. Measure:</b> Building consent applications are processed within statutory frameworks. <b>Target:</b> At least 95%	Out of the 199 building consent applications processed for the quarter, 177 (89.87%) were processed within the statutory timeframe. This quarter's total of 199 building consent applications represents a slight decrease compared to the previous quarters (222), a trend influenced by various factors such as the downturn in the economy. Lower processing efficiency has been affected by several factors, including structural engineering, planning, and staffing absences. Plans are in place to improve processing performance. For the financial year to date, of the 651 building consents processed, 607 (93%) were processed within the statutory timeframe.	G	G	Y	
<b>04. Measure:</b> City-wide urban design principles are reflected in planning advice and decision-making. <b>Target:</b> Narrative measure outlining how urban design principles are being implemented.	Urban design expertise is informing Council-led District Plan changes under development including residential intensification to meet the NPS-UD and other greenfield growth in Aokautere, Kākatangiata, and Roxburgh Cres. Aokautere Urban Growth. Urban design continues to support and guide most medium-density housing proposals through a pre-application proposal to gain resource consent. The 'Delivering Change' fund provides support to this process where needed as well as other strategic developments seeking consent such as the Former Post Office Building. Many medium-density housing developments consented over the last 24 months are now being built around the city with the majority delivering a high degree of quality with regard to overall existing residential and streetscape amenity, including positive frontage to public streets, shared amenity, landscaping and private living spaces with good access to solar gain.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
<b>05. Measure:</b> There is an increase in range of building types being built in the city centre and local neighbourhoods (eg different densities, cohousing, CBD residential, green buildings). <b>Target:</b> Narrative measure outlining trends in the range of building types.	There continues to be low interest in city centre commercial properties. The Former Post Office is an exception seeking to convert the majority of this heritage building into a mixed used development - hotel accommodation and commercial retail activity. Housing across the residential zone continues to remain focused on low density greenfield, and medium-density infill developments. Medium-density housing developments within the Outer Business Zone - 34 Linton St and 18 Linton are now complete or underway. A six townhouse multi-unit development recently completed at Adesanya Close has gained some national media exposure while other multi-unit developments at Wellesbourne St, North St, Ruahine St, Roy St and Balrickard Way are also complete or nearing completion. Recent feedback from the development community is that with property prices as they currently are, multi-unit development has been less attractive to buyers compared to standard residential. This has led to some developers slowing down multi-unit development, but they are still positive about multi-unit in the future when the timing in the market better works for them.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
<b>Economic Development Activity</b> (Page 37 of the 10 Year Plan)					
<b>01. Measure:</b> Funding is distributed and the key objectives achieved. <b>Target:</b> Narrative measure outlining outcomes achieved by the funded organisations.	CEDA Statement of Intent approved and 6-month report due to be presented to 24 April Economic Growth Committee. A key focus has been establishing the Te Utanganui Programme Director	G	G	G	
<b>02. Measure:</b> Achieve a positive city reputation. <b>Target:</b> 3x narrative measures: Increases in positive sentiment, increase in levels of engagement, and formal survey/research	We undertook major communications with the community on a wide range of topics, including: LTP education campaign, Featherston St construction, busstops and shelters, kerbside recycling changes, Summer Water Use, Age Friendly consultation, Heritage month and local history week, Papaioea housing opening, and events such as Esplanade Day, Waitangi Day, Festival of Cultures and Summer movie nights. This quarter saw fewer public consultations due to the summer break, but did include consultations for Ashhurst Domain, Fees and Charges, Aged survey, Opie Reserve classification, Bill Brown community garden and some smaller leases. Across Facebook, Instagram and LinkedIn more than 4M people saw our content. More than 216,027 people actively engaged through comments/likes/shares etc. More than 22,113 people clicked through to our website to learn more. On TikTok our content was viewed 101,847 times and actively engaged through comments/likes/shares more than 4,922 times More than 148,000 people visited our website over this period, 265,200 times. The total page view number in this quarter is 612,622. The most visited pages are Rubbish and recycling days (44,088 views), Property and rates search (20,556 views), Cemetery and cremation search (14,166 views), Rubbish and recycling facilities (11,436 views) and Parking tickets (9,421 views). The three main ways people visit our website are from a Google/search engine search (59%), coming directly (22%) and via our social media channels (9%). In this quarter, more than 5,000 visitors used our website as the gateway to the Altitude payment platform 6,700 times. The top 3 activities are paying a parking ticket (77%), general payments (13%) and pay rates (7%).	W	G	G	



Performance Measures	Comments	Sep	Dec	Mar	Jun
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### Transport (Page 42 of the 10 Year Plan)

<b>01. Measure:</b> The change in the number of fatal and serious injury crashes from the previous year on the city's local road network. Fewer than the previous year. <b>Target:</b> Narrative measure outlining long-term accident trends and causes.	In the 9-month period ending March 2024, there were 3 fatal and 29 serious injury crashes in Palmerston North. 4 of these involved cyclists and 5 involved pedestrians. The equivalent period from the previous financial year there was 3 fatal crashes, and 29 serious injury crashes. 5 of those crashes involved pedestrians and 4 involving cyclists. NOTE: Some crash data may not have been uploaded to Waka Kotahi's Crash Analysis system at the time of review. Fatal crashes tend to occur in the rural parts of the network, typically on the fringes of the urban area.	Y	Y	B	
<b>02. Measure:</b> The average quality of ride on the sealed local road network, measured by smooth travel exposure. <b>Target:</b> Greater than 80%.	The smooth travel exposure for the city is calculated at 84% for the 2022/23 financial year. A survey has been completed in October 2023. These city-wide surveys are carried out every two years by independent contractors and is due to be carried out again in April 2026.	G	G	G	
<b>03. Measure:</b> The percentage of the sealed local road network that is resurfaced. <b>Target:</b> More than 3.5%	3.6% of the network was resealed year to date. No further reseals are planned for this year.	Y	Y	G	
<b>04. Measure:</b> The percentage of footpaths that meet Council standard. <b>Target:</b> Greater than 93% rated 3 or above.	93% of the networks footpaths is rated 1-3 (Excellent - Average). We note that standard approaches such as grinding and tree root pruning to enable path replacement is becoming less effective as the street tree stock grows. Footpath renewals are becoming increasingly difficult and requires wider strategic consideration alongside our street trees.	G	G	G	
<b>05. Measure:</b> Percentage of requests for service relating to roads and footpaths responded to (with at least an initial response) within three working days. <b>Target:</b> Greater than 95% of safety and critical requests.	80% of requests have been responded to within 3 working days in the third quarter, with 100% in second quarter, and 87% in the first quarter. (Majority of the incidents where this measure was not met initially was due to either contractor or internal staff capacity. Recruitment of staff has lifted the timeliness of the response rate.) Year to date (1st July 2023 - 31st March 2024) 83.33% of dispatches met response time.	Y	Y	R	

Performance Measures	Comments	Sep	Dec	Mar	Jun
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## Goal 2: Creative and Exciting City

### Active Communities (Page 54 of the 10 Year Plan)

<b>01. Measure:</b> Increase in use of parks, sports fields and playgrounds. <b>Target:</b> Narrative measure outlining Parks Check Survey results.	The Park Check Survey is undertaken between December and March each year. The survey results will be reported at the end of the 4th Quarter	W	W	W	
<b>02. Measure:</b> Increase in use of aquatic facilities. <b>Target:</b> Usage numbers at Lido, Freyberg and Ashhurst Pools.	The number of users of the Lido Aquatic Centre for the nine-month period was 307,524, an increase of 1,864 users as the same period last year. The number of Under 5 users is 17.7% lower than last year. The numbers of users of the Freyberg Community Pool for the nine-month period was 147,449, an increase of 1,328 users as the same period last year. The number of Under 5 users had an increase of 23% compared to last year. The number of users of the Splashhurst Community Pool for the nine-month period was 18,176, 27.7% lower than the same period last year. The number of Under 5 users was 514, a decrease of 7.7% made up of 43 users. The number of users overall is 473,149, which is 1% less than the number over the same period last year.	Y	Y	G	
<b>03. Measure:</b> Increase in use of Central Energy Trust Arena for community sport and active recreation. <b>Target:</b> Narrative measure outlining number of community events and hours.	At the end of the third quarter of the year, the number of Community Sport events at Central Energy Trust Arena is 1,941 compared to 1,881 at the same stage last year. This is an increase of 3%. Hours of use are 7,021 compared to 7,103 last year, a decrease of 1%. 147,964 people has taken part in Community Sport compared to 138,688 at the same stage last year, an increase of 6.6%. Overall everything is on track with the number of events and patronage slightly up but hours of use slightly down.	Y	G	G	
<b>04. Measure:</b> Increase in satisfaction of Council's sport and recreation facilities. <b>Target:</b> Narrative measure outlining trends in user and resident feedback and surveys.	The Park Check Survey is undertaken between December and March each year. The survey results will be reported at the end of the 4th Quarter	W	W	W	
<b>05. Measure:</b> Council works in partnership with external organisations. <b>Target:</b> Narrative measure outlining partnership initiatives designed to increase participation and their outcomes.	The Council's funding agreement with Sport Manawatū is now in its third year. Reporting on achievements and delivery of agreed outcomes occurs regularly through the Culture and Sport Committee. A major focus of this quarter has been on the finalisation of He Rā Ki Tua, the Horizons' Region Spaces and Places Plan for Sport and Recreation.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
<b>Arts and Heritage</b> (Page 63 of the 10 Year Plan)					
<b>01. Measure:</b> Increase in patronage of Council-owned cultural facilities (Te Manawa, Globe Theatre, Regent Theatre, and Square Edge), as measured by reports provided by operators. <b>Target:</b> Annual patronage numbers for the CCOs increase.	Note CCOs report six monthly, so this information is for the period July- December 2023. Overall, patronage numbers have returned to Pre-Covid levels for the Cultural CCOs. For the July- December 2023 reporting period, the Cultural CCOs reported the following: Te Manawa had 84,401 visitors against a target of 65,000. This was a good increase on the 2023 result of 69,303. The Globe reported 15,521 compared to 14,693 in 2022. This was an increase of 2,886 people on the 2019 result of 12,635. The Regent reported 52,340 attendees against a target of 43,500. This was a decrease on the 64,654 attendees in 2022 but is within the range of the 2019 result of 57,725.	W	W	G	
<b>02. Measure:</b> Funding is distributed and the key objectives achieved. <b>Target:</b> Narrative measure outlining outcomes achieved by the CCOs.	Note CCOs report six monthly, so this information is for the period July- December 2023. The Regent has seen patronage numbers (52,340) return to post Covid levels. Compared to 2022/23, the ratio of community/commercial events has shifted towards more commercial events. This is good for the financial viability of the theatre. Despite the significant decrease of live nights over this reporting period (74 in 2023, compared to 144 in 2022), professional events remain constant at 17, compared to 16 in 2022. The Globe has seen a good six months, with more people attending or participated in performances this year compared to 2022 and 2019. The number of participants (performers) in this reporting period was 2,546 which is significantly higher than 1850 in 2022 and 1156 in 2019. The 'number of national and international visiting productions' has also increased to 19 in 2023, from 16 in 2022. This reflects the ability of the Globe to attract high calibre shows to Palmerston North. Te Manawa has 'bounced back' to pre-Covid performance. Results for external revenue (\$290,037 against a target of \$255,125) are positive, due to the work being progressed in this area, particularly the fundraising campaign 'We Museum' and the revised Revenue Strategy. Whilst visitor numbers and satisfaction levels remain high, the measure: "Te Manawa experiences offsite" is not going to be achieved, due to a lack of outgoing touring exhibitions. This measure has dropped significantly since 2018, when the result was 73,443 to 2,584 in 2023. Te Manawa states that due to capacity issues they are not going to create new touring exhibitions for the next few years to focus on developing the semi-permanent exhibitions in the museum. The performance measure 'Te Manawa Experiences offsite' has been removed from the draft SOI 2024-27.	W	W	G	
<b>03. Measure:</b> Sites of significance to Rangitāne o Manawātū are identified, protected or acknowledged. <b>Target:</b> Narrative measure outlining the number and description of sites.	The new river entrance linking Hokowhitu Lagoon to the river through the Centennial Park subdivision has been completed. Phase I of the Albert Street entrance is complete, and the second phase (bollards and new driveway) will be completed once Horizons Regional Council complete river protection rock work. Development of Ruahine Reserve is underway. The Pataka Kai and Rangitane lighting sculptures are ready for installation. In addition, the new walls and Memorial Wall are 70% complete – which is the bulk of the infrastructure development. Ruahine Reserve is due to open with a dawn blessing from Rangitane in May.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
<b>04. Measure:</b> Increase in investment of earthquake-prone heritage buildings. <b>Target:</b> Narrative measure outlining investment in buildings and its outcomes.	The Former Post Office has now been granted consent. Funding has been approved for detailed seismic assessments for the former Kilwinning Masonic Lodge and Former Union Baptist Church. Funding was declined for an incomplete application for strengthening and repair works for the T&G Building, but we are working with the owner to advise them on how to prepare a complete application to support strengthening works. We are working with the Hoffman Kiln Trust on advising them to prepare an application for strengthening the main kiln structure.	G	G	G	
<b>05. Measure:</b> Heritage is part of the multidisciplinary approach to working on Council projects. <b>Target:</b> Narrative measure outlining the projects and their multi-disciplinary nature.	Projects involving heritage have not passed any further milestones to report on.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
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### City Shaping (Page 63 of the 10 Year Plan)

<b>01. Measure:</b> City Centre Streetscape Plan is successfully implemented. <b>Target:</b> Narrative measure outlining progress on implementing the Plan.	The City Centre Streetscape Plan is now incorporated into the wider City Centre Transformation programme of work. No further physical development of these streets has occurred. An Indicative Business Case (IBC) for the City Centre is underway to identify the preferred option for an urban transit hub and secure co-funding from Waka Kotahi with the Project Steering Group is now participating in this process. This is due for completion late 2024.	G	G	G	
<b>02. Measure:</b> A wide range of public space projects are implemented. <b>Target:</b> Narrative measure outlining the public space projects, their multi stakeholder / multidisciplinary nature, and their outcomes.	New accesses to the Manawātū River at Albert St and Centennial Park, developed with Rangitāne, are providing enhanced amenity and connection into the wider river environment, increasing links with other significant sites (Hokowhitu Lagoon, Ruahine Pā and Kanuka Grove). Featherston St Cycleway and associated pedestrian upgrades between Aroha St and North St is now under construction, delivered in two phases - Aroha St to Rangitikei St and Rangitikei St to North St. The changes being the result of extensive community engagement with majority funding from Waka Kotahi 'Streets for People Fund'. This will further increase the urban cycling network, as identified under the Urban Cycle Masterplan. Another public mural is now installed on the Pak n Save wall on Linton St paid for by funding Council received from the Woman's Football World Cup. A replacement mural has been completed on the CAB wall facing Main St to replace a vandalised mural. City Centre Play: Installation of a basketball court next to the skatepark is near completion with public opening scheduled for 19th April. A range of interactive musical instruments have now been procured with installation around the duckpond quarter of Te Marae o Hine due to occur over the coming weeks. Playground upgrades are currently under construction at Kelvin Grove Park and Chippendale Reserve.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
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### Goal 3: Connected & Safe Community

#### Connected Communities Activity (Page 74 of the 10 Year Plan)

<b>01. Measure:</b> Library users are satisfied with the services and programmes provided. More than 800,000 visits a year. Average use per item per year is at least 4 (physical items). <b>Target:</b> Narrative measure outlining the development and use of digital collections. Narrative measure outlining the results of user and residents' satisfaction surveys.	Physical visitor numbers increased by 13% with 414,672 visits across the eight City Library locations, compared to 367,200 for the same period last year. Of note Ashhurst Library had a 18% increase in visitor numbers; Central Library had a 14% increase; and Youth Space had a 71% increase with 16,455 more visitors than the same period last year. Annual visits per capita sits at 6.00 compared to 5.14 for the same period last year - an increase of 17%. The collection continues to work hard with the average use per item being 4.48 (compared to a national average of 2.62) and 'virtual' visits included Enterprise (online catalogue) with 650,752 page views; the City Library website with 298,786 page views; and Manawatū Heritage with 233,472 page views and the Tour App hosted 225 sessions. Our libraries hosted 51,757 PC sessions and 110,730 Wi-Fi sessions for the nine months to the end of March. There were 511 heritage inquiries; 2236 digital help sessions; and 2973 people were assisted with reference enquiries. Our eBook & eAudio collections had 113,601 items issued in the first nine months of the year which is 16% of total issues. The number of permanent Home Service users had increased to 119 customers at the end of March.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
<b>02. Measure:</b> Library programmes reflect the changing needs of communities. <b>Target:</b> Narrative measure number and description of programmes and their outcomes.	<p>For the first nine months of the year, 2005 programmes were delivered with 47,839 attendees with programme attendance increasing by 9% compared to the same period last year. Book launches included "The Unsettled: Small Stories of Colonization" by Richard Shaw and "The Cure for Gravity" by Zak Rogers. Programming included the Manawatū Writers Hub, Versions Tuarima and supporting U3A and Forest and Bird. Partnerships and collaborations included Off the Page and the Diverse Experience of Farming with Massey University; Future Living Skills workshops with Environment Network Manawatū; and Dino Storytime with Te Manawa. The Summer Reading programme saw over 500 children complete book chats, including the first ever book chats in NZ Sign Language as well as in English, Te Reo Māori and ten other languages enabling 33 participants to complete the reading programme in their first language. Local History Week/Heritage Month was very successful with 2050 attendees across 77 programmes and activities. Other heritage highlights include the selection of 30 images from Manawatū Heritage to be part of the 1970s Decade of Protest exhibition at Square Edge; the processing of the Goldingham negative collection (1960-1964) containing images from town events, openings, exhibitions, and visits from notable people that were published in Manawatū Photorama booklets; and the James Brydon Speedy papers (an amateur anthropologist and co-founder of the Palmerston North Polynesian Discussion Group). Community programming included the Palmy Crop Swap, Lunar New Year and the library team supported events including the Festival of Cultures, Esplanade Day, and Wacky Water Day. The team at Blueprint assisted Child Development Services (based at PN Hospital) to create replacements for infant feeding pump carriers. Outreach initiatives included Summer Reading (two participants using NZSL, four special education teens, and three children in transitional housing); attendance at UCOL Te Pūkenga Community Connect Day; and the RAD (Recycle a Device) Fix One Keep One day where each participant refurbished two laptops; one that they got to keep and one to be donated. The City Library now has 23 refurbished devices to donate to those in need. Further interest in the RAD programme has been received from Awatapu College, Pūhoro STEMM Academy and UCOL Student Support. Youth Council has been very active supporting events across Council including Summer Movie Nights, Festival of Cultures and Holi; advocating for youth voice; submitting on the Animal and Bees by-law at council; and being involved in the Central Transport business case. Youth Council scholarships were awarded to eight young people and the kaupapa will be completed with an Awards Ceremony which is currently being planned by the Youth Council.</p>	G	G	G	
<b>03. Measure:</b> Accessible and genderneutral toilets are provided throughout the city, and especially in places where there is the most community activity. <b>Target:</b> Narrative measure outlining number, type and location of toilets, plus annual satisfaction survey results	<p>There are 56 public toilet blocks located throughout the city. The refurbishment of the toilets located at Guilford Street, Ashhurst was completed in November 2023. The refurbishment works included ensuring that the toilet blocks were accessible and gender neutral as appropriate. Additional new public toilets were installed along the He Ara Kotahi pathway in December 2023. New toilets are also planned for the river-end of Albert Street prior to June 2024.</p>	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
<b>04. Measure:</b> Community centres are well used. <b>Target:</b> Narrative measure outlining use of centres and range of use with them	The community centres on the Eastern side of the city are operating well with Kelvin Grove and Bunnythorpe in particular indicating that its centres have had strong patronage over a number of months. Bunnythorpe has had an upsurge in usage from a variety of organisations and activities taking place. The Rangiora Community Centre continues to be busy with an average 200+ hours used on a monthly basis and it has installed a new keyless digital entry system. Community Centres on the Western side of the city continue to experience a high demand for bookings from both regular and casual users. The Palmerston North Community Leisure Centre continue to excel in the smooth running of the centre, The Awapuni Community Centre Committee have worked closely with Council's Property Team during the current renovations and regular user groups have been supported by the wider community to rehouse their activities in other locations where possible. Highbury Whānau Centre continues to provide alternative education programmes for young people as their primary business with a small amount of regular usage to the community. The Pasifika Centre continues to be well used by various Pasifika and other ethnic communities. The Seniors Programme "Matua Ola" restarted in Feb 2024 and the After-School Programme "Te Fatu" continues to use the Centre 1-2 times a week for Primary to Secondary School students. Community Development Advisors continue to provide support to committees in providing financial support to community groups and schools for various community-led initiatives (for example Milson Community support for the Freyberg Swimming Pool 'Learn to Swim' classes).	G	G	G	
<b>05. Measure:</b> Visitors to cemeteries are satisfied with the services provided. <b>Target:</b> Narrative measure outlining user and residents survey trends.	Cemetery visitors are not formally surveyed, due to the sensitive nature of their visit. Feedback received from visitors - (emails, Kbase), indicate a high level of satisfaction with services provided by Council staff.	W	G	G	
<b>06. Measure:</b> Council's social housing tenants are satisfied with the social housing service they receive. <b>Target:</b> Narrative measure outlining survey results and tenant feedback.	The overall satisfaction rate in the 2023 survey was 97%, Of the 143 tenants who answered question 4 (overall, how satisfied are you living in a PNCC housing unit?) 139 gave a rating of 3 or 4 out of 5. Sample comments: warm dry comfortable flats, very happy with heat pumps; maintenance issues sorted quickly; most tenants are grateful to have Council housing. Survey will be completed next in 2025.	G	G	G	



Performance Measures	Comments	Sep	Dec	Mar	Jun
<b>07. Measure:</b> Council's social housing is warm and safe, as shown by compliance with the Otago Medical School He Kainga Oranga Rental Housing Warrant of Fitness Standard. <b>Target:</b> Standards met.	Council has circa 430 units in its housing portfolio. All units have been upgraded to meet the Healthy Homes and the WOF standards.	G	G	G	
<b>08. Measure:</b> More community-led projects are supported by Council. <b>Target:</b> Narrative measure outlining description of activities funded and their outcomes.	Many community-led initiatives have been supported by Council through this period, through funding support, planning advice, implementation support and other support such as marketing. Event highlights of this quarter have included the Interfaith Planting at Edward Pit Park as part of the Welcoming Communities work, the Festival of Colours, the Race Relations Day chalk mural at Te Marae o Hine, a Play Streets event, Seniors Play Day at Te Manawa, Loose Parts Play Trail on George Street and fourteen summer movie nights events in neighbourhoods across the city with various community groups and schools.	G	G	G	
<b>09. Measure:</b> There are increases in: participation in community and city centre events, satisfaction with the annual programme of events, the range and diversity of community-led events in the city. <b>Target:</b> Narrative measure outlining number and range of events, plus participation and satisfaction with events.	Most scheduled city centre and community events proceeded as planned this year with settled weather patterns. Attendance numbers continue to recover and grow. Residents show general satisfaction with council led and delivered events. A range of events including sporting, arts and cultural activations were delivered by council, Palmy Bid and other event producers including annual fixtures including Festival of Cultures and NZ Rural Games along with newer and one of events such as Palmy Bid's Easter Pop-ups and Teams Champs markets.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
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### Safe Communities Activity (Page 84 of the 10 Year Plan)

<b>01. Measure:</b> The SAB carries out a range of successful initiatives. <b>Target:</b> Narrative measure (outlining description of SAB initiatives and their outcomes).	SAB (Safety Advisory Board) is continuing to collaborate on approaches to improve safety in the city. The SAB have been working collaboratively in the last quarter on a community engagement BBQ corner of Ada and Rolleston streets on Sunday 14 April 2024 to address long standing safety concerns in the area. This work is a SAB cross collaboration between Council, FENZ, NZ Police, Department of Corrections, Massey University, MTU, Kaingā Ora and Horizons Regional Council. Residents from the area, along with landlords, have been invited to start to work together to address identified issues. The SAB is still working in partnership with MALGRA on developing the Safe Spaces initiative for the rainbow community.	G	G	G	
<b>02. Measure:</b> Increasing preparedness for emergencies in Palmerston North. <b>Target:</b> Narrative measure outlining Manawatu Wanganui CDEM preparedness 2- yearly survey trends and description of initiatives.	The Council's Emergency Management team regularly interacts with community groups and at community events. Regular interactions with key stakeholders at local and regional meetings ensure relationships are well established before an emergency. Council Emergency Management teams' water tank project continues to be popular with the community with regular sales. Council is refreshing our emergency Civil Defence Centre and community hub models to create a up to date and fit-for-purpose model to support our community during an emergency. The Council will continue to interact with the community to be prepared for all emergencies and meet objectives from the Manawatu Whanganui CDEM group plan. Council Emergency Management regularly engage with the community to increase preparedness	G	G	G	
<b>03. Measure:</b> Bylaws are reviewed on legal timeframe and enforced. <b>Target:</b> Narrative measure outlining description of programme to develop and review bylaws and their outcomes.	Work has continued on reviews of the Dog Control Policy (and bylaw) and the Animals and bees bylaw. Significant new work in speed management (development of a Speed Management Plan, rather than the current Bylaw) was completed, but this work is now on hold awaiting further Government decisions. Work has begun on a review of the Signs and Use of Public Places Bylaw.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
<b>Goal 4: Eco-City</b>					
<b>Climate Change</b> (Page 89 of the 10 Year Plan)					
<b>01. Measure:</b> Increase in sustainable practices. <b>Target:</b> Narrative measure outlining projects and initiatives that foster sustainable practices / behaviours and their impacts.	The Low Carbon Fund continues to deliver emission reductions and improvements in sustainability. As reported to the March Sustainability Committee \$496,640.00 has been allocated to date with a reduction of 810.73 tonnes of CO2 equivalent and a financial saving of \$552,387.58 (\$55,747.58 over the project costs). Further projects and savings are expected by financial year end.	G	G	G	
<b>02. Measure:</b> Decrease in Council's total organisational emissions. <b>Target:</b> Narrative measure outlining greenhouse gas reduction initiatives and their impacts.	Organisational emissions inventories are produced annually so there are no official figures to report. YTD constituent data suggests electricity use went up by 5.3% and natural gas use went down 59% on average during January and February 2024 compared to the previous year. These figures show a general downwards trend in emissions resulting from switching from natural gas to other fuels for heating and hot water across the organisation.	G	G	G	
<b>03. Measure:</b> Work with iwi and community groups to re-establish bush, particularly along waterways, and to control introduced predators. <b>Target:</b> Measured through Manawatū River level of service.	Council and Massey University have planted two hectares into native trees adjacent to the He Ara Kotahi walkway. Council continues to work with Rāngitane and private contractors to manage predators. An agreement has just been made with Rangitane to plant out another 4 hectares using Fonterra Planting Day volunteers.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
<b>Environmental Sustainability</b> (Page 93 of the 10 Year Plan)					
<b>01. Measure:</b> Increase in sustainable practices. <b>Target:</b> Narrative measure outlining projects and initiatives that foster sustainable practices / behaviours and their impacts.	Council continues to support and fund the Future Living Skills (Sustainable Living Programme), which are well attended. Staff meet with representatives of Environment Network Manawatu regularly.	G	G	G	
<b>02. Measure:</b> Work with iwi and community groups to re-establish bush, particularly along waterways, and to control introduced predators. <b>Target:</b> Measured through Manawatū River level of service.	Council and Massey University have planted two hectares into native trees adjacent to the He Ara Kotahi walkway. Council continues to work with Rāngitane and private contractors to manage predators. An agreement has just been made with Rangitane to plant out another 4 hectares using Fonterra Planting Day volunteers.	G	G	G	
<b>Manawatu River</b> (Page 97 of the 10 Year Plan)					
<b>01. Measure:</b> Increase in the public use of the river environment. Increase in native planting and observed biodiversity improvements in suitable locations in the river environment. Greater connectivity of features within the Manawatū River Park. <b>Target:</b> Narrative measure outlining public use the river, biodiversity and native plantings, and connectivity of features.	User survey results demonstrate that user numbers along the Manawatu River rose steeply once He Ara Kotahi Bridge and pathway were built, and these numbers have remained at that level since 2019. The new accessway from the Centennial Park to the river has improved community access to the river in that location, especially for people with mobility issues.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
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#### Resource Recovery (Page 101 of the 10 Year Plan)

<b>01. Measure:</b> Compliance with resource consents for the Resource Recovery Activity measured by the number of abatement notices, infringement notices, enforcement orders and convictions. <b>Target:</b> 100% compliance	100% Compliant. We continue to monitor operations to ensure compliance with our resource consent conditions, along with producing reporting as required to Horizons Regional Council.	G	G	G	
<b>02. Measure:</b> Decrease in per capita volume of waste sent to landfill. <b>Target:</b> Narrative measure outlining Council initiatives to decrease waste sent to landfill.	The 2019 Waste Management and Minimisation Plan (WMMP) sets a target of increasing waste diversion from 38% to 48% by 2025. Reducing the amount of material sent to landfills is to be achieved via the 26 actions that were set out in the WMMP. Initiatives and actions currently being undertaken include but are not limited to: reinstating tours of the Materials Recovery Facility (MRF) to provide education, continued engagement with the community, administering the Resource Recovery Fund to support community waste reduction initiatives, and actively working with existing and new commercial customers to maximise the number of resources that are recovered. We will be consulting on the Draft Waste Management and Minimisation Plan (WMMP) in early April 2024 to review the current WMMP 2019.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
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#### Stormwater Activity (Page 107 of the 10 Year Plan)

<b>01. Measure:</b> The number of flood event per year resulting in stormwater from the Council's stormwater system entering a habitable floor in an urban area. <b>Target:</b> Less than 5	No flood event incidents entering a habitable floor in an urban area occurred between 1 July to 31 March 2024.	G	G	G	
<b>02. Measure:</b> The number of habitable floors per 1,000 properties within urban stormwater service areas affected by a flood event. <b>Target:</b> Less than 2	No habitable floors per 1,000 properties within urban areas were affected by a flood event between 1 July to 31 March 2024.	G	G	G	
<b>03. Measure:</b> Median time to attend a flooding event. (note: a flooding event is one resulting in stormwater entering a habitable building) <b>Target:</b> Less than 2 hours	No incidents to report on median time to attend a flooding event between 1 July to 31 March 2024.	G	G	G	
<b>04. Measure:</b> The number of complaints received about the performance of Council's stormwater system per 1,000 properties connected. <b>Target:</b> Less than 15	2.2 complaints were received per 1000 connections (YTD)	G	G	G	
<b>05. Measure:</b> Compliance with resource consents for discharge from Council's stormwater system as measured by the number of abatement notices, infringement notices, enforcement notices and convictions received by Council in relation to resource consents. <b>Target:</b> 100% Compliance	No non-compliance notices received for the period 1 July to 31 March 2024.	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
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### Wastewater Activity (Pages 107 of the 10 Year Plan)

01. <b>Measure:</b> Number of dry weather wastewater overflows from Council's wastewater system per 1,000 connections per year. <b>Target:</b> Less than 1	0.27 YTD.	G	G	G	
02. <b>Measure:</b> Complaints per 1,000 connections about wastewater odour, system faults, system blockages and Council's response to issues with the wastewater system. <b>Target:</b> Less than 15	5.4 complaints per 1,000 connections YTD	G	G	G	
03. <b>Measure:</b> Median time for attending to overflows resulting from blockages or other faults. <b>Target:</b> Less than 1.5 hours	0.5 Hrs YTD	G	G	G	
04. <b>Measure:</b> Median time for resolution of overflows resulting from blockages or other faults. <b>Target:</b> Less than 8 hours	3.22 Hrs YTD	G	G	G	
05. <b>Measure:</b> Compliance with resource consents for discharge from Council's wastewater system as measured by the number of abatement notices, infringement notices, enforcement notices and convictions received by Council in relation to resource consents. <b>Target:</b> 100% compliance	100%	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
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#### Water Activity (Pages 107 of the 10 Year Plan)

<b>01. Measure:</b> Compliance with Drinking Water Quality Assurance Rules 2022: T3 Bacteria Rules. <b>Target:</b> 100% compliance	New Drinking Water Quality Assurance Rules took effect from November 2022. The "Compliance Goalposts" have shifted and the requirements to achieve compliance have increased. Under the old rules we were 100% compliant; under the new rules we are approximately 90% compliant. Significant Capital upgrades are required to achieve 100% compliance. These are scheduled in the LTP over the next several years.	R	R	B	
<b>02. Measure:</b> Compliance with Drinking Water Quality Assurance Rules 2022: S3 Protozoa Rules. <b>Target:</b> 100% compliance	100%	G	G	G	
<b>03. Measure:</b> The number of complaints per 1,000 connections relating to clarity, taste, odour, continuity of supply, drinking water pressure or flow, and Council's response to any of these. <b>Target:</b> Less than 40	19.62 complaints per 1,000 connections YTD	G	G	G	
<b>04. Measure:</b> Average consumption of drinking water per day per resident. <b>Target:</b> Met - Less than 360 litres	284	G	G	G	
<b>05. Measure:</b> Median response time for urgent call out attendance. <b>Target:</b> Less than 2 hours	0.5 Hrs YTD	G	G	G	
<b>06. Measure:</b> Median response time for resolution of urgent call outs. <b>Target:</b> Less than 7 hours	1.8 Hrs YTD	G	G	G	



Performance Measures	Comments	Sep	Dec	Mar	Jun
07. <b>Measure:</b> Median response time for non-urgent call out attendance. <b>Target:</b> Less than 10 hours	5.3 Hrs	G	G	G	
08. <b>Measure:</b> Median response time for resolution of non-urgent call outs. <b>Target:</b> Less than 75 hours	9.3 Hrs	G	G	G	
09. <b>Measure:</b> Percentage of real water loss from the water reticulation network. <b>Target:</b> Less than 20%	15%	G	G	G	

Performance Measures	Comments	Sep	Dec	Mar	Jun
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#### Goal 5: Driven & Enabling Council

Leadership Activity (Page 128 of the 10 Year Plan)					
Performance Measures (Page 128 of the 10 Year Plan)	Comments	Sep	Dec	Dec	Jun
<b>01. Measure:</b> More than two out of every three residents (in the Residents Survey) are 'satisfied' with both the 'opportunity to have a say' and the 'ease of having a say'. <b>Target:</b> Narrative measure outlining satisfaction trends.	The 2023 Residents Survey shows that 31% of residents are satisfied with "the ease of having a say in Council decision making. 42% are Neutral and 27% are Dissatisfied. For "opportunities to have a say", 38% are Satisfied, 39% are Neutral and 23% Dissatisfied. These figures are similar to 2022, but a drop from years prior to that. The 2024 results are due in June. Council encourages people to have their say by offering a range of easy-to-use techniques. It is also working to ensure residents understand the breadth and relevance of Council's services so they are more motivated to have their say. Current consultation includes the Long-term Plan, Future Development Strategy, Development Contributions Policy, and Waste Management and Minimisation Strategy.	W	R	R	

# Appendix for March 2024 Report

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## Appendix 2 – Activities Net Operating Cost

Activities Net Result Statement	2023/24 \$000s					Variance explanation (10% of YTD budget or 30% of specified sum)
	Year to Date		Bud. Var.		Full Year	
For the period to 31 March 2024	Actual	Budget	\$000's	%	Revised Budget	
<b>Operating Result by Activities</b>						
<b>Connected &amp; Safe Community</b>	<b>13,935</b>	<b>13,091</b>	<b>(844)</b>	<b>-6%</b>	<b>17,651</b>	
Connected Communities	12,997	12,418	(579)	-5%	16,516	Cost pressures for Rates, Insurance and Utilities is putting pressure on the budget. Contractors cost for Reactive Maintenance in Public Toilets and Community Facilities is also over budget YTD mainly as a result of vandalism.
Safe Communities	938	673	(265)	-39%	1,135	Variance due to increase in cost of after hours coverage by contractors and in remuneration in Animal Control.
<b>Creative &amp; Exciting City</b>	<b>15,528</b>	<b>16,354</b>	<b>825</b>	<b>5%</b>	<b>21,404</b>	
Active Communities	9,705	10,267	562	5%	13,448	Miscellaneous Rev ahead of budget YTD by \$390k. Largest contributor being Windfarm Royalties which are favourable to budget YTD.
Arts and Heritage	5,524	5,707	183	3%	7,440	
City Shaping	299	379	80	21%	516	Under budget YTD for Contractors due to redirection of resources to other activities with cost pressures (Roding).
<b>Driven &amp; Enabling Council</b>	<b>10,337</b>	<b>8,809</b>	<b>(1,528)</b>	<b>-17%</b>	<b>11,093</b>	
Governance and Active Citizenship	7,892	7,477	(415)	-6%	10,056	
Organisational performance	2,368	1,930	(438)	-23%	1,823	Variance largely driven by remuneration pressures - due to low vacancies and high staff retentions. Also a result of budget pressures for temp/casuals, particularly for the Contact Centre.
Strategic Investments	77	(598)	(675)	-113%	(786)	This variance relates to cross activity allocations which are being refined following the transition to the new finance system.
<b>Eco-City</b>	<b>5,475</b>	<b>5,371</b>	<b>(104)</b>	<b>-2%</b>	<b>7,143</b>	
Environmental sustainability	422	615	192	31%	798	With the cost pressures being experienced this year we are looking to limit the spend on Consultants. This has resulted in a favourable variance for Sustainable Practices professional services and Biodiversity for Contractors.
Manawatu River	114	197	83	42%	263	Favourable variance related to contractors and materials for Manawatu River, we have programmed increased activity over the coming months and expect to use this budget by year end.
Resource Recovery	4,697	4,394	(303)	-7%	5,862	
Climate change mitigation and adaption	241	165	(76)	-46%	220	Additional headcount to increase team capacity in this activity.
<b>Innovative &amp; Growing City</b>	<b>6,135</b>	<b>6,410</b>	<b>274</b>	<b>4%</b>	<b>8,234</b>	
City Growth	3,481	3,490	10	0%	4,435	
Economic Development	2,655	2,919	265	9%	3,798	
<b>Stormwater</b>	<b>1,650</b>	<b>1,999</b>	<b>349</b>	<b>17%</b>	<b>2,624</b>	Favourable results for contractors and professional services related to efficiencies in the new Maintenance Contract.
<b>Wastewater</b>	<b>4,446</b>	<b>3,855</b>	<b>(590)</b>	<b>-15%</b>	<b>5,113</b>	Trade waste sales revenue continues to be unfavourable to budget with some of the sales budget assumptions being ambitious. Electricity continues to be unfavourable to budget due to the Biogas generator being out of action at the start of the year.
<b>Water</b>	<b>3,872</b>	<b>4,782</b>	<b>910</b>	<b>19%</b>	<b>6,311</b>	Remuneration pressures for the new Toby team more than offset by capitalised labour for these teams resulting in an overall favourable. variance.
<b>Transport</b>	<b>4,538</b>	<b>5,077</b>	<b>539</b>	<b>11%</b>	<b>6,958</b>	
Active and Public Transport	723	1,250	528	42%	1,737	Cost pressures for contractors (specifically the FH contract) has resulted in a focus on work in the Roding space. This has meant less spend in the Active and Public transport space.
Roding	3,816	3,827	11	0%	5,221	Cost pressures for Contractors (500k YTD) have been offset by some favourable variances for capitalised labour. We will review this variance as some of it may be related to cross activity allocations being refined.
<b>Activities Controllable Surplus/ (Deficit)</b>	<b>65,916</b>	<b>65,748</b>	<b>(168)</b>	<b>0%</b>	<b>86,531</b>	

## Appendix 3 – Operating Programme Reporting

Activities Net Result Statement	2023/24 \$000s						
	Activity	Year to Date		Bud. Var.		FY Bud	Variance explanation
For the period to 31 March 2024		Actual	Budget	\$000's	%		
1520 - Digital Transformation	Organisational performance	3,438	3,240	(198)	-6%	4,302	The digital transformation programme is progressing well, with 80% of the full year being spent to date. Although the programme is showing slightly ahead of the year to date budget this is related to timing of expenditure.
1572 - Enterprise Resource Planning (ERP) System Replacement	Organisational performance	1,891	1,896	5	0%	1,896	This programme is complete with a small favourable variance
1506 - Community Events	Connected Communities	630	459	(171)	-37%	629	Variance is largely due to timing of events, we anticipate the activity will land close to budget at year end
2139 - Delivering Residential and Industrial Growth Planning	Governance and Active Citizenship	1	315	314	100%	491	This programme was added as additional consultancy budget for the City Shaping team to increase the level of service for residential and industrial growth. The budget has been incorporated within the broader direction setting budget within City Shaping. Costs have not been identified separately in this programme.
1614 - Open Channels and Drainage clearing	Stormwater	200	225	25	11%	350	Not material

Appendix 4 – Capital expenditure by Group of Activities

Group of Activities - Capital Expenditure		2023/24 \$000's				
For the period to 31 March 2024		Year to Date		Variance	% YTD	Full Year
		Actual	Budget	\$000's	Budget Spent	Revised Budget
Capital New	Connected & Safe Community	29,165	41,407	12,242	70%	65,647
	Creative & Exciting City	4,734	7,479	2,745	63%	8,960
	Driven & Enabling Council	3,901	4,493	592	87%	8,494
	Eco-City	417	348	(69)	120%	537
	Innovative & Growing City	1,011	964	(47)	105%	1,835
	Stormwater	-	-	-	-	-
	Transport	3,568	3,007	(561)	119%	5,547
	Wastewater	9,518	17,317	7,799	55%	27,263
	Water	2,164	3,236	1,071	67%	6,351
		3,852	4,564	713	84%	6,661
Capital Renewal	Connected & Safe Community	18,447	18,329	(118)	101%	28,176
	Creative & Exciting City	1,652	1,999	347	83%	2,651
	Driven & Enabling Council	2,722	2,288	(434)	119%	4,804
	Eco-City	1,780	1,769	(10)	101%	3,883
	Innovative & Growing City	281	357	76	79%	547
	Stormwater	323	327	4	99%	617
	Transport	63	179	116	35%	230
	Wastewater	4,459	3,145	(1,313)	142%	5,597
	Water	3,084	3,674	589	84%	4,468
		4,083	4,590	506	89%	5,380
Capital Growth	Connected & Safe Community	5,934	6,895	962	86%	11,005
	Creative & Exciting City	76	40	(35)	188%	118
	Driven & Enabling Council	957	793	(165)	121%	1,658
	Eco-City	-	-	-	-	-
	Innovative & Growing City	466	570	104	82%	811
	Stormwater	592	649	57	91%	955
	Transport	228	217	(11)	105%	217
	Wastewater	3,622	4,325	703	84%	6,187
	Water	(8)	301	309	-3%	1,059
		(1)	-	1	-	271

## Appendix 5 – Capital expenditure by Programme (programmes over \$1,000,000)

Activity-Programme Name	YTD Actuals (\$000)	YTD Budget (\$000)	Variance (\$000)	Total Budget (\$000)	Status
<b>Capital NEW</b>					
<b>Active and Public Transport</b>					
2207-City-wide - Urban Cycle Infrastructure Network improvements	\$751	\$4,034	\$3,283	\$4,843	Project cancelled as funding has been pulled by new Government. No further spending will be incurred in this Programme.
2231-City-wide - Transport Choices - Public Transport	\$2,122	\$4,400	\$2,278	\$5,350	Programme is progressing well and works ramping up. Construction of shelters and stops is ongoing as is installation. On track to complete by end of year.
2233-City-Wide - Urban Cycle Infrastructure Improvements - Streets for People	\$824	\$805	(\$19)	\$1,636	One side of cycleway complete. Works underway on resealing of other side and construction of a raised crossing outside PNBHS. Delays with supply of concrete separators but still on track to complete this FY.
<b>Active Communities</b>					
1763-CET Arena - Property Purchase	-	-	-	\$1,260	Purchase of property in Waldegrave Street to be finalised in June
2209-Arena 3 Upgrade	\$1,169	\$1,545	\$376	\$2,210	Work on the roof upgrade is progressing well and nearing completion.
<b>Arts and Heritage</b>					
902-Property - Seismic Strengthening of Council Properties	\$1,911	\$2,281	\$369	\$3,384	Works at Crematorium progressing well. On track to complete in May.
<b>Connected Communities</b>					
1459-Social Housing - Additional Social Housing Units	\$1	\$410	\$409	\$1,063	Programme to be used to fund Council's contribution to the Summerhays development. Work to date is being funded from the Better off Funding Programme first.
1743-Social Housing - Papaioea Place Redevelopment - Stage 3	\$909	\$800	(\$109)	\$1,211	All works complete
2343-Citywide - New Community Hubs	-	\$2,010	\$2,010	\$2,010	Purchase of property (St Marks Presbyterian Church) to enable the development of a new community facility. Will be finalised in April.
<b>Roading</b>					
2058-Urban Growth - NEIZ - Transport	\$1,713	\$1,621	(\$91)	\$1,621	All works complete
2119-Road to Zero - Transport Safety Improvements	\$530	\$352	(\$179)	\$1,931	Designs for Cook Street roundabouts in progress. Speed management plan was paused while awaiting direction from central government. This portion of the budget now will be used to construct speed calming measures around schools.

2124-Urban Growth - Ashhurst - Transport	\$1,637	\$2,704	\$1,067	\$4,348	Stage 1 of Custom Street is progressing well. Stage 2 delayed while waiting for resource consent. Wyndham Street deferred by Council decision.
2206-Storm Damage - August 2022 Roding	\$1,434	\$1,632	\$198	\$2,976	Programme is progressing well. Glenburn Road currently under construction. Mountain View Road to commence in April.
2526-Amberly Avenue Bridge Improvement	\$327	\$1,000	\$673	\$2,475	Working on design and have commenced fabrication of precast bridge beams.
<b>Safe Communities</b>					
1552-Animal Shelter - New Building	\$3,556	\$3,967	\$411	\$4,109	Project is nearing completion.
<b>Stormwater</b>					
1001-Urban Growth - Whakarongo - Stormwater	\$1,413	\$999	(\$414)	\$2,500	Earthworks currently underway and expected to complete by end of April. Wetland planting to commence shortly afterwards.
1060-City-wide - Stormwater Network Improvement Works	\$1,295	\$1,079	(\$216)	\$1,945	Programme of work is progressing well.
<b>Wastewater</b>					
628-Totara Road Wastewater Treatment Plant - Consent Renewal Upgrade	\$1,374	\$1,360	(\$14)	\$3,000	On track to respond to section 92 requests as required by Horizons Regional Council. Other work is progressing to schedule.
<b>Water</b>					
1841-Urban Growth - Ashhurst - Water Supply	\$1,317	\$1,359	\$42	\$1,359	All works complete
2228-City-wide - Water Main Improvement	\$847	\$660	(\$187)	\$1,850	Projects shuffled in response to shifting priorities. Construction and designs are progressing well.
<b>Capital RENEWAL</b>					
<b>Active Communities</b>					
1837-Swimming Pools - Pool Renewals	\$203	\$431	\$229	\$1,145	Tenders for changing rooms being evaluated with construction beginning early May. Other renewal work progressing well.
<b>Roading</b>					
115-City-wide - Sealed Pavement Renewals (Waka Kotahi Subsidies)	\$950	\$1,686	\$737	\$1,973	Ferguson / Pitt completed and open. Majority of Programme funds to be spent in Railway Road rehab which is set to commence in April.
139-City-wide - Sealed Road Resurfacing	\$2,084	\$1,696	(\$388)	\$3,047	Programme progressing well.
<b>Strategic Investments</b>					
1879-Council's Plant and Vehicle - Replacements	\$756	\$325	(\$431)	\$1,340	Programme fully committed. Costs will be realised as vehicles arrive.
<b>Wastewater</b>					
54-City-wide - Wastewater Pipe Renewal	\$2,500	\$2,722	\$222	\$3,118	Programme of work is progressing well. On track to complete by end of FY.
<b>Water</b>					
199-City-wide - Water Supply Bore and Network Facility Renewals	\$644	\$899	\$255	\$1,010	Programme of work progressing well.
218-City-wide - Water Main Renewals	\$2,517	\$2,537	\$20	\$2,728	Physical works completed. Remainder of Programme will be designs with a number already completed ready for construction in the next FY.



## Appendix 6 – Capital expenditure by Programme (programmes under \$1,000,000)

The following table highlights spend against budget of the programmes with budgets less than \$1,000,000.

Activity-Programme Name	YTD Actuals (\$000)	YTD Budget (\$000)	Variance (\$000)	Total Budget (\$000)
<b>Capital NEW</b>				
<b>Active and Public Transport</b>				
1559-City-wide - Urban Cycle Infrastructure Network improvements	\$213	\$88	(\$125)	\$800
1803-Neighborhood Streetscape Improvements	\$167	\$106	(\$61)	\$166
2057-Regional Shared Path Network Improvements	\$151	\$204	\$53	\$204
2120-City-wide - Off Road Shared Path Network Improvements	\$80	\$100	\$20	\$100
<b>Active Communities</b>				
111-Local Reserves - Roslyn - Edwards Pit Park Development	\$12	\$22	\$10	\$38
165-Outdoor Adventure Reserves - Arapuke Forest Park/Kahuterawa Development	\$3	\$6	\$3	\$6
708-Urban Growth - Aokautere - Reserves Land Purchase	\$0	-	(\$0)	\$34
967-City-wide - Edibles Planting	\$0	-	(\$0)	\$6
1099-Parks and Reserves - Shade Development	\$42	\$24	(\$18)	\$62
1133-Sportsfields - Artificial Football Field (subject to part external funding)	-	\$54	\$54	\$100
1560-Sportsfields - Bill Brown Park - Additional Carparking	-	-	-	\$206
1838-City Growth - City Reserves - Victoria Esplanade - Exotic Aviaries	\$32	\$82	\$50	\$110
1845-City Growth - Te Marae o Hine - The Square	\$38	-	(\$38)	\$38
1846-City Growth - City Reserves - Walkway Extensions - Capital New	\$49	\$150	\$101	\$363
1847-City Growth - City Reserves - Victoria Esplanade - Capital New	\$252	\$252	(\$0)	\$425
1850-City Growth - City Reserves - Memorial Park - Capital New	(\$15)	\$1	\$15	\$8
1853-Local Reserves - Development of Existing Reserves - Capital New	\$169	\$130	(\$40)	\$310
1856-Urban Growth - Hokowhitu - Purchase and Development	\$14	-	(\$14)	\$15
1862-Urban Growth - Kakatangiaata - Reserves Purchase and Development	\$433	\$220	(\$213)	\$514
1884-Local Reserves - Accessibility and Safety Improvements	\$51	\$115	\$65	\$152
2006-City Centre Play - Fixed Play Development	\$153	\$89	(\$64)	\$151
2253 - CET Arena Lighting Truss Equipment	\$210	-	(\$210)	\$211
<b>Arts and Heritage</b>				
2210-Regent Roof Upgrade	\$71	\$160	\$89	\$160
<b>City Shaping</b>				
2122-CBD Streets for People	\$262	\$211	(\$50)	\$403
1473-City Centre Lighting and Projection Demonstration Project	-	-	-	\$86
<b>Connected Communities</b>				
161-Public Toilets - New City-wide Toilets	\$233	\$269	\$36	\$415
1196-Cemeteries - Kelvin Grove - Replacement & enhancement of staff facilities	\$31	\$24	(\$7)	\$144
1833-City Growth - Cemeteries - Extensions to burial and ashes areas to meet demand	\$76	\$40	(\$35)	\$118
2234-BOF - Construction of Summerhays	\$592	\$649	\$57	\$955

1449 - Events and Festival Equipment Purchase	\$0	-	(\$0)	-
1948 - Events and Festival Equipment Purchase	\$2	-	(\$2)	\$9
<b>Environmental sustainability</b>				
1077-Citywide - Biodiversity Enhancement Through Native Planting	\$2	-	(\$2)	\$33
1451-Property - LED Lighting Upgrades	\$71	\$77	\$6	\$80
<b>Manawatu River</b>				
1844-City Growth - City Reserves - Manawatu River Park - Capital New	\$141	\$135	(\$7)	\$200
1892-City Growth - City Reserves - Manawatu River Park - Hokowhitu Lagoon Development Plan	-	\$26	\$26	\$78
1894-City Growth - City Reserves - Manawatu River Park - Marae Tarata Development Plan - Implementation	\$12	\$95	\$83	\$108
1895-City Growth - City Reserves - Manawatu River Park - Te Motu o Poutoa Development Plan - Implementation	(\$18)	-	\$18	-
2239-BOF - Te Motu o Poutoa	\$287	\$212	(\$75)	\$250
<b>Resource Recovery</b>				
506-City-wide - Public Space Rubbish & Recycling Bins Development	\$28	\$17	(\$11)	\$35
657-Urban Growth - Recycling - City-wide Wheelie Bins and Crates	\$45	\$49	\$4	\$76
721-Awapuni Closed Landfill - Landscaping Development	\$12	\$14	\$1	\$52
1371-Closed Landfills and Transfer Stations - Safety, Security and Development	\$25	\$64	\$39	\$86
1373-City-wide - Recycling Drop Off Facilities - Development	\$13	\$8	(\$5)	\$41
1410-Recycling - City-wide Recycling Services to Commercial/organisational Properties Development	\$6	\$33	\$27	\$43
1783-Rubbish and Recycling Buildings - Staff Welfare and Health and Safety Improvements	\$302	\$300	(\$2)	\$300
1810-City-wide - Diversion of Waste from Landfill - New Materials Development	\$43	-	(\$43)	\$70
2227-Resource Recovery Centre Power and Data Resilience	\$457	\$349	(\$108)	\$500
<b>Climate change mitigation and adaption</b>				
1888- Low Carbon Fund	\$40	\$103	\$64	\$552
1924 - Improving remote monitoring capabilities	\$12	-	(\$12)	\$43
<b>Roading</b>				
167-James Line (Schnell Dr to Kelvin Grove Rd) - Improvements	\$301	\$152	(\$149)	\$294
201-Urban Growth - Development Contributions - Transport	\$8	-	(\$8)	\$217
279-City-wide - Minor transport improvements	\$252	\$630	\$378	\$630
684-Longburn Rongotea Road/No. 1 Line - Intersection Safety Upgrade	\$21	\$197	\$177	\$197
1003-Whakarongo - Intersection Upgrades	\$260	\$201	(\$59)	\$249
1367-City-wide - Street Light Infill	\$575	\$748	\$172	\$923
1615-City-wide - Parking and Traffic Signs and Marking	\$111	\$30	(\$81)	\$69
1804-Road drainage improvements	\$143	\$105	(\$38)	\$169
1807-City-wide - Car park infrastructure improvements	\$118	\$2	(\$116)	\$352
1808-City-wide - Street amenity improvements	\$11	-	(\$11)	\$50
2059-Urban Transport Improvements - Enabling PNITI	\$369	\$368	(\$1)	\$368
2123-Urban Growth - Kakatangiata - Transport	\$672	\$300	(\$372)	\$901
2142-Physical deterrent (installation of speed humps) at additional locations	(\$1)	\$25	\$26	\$25
2204-Address Street Racer Issues	\$44	\$25	(\$19)	\$50
2254-Safety Improvements at College Street/Botanical Road Intersection	-	\$120	\$120	\$450
<b>Stormwater</b>				
51-Urban Growth - Development Contributions - Stormwater	\$194	\$217	\$23	\$217
1372-City-wide Stormwater Pump Stations Improvement	\$59	\$149	\$90	\$300

1708-City-wide - Stormwater Flood Mitigation	\$133	\$230	\$97	\$230
2034-Urban Growth - Ashhurst - Stormwater	\$703	\$550	(\$153)	\$572
<b>Governance and Active Citizenship</b>				
1676 - Improve participation in Council and Committee meetings	\$226	\$230	\$4	\$230
<b>Organisational Performance</b>				
60 - IM Strategic Plan - New Software Applications	\$52	\$81	\$29	\$113
<b>Strategic Investments</b>				
99-New Vehicles and Plant to enable the delivery of improved Council services	\$139	\$37	(\$102)	\$194
<b>Wastewater</b>				
66-Totara Road Wastewater Treatment Plant - Resilience Programme	\$209	\$351	\$142	\$719
73-Urban Growth - Development Contributions - Wastewater	-	-	-	\$108
1074-Totara Road Wastewater Treatment Plant - Earthquake Strengthening of Civil Structures	\$120	\$205	\$85	\$360
1535-City-wide - Campervan Dump Stations	\$8	\$75	\$67	\$214
1616-City-wide - Wastewater Pump Station - Capacity Upgrade	\$93	\$250	\$157	\$250
1617-Totara Road Wastewater Treatment Plant - Biogas System Improvements	\$197	\$523	\$326	\$927
1619-Totara Road Wastewater Treatment Plant - Inlet Screens	(\$30)	-	\$30	\$30
1711-Industrial Growth - Longburn Industrial Park - Wastewater	\$13	\$301	\$288	\$951
1821-City-wide Wastewater Pipeline Realignment of at-risk mains	\$40	\$107	\$67	\$151
2229-City-wide - Wastewater Pipe Improvement	\$153	\$365	\$212	\$700
<b>Water</b>				
124-Turitea WTP - Drinking Water Standards Upgrades	\$123	\$300	\$177	\$300
246-Urban Growth - Development Contributions - Water Supply	\$0	-	(\$0)	\$271
986-Turitea Dams - Aeration Upgrade	\$15	\$114	\$100	\$210
1054-Ashhurst - Water Quality Improvements	\$106	\$250	\$144	\$250
1170-Urban Growth - Kakatangiata - Water Supply	\$62	\$100	\$38	\$100
1384-City-wide - Water Supply Resilience - Additional Reservoirs	\$36	\$119	\$84	\$119
1389-City-wide - Water Supply Resilience - Security of Supply	\$87	\$241	\$154	\$500
1697-Turitea WTP - Water Supply Resilience - Upgrades	\$638	\$844	\$206	\$920
1864-Longburn Extension - Water Supply	\$4	-	(\$4)	\$120
1883-Water Operations -Small Plant & Equipment - New	\$23	-	(\$23)	\$59
2048-City-wide - Water Toby and Manifold enhancements	\$556	\$330	(\$226)	\$500
2226-Urban Growth - Terrace End Bore	\$11	\$171	\$160	\$200
2060-City-wide - Commercial Water Meters	\$23	\$75	\$52	\$174
<b>Capital RENEWAL</b>				
<b>Active and Public Transport</b>				
64-City-wide - Footpath Renewals (Waka Kotahi Subsidies)	\$541	\$450	(\$91)	\$705
181-City-wide - Public Transport Infrastructure Renewals	-	-	-	\$33
648-City-wide - Supporting Cycle Infrastructure Renewals	\$18	-	(\$18)	\$22
2110-City-wide - Footpath Renewals (No Subsidy)	-	\$344	\$344	\$344
<b>Active Communities</b>				
819 - CET Arena - Replacement of Equipment	\$43	\$27	(\$16)	\$56
1051-CET Arena - Arena Renewals	\$731	\$274	(\$457)	\$400
1759-CET Arena - Grounds Renewals	\$27	\$15	(\$12)	\$49
1786-Recreational Buildings - Sports Pavilion and Changing Room Renewals	\$534	\$479	(\$55)	\$440
1827-Local Reserves - Renewals	\$371	\$356	(\$15)	\$539
1829-Sportsfields and Artificial Turfs - Renewals	\$38	\$65	\$26	\$100
1830-City Reserves - Memorial Park - Renewals	\$30	\$128	\$98	\$157
1831-City Reserves - Te Marae o Hine - The Square - Renewals	\$49	\$30	(\$19)	\$95
1832-City Reserves - Ashhurst Domain - Renewals	\$60	\$21	(\$39)	\$89

1834-City Reserves - Walkways - Renewals	\$130	\$65	(\$65)	\$117
1835-City Reserves - Linklater Reserve - Renewals	\$9	\$12	\$3	\$19
1840-City Reserves - Victoria Esplanade- Renewals	\$30	\$0	(\$30)	\$75
1960 - CET Arena - Arena 1 Sound System	-	-	-	\$205
1962 - Arena Security Card System	\$58	-	(\$58)	\$59
1963 - CET Arena- Score clock Replacement Arena2	\$30	-	(\$30)	\$377
1964 - Arena Indoor Stadium Sound System Replacement	-	-	-	\$304
1965 - Arena Kitchen Equipment Replacement	\$38	\$39	\$1	\$39
<b>Arts and Heritage</b>				
213-Cultural Facilities - Renewals	\$341	\$346	\$5	\$538
<b>Connected Communities</b>				
40 - Noise Measuring Equipment for Noise Complaints	-	-	-	\$15
178 - Replacement of Shelving, Furniture and Equipment	(\$0)	\$15	\$15	\$15
180-Social Housing - Renewals	\$328	\$405	\$77	\$381
186-Public Toilets - Renewals	\$36	\$32	(\$4)	\$275
188 - Replacement and Purchase of Library Materials	\$539	\$608	\$69	\$810
203 - Community Libraries, Youth Space, Blueprint and Mo	\$27	\$34	\$7	\$34
265-Community Centres - Renewals	\$59	\$125	\$65	\$125
563-Cemeteries - Kelvin Grove - Crematorium Office reconfiguration to address health and safety issues	\$268	\$266	(\$2)	\$265
567-Cemeteries - Crematorium Chapel Interior Renewals	\$52	\$66	\$14	\$66
1120-Community Libraries - Renewals	\$26	\$65	\$39	\$65
1136-CET Wildbase Recovery Centre - Renewals	\$105	\$108	\$3	\$108
1138 - Technology to Support 21st Century Citizens (Renewal)	\$20	\$25	\$5	\$25
1269 - Bylaw Signage - Replacement	-	-	-	\$7
1452 - Community Stage - repair	-	-	-	\$11
1769-Community Agency Facilities - Renewals	\$19	\$22	\$3	\$22
1775-Central Library - Renewals	\$99	\$156	\$58	\$164
1796-Cemeteries - Building Renewals	\$11	\$28	\$17	\$93
1828-Cemeteries - Non-Building Asset Renewals	\$63	\$74	\$11	\$102
1971 - CET Wildbase Recovery Signage	-	-	-	\$81
1972 - CET Wildbase Recovery Digital Capacity	-	-	-	\$81
<b>Economic Development</b>				
270-Holiday Park - Renewals	\$103	\$88	(\$15)	\$300
664-Conference & Function Centre - Renewals	\$87	\$138	\$51	\$138
1730-Information Centre - Building Renewals	\$29	\$16	(\$13)	\$16
1166 - Conference & Function Centre - Equipment Purchases	\$42	\$54	\$12	\$74
1943 - Information Centre Refurbishment	\$26	-	(\$26)	\$45
251 - Conference - Replacement of Equipment	\$30	\$27	(\$3)	\$38
272 - Staff Cafeteria - Replacement of Equipment	\$6	\$5	(\$2)	\$6
<b>Manawatu River</b>				
1825-City Reserves - Manawatu River Park - Renewals	\$31	\$25	(\$6)	\$29
<b>Organisational Performance</b>				
281-CAB - Renewals	\$149	\$484	\$334	\$620
1512 - CCTV replacements	\$48	\$63	\$15	\$115
221 - Print Synergy - Replacement of Print Synergy Machi	\$20	-	(\$20)	\$36
318 - Telecommunications Replacement - Council Buildings	(\$17)	\$54	\$71	\$77
53 - Computer Replacement - Rolling Replacements	\$70	\$180	\$110	\$317
58 - Network Additions and Upgrades	\$15	\$27	\$12	\$44
68 - Aerial Photography	\$7	\$27	\$20	\$69
784 - Replacement of Council's Photocopiers/Printers	\$13	\$36	\$23	\$53
<b>Resource Recovery</b>				

185-Closed Landfills and Transfer Stations - Site Renewals	(\$16)	\$34	\$49	\$42
612-Recycling - City-wide Wheelie Bin and Crate Renewals	\$126	\$72	(\$54)	\$100
649-Recycling - Materials Recovery Facility Renewals	\$23	\$151	\$128	\$232
1368-City-wide - Public Space Rubbish & Recycling Bins Renewals	\$30	\$25	(\$5)	\$49
1374-City-wide - Recycling Drop Off Facilities - Renewals	\$9	\$9	\$1	\$11
1721-Composting Activity Site Renewals	\$5	\$0	(\$5)	\$9
1784-Rubbish and Recycling Buildings - Renewals	\$74	\$42	(\$32)	\$76
<b>Roading</b>				
74-City-wide - Street Light Renewals	\$249	\$259	\$11	\$469
82-Off-street Parking Renewals	-	-	-	\$81
122-City-wide - Road Drainage Renewals	\$396	\$282	(\$114)	\$408
162-City-wide - Vehicle Crossing Renewals	\$61	\$90	\$29	\$130
1805-City-wide - Transport structure component renewal	\$300	\$24	(\$275)	\$413
2109-City-wide - Sealed Pavement Renewals (No Subsidy)	\$19	\$7	(\$12)	\$27
<b>Stormwater</b>				
20-City-wide - Stormwater Pump Station Renewals	\$108	\$179	\$71	\$179
1062-City-wide - Stormwater Network Renewal Works	(\$45)	-	\$45	\$51
<b>Strategic Investments</b>				
80-Council Small Mobile Plant and Equipment - Replacement	\$43	\$55	\$12	\$294
85-Depot - Buildings and Structures Renewals	\$55	\$106	\$51	\$106
1753-Investment Properties - Building Renewals	\$80	\$74	(\$6)	\$77
1791-Parks Depot - Building Renewals	\$327	\$207	(\$120)	\$321
2022-Property - Hard Surfaces Renewals	\$214	\$104	(\$110)	\$294
<b>Wastewater</b>				
65-City-wide - Wastewater Pump Station Renewal	\$158	\$213	\$55	\$497
179-Totara Road Wastewater Treatment Plant - Minor Equipment Renewals	\$72	\$269	\$197	\$269
1068-Totara Road Wastewater Treatment Plant - Replacement of Inlet Pumps	\$100	\$98	(\$2)	\$100
1380-Totara Rd WWTP - Biogas Generator Major Overhauls	\$90	\$154	\$64	\$200
1714-City-wide Wastewater Trunk Mains Renewal	\$78	\$127	\$49	\$193
1799-Wastewater Treatment Plant - Buildings Renewals	\$86	\$91	\$4	\$91
<b>Water</b>				
88-Turitea WTP - Falling Main Rehabilitation	\$11	\$108	\$98	\$108
207-Turitea WTP - Equipment and Facility Renewals	\$345	\$398	\$53	\$404
214-City-wide - Water Toby and Manifold Renewals	\$224	\$335	\$111	\$542
1700-City-wide - Water Meter Renewals	\$258	\$235	(\$23)	\$349
1701-City-wide - Water Supply Valve & Hydrant Renewals	\$42	-	(\$42)	\$117
1797-Water Treatment Plant - Building Renewals	\$13	\$4	(\$9)	\$33
1822- Water Pump Stations - Building Renewals	\$23	\$19	(\$4)	\$19
2042-Turitea WTP - Raw Water Main Renewal	-	\$54	\$54	\$71

## Appendix 7 – Financial Statements

Palmerston North City Council  
Summary of Financial Performance  
For the period to 31 March 2024

	Year to Date			Full Year	
	Actual	Budget	Actual	Revised	Annual
	\$M	\$M	Prior Year \$M	Budget \$M	Budget \$M
<b>OPERATING REVENUE</b>					
Rates revenue	93.6	93.2	87.1	124.2	124.2
Finance revenue	1.5	0.1	0.9	0.2	0.2
Other revenue	24.2	24.8	29.0	33.1	33.2
Operating subsidies and grants	5.0	5.5	5.1	8.1	7.9
<b>TOTAL OPERATING REVENUE</b>	<b>124.3</b>	<b>123.6</b>	<b>122.1</b>	<b>165.6</b>	<b>165.5</b>
<b>CAPITAL REVENUE</b>					
Capital subsidies and grants	5.9	13.1	4.0	18.6	17.7
Development contributions	2.8	2.4	6.6	3.2	3.2
Vested assets	0.0	1.5	12.7	2.0	2.0
<b>TOTAL CAPITAL REVENUE</b>	<b>8.7</b>	<b>17.0</b>	<b>23.3</b>	<b>23.8</b>	<b>22.9</b>
<b>TOTAL REVENUE</b>	<b>133.0</b>	<b>140.6</b>	<b>145.4</b>	<b>189.4</b>	<b>188.4</b>
<b>EXPENSES</b>					
Employee remuneration	46.1	45.4	42.4	60.9	59.9
Elected member remuneration	0.8	0.8	0.8	1.1	1.1
Depreciation and amortisation	32.3	32.3	31.3	43.0	43.0
Finance costs	8.7	7.4	6.0	9.9	9.9
Professional service costs	12.8	12.9	10.7	17.1	11.5
Other expenses	38.7	36.9	34.6	48.7	54.4
<b>TOTAL EXPENSES</b>	<b>139.4</b>	<b>135.7</b>	<b>125.8</b>	<b>180.7</b>	<b>179.8</b>
<b>NET SURPLUS/(DEFICIT) BEFORE TAX</b>	<b>(6.4)</b>	<b>4.9</b>	<b>19.6</b>	<b>8.7</b>	<b>8.6</b>

Palmerston North City Council  
Statement of Financial Position  
For the period to 31 March 2024

	2023/24			As at 30 June 2023
	As at 31 March 2024		Full Year	
	Actual \$M	Budget \$M	Rev Budget \$M	
<b>Current Assets</b>				
Cash & Short Term Deposits	7	2	2	2
Trade and other receivables	13	16	18	18
Inventories	5	5	5	5
Derivative financial instruments	4	4	4	4
Other financial assets	26	-	-	-
<b>Total Current Assets</b>	<b>55</b>	<b>27</b>	<b>29</b>	<b>29</b>
<b>Non-Current Assets</b>				
Property, plant and equipment	2,269	2,283	2,310	2,248
Inventories (non-current)	-	1	1	1
Intangible Assets	1	1	1	1
Forestry Assets	2	2	2	2
Investment Properties	5	5	5	5
Investments & Advances	18	16	16	16
Derivative financial instruments	5	8	8	8
Other Financial Assets	8	5	5	5
<b>Total Non-Current Assets</b>	<b>2,308</b>	<b>2,321</b>	<b>2,348</b>	<b>2,286</b>
<b>Total Assets</b>	<b>2,363</b>	<b>2,348</b>	<b>2,377</b>	<b>2,315</b>
<b>Current Liabilities</b>				
Trade and other payables	23	26	26	26
Provisions	1	1	1	1
Current Employee Entitlements	6	7	7	7
Current Portion - Term Liabilities	26	20	20	20
<b>Total Current Liabilities</b>	<b>56</b>	<b>54</b>	<b>54</b>	<b>54</b>
<b>Non-Current Liabilities</b>				
Provisions	-	-	-	-
Employee benefit liabilities	1	1	1	1
Term Liabilities	254	229	239	200
Derivative financial instruments	-	-	-	-
<b>Total Non-Current Liabilities</b>	<b>255</b>	<b>230</b>	<b>240</b>	<b>201</b>
<b>Total Liabilities</b>	<b>311</b>	<b>284</b>	<b>294</b>	<b>256</b>
<b>Assets less Liabilities</b>	<b>2,052</b>	<b>2,064</b>	<b>2,083</b>	<b>2,059</b>
<b>Public Equity</b>				
Retained earnings	1,090	1,103	1,107	1,098
Other reserves	961	961	976	961
<b>Total Public Equity</b>	<b>2,051</b>	<b>2,064</b>	<b>2,083</b>	<b>2,059</b>

Palmerston North City Council  
Statement of Cash Flows  
For the period to 31 March 2024

	Year to Date		Full Year
	Actual \$M	Revised Budget \$M	Revised Budget \$M
<b>Cash Flows From Operating Activities</b>			
Receipts from rates revenues	91.5	93.5	124.2
Interest received	1.5	0.1	0.2
Dividends received	-	-	-
Operating subsidies and grants	5.0	5.5	8.1
Receipts from other revenue	23.6	23.5	33.2
Capital subsidies and grants	5.9	14.1	18.5
Development contributions	2.8	2.4	3.2
Receipts from tax losses	-	-	-
Interest paid	(8.7)	(7.2)	(9.9)
Payments to suppliers and employees	(96.5)	(94.5)	(127.8)
Goods and Services Tax (net)	4.2	(1.6)	-
<b>Net Cash From Operating Activities</b>	<b>29.3</b>	<b>35.8</b>	<b>49.7</b>
<b>Cash Flows From Investing Activities</b>			
Proceeds from sale of property	-	-	7.5
Proceeds from sale of biological assets	-	-	-
Investment in property development	-	-	-
Purchase of property, plant and equipment	(55.6)	(66.6)	(96.5)
Net other advances repayment received/(made)	-	-	-
Net increase in investments	(28.2)	-	-
<b>Net Cash From Investing Activities</b>	<b>(83.8)</b>	<b>(66.6)</b>	<b>(89.0)</b>
<b>Cash Flows From Financing Activities</b>			
Short term investments (4-12 months)	-	-	-
Net borrowing proceeds/(repaid)	59.7	29.5	47.9
Repayment of leases	-	-	-
<b>Net Cash From Financing Activities</b>	<b>59.7</b>	<b>29.5</b>	<b>47.9</b>
<b>Net Increase/(decrease)</b>	<b>5.2</b>	<b>(1.3)</b>	<b>8.6</b>
Cash at beginning of year	1.7	1.7	1.7
<b>Cash at Month End</b>	<b>6.9</b>	<b>0.4</b>	<b>10.3</b>



## Appendix 8 – Approved variations to Annual Budget

After the Annual Budget 2023/24 was approved, the following changes were authorised by Council for the 2023/24 financial year. These also impacted the debt, or capital expenditure if it relates to capital revenue.

### Variations to Annual Budget 2023/24 approved by Council

Profit and Loss	\$000	New in quarter
<b>Annual Budget 2023/24 Net Surplus/(Deficit)</b>	<b>8,629</b>	
<b>Changes authorised by Council:</b>		
Carry forward adjustments:		
1572-Enterprise Resource Planning (ERP) System Replacement (Carry Forward Adjustment)	(756)	
1520-Digital Transformation	24	
115-City-wide - Sealed Pavement Renewals (Waka Kotahi Capital Subsidies)	238	
2059-Urban Transport Improvements - Enabling PNIT (Waka Kotahi Capital Subsidies)	187	
2057-Regional Shared Path Network Improvements (Waka Kotahi Capital Subsidies)	153	
2119-Road to Zero - Transport Safety Improvements (Waka Kotahi Capital Subsidies)	105	
Other budget adjustments authorised by Council:		
1535-City-wide Campervan Dump Stations (Capital revenue)	100	
Ashhurst Te Apiti Three Bridges Loop Track Investigations (Waka Kotahi Operating Subsidies)	157	
Ashhurst Te Apiti Three Bridges Loop Track Investigations	(157)	
Investigation and analysis of investment options for Palmerston North Airport Limited (\$50k offset from existing budgets)	0	
<b>Revised Budget 2023/24 Net Surplus/(Deficit) Before Tax</b>	<b>8,680</b>	

Capital Expenditure	\$000	New in Quarter
<b>Annual Budget 2023/24 Capital Expenditure</b>	<b>93,344</b>	
Changes authorised by Council:		
Net carry forward adjustments (approved Sep-23)	2,811	
P-1535-City-wide Campervan Dump Stations (approved Oct-23)	100	
P-74-City-wide - Street Light Renewals (approved Nov-23)	350	
P-1846-City Growth - City Reserves - Walkway Extensions - Capital New (approved Dec-23)	150	
P-1862-Urban Growth - Kakatangiata - Reserves Purchase and Development (approved Dec-23)	470	
P-2123-Urban Growth - Kakatangiata – Transport (approved Dec-23)	750	
P-139-City-wide - Sealed Road Resurfacing (approved Dec-23)	356	
P-2233-City-Wide - Urban Cycle Infrastructure Improvements - Streets for People (approved Dec-23)	178	
P-2206-Storm Damage – August 2022 Roding (approved Dec-23)	800	
P-2526-Amberley Ave Culvert Replacement (approved Dec-23)	2,475	
P-1763-CET Arena Property Purchase (approved Feb-24)	1,260	Yes
P-2343-New Community Hubs (approved Feb-24)	2,010	Yes
Changes authorised by Chief Executive:		
P-1862-Urban Growth - Kakatangiata - Reserves Purchase and Development (authorised Dec-23)	44	
<b>Revised Budget 2023/24 Capital Expenditure</b>	<b>105,098</b>	

## Variations to Annual Budget 2023/24 approved by Chief Executive

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

Below are the changes approved through the Chief Executive

Activity	Programme	(\$000s)	New in Quarter
<b>Operating</b>			
Water	No programme - Remuneration	515	
Water	No programme – Net Internal Expenditure*	(515)	
Roading	No programme - Remuneration	220	
Roading	No programme – Net Internal Expenditure*	(220)	
Organisational Performance	Digital Transformation – Remuneration	250	
Organisational Performance	Digital Transformation – Professional Services	(250)	
<b>Net movement</b>		<b>0</b>	
<b>Capital New</b>			
Active and Public Transport	P-1559 - Urban Cycle Infrastructure Network Improvements	400	Yes
	P-1803 - Neighbourhood Streetscape Improvements	60	Yes
	P-2057 - Regional Shared Path Network Improvements	(400)	Yes
Active Communities	P-1838 - CG-City Reserves-Victoria Esplanade-Exotic Aviary	(25)	Yes
	P-1845 - City Growth - Te Marae o Hine - The Square	38	Yes
	P-1847 - City Growth - Victoria Esplanade - Capital New	117	Yes
	P-1856 - Urban Growth - Hokowhitu - Purchase and Development	15	Yes
	P-2209 - Arena 3 Upgrade	240	Yes
	P-697 - Clearview Reserve Development	(41)	Yes
Arts and Heritage	P-2210 - Regent Roof Upgrade	(240)	Yes
Manawatu River	P-1133 - Sportsfields-Artificial Football Field	(99)	Yes
Roading	P-2124-Urban Growth - Ashhurst - Transport	650	
	2058-Urban Growth - NEIZ - Transport	(650)	
	P-1003 - Whakarongo - Intersection Upgrades	48	Yes
	P-1615 - City-wide - Parking and Traffic Signs and Marking	15	Yes
	P-167 - James Line (Schnell Dr to Kelvin Grove Rd) - Imp.	142	Yes
	P-2119 - Road to Zero - Transport Safety Improvements	(330)	Yes
	P-2254 - Safety Improv. at College Street/Botanical Road	330	Yes
	P-279 - City-wide - Minor transport improvements	(270)	Yes
Wastewater	P-1711 - Industrial Growth - Longburn Industrial Park - WW	300	Yes
	P-2229-Citywide Wastewater Pipe Improvement	(300)	Yes

Water	P-1054 - Ashhurst - Water Quality Improvements	(150)	Yes
	P-1384 - Water Supply Resilience - Additional Reservoirs	(550)	Yes
	P-2228 - City-wide - Water Main Improvement	550	Yes
	P-986 - Turitea Dams - Aeration Upgrade	150	Yes
<b>Net movement</b>		<b>0</b>	
<b>Activity</b>	<b>Programme</b>	<b>(\$000s)</b>	<b>New in Quarter</b>
<b>Capital Renewal</b>			
Connected Communities	P-180-Social Housing - Renewals	(150)	
	P-1120 - Community Libraries - Renewals	(38)	Yes
	P-265 - Community Centres - Renewals	38	Yes
Roothing	P-115 - Sealed Pavement Renewals (Waka Kotahi Subsidies)	(500)	Yes
	P-139 - City-wide - Sealed Road Resurfacing	250	Yes
	P-1805 - City-wide - Transport structure component renewal	250	Yes
Strategic Investments	P-1753-Investment Properties - Building Renewals	(50)	
	P-1791-Parks Depot - Building Renewals	200	
Wastewater	P-179 - WWTP - Minor Equipment Renewals	(200)	Yes
	P-54 - City-wide - Wastewater Pipe Renewal	200	Yes
Water	P-1701 - City-wide - Water Supply Valve & Hydrant Renewals	(100)	Yes
	P-199 - Water Supply Bore and Network Facility Rnw	100	Yes
<b>Net movement</b>		<b>0</b>	

\* These movements increase the internal labour recovery budget to recognise the portion of the remuneration budget that is funded through capital budgets.

## Low Carbon Fund

Council approval has been granted separately to enable the the Chief Executive to action movements of 100% of the Capital Programme 1888-Low Carbon Fund. A report will be presented to Council with further details as to how the fund is performing and delivering outcomes.

Below are the allocations from the Low Carbon Fund approved through the Chief Executive:

<b>P-1888-Low Carbon Fund</b>	<b>\$000</b>	<b>New in quarter</b>
<b>Budget to Allocate</b>	<b>1,049</b>	
<b>Allocations authorised by Chief Executive:</b>		
P-1879 - Council's Plant and Vehicle – Replacements (Electric Vehicles x2)	130	
P-99 - New Vehicles and Plant (electric ATV)	37	
P-1791 - Parks Depot - Building Renewals (boiler upgrade)	25	
P-1884 - Accessibility and Safety Improvements (conversion of car park lighting to LED in selected reserves)	46	
P-80 - Council Small Mobile Plant and Equipment (Electric Ride on mower)	54	
P-1879 - Council's Plant and Vehicle – Replacements (electric vehicles to replace pool vehicles)	195	
P-1853 - Development of Existing Reserves (electric power tools)	10	
<b>Total allocations authorised by Chief Executive:</b>	<b>497</b>	
Total spend directly on P-1888 – Low Carbon Fund	40	
<b>Budget remaining to be allocated</b>	<b>512</b>	

## Appendix 9 – Elected Member training

Name	Training	Cost	Details
Brent Barrett	People power: The path to low carbon transport 2Walk and Cycle	\$928 \$280	In person course registration Travel and accommodation
Rachel Bowen	Design and Plan Engagement, IAP2	\$1,284	Online course registration
Orphee Mickalad	Global Cities NZ Conference	\$920 \$1,093	In person course registration Travel and accommodation
Orphee Mickalad	Public Law paper, Victoria University	\$908	Tuition fees (50%)
Grant Smith	Global Cities NZ Conference	\$920 \$917	In person course registration Travel and accommodation

## Appendix 10 – Funding update

Recently the Minister for Local Government made announcements about the next stage of Local Water Done Well (LWDW). Included in those announcements, the Minister advised that Cabinet has agreed to retain existing funding arrangements under the previous Government's water reform programme and has asked the DIA to work with Councils and Iwi Collectives to align these to Local Water Done Well.

The current Three Waters Transition Support funding will be retained to enable Councils to use this funding for work relating to LWDW, including supporting the establishment of new water services delivery organisations, or other planning work to support the transition to LWDW. Based on that announcement, we expect to receive payment owing for the final two applications submitted under the previous funding package totalling \$412,500.

For Better Off Funding, the DIA will work with Councils to identify opportunities to redirect unspent BOF to increase investment in water infrastructure or to help establish new water services delivery organisations.

The table below summarises the funding that Council has received to date based on the last BOF six-monthly report to 31 December 2023:

Project	Total BOF	Request 1 (Advanced pay)	Request 2 (Received)	Remaining BOF
Construction of Summerhays site	\$4,160,000	-	\$542,000	\$3,618,000
Design of Summerhays, rezoning & design of Huia St, City Centre Housing site investigation & design	\$1,500,000	-	\$125,527	\$1,374,473
Te Motu O Poutoa	\$1,000,000	-	\$194,538	\$805,462
Multicultural Community Hub – investigation & design	\$500,000	\$150,000	-	\$350,000
Rangitane BOF Resource	\$500,000	-	\$11,904 <sup>1</sup>	\$488,096
Te Hotu Manawa o Rangitane Marae wharenui & wharepaku upgrade	\$500,000	\$500,000	-	-
<b>Total</b>	<b>\$8,160,000</b>	<b>\$650,000<sup>2</sup></b>	<b>\$873,969</b>	<b>\$6,636,031</b>

<sup>1</sup> The Kairaukaha Taiao contract for services started on 1/1/24 – BOF claim no. 2 included the first month of services under that contract i.e. services for Jan-24.

<sup>2</sup> The BOF contract provided for the first funding instalment to be claimed in advance. The sum of \$51,691 of the advance payment was spent at the time the BOF six-monthly report was submitted.

Project	Status update
Construction of Summerhays site	Options for the delivery of the Summerhays project will be reported to Council on 1 May 2024 and funding requirements will depend on how Council chooses to proceed. Construction procurement will commence at completion of detailed design, likely in mid-to-late 2025. Earthworks and civil works to follow.
Design of Summerhays, rezoning & design of Huia St, City Centre Housing site investigation & design	Procurement for a development partner to help fund the balance of the Summerhays project is underway. Detailed design will commence after a partnership agreement has been entered, should Council choose this method of delivery. Work is also underway to prepare for the upcoming rezoning proposal for the Summerhays and Huia St sites. We are looking to publicly notify the plan change proposal in December 2024. Huia St investigation and concept designs are complete. Input and decisions from Council about housing outcomes will be sought prior to detailed design. City Centre Housing investigation is almost complete. A final report is expected in April and will guide decisions about how to proceed.
Te Motu O Poutoa	The Rangitane o Manawatu Committee was advised in February, that the SGL Group have been engaged to undertake a preliminary analysis of ownership, governance and management options based on the concept plan and examples from around New Zealand. SGL are due to report back to officers in early April. This information is needed to inform the management case within the overall business case for the project.
Multicultural Community Hub – investigation & design	Investigation work has been completed as planned. Based on that work, the assumption in the draft LTP is that we will lease a site rather than build. Providing a suitable premise is found, an initial fit-out will follow. This is a change in direction from what was originally proposed for BOF. Approval may be required to use the remaining BOF for this purpose. If not agreed, Council will need to consider how to fund those costs.
Rangitane BOF Resource	The Kairaukaha role has been formally established within TMI and a contract for services has been signed between TMI and the Council. The role was initially filled by a contractor one day per week and is now filled by a TMI employee that spends time at both TMI and Council assisting with cultural input on a wide variety of Council projects. A recent focus has been on stormwater management. The role will help build capacity and capability within TMI and further enhance cultural capability within Council. In time it is anticipated that the Kairaukaha role will reduce the burden on Rangitāne leaders as cultural input will be provided directly into projects via the Kairaukaha role.
Te Hotu Manawa o Rangitane Marae wharenuī & wharepaku upgrade	The full amount of Better Off Funding has been received for this project. Consent application was previously held up due to delays in completing a fire report. The report is now finished, and the full consenting material will be submitted. Tenders and construction will follow.



## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 8 May 2024

**TITLE:** Treasury Report - quarter ending 31 March 2024

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

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

### RECOMMENDATION TO STRATEGY & FINANCE COMMITTEE

1. That the Committee note the performance of Council's treasury activity for the quarter ending 31 March 2024.

#### 1. ISSUE

- 1.1 To provide an update on the Council's treasury activity for the quarter ending 31 March 2024.

#### 2. BACKGROUND

- 2.1 The Council's Annual Budget 2023/24 forecast additional debt requirements of \$36.2m would need to be raised during the year to fund the \$65.4m of new capital expenditure programmes (including assumed carry forwards from 2022/23). In June 2023 the Council resolved to specifically authorise the raising of up to \$37m of additional debt. On 6 March 2024 Council authorised this sum being increased to \$47m to enable debt to be raised to fund additional capital expenditure approved by Council.
- 2.2 Council's Financial Strategy (updated version adopted 7 July 2021) contains the following ratios which the Council has determined to be prudent maxima:
  - Net debt as a percentage of total assets not exceeding 20%
  - Net debt as a percentage of total revenue not exceeding 200%
  - Net interest as a percentage of total revenue not exceeding 15%
  - Net interest as a percentage of annual rates income not exceeding 20%
- 2.3 The Treasury Policy (embracing the Liability Management and Investment Policy), an updated version of which was adopted by the Council on 14 February 2024, also contains a number of other criteria regarding debt management.

### 3. PERFORMANCE

- 3.1 Following the annual review published on 4 May 2023 Council's S&P Global Rating's credit rating remained unchanged at AA / A-1+. Due to the increased infrastructure challenges facing local authorities in NZ S&P in February issued a negative outlook notice for many Councils, including Palmerston North City Council. The latest annual review of the Council's credit rating is expected to be published in late April.
- 3.2 **Schedule 1** attached shows the details of Council's debt as at 31 March 2024. Debt levels were within the policy parameters outlined in section 2 of this report.
- 3.3 The summarised **term debt** movements are shown in the following table:

	Annual Budget for year (2023/24) \$000	Actual – 3 months (2023/24) \$000	Actual – 6 months (2023/24) \$000	Actual – 9 months (2023/24) \$000
Debt balance at 1 July 2023	220,000	220,228	220,228	220,228
Plus new debt #	36,193	33,077	58,077	68,077
Less debt repayments #		(3,200)	(8,100)	(8,100)
Closing gross debt balance	256,193	250,105	270,205	280,205
<u>Comprising:</u>				
Bank advance (on call)		4,900	0	0
LGFA stock		245,205	270,025	280,205
<u>Less:</u>				
Deposits held for debt repayment	(5,000)	(19,500)	(19,500)	(25,500)
Sum advanced to PN Airport Ltd		(8,000)	(8,000)	(8,000)
<b>Net Council related term debt</b>	<b>\$251,193</b>	<b>\$222,605</b>	<b>\$242,705</b>	<b>\$246,705</b>

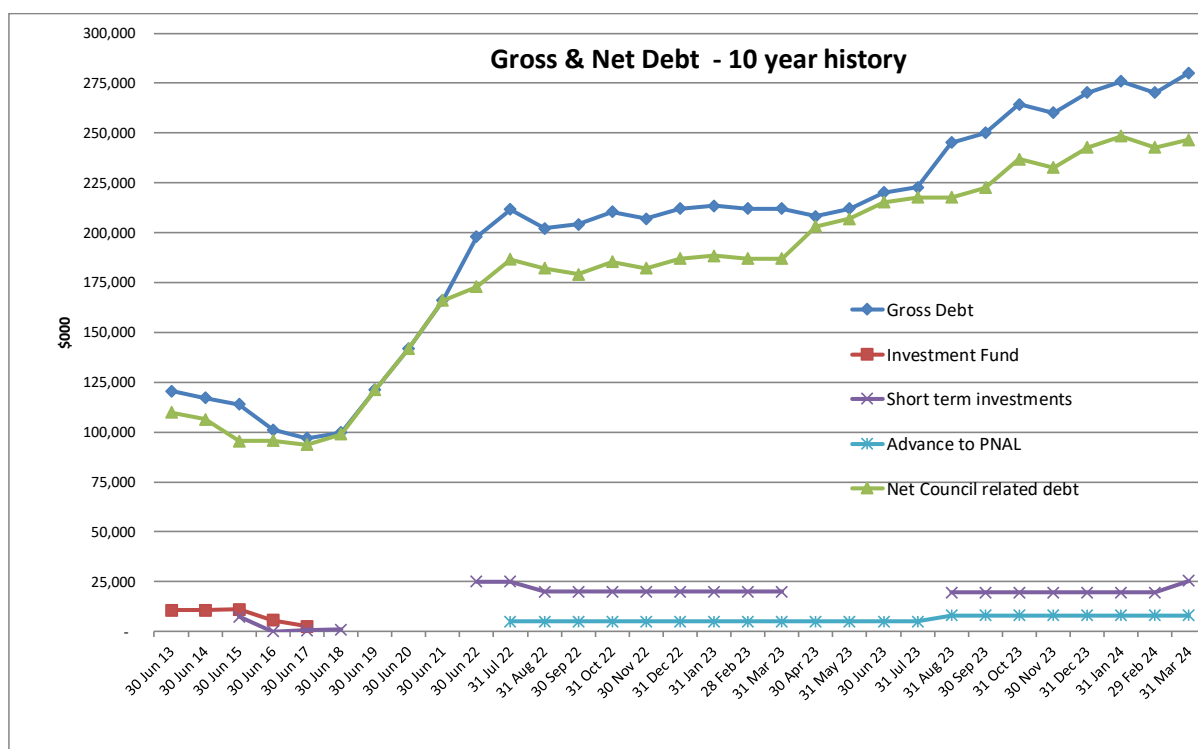
# A portion of the Council's debt is drawn on a daily basis – daily drawdowns and repayments are not included in these figures but the net draw or repayment for the year to date is shown as part of new debt or debt repayment as appropriate.

- 3.4 Gross debt at 31 March 2024 was \$280.2m compared with \$220.2m at 1 July 2023.
- 3.5 The debt raised in the 9 months to 31 March is explained further in the following table:

	Position as at 1 July 2023 \$m	Position as at 31 March 2024 \$m	Change YTD \$m
Gross debt	220.2	280.2	60.0
Less portion relating to PNAL	(5.0)	(8.0)	(3.0)
Gross debt relating to Council	215.2	272.2	57.0
Less term deposit held to repay maturing debt	0	(25.5)	(25.5)
Net Council related debt	215.0	246.7	31.7

This shows net additional term debt of \$31.7m was raised during the 9 months. This compares with the authorised total sum for the year of \$47m mentioned in clause 2.1. \$10m was raised on 11 March with \$6m of this being to fund debt maturing in September 2024. The \$6m has been placed on term deposit in the meantime.

- 3.6 A 10-year history of the gross & net debt is shown in the following graph:



- 3.7 Actual finance costs incurred by the Council depend on the actual debt levels and the interest rate. During the 9 months gross finance costs (including interest, line fees and the effects of payments relating to swaps) amounted to \$8.74m compared with the budget for the year of \$9.9m.
- 3.8 \$800k of this expense relates to \$20m raised on 14 August 2023 to prefund debt maturing on 15 April 2024 and \$6m raised on 11 March 2024 to fund debt maturing on 15 September 2024. This was offset by unbudgeted interest income of \$838k received from short term investment of \$25.5m. A further \$264k of this expense relates to the \$8m of loans raised on behalf of Palmerston North Airport Limited (PNAL) and this was offset by \$280k received from PNAL for the advance.
- 3.9 Deducting this unbudgeted interest income of \$1.12m from the gross interest expense of \$8.74m means a net interest expense year to date of \$7.62m compared with the annual budget of \$9.9m.
- 3.10 The effective weighted average interest rate for the year to date is 4.65% compared with the budgetary assumption of 4.2%.
- 3.11 The Council has entered financial instruments related to its debt portfolio utilising swap trading lines established with Westpac, ANZ and BNZ. The details of these are shown in **Schedule 2** attached.

The value of these instruments is measured in terms of its 'mark-to-market', i.e. the difference between the value at which the interest rate was fixed and the current market value of the transaction. Each of these transactions was valued at the date they were fixed and again at the reporting date. Financial reporting standards require the movement in values to be recorded through the Council's Statement of Comprehensive Income (Profit & Loss Account). They have been revalued as at 31 March 2024. The latest valuation is an asset of \$8.5m compared with an asset of \$11.7m as at 30 June 2023.

- 3.12 The Council's Treasury Policy contains guidelines regarding the measurement of treasury risk as follows:
  - Funding and liquidity risk is managed by the Council maintaining a pre-set portion of its debt in a range of maturity periods, e.g. < 3 years, 3 - 7 years, 7 years +.
  - Interest rate risk is managed by the Council maintaining the ratio of debt that is subject to floating versus fixed interest rates within pre-set limits.
- 3.13 The position compared to the policy is illustrated in the graphs in **Schedule 3** attached.
- 3.14 The funding and liquidity risk position can be summarised as follows:
  - Council's liquid position complies with policy.

- Since 30 June 2023 \$65m of term debt has been raised and \$8.1m of bank debt has been repaid. In addition, \$3.1m was raised on behalf of PNAL and \$3m on-lent to them.
- 3.15 The interest rate risk position describes the portion of the overall forecast debt that is fixed versus floating and can be summarised as follows:
- There is significant uncertainty about forecast levels of future debt – this very much depends on a number of factors including future Council decisions on the proposed capital expenditure programme and Government decisions on the future structure of the provision of three waters. This means it has been prudent to consider various debt scenarios (including one that excludes waters related debt) when assessing interest rate risk exposure.
  - Because the future debt levels are so uncertain our risk management strategy has been to use the forecast debt figures from 2021-31 Long-Term Plan, as updated through the 2022/23 & 2023/24 Annual Budgets but reduce them by 30%. This reduction is a mechanism to ensure the Council's portfolio does not become over-hedged.
  - More recently the Council has been considering its debt forecasts for the draft of the Long-Term Plan. In the light of this the debt forecasts for the interest rate risk management decisions are now being based on this draft.
- 3.16 The Treasury Policy also contains requirements in relation to counterparty credit risk – this relates to investments and financial risk management instruments. A new \$20m forward start swap agreement was entered on 11 March fixing interest rates for this sum at 3.99% from 2025 to 2029.
- The position as at 31 March 2024 is shown in **Schedule 4** attached.
- 3.17 Council's credit lines with the banks include a \$18m three-year credit facility with Westpac Bank (maturing 31 October 2025) and a revolving \$25m three-year facility with ANZ Bank (maturing 31 March 2027).

#### 4. CONCLUSION AND NEXT STEPS

- 4.1 Gross finance costs for the year to 31 March (including interest, line fees and the effect of swaps) was \$8.74m compared with budget for the year of \$9.9m. The net finance cost (after considering the interest income from term investments and the advance to Palmerston North Airport Ltd) is \$7.62m.
- 4.2 In conjunction with Council's treasury advisors hedging instruments are regularly reviewed in an effort to ensure the instruments are being utilised to best advantage as market conditions change. The level of hedging cover is also reviewed as the forecasts of future debt levels are revised.
- 4.3 Council's borrowing strategy is continually reviewed, in conjunction with Council's treasury advisors, to ensure best advantage is taken of Council's quality credit rating.

4.4 A further performance report will be provided after the June 2024 quarter.

## 5. COMPLIANCE AND ADMINISTRATION

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

## ATTACHMENTS

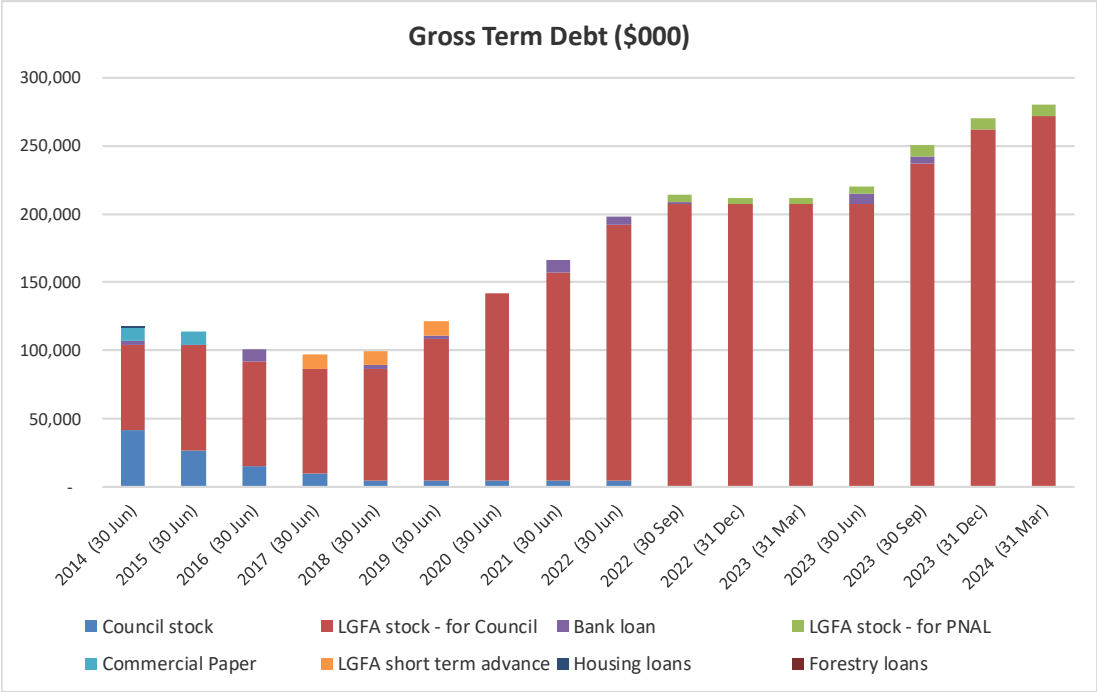
1. Attachments 1- 4 [↓](#) 

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

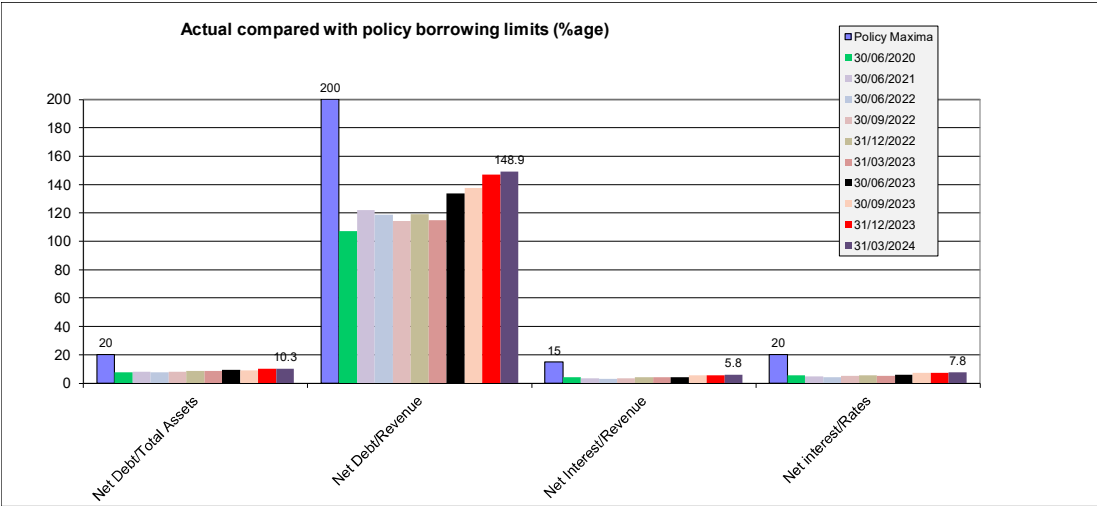
The following table shows the details of the tranches of debt on issue as at 31 March 2024:

Palmerston North City Council								
<b>Term Debt as at 31 March 2024</b>								
Issue Date	Term	Principal	Margin over BKBK	Interest Rate	Maturity Date	Current as at 31/03/2024	Interest Rate	Reset Date
<b>1. Loan Stock on Issue - Borrowed from LGFA</b>								
LGFA 23 Jul 18	6	15,000,000	0.5525%	6.1925%	15-Apr-2024	15,000,000	Floating Qtrly	15-Apr-24
LGFA 15 Apr 20	4	5,000,000	0.7850%	6.4250%	15-Apr-2024	5,000,000	Floating Qtrly	15-Apr-24
LGFA 6 Sep 17	7	6,000,000	0.6000%	6.2450%	15-Sep-2024	6,000,000	Floating Qtrly	17-Jun-24
LGFA 6 Sep 17	8	6,000,000	0.6600%	6.3000%	15-Apr-2025		Floating Qtrly	15-Apr-24
LGFA 28 Jan 20	5	8,000,000	0.5400%	6.1800%	15-Apr-2025		Floating Qtrly	15-Apr-24
LGFA 13 Jul 20	5	5,000,000	0.6700%	6.3100%	15-Apr-2025		Floating Qtrly	15-Apr-24
LGFA 22 Mar 18	8	5,000,000	0.7250%	6.3650%	15-Apr-2026		Floating Qtrly	15-Apr-24
LGFA 17 Jun 19	7	7,000,000	0.6525%	6.2925%	15-Apr-2026		Floating Qtrly	15-Apr-24
LGFA 11 May 20	6	5,000,000	0.6600%	6.3000%	15-Apr-2026		Floating Qtrly	15-Apr-24
LGFA 13 Jul 20	6	5,000,000	0.7225%	6.3625%	15-Apr-2026		Floating Qtrly	15-Apr-24
LGFA 27 Apr 23	3	10,000,000	0.5000%	6.1400%	15-Oct-2026		Floating Qtrly	15-Apr-24
LGFA 13 Nov 23	3	10,000,000	0.4600%	6.1000%	15-Oct-2026		Floating Qtrly	15-Apr-24
LGFA 16 Mar 15	12	5,000,000	0.4575%	6.0975%	15-Apr-2027		Floating Qtrly	15-Apr-24
LGFA 8 Jun 15	12	5,000,000	0.4525%	6.0925%	15-Apr-2027		Floating Qtrly	15-Apr-24
LGFA 11 Aug 20	7	10,000,000		1.1200%	15-Apr-2027		Fixed	
LGFA 9 Feb 21	6	5,000,000		1.3579%	15-Apr-2027		Fixed	
LGFA 14 Aug 23	4	10,000,000	0.4900%	6.1300%	15-Jul-2027		Floating Qtrly	15-Apr-24
LGFA 28 Jul 22	5	5,000,000	0.5000%	6.1400%	15-Oct-2027		Floating Qtrly	15-Apr-24
LGFA 30 May 23	4	10,000,000		5.2300%	15-Oct-2027		Fixed	
LGFA 13 Nov 23	4	5,000,000	0.5890%	6.2290%	15-Oct-2027		Floating Qtrly	15-Apr-24
LGFA 17 Dec 18	10	5,000,000	0.7875%	6.4275%	18-Apr-2028		Floating Qtrly	15-Apr-24
LGFA 7 Oct 19	9	5,000,000	0.7100%	6.3500%	18-Apr-2028		Floating Qtrly	15-Apr-24
LGFA 11 Aug 20	8	10,000,000	0.8300%	6.4700%	18-Apr-2028		Floating Qtrly	15-Apr-24
LGFA 10 Jul 23	5	10,000,000	0.6680%	6.3080%	15-Jul-2028		Floating Qtrly	15-Apr-24
LGFA 14 Aug 23	5	10,000,000	0.6120%	6.2520%	15-Jul-2028		Floating Qtrly	15-Apr-24
LGFA 28 Jul 22	6	5,000,000	0.5500%	6.1900%	15-Oct-2028		Floating Qtrly	15-Apr-24
LGFA 14 Nov 22	6	5,000,000	0.6170%	6.2570%	15-Oct-2028		Floating Qtrly	15-Apr-24
LGFA 11 Dec 23	5	10,000,000	0.6730%	6.3130%	15-Oct-2028		Floating Qtrly	15-Apr-24
LGFA 17 Dec 18	11	10,000,000	0.8225%	6.4625%	15-Apr-2029		Floating Qtrly	15-Apr-24
LGFA 12 Jul 21	8	10,000,000	0.3950%	6.0400%	20-Apr-2029		Floating Qtrly	22-Apr-24
LGFA 19 Dec 22	7	5,000,000	0.6590%	6.2990%	15-Oct-2029		Floating Qtrly	15-Apr-24
LGFA 11 Mar 24	5	10,000,000		5.2106%	15-Oct-2029		Fixed	15-Oct-29
LGFA 12 Jul 21	9	10,000,000	0.4350%	6.0750%	15-Apr-2030		Floating Qtrly	15-Apr-24
LGFA 18 Oct 21	9	5,000,000	0.4590%	6.0990%	15-Apr-2030		Floating Qtrly	15-Apr-24
LGFA 14 Mar 22	9	10,000,000	0.5700%	6.3100%	15-May-2031		Floating Qtrly	15-May-24
LGFA 14 Mar 22	9	10,000,000	0.5950%	6.2350%	15-Oct-2031		Floating Qtrly	15-Apr-24
		272,000,000						
<b>2. Loan Stock on Issue - Borrowed from LGFA to on-lend to PNAL</b>								
LGFA 11 Jul 22	5	5,128,205		4.1100%	15-Apr-2027		Fixed	
LGFA 14 Aug 23	5	3,076,923		5.4467%	15-Jul-2028		Fixed	
		8,205,128						
<b>3. Bank facilities</b>								
ANZ (\$25m)				6.650%	31-Mar-2027		Reset at any time	
				* plus line fee of 0.22%				
Westpac (\$18m)	On call			6.650%	31-Oct-2025		Reset at any time	
				* plus line fee of 0.3%				
<b>4. Short term facility from LGFA</b>								
		-						
<b>Total as at 31 March 2024</b>		280,205,128				26,000,000		

The following graph shows the changing nature of the structure of the debt portfolio over the last 10 years:



The Financial Strategy contains a series of ratios that the Council has determined to be prudent maxima. The chart below shows the actual results for since 2019/20 compared to those ratios.





**Schedule 2 – Interest Rate Swaps**

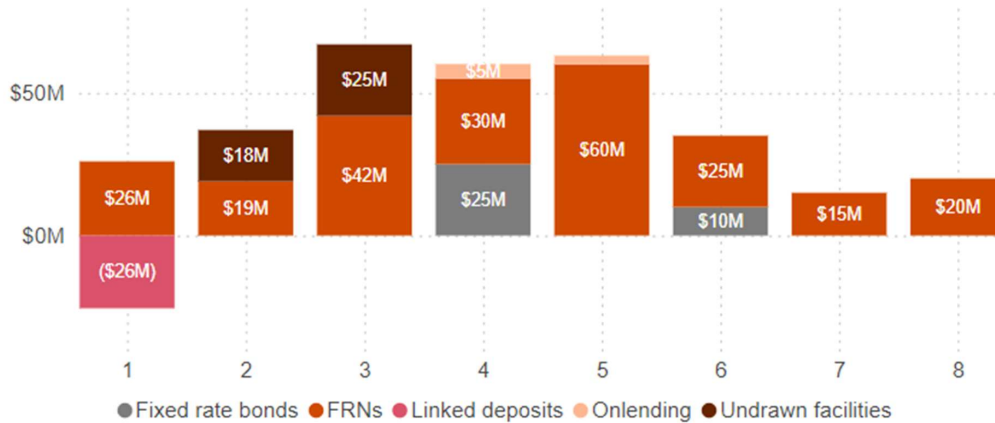
The following table schedules the swap financial instruments in place as at 31 March 2024:

Palmerston North City Council									
<b>Interest Rate Swaps as at 31 March 2024</b>									
<i>Council pays fixed &amp; receives floating on a quarterly basis</i>							<b>Current</b>	<b>Value at</b>	
Bank	Trade Date	Deal No	Amount	Start Date	Maturity	Fixed Interest	Floating	Reset date	31-Mar-24
			\$m			rate	rate		
ANZ	28-Nov-14	10730910	5.0	15-Dec-17	15-Jun-24	4.500%	5.645%	17-Jun-24	14,549
ANZ	28-Nov-14	10730993	5.0	10-Apr-18	10-Oct-24	4.515%	5.635%	10-Apr-24	38,234
ANZ	29-Nov-18	18984011	5.0	6-Dec-19	6-Sep-23	2.555%	5.69%	matured 6 Sep 23	
ANZ	29-Nov-18	18984258	2.0	6-Mar-20	6-Mar-29	3.095%	5.65%	6-Jun-24	106,978
Westpac	25-Feb-15	4218128	5.0	7-Sep-20	9-Sep-24	3.990%	5.65%	10-Jun-24	38,086
ANZ	25-Feb-15	11281075	3.0	16-Nov-20	15-Nov-24	3.990%	5.74%	15-May-24	33,752
Westpac	18-Jan-16	4910927	5.0	9-Dec-20	9-Jun-25	3.970%	5.65%	10-Jun-24	76,060
Westpac	25-Feb-15	4218131	5.0	8-Jun-21	10-Jun-24	3.990%	5.65%	10-Jun-24	20,441
ANZ	20-Jun-14	25213652	5.0	15-Dec-21	15-Jun-25	3.425%	5.645%	17-Jun-24	217,708
Westpac	16-Nov-21	9251755	7.0	8-Dec-21	8-Dec-28	3.190%	5.65%	10-Jun-24	332,432
Westpac	16-Nov-21	9251762	6.0	29-Dec-21	28-Sep-29	3.410%	5.635%	27-Jun-24	247,978
Westpac	16-Nov-21	9251772	5.0	10-Jan-22	10-Jan-30	3.380%	5.635%	10-Apr-24	246,786
Westpac	26-Feb-16	5013577	5.0	11-Apr-22	12-Jan-26	3.635%	5.64%	11-Apr-24	128,257
ANZ	13-Oct-20	22956802	10.0	15-Apr-22	15-Apr-28	0.4025%	5.64%	15-Apr-24	1,551,923
Westpac	25-Jun-21	9002142	10.0	15-Jun-22	15-Jun-28	1.8200%	5.645%	17-Jun-24	966,567
Westpac	25-Jun-21	9002154	10.0	15-Sep-22	15-Sep-28	1.9000%	5.645%	17-Jun-24	978,332
BNZ	27-Feb-20	384575543	7.0	8-Dec-22	8-Dec-28	1.3375%	5.65%	10-Jun-24	885,314
Westpac	25-Jun-21	9002127	10.0	15-Mar-23	15-Mar-28	1.9400%	5.645%	17-Jun-24	879,992
ANZ	27-Nov-17	17029213	5.0	15-Jun-23	15-Jun-27	3.7675%	5.645%	17-Jun-24	104,838
Westpac	25-Jun-21	9002104	10.0	15-Jun-23	15-Sep-27	1.9325%	5.645%	17-Jun-24	800,838
ANZ	27-Nov-17	17029223	6.0	29-Sep-23	29-Jun-27	3.7875%	5.635%	27-Jun-24	118,901
Active total at 31 Mar 24			126.0						7,787,966
ANZ	27-Mar-18	17670250	5.0	15-Jun-24	15-Jun-29	3.840%		15-Jun-24	78,805
ANZ	27-Mar-18	17670276	5.0	10-Oct-24	10-Jan-31	3.920%		10-Oct-24	58,217
ANZ	27-Mar-18	17670295	5.0	10-Jun-24	10-Jun-32	3.935%		10-Jun-24	105,861
Westpac	8-Jul-22	9735255	10.0	15-Apr-25	15-Apr-30	3.775%		15-Apr-25	101,109
Westpac	8-Jul-22	9735291	10.0	15-Jan-25	15-Sep-30	3.790%		15-Jan-25	136,207
ANZ	27-Apr-23	48752826	20.0	15-Apr-27	15-Apr-31	3.905%		15-Apr-27	110,883
ANZ	27-Apr-23	48752829	20.0	15-Jul-25	15-Jul-30	3.8025%		15-Jul-25	154,539
Westpac	11-Mar-24	11045178	20.0	15-Oct-25	15-Oct-29	3.990%		15-Oct-25	(44,988)
Forward start total at 31 Mar 24			95.0						700,633
								Total value	8,488,599

## Schedule 3 - Risk Exposure Position

## Funding &amp; Liquidity Risk Position – proportions of debt within pre-set maturity bands

## Funding and liquidity risk timeline



## Funding summary

Bucket (years)	Policy	Actual
0 - 3	15% - 60%	35%
3 - 7	25% - 85%	58%
7 - 15	0% - 60%	7%
<b>Total</b>		<b>100%</b>

## Liquidity Ratio

Policy:  $\geq 110\%$ 

Actual at 31 Mar 2024 117%

<b>Gross external debt at 31 March 2024:</b>	<b>\$280,205,128</b>
(Net debt i.e. Gross debt less pre-funding)	\$254,705,128)
(Net debt less PNAL related debt)	\$246,500,000)

<b>Undrawn bank facilities at 31 March 2024:</b>	<b>\$43,000,000</b>
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## Interest Rate Risk Position – proportions of forecast debt subject to floating versus fixed interest rates within pre-set policy limits

## As at 31 March 2024

**Current fixed rate hedging**  
65%

**Total fixed rate instruments**  
\$161,000,000

**Weighted average fixed rate of fixed rate instruments**  
2.91%

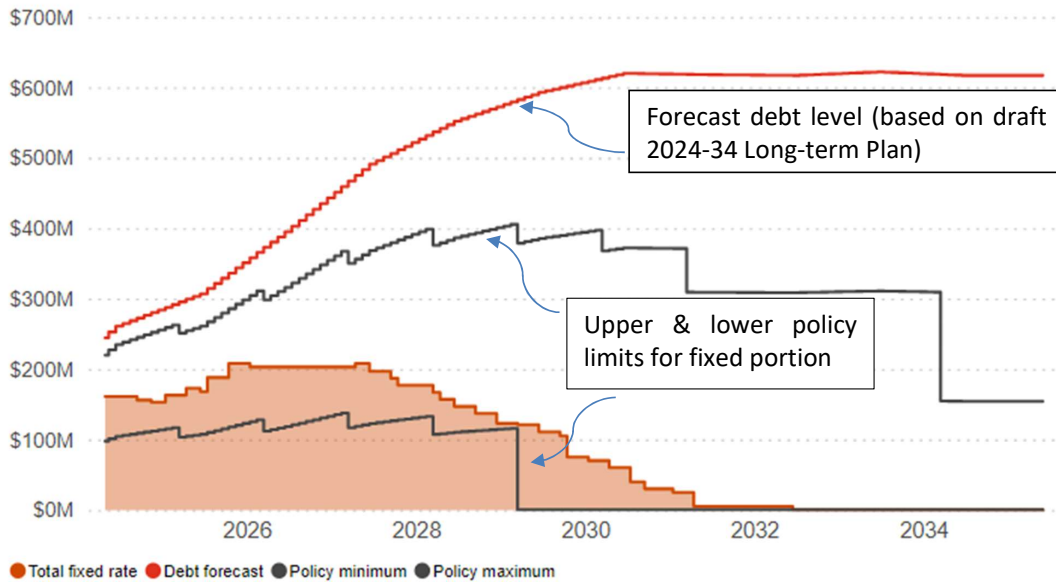
**Weighted average term of fixed rate instruments**  
4.24 years

Fixed proportions each year compared with policy – based on draft 2024-34 Long-term Plan

## Interest rate summary

#	Bucket	Min	Max	Actual
1	0 - 12	40%	90%	60%
2	12 - 24	35%	85%	58%
3	24 - 36	30%	80%	49%
4	36 - 48	25%	75%	38%
5	48 - 60	20%	70%	25%
6	60 - 72	0%	65%	16%
7	72 - 84	0%	60%	7%
8	84 - 96	0%	50%	1%
9	96 - 108	0%	50%	0%
10	108 - 120	0%	50%	0%

## Interest rate risk timeline



The shaded portion reflects the fixed portion of the forecast debt based on the draft 2024-34 Long-term Plan

## Schedule 4 – Counterparty credit limits

## Counterparty credit limits

Counterparty	Investments exposure	Investment limit	MtM	Derivatives exposure	Derivatives limit	Total exposure	Total limit	Compliant?
Westpac	\$0	\$35,000,000	\$4,892,906	\$15,281,971	\$35,000,000	\$15,281,971	\$35,000,000	✓
BNZ	\$19,500,000	\$35,000,000	\$885,485	\$984,887	\$35,000,000	\$20,484,887	\$35,000,000	✓
ANZ	\$6,000,000	\$35,000,000	\$2,614,588	\$14,544,887	\$35,000,000	\$20,544,887	\$35,000,000	✓



## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 8 May 2024

**TITLE:** Delegation Manual - Financial Delegations section update

**PRESENTED BY:** Hannah White, Democracy & Governance Manager and Scott Mancer, Finance Manager

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

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### RECOMMENDATIONS TO COUNCIL

1. That Council adopt the revisions to the financial section and definitions section of the Delegations Manual (Attachments 1 and 2), effective from 1 July 2024.
  2. That Council revoke previous sections 1.19-1.20 and 5.3-5.15 of the Delegations Manual, effective from 1 July 2024.
  3. That Council note the Fees and Charges clauses of the financial delegations will be reviewed with the Revenue and Financing Policy and a report brought back to Council.
- 

### 1. ISSUE

- 1.1 The Business Assurance Financial Delegations Review (the 'Review') of 2022 recommended a series of actions to ensure the effectiveness of the decisions, internal controls and processes put in place over financial delegations from Council. This memorandum is a response in part to the actions from this review.
- 1.2 The memorandum recommends Council adopt a series of revisions to (1) the financial delegations and (2) the definitions sections of the Delegations Manual. Doing so will provide a fit for purpose document that gives Elected Members assurance that appropriate and accurate authorities are in place, and staff a clear understanding of Elected Member expectations.

### 2. BACKGROUND

#### Nature of delegations

- 2.1 The opening statement of the Delegations Manual notes that,

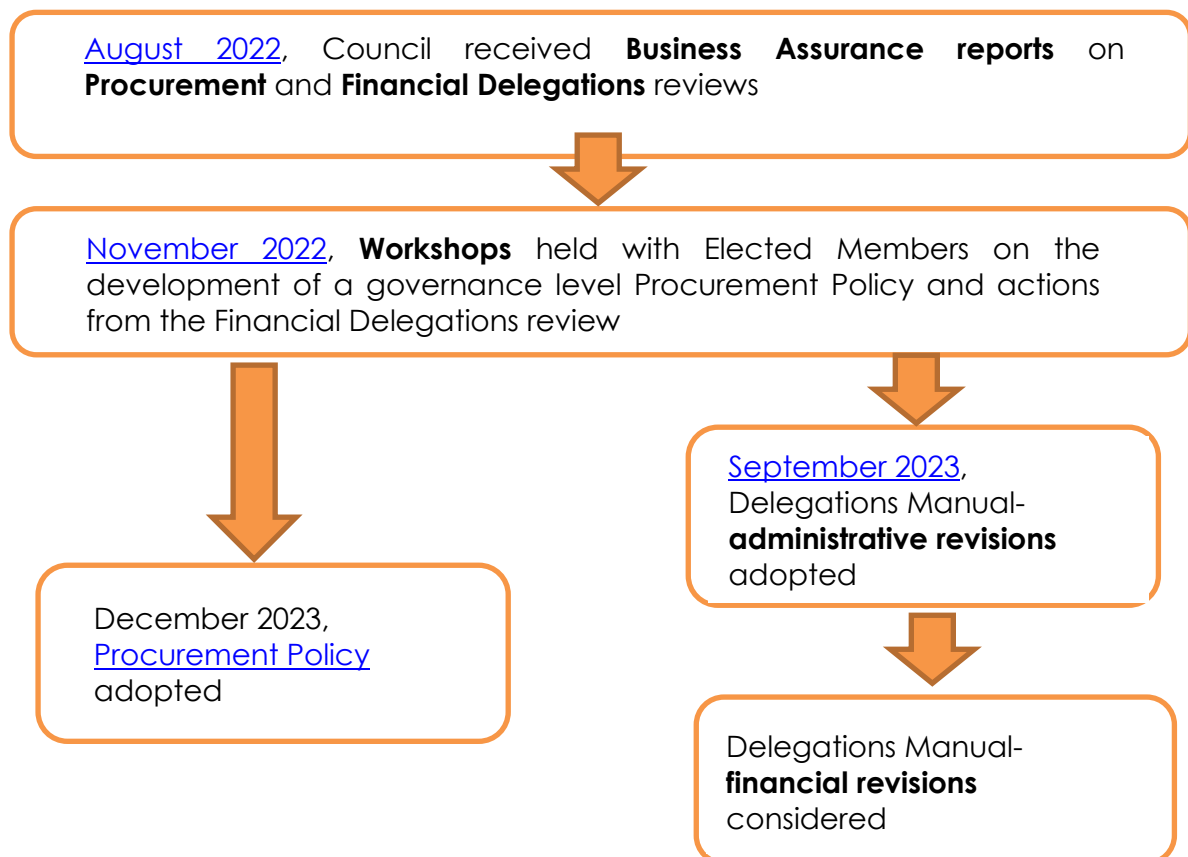
*Palmerston North City Council believes that it is essential, in the interests of good management and effective administration, to encourage the delegation of decision making to the lowest competent level. This will achieve*

*best use of the abilities of elected representatives and officers, minimise the cost of material, technical and financial resources, promote the development of effective managers and minimise bureaucratic interference in the daily affairs of the City's residents.*

- 2.2 'Delegation' means the assignment of a function, power or duty of the Council to another, together with the authority to carry out that function, power or duty with responsibility for the outcome. Officers work within the authority and responsibility delegated to them by Council and by Statute. The Council does not lose authority to exercise those functions which have been delegated nor does it forgo the accountability for the exercise of that authority.
- 2.3 Accuracy and precision should always be a feature when defining the scope and limitations of any delegated authority in order to protect the interests of Council, the delegate and any interested third party.

#### **Actions from Financial Delegations Review to date**

- 2.4 A series of recommendations for consideration and improvement resulted from the Review. It should be noted that there were no significant instances of non-compliance found.
- 2.5 Figure 1 sets out the points to date where Elected members have progressed Review actions.



2.6 Staff have also progressed other actions. The following are completed:

- All financial decision-making limits sub-delegated from the Chief Executive to individual staff were reviewed and revised with significant tightening, in time for the implementation of the new accounting system on 1 July 2023.
- We have introduced a system for ownership of the financial delegated authority master list and a process for changes to be made where there is a new role or change to a role.
- There has been a shift in maturity in the organisation. The new accounting system has strict controls for one-up approval and reminders of the Procurement Policy embedded. The implementation of the new system was also an opportunity to train all budget holders to ensure appropriate approvals for requisitions and heighten awareness of the total commitment of a project when raising a requisition.

2.7 Further actions are underway:

- We have updated the Chief Executive's manual of sub delegations for currency of roles.
- We are now working through combining all authorities directly granted through legislation and delegations found in policies and bylaws into one document. This is a significant piece of work which will also lead to improved internal controls on authorities.

### 3. PROPOSED CHANGES TO DELEGATIONS MANUAL

3.1 Proposed changes to the Delegations Manual achieve the following objectives.

- **Readability and Interpretation**

The proposed version uses plain language, so that staff and Elected Members share understanding and Officers can apply intended authority without room for misinterpretation. The accuracy of the plain language against the original phrasing has been peer reviewed and legally reviewed.

- **Practical response to Review**

The proposals respond to Elected Member requests for changes and have reflected on current organisational practices. The practicalities of staff capacity to implement and report on the delegations has been taken into account. Where proposals differ from Review recommendations or Elected Member aspirations or a new delegation is proposed, the reasons for this are set out below.

3.2 The resulting draft is set out in Attachment 1 and Attachment 2.

### Readability and Interpretation

3.3 The proposed financial delegations and definition sections reflect:

- Significant overhaul of legalese to plain English.
- Removal of repetition.
- A focus on what the Chief Executive is given authority to do. If the Manual does not comment, then approval to act must be sought from Council.
- Removal of percentage references where appropriate and replacement with dollar value for clarity.

### Practical response to Review

3.4 The proposed financial delegations and definition sections include:

#### ➤ New language for problematic phrasing

Current	Proposed replacement	Notes on improvement
contracts transactions	commitment	Prevents narrow interpretation of the related clauses and more closely aligns with the Procurement Policy value of 'whole-of-life cost' and to the total value of the Chief Executive's delegated financial authority.
operating budget operating programme	[removed]	Sections for how we deal with capital and how we deal with operating have been combined, the result of which is that Officers will have to apply the same rules regardless of the spending type, in effect applying greater strictness over operating budgets.
Specified sum	\$3M, total value across 3 years for capital or operational commitments within budget and agreed in the Long-Term Plan	Using a dollar figure rather than a phrase or proportion of a phrase provides clarity.  At workshop, Elected Members encouraged a fixed cap and were open to delegating decision-making of up to \$3M, if procurement controls were operating effectively. Comparably, Whangarei Council



		<p>has a fixed cap of \$3.5M, Hastings \$10M and Christchurch \$10M for capital and \$5M for operating expenditure.</p> <p>Confidence in procurement processes contributes to Elected Member confidence in general financial practices and in the appropriateness of entering large commitments. Council's Procurement Policy is now in place at governance level and has been revised at operational level with a Procurement Hub for good practice training in place.</p> <p>The financial authority to spend has been reframed as total value of a commitment rather than an annual transaction cost. This provides clarity across any commitment and again is in line with improving the organisational practice of total value of a commitment.</p> <p>While we appreciate there was some discussion at the workshop as to whether it was useful to set a different level for operational and capital spending, we have sought to simplify the Delegations so that the principles can be well understood and applied widely, rather than complicating the rules with a series of detailed conditions which could lead to loopholes or narrow interpretation.</p>
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➤ **Appropriate financial limits**

Justification of the proposed figures is set out in Attachment 5.

As a consequence, we estimate that approximately a dozen capital programmes agreed in the draft Long-Term Plan would need to come to Council for approval in Year 1.

➤ **Limits to unbudgeted spending**

At the workshop Elected Members expressed a preference for a fixed amount of \$50k of unbudgeted spending for both operational and capital transactions. Staff

are proposing this be applicable only to where it is necessary to set up a new capital programme not already agreed in the Long-Term Plan or subsequent Annual Budget. This is in line with Elected Member intention to signal this limit only for work not otherwise agreed through the planning process. Officers' working assumption is that if unplanned operational spending, operational overspend or capital programme overspend cannot be managed within the variation to budget delegation within the financial year, it should not be committed under delegation but must be brought to Council.

A new clause (5.4.2) has been included. This is proposed for practicalities and would authorise additional capital spending of \$500k but only where there is a revenue offset available. This clause is proposed to allow the Chief Executive to act with speed without having to ask permission, despite it being unplanned for work, but only where there is no change to the bottom line of the budget. An example of where this clause might be applied would be in response to an insurance claim.

➤ **Additional budget variation reporting obligations**

Greater reporting obligations (new clauses 5.5.2 and 5.5.3) are proposed in response to Elected Member concern that budget variations were occurring at sub-activity level without Elected Member oversight. Extending reporting obligations is the most practical solution to provide Elected Members the level of information and assurance they are seeking.

The solution proposed is different to that favoured by Elected Members in workshop, ie. to tighten the limitation on budget variations to sub-activity level rather than only activity level. Limiting the Chief Executive's current delegation to move between sub-activity budgets by extending the budget variation delegation to sub-activities was considered but discarded because of several reasons, listed in (1)-(3) below.

Limiting movements between sub-activity budgets would be a significantly increased administrative burden.

Reporting on sub-activity variations would not provide much value for Elected Members, as movements less than \$100,000 would be difficult to identify in a way that is useful to compare against other published reporting, particularly when it comes to comparing total budget for a sub-activity because depreciation is not visible in any planning document at this lower sub-activity level.

There are 72 sub-activities of varying values, so applying the same limitations would limit the ability to pivot in the smaller sub-activities.

Thus, rather than track and report on 72 sub-activities, staff are proposing (clause 5.5.3) that we set a \$100,000 standard to ensure any movements of any significance at all are captured. This is in line with Elected Member discussion at workshop that preferred a fixed amount determined in proportion to delegated financial authority. In contrast, as it currently stands Elected Members must have oversight only when there are movements of \$240,000, although Officers have been reporting at a lower level in recent performance reports.

We believe these additional clauses provide Elected Members with greater assurance while still allowing for the flexibility needed to manage day-to-day fluctuations of managing the organisation. Further assurance is built into the power to vary an activity budget in the first place, which requires the Chief Executive to be

convinced that in doing so the Intended Outcomes of the rest of the Activity can still be met (clause 5.4.1c).

The proposal is also in line with the philosophy of Council regarding delegations being at the lowest competent level, while acknowledging that,

*"the level of delegation is symptomatic of the health and well-being of the Council. Without it, and the mutual trust and respect which should exist between members of the Council and its Officers and between Officers themselves, the effectiveness and efficiency of the organisation must be at risk."*

While technically not a delegation but rather an obligation, by including sections 5.52 and 5.53 in the Manual, all expectations will be in one place so that Officers are aware of and can uphold the obligation to report, thus safeguarding transparency.

#### 4. FEES AND CHARGES

4.1 The Fees and Charges section has been updated with dollar values rather than percentages of the Specified Sum, however further work is not a part of this memorandum.

4.2 Officers acknowledge that Elected Members have expressed a preference to set all fees and charges and note any explicit exceptions that they authorise the Chief Executive to vary, and in doing so set out a process for the exceptions.

4.3 At this stage we have identified the following sets of fees which fall within the current definition of exceptions as 'not adopted by Council' or 'not set out in a Bylaw'. These are: venue hireage fees for the CET Arena, the Conference and Function Centre and Caccia Birch; community lease fees which are set according to the Support and Funding Policy and housing tenancy fees which are set by the Policy. Until recently Ashhurst campground and swimming pool fees also sat outside of Council decision however have recently been included. Contracts for services are out of scope. There are also some regulatory fees and infringements set by central government which by legislation fall outside of the remit of the Council or the Chief Executive to set.

4.4 This list may not be exhaustive, but should Elected Members wish to include it as the list of explicit exceptions, clause 5.6.1 could be rewritten to state,

"The Chief Executive may set, vary, waive, remit or refund the following fees by no more than \$20,000: [LIST]."

Another alternative may be that Elected Members choose to remove the ambiguous clause 5.6.1 in its entirety since it is narrow in scope, only granting delegation over a class of fees, while leaving case-by-case arrangements in place at 5.6.2 and 5.6.3.

4.5 Officers recommend that this section be thoroughly reviewed in line with the Revenue and Financing Policy which governs many of the fees and charges referred to in this section. A review of the Policy could then ask what fees, if

any, are appropriate to sit outside the Policy as exceptions to be listed in the Delegations Manual. Officers agree that it is appropriate that oversight would sit with Elected Members while still allowing for some flexibility on a case by case basis.

## 5. BUSINESS ASSURANCE COMMENT

- 5.1 In August 2022, we presented an independent review of Council's financial delegations to the Finance & Audit Committee. This review highlighted that there was an opportunity to improve the financial delegations and a workshop with Elected Members was proposed as a next step. This workshop took place in November 2022 and clarity was gained on where Governance's comfort levels were with regards to revisions to the financial delegations.
- 5.2 We have recently reviewed the proposed amendments to the financial delegations and are comfortable that the initial review recommendations and the subsequent direction provided at the workshop by Elected Members have been considered. Where alternative delegations have been proposed to what was recommended, then appropriate rationale has been provided to allow Elected Members to make an informed decision.
- 5.3 We would like to highlight that the guidance at the workshop from Elected Members was that a \$3M fixed cap would be considered if appropriate procurement monitoring by Governance was in place. While we note that a Governance Procurement Policy has been adopted, formal reporting on this has not yet been initiated. This may not be considered a material factor when determining if the proposed fixed cap is appropriate in the current environment.
- 5.4 As noted in the next steps, the recommendations supporting the Fees & Charges delegations have not been actioned at this stage. This will therefore be an outstanding item that will not be marked as completed at this point in time.

## 6. NEXT STEPS

- 6.1 Officers will publish the revised Delegations Manual on Council's website and staff intranet.
- 6.2 An implementation plan will ensure staff are aware of changes and a framework will be developed for consistency of application, including spot checks.
- 6.3 Annual updates of the Delegations Manual for accuracy, including minor edits, will continue under the Democracy and Governance Manager's delegation.
- 6.4 Once per Council term, a detailed review of the Delegations Manual will be brought to Council to ensure good practice and currency. This would also be

the opportunity to review the dollar values attached to the Chief Executive's delegated authority to ensure it is fit for purpose in the environment of the time. It should be noted that Elected Members expressed at workshop that this Council's ambition was to enable the Chief Executive to act within the Long-Term Plan and Annual Plans without needing to set a financial limit for Council approval first, similar to the delegations model that Tauranga, Wellington and Dunedin councils operate under. This aspiration could be considered at future reviews of the Delegations Manual, once risk management practices, including procurement monitoring, are further embedded.






- 6.5 The Chief Executive's sub-delegations will be reviewed for compliance and proportionality against any changes agreed here, and the sub-delegations brought into a chapter of the Delegations Manual. This will bring all delegations into one place and ensure Officers are clear on where authority lies.
- 6.6 Fees and charges delegations to be reviewed as per the resolution, and a master list of fees and charges developed as an outstanding action of the Review.

## 7. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>No</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>Yes</b>
Inherent in the purpose of this work is the update the financial delegations section of the Delegations Manual, ie changes are proposed to bring the policy up to date and ensure it can be practically applied according to current practice and Elected Member expectations.	
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: Ongoing review of governance systems and structures to support Council's effectiveness and reputation	
Contribution to strategic direction and to social, economic,	Clarifying lines of authority and ensuring consistency of application heightens trust in Council as an organisation led by an elected body.

environmental and cultural well-being	
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## ATTACHMENTS

1. Proposed Financial Delegations Section of Delegations Manual [↓](#) 
2. Proposed Definitions Section of Delegations Manual [↓](#) 
3. Current Financial Delegations Section of Delegations Manual [↓](#) 
4. Current Definitions Section of Delegations Manual [↓](#) 
5. List of figures used and reasoning [↓](#) 

PART 5: FINANCIAL DELEGATIONS TO THE CHIEF EXECUTIVE
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**5.3 Financial commitments**

5.3.1 The Chief Executive may enter into, approve, execute, complete or otherwise authorise, any commitment up to the total value of \$3M for a term of not greater than three years, including variations for the life of the commitment, provided that:

- a. The action does not contradict Council's position on the matter (ie. no current decision to the contrary);

and

- b. the commitment and/or budget variation (at the date Council is obliged to incur the expenditure) does not exceed, either alone or in combination with any other commitments Council has made, the total amount of the Relevant Activity Budget in each financial year.

5.3.2 The Chief Executive may enter into (a) commitment(s) for an unplanned capital programme(s) that was not provided for in an annual budget or LTP process, provided that the total of those commitments does not exceed \$50,000 in any financial year.

5.3.3 The Chief Executive's authority to enter into a commitment includes those which have a term greater than 3 years (including any rights of renewal or proposed variation), provided that the total financial value of each commitment is less than \$3M.

5.3.5 The Chief Executive may enter into a contract for services with the Central Economic Development Agency, provided that the action is consistent with Council's Long-Term Plan and subsequent annual budgets.

**5.4 Budget variations**

5.4.1 The Chief Executive may at any time authorise an expense above the Relevant Activity Budget agreed by Council, provided that:

- a. Council (or committee with delegation) has not previously declined to approve excess expenditure for that Activity Budget

and

- b. the Chief Executive is of the opinion that the variation of Relevant Activity Budget is necessary to achieve the outcome intended from the Activity;

and

- c. the variation amount is offset by an equivalent total value in one or more Activity Budgets, while still maintaining the outcomes Council sought from those Activity Budgets;

and

- d. any Relevant Activity Budget variation, in any financial year, does not exceed, either alone or in total: more than \$1M or 30% of the Relevant Activity budget (whichever is the lesser)

- 5.4.2 The Chief Executive may at any time authorise an increase in capital renewal or capital new budget of no more than \$500,000 total increase in a financial year where there is a 100% capital revenue offset.

#### **5.5 Reporting obligations**

- 5.5.1 The Chief Executive will report budget variations approved under the Chief Executive's delegation quarterly, retrospectively to the appropriate Committee or Council.
- 5.5.2 The Chief Executive will report actual financial performance against Activity Budgets quarterly, retrospectively to the appropriate Committee or Council, noting reasons and any decisions needed (if any) of Council in response.
- 5.5.3 The Chief Executive will report other budget variations that have been made between Sub-Activity budgets of the same Activity if they are greater than \$100,000, retrospectively to the appropriate Committee or Council.

#### **5.6 Fees and Charges, and Infringement Fees**

- 5.6.1 The Chief Executive may set, vary, waive, remit or refund any class or category of Fees and Charges, by no more than \$20,000, provided it is subsequently reported for information to the appropriate Committee, except for:
- a. Fees and Charges adopted by resolution of the Council or a Committee; and
  - b. Fees and Charges adopted pursuant to a bylaw,
- 5.6.2 The Chief Executive may vary, waive, remit or refund any Fee or Charge, by no more than \$20,000 per case.
- 5.6.3 The Chief Executive may vary, waive, remit or refund any Infringement, by no more than \$20,000 per case.

#### **5.7 Borrowing, Investments and Bad Debts**

- 5.7 The Chief Executive may:
- a. enter into any arrangement for the borrowing of money, provided it is in accordance with the Council's Treasury Policy, the Long-Term Plan and any subsequent Annual Budget or agreement by resolution of the Council;
  - b. manage the Council's investments in accordance with the Council's Treasury Policy;
  - c. write off bad debts for up to \$10,000 per debtor provided such debtor accounts have been outstanding for more than six months.

#### **5.8 Claims**

- 5.8 The Chief Executive may negotiate, settle, approve and sign on behalf of Council any claim settlement agreement provided the Claim Expenditure is:



- a. No more than \$100,000 where there is no budget provision, provided that the Claim Expenditure can be offset within the Chief Executive's delegation; and
- b. No more than \$200,000 where there is budget provision for settlement of such Claims

## **5.9 Emergencies**

- 5.9.1 In an Emergency, and only for the purposes of responding to or recovering from the Emergency, the Chief Executive may take all steps necessary to enter into, approve, execute, complete or otherwise authorise any financial commitment except where the commitment is above \$3M, regardless of whether or not any provision has been made in the relevant Council Budget.
- 5.9.2 In the absence of the Chief Executive, this authority will pass to the Deputy Chief Executive, and in the absence or unavailability of both those officeholders any Unit Manager, and in the absence of all the preceding officers the Head of Risk and Resilience.
- 5.9.3 The authority delegated above may not be sub-delegated further.
- 5.9.4 In an Emergency the Chief Executive or any Unit Manager may, in consultation with the Mayor, or the Chairperson of the committee with appropriate terms of reference, take action which may subsequently require settlement of a Claim of any value.



### 1.1. Definitions

1.1.1. For the purposes of this Manual the words and phrases set out below have the following meanings:

Activity	a body of work as described in a Long-Term Plan (or its equivalent - 10 Year Plan) or Annual Budget.
Annual Budget	an Annual Plan or Annual Budget adopted by Council pursuant to the Local Government Act 2002.
Budget Variation	an approval by the Council (or committee with delegation) or the Chief Executive, according to delegation set out in Section 5.4 to incur Expenditure in excess of budgets
Capital New	capital expenditure to increase the value of an asset or create a new asset, that Council owns and maintains
Capital Renewal	capital expenditure to renew or replace an existing Council asset
Claim	any claim for compensation either by or against the Council
Claim Expenditure	the net amount of Expenditure by the Council on settling a Claim including legal costs but after taking into account contributions from insurance and third parties.
Commitment	any arrangement between the Council and any third party which is binding on Council, made by an officer under delegation.
Council	the Palmerston North City Council howsoever referenced or described in each relevant statute.
Emergency	an event: (a) that is unforeseen and causes major damage to Council or other property; and (b) for which there is a need for remedial action to be taken without delay; and (c) it is impracticable to convene a meeting of Council or Committee with delegation to approve the proposed expenditure but which is not a declared state of local or national emergency under the Civil Defence Emergency Management Act 2002, in which case authority passes to the Civil Defence Emergency Management Local Controller.
Fees and Charges	amounts charged or imposed by the Council on third parties for the provision of goods or services (including use of facilities), the standard amount of which is set (whether in absolute terms or by reference to a formula or rate) in advance of any arrangement with a particular person or group for the provision by the Council of goods or services in consideration for payment of the relevant amount (and "Fee" and "Charge" have the corollary meaning).
Financial Year	a financial year (1 July -30 June) of Council as established under the Local Government Act 2002.

Infringement Fee	an amount imposed by the Council for failure to comply with a requirement of a statute, legislative instrument, bylaw or other rule or regulation, and set by law or by resolution of Council.
Manual	this document which sets out delegations; related conditions, limits and curtailments; and related provisions, as adopted by the Council and as varied or amended from time to time either by resolution of Council or otherwise in accordance with the provisions of this document.
Offset	a balancing financial adjustment can be made within the Relevant Council Budget, and in the officer's judgement the Activity outcome set out in the Long-Term Plan can still be achieved.
Programme	A detailed financial action (capital or operating) to achieve particular outcomes of Council, as described in a Long-Term Plan or Annual Budget.
Relevant Activity Budget	Total Budget (see definition below) for the Activity under which the commitment falls, in any one financial year, as approved in the Long-Term Plan or Annual Budget, together with any changes agreed by resolution in the subsequent financial years and any subsequent budget variations agreed under delegation.
Relevant Council Budget	Total Capital New, Capital Renewal or Operating Budget. Not limited by Activity area. Relevant refers to matching type of budget, eg. where commitment is Capital New in nature, then the relevant Council Budget is also Capital New.
Total Budget	EITHER  Net operating cost of the activity or appropriate sub-activity, less depreciation (where applicable)  OR Capital new expenditure, less capital new revenue  OR Capital renewal expenditure, less capital renewal revenue  whichever is relevant to the nature of the expenditure
Unit Manager	Second tier manager

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- iii. ad hoc appointments of independent Commissioners required under any other statute; legislative instrument; bylaw; or policy of the Council;

- l. appoint Council representation on a body including any Committee;
- m. promote proposed legislation;
- n. dispose of or sell any real property;
- o. approve the District Plan or any change to the District Plan; and
- p. adopt a remuneration and employment policy.

### 5.2. Deputy Chief Executive

- 5.2.1. The Deputy Chief Executive is delegated all functions, powers and duties of the Council that are delegated to the Chief Executive, when the Chief Executive is temporarily absent, prevented by illness or when the Chief Executive has authorised it in writing.
- 5.2.2. In the absence of the Deputy Chief Executive, the Chief Executive will appoint in writing an Acting Deputy Chief Executive.

## FINANCIAL DELEGATIONS TO THE CHIEF EXECUTIVE

### Contracts and Other Financial Matters

### 5.3. Best Method to be Used

- 5.3.1. Every delegate will at all times have regard to the best means of obtaining the most favourable terms for any transaction, especially as to price, and will adopt that method.

### 5.4. Contracts Under 20% of the Specified Sum

- 5.4.1. For contracts under 20% of the defined specified sum:
  - a. The tendering process in the Council's Contracts Manual shall be followed wherever appropriate; and
  - b. In all other cases at least three competitive prices shall be obtained where they are available; and
  - c. The advice of the Finance Unit shall be obtained as to the availability of contracts for a particular product; and
  - d. For contracts under 1% of the defined specified sum, it is not necessary to follow the procedures specified in subclauses 5.4.1(a)-(c) inclusive provided that the price for goods or services to be purchased is reasonable.

### 5.5. Contract for other than Best Price

- 5.5.1. Where the contract price which an officer wishes to accept is:
  - a. In the case of a contract to purchase goods or services, other than the lowest price offered that is consistent with any specification issued in regard to that contract; or
  - b. In the case of a contract to sell Council goods or services other than for the highest price offered; or the decision will be taken in conjunction with the Chairperson of the Strategy & Finance Committee and will be reported to the Council at the earliest opportunity.

**5.6. Authority to enter into contractual arrangements**

- 5.6.1. If any officer of the Council, with authority to enter into contractual or similar arrangements (except employment contracts) which are binding on the Council, intends to enter into such arrangements which:
- a. has or could (including any rights of renewal) have a term in excess of three (3) years; or
  - b. would have a term exceeding three (3) years pursuant to a proposed variation, the officer must, before authorising and entering into the proposed arrangement or variation, obtain the written approval of the Chief Executive in the case of a Unit Manager, and the Unit Manager to whom the officer reports in the case of all other staff (and in the case of the Chief Executive, the Strategy & Finance Committee).

**5.7. Transactions**

- 5.7.1. The Chief Executive may take all steps necessary to enter into, approve, execute, complete or otherwise authorise, and vary any Transaction provided that Council has not previously declined to approve the relevant individual Programme Budget to which the Transaction relates and except where the Transaction imposes an obligation on Council to Expend, in any Financial Year, an amount:

- a. that is more than 50% of the Specified Sum; or
- b. exceeds the total amount of the Operating Budget or total Capital Renewal Budget or total Capital New Budget (as adjusted by any Budget Variation) in respect of the Activity to which the Transaction relates, either alone or in aggregate with all other Expenditure the Council is committed to make in respect of the relevant Activity; or
- c. exceeds the individual Capital Programme Budget to which the Transaction relates, either alone or in aggregate with all other Expenditure the Council is committed to make in respect of the relevant Capital Programme where Council has previously reduced the individual Capital Programme Budget; or
- d. exceeds the sum of \$50,000, either alone or in aggregate with all other Expenditure the Council is committed to make in respect of any unbudgeted item that would otherwise have been treated as an individual Capital Programme,

in all cases measured at the date the Council becomes obliged to incur the Expenditure.

- 5.7.2. In relation to Transactions approved by the Strategy & Finance Committee, the Chief Executive may approve a variation or cumulative variations providing that:
- a. the total Expenditure in respect of the Transaction as varied is within the Strategy & Finance Committee's delegated authority; and
  - b. the aggregate change does not increase the total Expenditure, in respect of the Transaction, as varied by more than 10% of the value of the original Transaction,

and the Chief Executive shall report to the Strategy & Finance Committee where such variation occurs, for information.

**5.8. Variation of Budgets**

- 5.8.1. Subject to clause 5.8.4, the Chief Executive may at any time authorise an amount to Expend in respect of an Activity that is in excess of the original Operating Budget provided

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that Council has not previously declined to approve excess Expenditure in relation to that Operating Budget and:

- a. the Chief Executive is of the opinion that the original Operating Budget is not or will not be adequate to best achieve the outcome intended from the Activity; and
- b. Savings are made from the Operating Budget of one or more other Activities that, in aggregate, equal the authorised increase in Expenditure for the relevant Activity.

5.8.2. Subject to clause 5.8.4, the Chief Executive may at any time authorise an amount to Expend in respect of an Activity that is in excess of the original total Capital Renewal Budget provided that Council has not previously declined to approve excess Expenditure in relation to that total Capital Renewal Budget or reduced the relevant individual Capital Programme Budget and:

- a. the Chief Executive is of the opinion that the original total Capital Renewal Budget is not or will not be adequate to best achieve the outcome intended from that Activity; and
- b. Savings are made from the total Capital Renewal Budget of one or more other Activities that, in aggregate, equal the authorised increase in Expenditure for the relevant Activity.

5.8.3. Subject to clause 5.8.4, the Chief Executive may at any time authorise an amount to Expend in respect of an Activity that is in excess of the original total Capital New Budget provided that Council has not previously declined to approve excess Expenditure in relation to that total Capital New Budget or reduced the relevant individual Capital Programme Budget and:

- a. the Chief Executive is of the opinion that the original total Capital New Budget is not or will not be adequate to best achieve the outcome intended from that Activity; and
- b. Savings are made from the total Capital New Budget of one or more other Activities that, in aggregate, equal the authorised increase in Expenditure for the relevant Activity.

5.8.4. The Chief Executive's authority to approve Budget Variations is limited, in any Financial Year, in respect of:

- a. Any Operating Budget or total Capital Renewal Budget or total Capital New Budget to an aggregate change that is less than or equal to 50% of the Specified Sum or 30% of the relevant Operating Budget or total Capital Renewal Budget or total Capital New Budget (whichever is the lesser); and
- b. Any unbudgeted item that would otherwise have been treated as an individual Capital Programme to an aggregate change that is less than or equal to \$50,000.

5.8.5. The Chief Executive shall report to the Strategy & Finance Committee for information details of any Budget Variations which result in a change (whether as an increase or a Saving) in the amount of permitted Expenditure in relation to an Operating Budget or Programme Budget which is greater than 10% of the Operating Budget or Programme Budget or 30% of the Specified Sum (whichever is the lesser amount); and shall do so on a quarterly basis.

**5.9. Emergencies**

5.9.1. Notwithstanding anything else in these financial delegations, in an Emergency, the Chief Executive or, in their absence or unavailability, the Deputy Chief Executive, and in the absence or unavailability of both those office-holders any Unit Manager, and in the absence of all the preceding officers the Head of Risk and Resilience, may take all steps necessary to enter into, approve, execute, complete or otherwise authorise any Transaction except where the Transaction requires Expenditure that exceeds twice the Specified Sum, regardless of whether any provision has been made for the Expenditure in an Operating Budget or Capital Programme Budget but provided that the Expenditure is for the purposes of responding to or recovering from the Emergency.

5.9.2. The authority delegated under clause 5.9.1 may not be sub-delegated.

**5.10. Claims**

5.10.1. The Chief Executive may, in regard to any Claim, negotiate, settle, approve and sign on behalf of Council any settlement agreement provided the Claim Expenditure is less than or equal to:

- a. 10% of the Specified Sum where there is no provision in an Operating Budget for settlement of such Claims provided that the Claims Expenditure can be offset by a Saving; and
- b. 20% of the Specified Sum where there is provision in an Operating Budget for settlement of such Claims.

5.10.2. If the maximum expected Claim Expenditure for a Claim<sup>2</sup>:

- a. is greater than 2% but less than or equal to 10% of the Specified Sum the Chief Executive shall be informed of the existence of the Claim;
- b. is greater than 10% but less than or equal to 20% of the Specified Sum, and provision is made in an Operating Budget for settlement of such Claims, the Chief Executive will inform all Councillors of the existence of the Claim;
- c. is greater than 20% of the Specified Sum the existence of the Claim will be reported to the Strategy & Finance Committee and the progress of the Claim will be regularly reported to that Committee.

5.10.3. In an Emergency the Chief Executive or any Unit Manager may, in consultation with the Mayor, or the Chairperson of the Strategy & Finance Committee if the matter falls within that Committee's jurisdiction, take action which may subsequently require settlement of a Claim at whatsoever compensation<sup>3</sup>.

**5.11. Fees and Charges, and Infringement Fees**

5.11.1. Subject to clause 5.11.4, the Chief Executive may set, vary, waive, remit or refund any class or category of Fees and Charges except for:

<sup>2</sup> Clauses 5.7.2, 5.7.3 and 5.8.1 amended by Council 13 November 2019

<sup>3</sup> Amended by Democracy & Governance Manager under delegations 23 August 2022



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- a. Fees and Charges adopted by resolution of the Council or a Committee; and
- b. Fees and Charges adopted pursuant to a bylaw,

and the Chief Executive shall report to the Strategy & Finance Committee any class or category of Fees and Charge set, varied, waived, remitted or refunded, for information.

- 5.11.2. Subject to clause 5.11.4, the Chief Executive may vary, waive, remit, or refund any Fee or Charge.
- 5.11.3. Subject to clause 5.11.4, the Chief Executive may waive, remit, or refund any Infringement Fee.
- 5.11.4. The Chief Executive is not authorised to vary, waive, remit or refund any class or category of Fees and Charges, or any Fee or Charge, or any Infringement Fee where the sum involved exceeds 1% of the Specified Sum in each case.

**5.12. Rates including Remissions and Postponements**

- 5.12.1. In relation to rating matters the Chief Executive may:
  - a. exercise the functions, powers and duties of the Council under the Rating Valuations Act 1998; and
  - b. exercise the functions, powers and duties of the Council under the Local Government (Rating) Act 2002 (including the granting of rates remissions and postponements pursuant to the Rates Remission and Postponement Policies) except for those conferred by Subpart 2 of Part 1 or Subpart 1 of Part 5 (i.e. setting rates and setting replacement rates).

**5.13. Borrowing, Investments and Bad Debts**

- 5.13.1. Notwithstanding anything else in these financial delegations, the Chief Executive may:
  - a. enter into any arrangement for the borrowing of money provided it is in accordance with the Council's Treasury Policy; and the 10 Year Plan as amended pursuant to an adopted Annual Budget or by resolution of Council;
  - b. manage the Council's investments in accordance with the Council's Treasury Policy;
  - c. write off bad debts only for up to 0.5% of the Specified Sum and provided such debtor accounts have been outstanding in excess of six months.

**5.14. Insurance**

- 5.14.1. Notwithstanding anything else in these financial delegations, in relation to insurance the Chief Executive may enter into insurance contracts, for which the total premium of each individual contract may not exceed 150% of the Specified Sum.

**5.15. Central Economic Development Agency (CEDA)**

- 5.15.1. Notwithstanding anything else in these financial delegations, the Chief Executive may enter into a core service contract with the Central Economic Development Agency, provided the total contract amount is in accordance with the Council's 10 Year Plans, and Annual

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Budgets; such delegation will also include the ability to vary, extend, review, renew or replace the contract with a new contract.

### STATUTORY AND POLICY DELEGATIONS FROM COUNCIL TO OFFICERS

Council has delegated the following statutory functions to specific officers.

#### 5.16. Local Government Act 2002

Section	Description	Delegated to
54G	Act as Registrar to exercise the functions, powers and duties under section 54G(1)	Legal Counsel

#### 5.17. Local Government (Rating) Act 2002

Section	Description	Delegated to
132	Exercise the functions, powers and duties of the Council under the Local Government (Rating) Act 2002 <b>except for:</b> those conferred by Subpart 2 of Part 1; or Subpart 1 of Part 5 (i.e. setting rates and setting replacement rates) (clause <a href="#">5.1.3</a> ).	Chief Executive Chief Financial Officer Finance Manager Strategy Manager – Finance Accounting Services – Team Leader Senior Rates Officer Rates Officer Credit Controller
85	Exercise the granting of rates remissions and postponements pursuant to the Rates Remission and Postponement Policies.	Chief Executive Chief Financial Manager Finance Manager Strategy Manager – Finance Accounting Services – Team Leader Senior Rates Officer Rates Officer Credit Controller

#### 5.18. Rating Valuation Act 1998

Section	Description	Delegated to
50	Exercise the functions, powers and duties of the Council under the Rating Valuations Act 1998.	Chief Executive Chief Financial Manager Finance Manager Strategy Manager – Finance Accounting Services – Team Leader Senior Rates Officer Rates Officer Credit Controller

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- 1.17.5. Any request for a review may be initiated by any applicant or person affected by the decision or by the Chief Executive, but not by any other person or organisation.
- 1.17.6. In undertaking a review, the Panel may decide the matter on papers or other information presented to the Panel or conduct a full or partial rehearing.
- 1.17.7. In making any decision under clauses 1.17.4 and 1.17.6 the Chairperson and Panel, as applicable, shall have regard to the criteria set out in clause 1.17.3 relating to appeals.

**1.18. Amendments to this Manual**

- 1.18.1. This Manual will be maintained by the Democracy and Governance Manager who will amend it where:
- a. The law requires that it be changed in a specified way;
  - b. The Council resolves that this Manual be revised or added to in a specified way;
  - c. A clause becomes redundant;
  - d. A decision of the Council requires a modification to an existing clause; or
  - e. A typographical, grammatical or other minor amendment is necessary.

**1.19. Definitions**

- 1.19.1. For the purposes of this Manual the words and phrases set out below have the following meanings:

Activity	a project or body of work as described in a 10 Year Plan or Annual Budget.
Annual Budget	means an Annual Plan or Annual Budget adopted by Council pursuant to the Local Government Act 2002.
Budget Variation	means an approval to incur Expenditure in excess of an Operating Budget or Capital Programme Budget together with an equal aggregate Saving in respect of one or more other Operating Budgets or Capital Programme Budgets, as authorised by the Chief Executive in accordance with clauses 206 to 208.
Capital New Budget	means the “total” sum of the Capital New Programmes recorded for a Financial Year and in respect of an Activity: <ul style="list-style-type: none"> <li>a. in the last adopted 10 Year Plan; and</li> <li>b. as amended pursuant to an adopted Annual Budget or amendment to the 10 Year Plan or by resolution of Council.</li> </ul>
Capital New Programme	means a detailed financial action for capital expenditure to increase the value of an asset or create a new asset, and to achieve particular outcomes of the Council, as described in a 10 Year Plan or Annual Budget.
Capital Programme	means a Capital New Programme or a Capital Renewal Programme budgeted for an Activity and as described in a 10 Year Plan or Annual Budget.

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Capital Programme Budget	means the sum recorded for a Financial Year and in respect of a Capital Programme: (a) in the last adopted 10 Year Plan; and (b) as amended pursuant to an adopted Annual Budget or amendment to the 10 Year Plan or by resolution of Council.
Capital Renewal Budget	means the “total” sum of the Capital Renewal Programmes recorded for a Financial Year and in respect of an Activity: (a) in the last adopted 10 Year Plan; and (b) as amended pursuant to an adopted Annual Budget or amendment to the 10 Year Plan or by resolution of Council.
Capital Renewal Programme	means a detailed financial action for capital expenditure to renew or replace an existing asset, and to achieve particular outcomes of the Council, as described in a 10 Year Plan or Annual Budget.
Claim	means any claim for compensation either by or against the Council and whether as a result of a contractual dispute or otherwise.
Claim Expenditure	means the net amount of Expenditure by the Council on settling a Claim including legal costs but after taking into account contributions from insurance and third parties.
Council	means the Palmerston North City Council howsoever referenced or described in each relevant statute.
Emergency	means an event: (a) that is unforeseen and causes major damage to Council or other property; and (b) for which there is a need for remedial action to be taken without delay; and (c) it is impracticable to convene a meeting of Council or Strategy & Finance Committee to approve the proposed expenditure but which is not a declared state of local or national emergency under the Civil Defence Emergency Management Act 2002.
Expend	means to spend or use up money or monies worth and includes but is not limited to: (a) waiving or remitting amounts otherwise payable; (b) refunding amounts paid; (c) making of grants; (d) provision of goods or services or disposal of assets other than for fair value; and “Expenditure” has the corollary meaning.
Fees and Charges	means amounts charged or imposed by the Council on third parties for the provision of goods or services (including use of facilities), the standard amount of which is set (whether in absolute terms or by reference to a formula or rate) in advance of any arrangement with a particular person or group for the provision by the Council of goods or services in consideration for payment of the relevant amount (and “Fee” and “Charge” have the corollary meaning).
Financial Year	means a financial year (1 July -30 June) of Council as established under the Local Government Act 2002.

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Infringement Fee	means an amount imposed by the Council for failure to comply with a requirement of a statute, legislative instrument, bylaw or other rule or regulation, and set by law or by resolution of Council.
Manual	means this document which sets out delegations; related conditions, limits and curtailments; and related provisions, as adopted by the Council and as varied or amended from time to time either by resolution of Council or otherwise in accordance with the provisions of this document.
Minor Edits	Amendments to a Council Strategy, Policy or Plan for one of the following reasons: <ul style="list-style-type: none"> <li>a. The law requires that it be changed in a specified way;</li> <li>b. A clause becomes redundant;</li> <li>c. A decision of the Council requires a modification to an existing document;</li> <li>d. A typographical or grammatical amendment is necessary; or</li> <li>e. Formatting</li> </ul>
Operating Budget	means the sum calculated by deducting depreciation from “net operating cost of activity” for a Financial Year (including amounts carried forward as balance sheet provisions) and in respect of an Activity: <ul style="list-style-type: none"> <li>(a) in the last adopted 10 Year Plan; and</li> <li>(b) as amended pursuant to an adopted Annual Budget or amendment to the 10 Year Plan or by resolution of Council,</li> </ul> and includes “operating programmes” as defined and described in the 10 Year Plan or an Annual Budget.
Saving	means a reduction in the amount of Expenditure authorised to be made in respect of an Activity or Capital Programme which is not expected to result in an inconsistency between the actual delivery of levels of service for the Activity or Capital Programme and the anticipated service level for the Activity or Capital Programme as set out in an 10 Year Plan or Annual Budget (as adjusted by resolution of Council).
Specified Sum	means the sum calculated in accordance with clause 1.20.1 and is exclusive of GST.
10 Year Plan	means a Long-Term Plan or 10 Year Plan adopted by the Council pursuant to the Local Government Act 2002.
Transaction	means an arrangement between the Council and any third party which is binding on Council except for: <ul style="list-style-type: none"> <li>(a) the sale or disposal of real property;</li> <li>(b) a Claim; or</li> <li>(c) any charge, remission or postponement of a rate pursuant to the Local Government (Rating) Act 2002 and the Council’s Rates Remission and Postponement Policies.</li> </ul>

**1.20. Specified Sum**

- 1.20.1. On 1 July 2013 and on 1 July in every succeeding year, the Chief Executive will adjust the Specified Sum by increasing it or decreasing it in proportion to movements in the officially published Consumers Price Index (CPI) in the manner set out in the following formula

**SPECIFIED SUM**

(1 July, year of review) = \$1,500,000 x CPI March, year of review

CPI 31 March 2012

and the figure so derived shall be rounded to the nearest \$50,000 and reported to Council and at the time of such report clause 1.20.2 shall be amended as required.

1.20.2. The current Specified Sum is \$1,600,000.

New Clause reference	Proposed value	Current value	Notes
5.3.1	Total value of \$3M	<p>Old clause 5.7.1a</p> <p>Transaction per financial year of 50% of Specified Sum, ie \$800,000 x 3 = \$2.4M</p>	<p>“Half of Specified Sum” confusing- replace all references with explicit \$ value for clarity.</p> <p>Specified Sum has not been revised with inflation since 2013. If we applied inflation, the Specified Sum at time of 2022 Review would have been \$1.85M rather than \$1.6M.</p> <p>If we apply across the delegation limiting the Chief Executive to 3 years’ contract, total value of commitment of 3 financial years would be \$2.775M.</p> <p>Inflation again since 2022.</p> <p>Workshop suggested comfortable with \$3M, when considering practices of comparable councils and tighter procurement practices.</p>
5.3.2	Unplanned Capital \$50,000 total in a financial year	<p>Old clause 5.7.1a</p> <p>Unbudgeted Capital \$50,000 total or aggregate</p>	<p>See discussion in memorandum.</p> <p>Officers do not see a need to extend to operating expenditure.</p> <p>As a total amount across a financial year this is a minimal spend.</p>
5.4.1(d)	\$1M or 30% of Activity Budget in a financial year	<p>Old clause 5.8.4a</p> <p>50% of specified sum ie. 800K or 30% of Activity Budget in a financial year</p>	<p>Variations are limited to within a financial year ie. 1/3 of \$3M total commitment across 3 years is \$1M.</p> <p>Percentage retained as may be appropriate for effect on outcomes of smaller Activities.</p>
5.4.2	\$500,000 capital where	-	<p>New.</p> <p>For practical purposes. Enables quick turnaround while ensuring oversight of</p>

	100% offset		<p>Elected Members for larger projects/ incidents.</p> <p>Tagged as half of annual variation limit.</p>
5.5.3	Sub-Activities changes greater than \$100,000	-	<p>New.</p> <p>Increased transparency of reporting movements between sub-activities. Can report this without extra level of service, ie practical to do so and gives Elected Members confidence.</p> <p>Indicates to Elected Members wherever any significant variation delegation has been used, as anything less than \$100k would be subsumed by rounding and thus not practically reportable.</p> <p>The CE will be reporting up any variation that is 10% of their financial year variations limit of \$1M.</p> <p>Noting that there is no delegation for unbudgeted operating spending, this will highlight where the variation delegation has been used to manage operating budgets and allow Elected Members oversight to ensure Activity and Sub-Activity outcomes will still be met.</p>
5.6.1/.2/.3	No more than \$20, 000	<p>Old clause 5.11.1/.2/.3</p> <p>1% of Specified Sum, ie \$16,000</p>	<p>Current is equivalent of 2% CE's delegation (half of the Specified Sum, \$800K)</p> <p>Proposed is equivalent 2% of proposed delegation to vary budget spending (\$1M). In this case tagged against potential loss of revenue.</p>
5.7	No more than \$10,000 per debtor	<p>Old clause 5.13.1.c</p> <p>0.5% of Specified Sum, ie \$8,000</p>	<p>Current is equivalent of 1% of CE's delegation (half of the Specified Sum, \$800K).</p> <p>Proposed is equivalent of 1% of proposed delegation to vary budget spending (\$1M). In this case tagged against potential loss of revenue.</p>



5.8 (a)	No more than \$100,000	<p>Old clause 5.10.1a</p> <p>10% of Specified sum, ie. \$160,000</p>	<p>Current is equivalent of 20% of CE's delegation (half of the Specified Sum, \$800K).</p> <p>Proposed is equivalent of 10% of proposed delegation to vary budget spending (\$1M). In this case tagged against potential loss of revenue.</p>
5.8 (b)	No more than \$200,000	<p>Old clause 5.10.1b</p> <p>20% of specified sum, ie. \$320,000</p>	<p>Current is equivalent of 40% of CE's delegation (half of the Specified Sum, \$800K).</p> <p>Proposed is equivalent of 20% of proposed delegation to vary budget spending (\$1M). In this case tagged against potential loss of revenue.</p>
5.9.1	\$3M	"twice the Specified Sum", ie. \$3,200,000	\$3M is adequate as it refers to individual commitments.



## **REPORT**

**TO:** Strategy & Finance Committee

**MEETING DATE:** 8 May 2024

**TITLE:** Draft Palmerston North Animals and Bees Bylaw 2024 – Deliberations

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

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

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### **RECOMMENDATIONS TO COUNCIL**

1. That Council confirm:
  - a. the Palmerston North Animals and Bees Bylaw 2024 is the most appropriate means of addressing the perceived problem of regulating the specific requirements for the keeping of animals (other than dogs) and bees in Palmerston North, protecting the health and safety of the community; and
  - b. the form of the Bylaw is the most appropriate form of bylaw; and
  - c. the Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
2. That Council adopt the Palmerston North Animals and Bees Bylaw 2024 and the Palmerston North Animals and Bees Bylaw Administration Manual 2024 (Attachments 2 and 3).

## SUMMARY OF OPTIONS ANALYSIS FOR THE DRAFT PALMERSTON NORTH ANIMALS AND BEES BYLAW 2024

<b>Problem or Opportunity</b>	<p>Following consultation with the community, the Committee can deliberate on submissions made, and further changes proposed, to the draft Palmerston North Animals and Bees Bylaw 2024 (the Bylaw) and the draft Animals and Bees Bylaw Administration Manual 2024 (Administration Manual).</p> <p>The Committee should then recommend Council either adopt the draft Bylaw and Administration Manual, or not adopt the draft Bylaw and Administration Manual.</p>
<b>OPTION 1:</b>	<p><b>Recommend Council adopt the Bylaw.</b></p> <p><i>This option is recommended.</i></p>
Community Views	Different views on the proposal have been shared by members of the Community – some in favour, some not in favour. The majority of submissions support the proposed changes to the draft Bylaw and Administration Manual.
Benefits	Adopting the draft Bylaw means that current best practice is able to be incorporated into the regulatory activities of Council.
Risks	There are no risks associated with this option.
Financial	There are no financial issues associated with this option.
<b>OPTION 2:</b>	<p><b>Not recommend Council adopt the Bylaw.</b></p> <p><i>This option is not recommended.</i></p>
Community Views	Some submissions received by Council on its draft Bylaw supported not making the proposed changes. Option 2 supports those submissions.
Benefits	There are no benefits associated with this option.
Risks	There are no risks associated with this option. Council can continue regulating the keeping of animals and bees in Palmerston North under the 2018 Bylaw.
Financial	There are no financial issues associated with this option.

## **RATIONALE FOR THE RECOMMENDATIONS**

### **1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY**

- 1.1 Consultation on the draft Palmerston North Animals and Bees Bylaw 2024 and draft Palmerston North Animals and Bees Bylaw Administration Manual 2024 has been completed.
- 1.2 Council received 32 submissions to its proposal, and the Strategy & Finance Committee heard submitters speak in support of their submissions at its 21 February 2024 meeting.
- 1.3 The Committee should now deliberate. For the purposes of deliberation, this report and its attachments provide analysis and advice, and outline recommended changes to the Bylaw in response to submissions received.
- 1.4 Following deliberation, the Committee may recommend Council adopt the Bylaw.

### **2. PURPOSE OF THE PALMERSTON NORTH ANIMALS AND BEES BYLAW**

- 2.1 The Bylaw is the regulatory mechanism used by Council to address nuisance concerns that might result from the keeping of animals or bees in Palmerston North. It specifies requirements and controls for animal and bee owners or keepers to protect the community from nuisance and mitigate the likelihood of health and safety concerns arising.
- 2.2 The Bylaw controls encourage good animal husbandry and animal keeping as a means of reducing the potential for nuisance or injury to occur. However, it is not an animal welfare bylaw. Council works with external agencies and partners that provide animal welfare assistance, services, and education for the community.
- 2.3 The Bylaw includes general controls that apply to all animals, as well as specific controls that apply to certain species (in addition to the general controls). The Bylaw only applies to kept or 'owned' animals. It does not apply to animals which are 'wild' or feral.
- 2.4 The Bylaw does not include controls for dogs, which are regulated in the Palmerston North Dog Control Policy 2018.

### **3. BACKGROUND AND PREVIOUS COUNCIL DECISIONS**

- 3.1 The Local Government Act 2002 (LGA) gives general bylaw-making powers to Council to establish a bylaw for the purposes of mitigating nuisance, and to protect, promote and maintain public health and safety, and minimising the potential for offensive behaviour in public spaces (s.145 (a), (b), (c)). Under s.146(a)(v) of the LGA, Council has specific bylaw-making powers for the keeping of animals, bees and poultry.

- 3.2 Council has chosen to regulate (in part) the keeping of animals and bees on private property in Palmerston North through a bylaw by making determinations under s.155 of the LGA.
- 3.3 To meet the requirements for the determinations it made under s.155 of the LGA, Council considered a number of different responses available to address potential nuisance issues caused by animals and bees.<sup>1</sup>
- 3.4 These options were outlined in the report provided to the [Strategy and Finance Committee in March 2023](#). That report also clearly identified and defined the perceived problem as being the way that animals and bees are kept on private property in urban and residential areas has the potential to cause nuisance, to injure, or to create a risk to the health and safety of the community.
- 3.5 The Committee determined that a bylaw was the most appropriate way to address the perceived problem, and made the decisions required by s.155 to that effect. Following the s.155 determinations, staff began work to revise and prepare a draft Bylaw for public consultation.
- 3.6 Research and early engagement was completed from May – November 2023. Improvements and changes were identified and included as part of the proposal approved for consultation by Council. Feedback received during early engagement was that the community were generally satisfied with the controls set out in the Bylaw, and that they were striking a good balance between regulating nuisance issues and allowing people to keep animals.
- 3.7 Consultation on the draft Bylaw was approved by Council on 18 December 2023. Between 10 January and 12 February 2024, consultation with the public on the draft Bylaw was completed concurrently with consultation on the draft Palmerston North Dog Control Policy 2024.

#### 4. DESCRIPTION OF OPTIONS

- 4.1 At this point of the consultation process, the Committee has two options.  
  
Option 1: Recommend Council adopt the Bylaw.  
  
Option 2: Not recommend Council adopt the Bylaw.
- 4.2 Advice on each of these options is elaborated on in section 5 of this report. Additional analysis that has informed this advice is included in Attachment 1.

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<sup>1</sup> Section 155 of the Local Government Act 2002 requires the Council to determine that:

- A bylaw is the most appropriate way of addressing the perceived problem.
- The form of Bylaw (consolidated / combined, or standalone) is the most appropriate form of Bylaw.
- The Bylaw does not give rise to any implications under the [New Zealand Bill of Rights Act 1990](#) (NZBORA).

## 5. ANALYSIS OF OPTIONS

### 5.1 Option 1: Recommend Council adopt the Bylaw

5.2 Council has consulted the community on its proposed changes to the Bylaw. While some submitters did not support specific aspects of Council's proposals, most submitters did support the proposals.

5.3 Attachment 1 provides detailed analysis on all submissions received, staff response to the submissions, and a concluding statement about whether a further change is recommended to the Bylaw.

5.4 Briefly summarising the detailed analysis, all changes which were consulted on are recommended for adoption, with additional changes made in response to submissions received. The changes maintain the intentionally permissive nature of the Bylaw, while ensuring that nuisance concerns are mitigated where required.

5.5 Recommended changes to the Bylaw following consultation include:

#### 5.5.1 Changes to Part 1, Section 5 – Definitions

- Add definitions for Apiary, Flight path, Offensive, and Rural zone. The additions are made to improve interpretation and application of the Bylaw.

#### 5.5.2 Changes to Part 3 – Stock

- Add wording in Part 3, clause 7.1 of the Bylaw related to Stock, to clarify the application of Part 2, Clause 6 General Provisions in respect of Part 3. The change is noted here in [blue](#):

"7.1 A person may keep stock in the Urban Area provided they comply with [the General Provisions set out in Part 2 as well as](#) the following conditions:"

#### 5.5.3 Changes to Part 4 – Cats

- Add wording to explain the application of clause 8.1 in Part 4 Cats. The additional wording does not change the prior intent of the Bylaw. The change is noted here in [blue](#):

"8.1 ~~No~~ A person may not keep more than three cats per ~~dwelling property~~ [premise](#) on any private land in the Urban Area without a permit issued under this Bylaw. [Where a unit title exists \(such as for an apartment or townhouse\) then the limit of cats that can be kept without a permit applies per unit title.](#)"

#### 5.5.4 Changes to Part 5 – Pigs

- Re-word clause 9.2 in Part 5 Pigs, for readability. The change is noted here in [blue](#):

~~"9.2 No A person may not keep a pig or pigs on land zoned rural in the District Plan except in accordance with the District Plan. Pigs being kept in rural zones must be kept in accordance with the District Plan."~~

- Add wording to clause 10.1 to clarify the intended application of the Bylaw. The change is noted here in blue:

"10.1 A person keeping pigs must at all times ensure that the pig has access to, but is not kept permanently in, a shelter or a pigsty that:"

- Add wording to include bedding requirements for pigsties. The change is noted here in blue:

"10.1(d) has a dry lying area and suitable nesting material; and"

- Add new clause, clause 10.1(e) to the Bylaw related to the shelter and pigsty maintenance and requirements for pigs. The change is noted here in blue:

"10.1(e) includes separate areas for toileting, eating, and separation from offspring."

#### 5.5.5 Changes to Part 6 – Poultry

- Re-word clause 11.2 for readability. The change is noted here in blue:

~~"11.2 No A person may not keep poultry in the rural zone except in accordance with the District Plan. Poultry being kept in rural zones must be kept in accordance with the District Plan."~~

#### 5.5.6 Changes to Part 7 – Bees

- Re-word clause 13.1(c) to assist with interpretation and application. The change is noted here in blue:

"13.1(c) Hives are positioned on the property so that the flight path of bees is encouraged in a direction directed away from neighbouring properties or public footpaths or walkways;"

#### 5.5.7 Changes to Part 8 – Slaughtering

- Re-word clause 14.1 to ensure consistency with the Animal Welfare Act 1999. The change is noted here in blue:

"14.1 Any person who slaughters stock or poultry must do so in a way that minimises distress to the animal, does not cause the animal to suffer any unreasonable or unnecessary pain or distress, and which does not cause distress or is offensive offence to any person."



- 5.6 Attachment 1 includes detailed analysis on the recommended changes noted above.
- 5.7 *Recommendation: because of the reasons noted above (and in more detail in the attachment), Option 1 is recommended.*
- 5.8 **Option 2: Not recommend Council adopt the Bylaw**
- 5.9 Option 2 stops the current process. Unless further instruction is provided by the Committee to staff, no additional work will be completed.
- 5.10 If Option 2 proceeds, because the Committee previously made determinations under s.155 of the LGA, the current Bylaw remains effective until 2033 unless it is replaced or revoked before then. This means that Council will still have the ability to regulate the keeping of animals and bees in Palmerston North through the Palmerston North Animals and Bees Bylaw 2018.
- 5.11 *Recommendation: there are more benefits associated with Option 1; Option 2 is therefore not recommended.*

## 6. CONCLUSION

- 6.1 Council consulted with the community on proposed changes to the Palmerston North Animals and Bees Bylaw. The community responded to the proposal, indicating reasons why they supported the proposal (or specific aspects of it), why they did not support the proposal, and requested Council consider further changes.
- 6.2 Detailed analysis of submissions has resulted in further changes to the Bylaw. For each of the additional changes recommended, the following considerations were applied:
- the overall purpose and intent of the Bylaw which is to prevent nuisance and to protect the health and safety of the community;
  - the needs of the community;
  - current good practice advice;
  - the ability of Council or its partners to effectively regulate the activity proposed to be controlled in the Bylaw; and
  - whether the scope of the change being requested can be made at this part of the consultation process.
- 6.3 This report recommends that the draft Palmerston North Animals and Bees Bylaw 2024 and Administration Manual be adopted, as attached in Attachments 2 and 3.
- 6.4 If adopted, the Bylaw will commence on 1 September 2024.

## 7. NEXT ACTIONS

- 7.1 Once adopted, the community will be notified and the Bylaw will commence on 1 September 2024.
- 7.2 Public notices will be placed, and submitters will be contacted and advised of the outcome of the consultation process. The Bylaw and Administration Manual will be published on the Council's website, with physical copies available in the Customer Service Centre.

## 8. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS




- 8.1 Council has completed early engagement and formal consultation with the community under sections 82 and 83 of the LGA. Partners and stakeholders, the community more widely, and other interested parties were invited to make a submission on the proposals during the consultation period.
- 8.2 Printed copies of the Statement of Proposal which included hardcopy submission forms were made available from the Customer Service Centre, as well as all Council libraries. [A consultation page](#) that explained the proposal of Council, information about how people could get in touch, and included an online submission form was published on the Council's website.
- 8.3 Consultation information was also shared through the Council's social media channels, posters, radio interviews, as well as at two drop-in sessions (one in the evening at the Convention Centre, another at the Smooch Your Pooch event at Linklater Park).

## COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>No</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>Yes</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the achievement of action/actions in the Safe Communities Plan	
The action is:	
<ul style="list-style-type: none"> <li>Provide regulatory services, including implementing the Animal and Bees Bylaw.</li> </ul>	

<ul style="list-style-type: none"> <li>Review the Animals and Bees Bylaw.</li> </ul>	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The Animals and Bees Bylaw ensures that Council can have a pragmatic and agile response to nuisance issues or health and safety concerns in Palmerston North related to the keeping of animals and bees.

## ATTACHMENTS

1. Detailed analysis of submissions - Draft Palmerston North Animals and Bees Bylaw 2024 [↓](#) 
2. DRAFT Palmerston North Animals and Bees Bylaw 2024 [↓](#) 
3. DRAFT Palmerston North Animals and Bees Bylaw - Administration Manual 2024 [↓](#) 



## Draft Palmerston North Animals and Bees Bylaw 2024

### Detailed Submission Analysis

#### 1. Purpose of this document

This document includes analysis of the issues raised by submitters to the draft Palmerston North Animals and Bees Bylaw 2024. The analysis should be read in conjunction with the proposal of the Council, and the full text of each original submission, which are available in the February 2024 Strategy and Finance Committee Agenda.

The Committee should now deliberate and, in consideration of the submissions received, make recommendations to the Council to either adopt the draft Bylaw, or not adopt the draft Bylaw.

#### 2. Context

The Local Government Act 2002 (LGA) enables the Council to establish a bylaw for the purposes of mitigating nuisance, and to protect, promote and maintain public health and safety (s.145 (a), (b)).

The Council has chosen to regulate (in part) the keeping of privately owned animals and bees in Palmerston North through the Palmerston North Animals and Bees Bylaw. The Bylaw is part of a wider approach the Council takes to animal regulation and management in the city. The Council regularly reviews its bylaws to ensure they are fit for purpose, meeting legislative requirements, and community needs and expectations. This review of the Palmerston North Animals and Bees Bylaw is being completed as part of the obligations the Council has under s. 158 (1) of the LGA to review a bylaw no less than five years after the date on which the Bylaw was made.

There are currently 22,646 animals (excluding bee colonies) registered with the [New Zealand Companion Animals Register](#) in Palmerston North. The number of animals registered in the city has steadily increased over the last decade. Noting that the register does not account for every privately owned animal residing in the city, at this time the following animals are registered as located in Palmerston North:

- 13,966 cats;
- 8,557 dogs;
- 130 rabbits;
- 8 horses;
- 1 tortoise;
- 4 birds;
- 2 goats;
- 14 rodents; and
- 1 donkey.

Under the [Biosecurity \(National American Foulbrood Pest Management Plan\) Order 1993 \(s.6A\)](#), all beekeepers have a legal obligation to register themselves and their apiaries with Apiculture New Zealand Incorporated. The Management Agency, National American Foulbrood Pest Management Plan New Zealand (the Management Agency) is responsible for administering the registration of beekeepers and their apiaries.

The Management Agency has confirmed that in Palmerston North there are 132 registered apiaries and 600 individual bee colonies. Figure 1 from The Management Agency shows the distribution of these hives and colonies, with each of the points containing at least one hive (the structure that houses the bees) on the apiary (the premises or land where the hive is located). A number of the points noted in Figure 1 contain multiple hives or contiguous apiaries.

Figure 1: Hive numbers within Palmerston North City boundary (as at November 2023)

### 3. What we proposed

The proposal made by the Council kept most things in the Bylaw the same, with a few key changes.

- We proposed to add a clause to mitigate nuisance from bees. The clause requires beekeepers to position their hives to direct the flight paths of their bee colonies away from neighbouring properties, footpaths and other public walkways. This helps to reduce nuisance caused by bees excreting on neighbouring properties, or injury from bee stings.
- We proposed to add a clause for slaughtering or processing animals. The clause prevents nuisance from the incorrect disposal of animal waste or remains (such as offensive odour) and protects the community from potentially offensive sights, such as a slaughtered animal being processed.
- Other, minor changes to update names or position titles, and to improve interpretation and readability.

#### 4. Summary of Consultation Response

Following early engagement, a draft Bylaw was prepared and presented to the Council in December 2023 for consultation approval. Consultation occurred between 10 January 2024 and 12 February 2024. A total of 32 submissions were received. Submitters who wished to be heard spoke in support of their submissions at the meeting of the Strategy and Finance Committee in February and April 2024.

The overall response to submissions is summarised in the below table. Detailed analysis of submissions is provided in section 5 of this document.

Proposal	Submitters supporting the proposal	Submitters that do not support the proposal	Submitters that do not know if they support the proposal / have no opinion	Did not state / not clear to determine
To reduce the age that the Bylaw requires cats be desexed from six months, to four months.	24 of 32	3 of 32	2 of 32	3 of 32
To add requirements to the Bylaw for the housing of pigs, aligning the Bylaw to the Code of Welfare: Pigs.	16 of 32	2 of 32	5 of 32	9 of 32
To add requirements to the Bylaw instructing beekeepers to position hives on properties in specific ways so that the potential for their bee colony to cause nuisance or injury to the community is reduced.	14 of 32	7 of 32	4 of 32	7 of 32
To add a clause stating the requirements of people who are slaughtering or processing animals to do so in a way that prevents distress to the animal and distress or nuisance to other people.	16 of 32	2 of 32	4 of 32	10 of 32
To make minor updates to position titles, improve readability and interpretation of the Bylaw.	15 of 32	1 of 32	3 of 32	13 of 32

## 5. Detailed Analysis of Submissions and Recommended Changes

The following section identifies the issues raised by submitters on the proposals included in the consultation document, with analysis of those issues and the staff response recommended for each issue.

Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
<b>Part 4 Cats</b>					
Clause 8	Support desexing cats at 4 months, as well as compulsory registration and microchipping	The majority of submitters supported the overall intent and application of the controls in the Bylaw for cats. Reasons included the noted benefits for cat population management, the ability for stray cats to be returned to their owners, cat health, and to protect sensitive natural environments and biodiversity.	1, 2, 3, 4, 6, 8, 9, 10, 13, 14, 15, 17, 18, 22, 23, 24, 26, 27, 28, 29, 30, 32	Accept, no additional comments.	No change recommended
Clause 8	Owner education	Council should actively promote responsible cat ownership – highlighting the importance of registration and microchipping, and keeping cats contained to their properties, particularly at night-time.	22, 23, 28, 31	<p>The <a href="#">2020 survey of pet owners</a> in New Zealand by Companion Animals New Zealand concluded that New Zealand has one of the highest cat ownership numbers in the world, with 41% of households owning a cat.</p> <p>Education and awareness of owner responsibilities is therefore essential to ensuring that a high rate of voluntary compliance with the Bylaw, and its controls, is achieved across the city.</p>	No change recommended
Clause 8	Resourcing	The Council has a complaints-based approach to enforcing the requirements and controls in its Bylaw. Resourcing should be made available to further support education initiatives and compliance monitoring to gauge the effectiveness of the Bylaw.	23	If the Council were inclined to take an active approach to the ongoing monitoring and enforcement of the Bylaw, additional resources should be considered. This could look like additional staffing, or specific budgets set aside or funding allocated to subsidise established groups or charities who already operate in this space.	Out of scope of the Bylaw, no change recommended



Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
Clause 8.7(b)	Do not support desexing cats at four months	Submitters raised significant concerns about the effect desexing a cat at four months of age will have on the long-term health of the animal. Desexing at four months negatively affects the development of a cat, including its muscular /skeletal growth, increased risk of obesity, kidney and urinary tract problems, and compromised immunity. Desexing at six months allows for the cat to develop to an appropriate age where desexing will not create lingering health issues.	21, 31	<p>The <a href="#">Code of Welfare: Companion Cats 2018</a> supports desexing of cats at four months, as cats can reach puberty at any time after this. Desexing cats by four months (at or before puberty) reduces the likelihood of nuisance behaviours developing and occurring, which can then lead to objectionable behaviour in cats (spraying, straying or vocalising). Desexing cats also supports ongoing cat population management in Palmerston North by preventing unwanted cat breeding.</p> <p>The Bylaw does not require cats kept for breeding purposes be desexed. Cat Fancy NZ recommend all members desex kittens not intended for breeding, and that all retired breeding cats be desexed before being rehomed.</p> <p>If owners are concerned that four months is too young to desex their cat, they can (and should) seek the advice of their veterinarian, who will be able to make a clinical decision on whether their cat can safely be desexed. There may be occasions where a veterinarian will advise delaying desexing, such as if the cat is not yet of a healthy weight, or if the cat has another condition which should be treated first.</p>	No change recommended
Clause 8.1	Reduce the number of cats permitted from three to two.	Reducing the number of cats permitted will have positive outcomes for cat population management, and conservation efforts.	20	<p>During early engagement, cat rescue organisations and other welfare agencies cautioned against reducing the number of cats permitted per premise.</p> <p>Reasons primarily included that reducing the permitted number of cats could result</p>	No change recommended

Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
				<p>in animals being abandoned and increasing the stray cat population, or that cats would be surrendered to already overwhelmed shelters and rescues.</p> <p>Permitting three cats on premises in urban areas remains appropriate.</p>	
Clause 8	Prohibit entirely the ownership of cats in areas of high biodiversity.	Submitters request that cat ownership be prohibited in areas of high biodiversity value – such as the Turitea Reservoir, and green corridors.	13	<p>There are three distinguishable groups of cats:</p> <ul style="list-style-type: none"> <li>• domestic or companion (owned, microchipped, desexed, usually at home),</li> <li>• stray (urban colonies, usually reliant on some form of human action), and</li> <li>• feral (no reliance on humans, generally located in a peri-urban area).</li> </ul> <p>Prohibiting owned or companion cats from being kept in sensitive environmental areas is unlikely to have the complete conservation effect that is sought here.</p> <p>Horizons Regional Council's Regional Pest Management Plan is a joint effort between Councils in the region to manage the effects of pests on economic and environmental values. Horizons Regional Council is legally mandated to regulate biodiversity and to control population or nuisance or pest species. Owned cats, and stray or feral cats that cannot be definitively determined to be unowned, are not able to be regulated by Horizons.</p> <p>Cats as they affect conservation areas can be actively managed through the</p>	No change recommended

Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
				<p>Conservation Act. The Department of Conservation (DOC) prohibits cats from being in any areas where they are the controlling authority.</p> <p>A consistent approach or framework would be needed for all three groups of cats to achieve the desired outcome.</p>	
Clause 8	Roaming or straying cats causing nuisance.	Submitters are asking for cats to be contained to their owners' properties.	1, 13, 31	<p>The majority of cats in Palmerston North, and New Zealand, are free roaming. This means they are not consistently contained to their property in the same way a dog is. There are many reasons why an owner would want to keep their cat confined to their property – most notably that preventing the cat from wandering ensures its safety and wellbeing as it is less likely to fight with other cats and animals, or to be hit by a passing vehicle.</p> <p>Mechanisms are available to cat owners who wish to contain their cats more regularly or even permanently, such as “catios” (contained outdoor areas for cats), and fences which prevent cats from being able to jump them. Desexing cats at an early age can also reduce their inclination to wander or stray.</p> <p>The Council may consider additional education efforts to inform cat owners of the importance of keeping their animals contained, or the benefits of voluntarily implementing a cat curfew.</p>	No change recommended

Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
Clause 8.1	Expand the limit on cat numbers to rural areas	<p>Submitters have requested the limit on cat numbers that is in place in urban areas be expanded to also apply to rural areas.</p> <p>Reasons stated generally include for the purposes of overall cat population management, and assisting in conservation efforts through the protection of sensitive flora and fauna from predation of cats.</p>	13, 23	<p>The Bylaw limits the number of cats which can be kept in urban areas to three per premises (with exceptions). The Council has issued eight multiple cats permits for our urban area. There is currently no comprehensive understanding of the rural cat population in Palmerston North. This includes owned, stray, and feral cats.</p> <p>If the Council were inclined to consider expanding the controls to cover the entirety of the city, further work would need to be completed to determine if we have a problem with cats (including overpopulation, predation) in our rural areas, the scale of that problem, if applying the urban area control in the rural area would be the most appropriate way to address the perceived problem, and the effect of the control now and in future. Additional consultation on the issue could then follow.</p> <p>Because the Council did not specifically consult on applying a limit to cat numbers in rural areas, and it is considered a significant change, it is not advised that the change be made as part of this process.</p>	No change recommended
Clause 8.7(a)	Microchipping and registration	The submitter requests that the Bylaw be amended and require cats be microchipped and registered at four months of age to match the age proposed for desexing.	32	<p>The current controls in the Bylaw require that a cat be microchipped and registered by six months of age.</p> <p>Common practice is for veterinarians to provide the cat with a microchip while the cat is being desexed. There is nothing in the Bylaw that prevents a cat from being microchipped and registered at four</p>	No change recommended

Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
				<p>months, the requirement is only that this be done by six months. If it is the custom of veterinarians to perform both procedures at the same time, this can, and likely will, continue. Once the microchip is placed, the owner may also choose to register their cat at that time.</p> <p>Because microchipping and registering can be a potentially onerous requirement for a cat owner, and because the Council did not specifically consult on this matter, it is not advisable to make such a change as part of this process. If the Council were inclined to pursue this change, further consultation would be required.</p>	
<b>Part 5 Pigs</b>					
Clause 10.1	Pigs kept in pigsties.	That the wording of clause 10.1 be amended to clearly state that pigs are not permanently kept in their pigsty or shelter.	1, 18, 24, 32	It is not the intention of the Bylaw to require that a pig be kept solely in its shelter or sty, but that the pig have access to a shelter or sty at all times. Persons keeping pigs must otherwise comply with the rules set out in the District Plan.	Accept, changes recommended  Additional wording be added to the clause to clarify it's intent and application.
Clause 10.1(d)	Nesting material.	That the requirement for nesting material be included in the controls for the maintenance of pigsties and shelters.	24, 32	Having nesting material which can be regularly changed will assist with the prevention of nuisance odours, or the attraction of vermin or flies to pigsties and shelters. The change is supported by information in the Code of Welfare: Pigs.	Accept, changes recommended  Additional requirement for nesting material for pigs included in the Bylaw.
Clause 10.1(e)	Separated areas in pigsties.	A submitter asked that the Bylaw include an additional requirement in its Maintenance of pigsties control for that includes areas for toileting, eating, and separation from offspring if needed.	32	Separate areas for feeding and toileting supports prevention of nuisance odours, and attracting vermin and flies.	Accept, changes recommended  Additional requirement for separated feeding, toileting, and areas way from offspring included in the Bylaw, to assist

Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
					in the prevetion of behaviours and environments that encourage nuisance.
<b>Part 7 Bees</b>					
Clause 13	Support the proposed changes.	Various submitters noted the benefits of bees. Bees are essential to our environment of our city and the ecosystem more broadly. The proposed clauses will encourage good bee ownership, and prevent nuisance to the community.	1, 3, 5, 24, 28	No response required	No change recommended.
Clause 13.1 (c)	Nuisance caused by bees will not be mitigated by controlling flight paths.	Concern that the proposed clause 13.1(c), as drafted, will not be effective in mitigating nuisance issues being experienced (such as from bee excrement) by people living at properties that neighbour apiaries where hives are kept. The concern of the submitters is particularly around the word “encourage” in relation to directing flight paths, and how this can actually be achieved.	3, 4, 16, 19	<p>Submitters have expressed doubt about the effectiveness of directing the flight paths of bees.</p> <p>Research has concluded that bees fly at head height for a long distance from their hives unless they are directed upwards by a natural environmental or physical barrier. Bees are also likely to excrete within 500m of their hive when they leave it.</p> <p>Anecdotaly, we know community members have found bees laden with pollen returning to their hives to be a particular nuisance, as the pollen can be extremely sticky, and hard to wash or remove from surfaces.</p> <p>The purpose of the proposed clause 13.1(c) is to require that beekeepers mitigate or prevent their bees from causing nuisance (such as from excreting) or injury, to neighbours and the community more broadly.</p>	<p>Accept, changes reccomended.</p> <p>Addition of definitions and rewording of clause 13.1(c).</p>

Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
				<p>Beekeepers can achieve this by positioning hives so that the flightpath of the bee colony is directed up and away from homes, vehicles, washing lines, and public walkways.</p> <p>Beekeepers are monitored by the Management Agency, National American Foulbrood Pest Management Plan New Zealand (the Management Agency), who make available resources and information that can assist inexperienced beekeepers with understanding the behaviour of their colonies, and how they should be directing bee flight paths.</p>	
Clause 13.1 (d)	The minimum land size for keeping bees should be increased to 750m2.	The submitter suggests that the minimum land size for keeping bees be 750m2, that 500 is insufficient and that bees would likely need to roam further (for food).	2	<p>The Bylaw requires a minimum property size of 500m2 to keep a maximum of two hives. The Management Agency confirmed there are 600 individual bee colonies registered to 132 apiaries in the city. From these numbers, we can infer that there are instances of multiple hives being kept on single properties around the city.</p> <p>Bees are known to travel 5km from their hives to forage for food. There are a concentrations of apiaries and hives in rural Aokautere, Awapuni, Milson, Roslyn, and Hokowhitu. Generally, and with the exception of rural Aokautere, these are the older and more established residential areas of the city, where property sizes are likely to be bigger, and where there is likely to be an abundance of food sources within a 5km radius of the hive.</p>	No change recommended.

Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
				<p>While it is possible for overcrowding of bees in particular areas to create issues as colonies compete for food or forageable habitats, this does not appear to be the case in Palmerston North. The current land-size requirement is considered suitable for the city.</p> <p>As this change was not consulted on, if the Council wanted to change the property size requirement for bee keeping, additional consultation would be required.</p>	
Clause 13.1 (d)	Bees in urban areas causing nuisance.	The submitter requests that bees be entirely prohibited from urban areas. Medium density housing is going to increase the likelihood of nuisance issues occurring.	19	<p>The majority of registered hives in Palmerston North are currently located in urban areas. As medium density housing comes online, it may be beneficial to re-look at controls for keeping bees in urban areas.</p> <p>The suggestion of the submitter is a significant change to what was proposed and consulted on with the community. If the Council were interested in pursuing a prohibition such as this, further consultation would be required.</p> <p>Conversely, other submitters are supportive of bees being kept in urban areas, and note the benefits of the activity, personally and for the community too.</p>	No change recommended.
Clause 13	Responsibility for nuisance caused by bees.	Who is responsible for the potential nuisance caused by a colony of bees if the bees and the hive are owned by one person, but the apiary or property is owned by another person? How can you even tell who a bee belongs to?	3	<p>Every registered beekeeper is responsible for their bee colonies and their hives. The Bylaw also defines “keep or keeping” as meaning “owning, looking after, being in charge of, a custodian, or in possession of</p>	No change recommended.



Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
				<p>any animal”, and “keeper” as “a person who is keeping an animal”.</p> <p>In this example, the submitter who is the owner of the property, and the beekeeper, have responsibility for preventing nuisance which is caused by the bees.</p>	
Clause 13.1(c)	Do not support the proposed control for flightpath management.	Submitters state that any restriction which affects the natural behaviour and flightpath of a bee may have unintended impacts on the wider environment which we collectively depend on for our own wellbeing. Some beekeepers may consider the restrictions to be too prohibitive and choose to, or be required to, remove their hives from urban areas entirely.	3, 28	<p>The intention of the Bylaw is not to prevent ownership of bees entirely, or to prevent bees from being in the urban area entirely.</p> <p>The intention of the Bylaw is for bees which are kept in urban areas to be managed responsibly so that they are prevented from causing nuisance, or concerns for the health and safety of the community.</p>	No change recommended.
Clause 13.2	Hives located above first floor level (ie: on rooftops).	Disagree with the clause; fences and barriers should be included in all instances where hives are being kept.	18	<p>In addition to flight path management to prevent nuisance, the purpose of clause 13.1 (a) (boundary set-backs and fence heights) is to include a barrier for hives on ground level to direct the flight path of bees above head-height. This is so that bees do not cause safety concerns or injury from swarming or stinging.</p> <p>A hive located above ground will not require the same set back and fence barrier combination to achieve the desired outcome. This is because bees will already be above head height and will continue to fly for some distance at that height.</p>	No change recommended.
Clause 13	Fines for poorly managed hives.	That there be fines for bees leaping to a neighbours property, causing them to lose a whole apiary.	12	The Council is not the regulating authority for beekeepers in New Zealand, and does not impose fines for hives which are poorly	Out of scope, no change recommended.

Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
				<p>managed resulting in the collapse of another bee colony.</p> <p>The influence of the Council extends to determining where hives can be kept within the district, and additional requirements that are considered necessary for preventing nuisance and promoting health and safety of the public.</p> <p><a href="#">The Apiculture New Zealand Beekeeper Code of Conduct</a> requires that bees be kept in manner compatible with the environment they are located in, and in a way deemed acceptable to the relevant regulatory authority, the general public, landowners, and other apiarists.</p> <p>To achieve these aims and objectives, the Code of Conduct states that:</p> <ul style="list-style-type: none"> <li>• hives are to be sited away from areas where they are likely to cause nuisance or injury;</li> <li>• bees are kept docile and manageable in temperament;</li> <li>• beekeepers are up-to-date with current good practice guidelines and information and are knowledgeable, responsible and competent; and</li> <li>• that beekeepers strive to maintain good neighbourly relations.</li> </ul>	
Clause 13	Education and awareness.	Improved awareness, education and knowledge of good bee husbandry should be prioritised over greater restrictions on bees and beekeeping.	3	The Management Authority, Apiculture New Zealand, and other local and regional beekeeping groups are able to monitor bee husbandry practices, and to provide expert	No change recommended.

Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
				knowledge and assistance to beekeepers when required.	
Clause 13	Complaints.	If there is more than one complaint made about a beehive causing nuisance, the beekeeper should be required to remove the hive from the property.	19	The Council works with partner agencies that encourage responsible beekeeping. The Management Agency ultimately has the authority to require beekeepers relocate their hives if there are substantiated nuisance complaints. The general provisions of the Bylaw enable the Council to respond to any nuisance related complaint, and to take appropriate action thereafter.	No change recommended.
<b>Part 8 Slaughtering</b>					
Clause 14.1	That clause 14.1 align with the wording in the Animal Welfare Act 1999.	The wording of the Bylaw should not contradict that of the Animal Welfare Act. This will avoid directing people to do something that is not in accordance with legislation.	32	Making the requested change ensures that the Bylaw does not contradict prevailing legislation.	Accept, changes recommended.  Additional wording be added to the clause. The additional wording does not change the intent of the clause of the Bylaw.
Clause 14.1	Interpretation of “offence” and “offensive”.	Submitters raise issues about what is offensive to one person may not be offensive to another. The controls in the Bylaw are not easy to interpret, and therefore for able to be effectively applied.	4	The submitter raises an issue of interpretation. So that consistent understanding and application of the Bylaw can be achieved, a definition for “Offence and Offensive” can be added.	Changes recommended.  Defintion added to the Bylaw .
Clause 14	Prohibitions on any slaughtering of animals.	Submitters concerned for the welfare of animals do not want to see any animal being slaughtered as it is cruel and unnecessary.	15 ,25	The Intention of the bylaw is to ensure that any person who is slaughtering stock or other animals do so in a way that complies with legislative requirements, the rules in the district plan, and in a way that does not contradict the amenity of the urban or residential area.	No change recommended.

Part / Clause	Issue raised	Submission Comment/s	Submission Number/s	Staff response	Recommended Change
<b>General comments</b>					
Various	Readability.	There is no point in having a Bylaw which is not easily understandable by the community that are affected by it.	28	Successful implementation of any Bylaw control does rely on the community being able to clearly interpret the requirements and responsibilities imposed on them.	Changes recommended.

#### 6. Recommended changes

From the analysis of the submissions received, the following changes are recommended. All proposed changes are included in the marked-up version of the Bylaw attached to the Strategy and Finance Committee report. Some of the additional changes are minor or grammatical, and are made to further improve the readability and flow of the Bylaw (those changes are not explained in detail here). Other changes are more substantial and are explained below.

Section and clause	Change recommended	Detail of the recommended change	Purpose and effect of the recommended change
Part 1, Section 5  Definitions	Addition of definition for “Apiary”  [Refer: Page 4 of the Bylaw]	<b>Apiary</b> Means the land where one or more beehives are kept.	The addition of the definition for “Apiary” is to assist in the interpretation and application of clause 13.1(e). The additional wording makes more explicit the ways in which a beekeeper can achieve compliance with the obligations that they have under this Bylaw, and the Biosecurity Act 1993, and the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998.  There is no change in the effect this clause has on the responsibilities of beekeepers to register their hives.
	Addition of definition for “Flight path”  [Refer: Page 5 of the Bylaw]	<b>Flight path</b> Means the distinct route taken by the majority of bees in a colony as they leave, or return to, their hive.	Submitters expressed concern that the wording of Part 7, clause 13 Bee Keeping is too ambiguous, and that there is room within the wording of the clauses to be more explicit.  The addition of the definition for “Flight path”, which is a term proposed to be used in the Bylaw, will aid with this interpretation and understanding of the purpose and intended outcome of the clause.  In this Bylaw, the “Flight path” means the distinct route which is taken by a colony of bees when they leave the

Section and clause	Change recommended	Detail of the recommended change	Purpose and effect of the recommended change
			<p>entrance of their hive. The flight path of the bee colony is able to be manipulated by the beekeeper by placing a hive in a way so that the potential for the flight path of the bees to pose a threat to the safety or health of people (or animals) is reduced.</p> <p>A knowledgeable beekeeper will have a good understanding of the behaviour of their hive, and will be able to act accordingly to ensure the flight path of their bees causes little to no nuisance.</p>
	<p>Addition of definition for “Offensive”</p> <p>[Refer: Page 5 of the Bylaw]</p>	<p><b>Offensive</b></p> <p>Means any activity or thing that, by reason of the manufacturing method or the nature of materials used or produced, adversely affects the amenities of the surrounding environment.</p>	<p>Submitters queried how officers would determine that something was offensive, given that something which is offensive to one person may not be offensive to another.</p> <p>The addition of the definition for “Offensive” will offer clarity on what is considered offensive, to both officers and the community</p> <p>The definition follows the wording for “offence or offensive” given in the District Plan.</p>
	<p>Addition of definition for “Rural Zone”</p> <p>[Refer: Page 6 of the Bylaw]</p>	<p><b>Rural Zone</b></p> <p>Means any land zoned rural in the District Plan.</p>	<p>The definition is added for completeness, and ease of interpretation. The addition does not change the intended effect or application of the Bylaw.</p>
<p>Part 3 Stock</p> <p>Clause 7.1</p>	<p>Addition of wording (noted in blue) in clause 7.1 to clarify the application of Part 2, Clause 6 General Provisions in respect to Part 3, Clause 7 Stock.</p> <p>[Refer: Page 7 of the Bylaw]</p>	<p>7.1A person may keep stock in the Urban Area provided they comply with the General Provisions set out in Part 2 as well as the following conditions:</p>	<p>This change is made to clarify the intention of the Bylaw and the responsibility of a person keeping stock. In addition to meeting the specific requirements of the Bylaw for Stock, people must ensure that all the general provisions of the Bylaw are also met.</p> <p>This means all of clause 6 and all of clause 7 need to be met by keepers of Stock.</p>
<p>Part 4 Cats</p> <p>Clause 8.1</p>	<p>Addition of wording to explain the application of Clause 8.1.</p>	<p><del>No</del> A person may not keep more than three cats per dwelling property premise on any private land in the Urban Area without a permit issued under this Bylaw. Where a unit title exists (such as for an apartment or</p>	<p>The clarification given from the additional wording will become more necessary as the city moves towards medium density housing.</p>

Section and clause	Change recommended	Detail of the recommended change	Purpose and effect of the recommended change
		townhouse) then the limit of cats that can be kept without a permit applies per unit title.	The addition of this wording does not change the intended application of the Bylaw.
Part 5 Pigs Clause 9.2	Re-wording Clause 9.2 for readability.	9.2No A person may not keep a pig or pigs on land zoned rural in the District Plan except in accordance with the District Plan. Pigs being kept in rural zones must be kept in accordance with the District Plan.	There is no change in the effect of this clause. Rewording offers greater readability and ease of interpretation.
Part 5 Pigs Clause 10.1	Addition of wording to Clause 10.1 wording (noted in blue) to clarify the intention and application of the Bylaw.  [Refer: Page 9 of the Bylaw]	10.1 A person keeping pigs must at all times ensure that the pig has access to, but is not kept permanently in, a shelter or a pigsty that:	Submitters have read and interpreted the clause of the Bylaw as meaning a pig must be kept exclusively in it's sty. The Code of Welfare: Pigs notes that pigs are especially susceptible to environmental factors, such as extremes of weather, and temperature fluctuations. Appropriate housing and shelter is therefore particularly important so that welfare issues for pigs, which can create nuisance issues, are avoided.  The intention of the Bylaw is that pigs have access to a sty which is suitable to its needs, but that the pig need not be contained exclusively within the sty if the pig keeper can keep the pig in a way that meets the needs of the animal, and which does not conflict with either this Bylaw or the District Plan.  The addition of this wording offers further clarity to the intention and application of the Bylaw control and responsibilities of pig keepers.
Part 5 Pigs Clause 10.1 (d)	Addition of wording to include bedding requirements for pigsties  [Refer: Page 9 of the Bylaw]	10.1(d) has a dry lying area and suitable nesting material; and	Submitters noted that the requirement for a dry lying area was appropriate, but that the lying area should also be bedded with nesting material so the pig/s can express behaviour which is natural to them and is beneficial to their health.  The effect of this addition is that keepers of pigs will be required to provide nesting material as part of the maintenance of their pigsties.  The Code of Welfare: Pigs is consistent with this change.

Section and clause	Change recommended	Detail of the recommended change	Purpose and effect of the recommended change
Part 5 Pigs Clause 10.1 (e)	Addition of a new clause, Clause 10.1 (e) to the Bylaw related to the shelter and pigsty maintenance and requirements for pigs.  [Refer: Page 9 of the Bylaw]	10.1(e) <del>includes separate areas for toileting, eating, and separation from offspring.</del>	The effect of this addition is that pig keepers will need to ensure that the pig/s they are keeping have enough space so that the pig/s can be fed in areas away from where they are expected to toilet, and where they can be separated from offspring if needed.  The Code of Welfare: Pigs is consistent with this change.
Part 6 Poultry Clause 11.2	Re-wording Clause 11.2 for readability.  [Refer: Page 10 of the Bylaw]	11.2 <del>No A person may not keep poultry in the rural zone except in accordance with the District Plan.</del> Poultry being kept in rural zones must be kept in accordance with the District Plan.	There is no change in the effect of this clause. Rewording offers greater readability and ease of interpretation.
Part 7 Bees Clause 13.1 (c)	Re-wording Clause 13.1 (c)  [Refer: Page 11 of the Bylaw]	13.1(c) Hives are positioned on the property so that the flight path of bees is <del>encouraged in a direction</del> directed away from neighbouring properties or public footpaths or walkways;	Submitters had concerns that the wording of the Bylaw, as it was proposed, would not be enough to allay that nuisance caused by bees flying over
Part 8 Slaughtering Clause 14.1	Re-wording Clause 14.1 to align with the Animal Welfare Act 1999.  [Refer: Page 12 of the Bylaw]	14.1 Any person who slaughters stock or poultry must do so in a way that <del>minimises distress to the animal,</del> does not cause the animal to suffer any unreasonable or unnecessary pain or distress, and which does not cause distress or <del>is offensive offence</del> to any person.	The submission made by the SPCA supported the intent of the clause proposed, but requested the wording be aligned to that of the Animal Welfare Act 1999. The Council partners closely with the SPCA, and other agencies, to carry out animal regulation in Palmerston North. The SPCA requested the change be made so that in instances where they pursue prosecutorial action, there is clear and consistent instruction and guidance on the requirements which are set out in both the Bylaw and the Animal Welfare Act 1999.  This change does not affect the application, intent, or purpose of clause 14.1.

## 7. Other matters raised in submissions

The following matters were raised by submitters through the consultation, but are out of scope of this review, or are not able to implemented through the Bylaw.

Matters raised	Submission Comment	Staff response
Correcting inaccurate website information	A submitter noted that the information the Council has on its website regarding <a href="#">nuisance cats</a> and <a href="#">stray cats</a> is out of date, or has been superseded and is no longer accurate.	Information on the Council website is consistently monitored and updated. Staff will engage with welfare groups and animal rescues to ensure the information that we make available to the community reflects current good practice.
Animal welfare and biodiversity concerns	<p>A number of submissions cited animal welfare concerns, and suggested the Council take greater responsibility to address animal welfare issues through its Bylaw.</p> <p>Similarly, the impact of animals on sensitive environmental areas was raised as a concern through submissions.</p>	<p>Early engagement with the community, partners and stakeholders demonstrated that there are incredibly high expectations in Palmerston North when it comes to animal welfare. This sentiment also came through during consultation.</p> <p>However the Bylaw is in the first instance prepared as a nuisance bylaw, intended to mitigate nuisance concerns that may arise from the keeping of animals in the city, and avoid health and safety issues which can result from that activity. The Bylaw is not prepared for the purpose of addressing animal welfare or conservation matters.</p> <p>It is generally accepted though that an animal which receives the appropriate care required for its species is less likely to cause nuisance. The approach taken in the Bylaw, therefore, is to outline the minimum requirements for animals to be kept, meeting their basic or essential welfare needs as a tool for nuisance prevention.</p> <p>For example, a cat which is desexed is less likely to roam which can cause nuisance behaviour, and is less likely to predate on native fauna or to produce unplanned litters. Chicken coops or runs, which are properly maintained, are better for the health of the poultry, and are less likely to attract flies and vermin which cause nuisance.</p> <p>The Council works with and supports partner agencies such as animal rescues and welfare agencies who are well placed to assist the community on occasions where significant animal welfare issues are raised.</p>
Operational or enforcement concerns.	Submitters have stated they are concerned that the Bylaw and its controls are not widely socialised or promoted, nor is it actively monitored. Ongoing operational funding should be made available for promotional efforts, so that community education and enforcement of the Bylaw can be proactively carried out.	Allocation of budgets and resources is outside of the scope of a bylaw review. If the Council are minded to actively monitor or enforce specific aspects of the Bylaw, it may consider making available additional resources as part of future budget conversations.



## 8. Social Media

Posts and paid advertisements were made to Council's social media page as part of the engagement for this consultation, and were bundled with the concurrent consultation of the Draft Palmerston North Dog Control Policy.

The Facebook campaign reached 11,257 people, with 1,746 people engaging with the post, and 772 people clicking through to the consultation page on the Council website. Comments made via social media were consistent with the content and general sentiment of the formal submissions received. Council staff engaged in this discussion on social media posts when a clarification of facts were requested or required. Some of the social media comments are given here:



- "Can we have a bylaw to reduce the number of people complaining about bees. Or create a barren desert for them to live."
- "Can I ask how you are going to police this please "We're proposing to reduce the age cats must be desexed from 6 months to 4 months"".
- "The bylaws in urban areas should not be allowed no matter how they set up or layout the bees still fly around and when are all let out in one hit that effects the neighbour's and kids cant even play in there own backyard. .. and when houses for sale they should have to inform people looking there is bees as some people would not do it if someone is allergic to them."
- "When bees are a nuisance, who will be held responsible: the occupant of the property, the landlord of the property or the owner of the property?."
- "How will you identify whose bees are being a nuisance?"





PALMERSTON NORTH CITY

## **DRAFT PALMERSTON NORTH ANIMALS AND BEES BYLAW ~~2018~~ 2024**

Note for deliberations:

**Red** text indicates changes to the bylaw proposed for consultation

**Blue** text indicates further changes to the bylaw following consultation and based on submissions / feedback received

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# PALMERSTON NORTH ANIMALS AND BEES BYLAW ~~2018~~ 2024

## PART 1 INTRODUCTION

### 1. TITLE

- 1.1 The title of this bylaw is the Palmerston North Animals and Bees Bylaw ~~2018~~ 2024.

### 2. PURPOSE

- 2.1 This Palmerston North Animals and Bees Bylaw ~~2018~~ 2024. (the Bylaw) is made pursuant to the Local Government Act 2002 (LGA) and the Health Act 1956 (HA).

- 2.2 The purpose of this Bylaw is to:

- to specify requirements for the keeping of animals, including stock, pigs, cats, poultry, and bees, in the Palmerston North district;
- to protect the general public, neighbours and property owners from general nuisances that may be caused by the keeping of animals or bees; and
- to protect, promote and maintain public health and safety related to keeping animals.<sup>1</sup>

This Bylaw applies to the keeping of privately owned animals and bees on premises in Palmerston North, and should be read alongside the Palmerston North Animals and Bees Bylaw Administration Manual.

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<sup>1</sup> Explanatory Note: This bylaw does not apply to dogs. The regulation of dogs in Palmerston North is provided for in the Palmerston North Dog Control Policy and the Palmerston North Dog Control Bylaw.

There are a number of additional legislative requirements that persons who are keeping animals must adhere to. These include requirements in the Impounding Act 1955, the Biosecurity Act 1993, the Animal Welfare Act 1999, as well as various Codes of Practice issued by Manatū Ahu Matua – the Ministry of Primary Industries (MPI), and land-use or management plans which are administered in Palmerston North by Horizons Regional Council.

### 3. COMMENCEMENT

- 3.1 This Bylaw comes into force on 1 September 2024 ~~1 July 2018~~

### 4. REPEAL

- 4.1 The Palmerston North Animals and Bees Bylaw ~~2018 2014~~ is repealed with effect from midnight 1 September 2024 ~~1 July 2018~~.

### 5. INTERPRETATION

Where not otherwise defined in this Bylaw, all words and phrases are as defined in the Local Government Act 2002 or the Health Act 1956.

**Animal** Means any poultry (as defined), stock (as defined), cat, or pig; but does not include dogs or any such animal that is living in a wild state, or any other animal not referred to in this definition notwithstanding that it may be living in a domestic state.

**Apiary** Means the land where one or more beehives are kept.

**Authorised Officer** Means a person appointed by the Council and given powers to perform duties and functions under this Bylaw.

**Bee** means the insect *apis mellifera*, commonly referred to as the Western Honey Bee or the European Honey Bee.

**Beehive or Hive** means a structure used to keep bees.

**Bee Keeper** Means a person who is keeping bees or owns hives.

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

<b>District</b>	Means the area within the territorial boundary of the Palmerston North City Council.
<b>District Plan</b>	Means the operative Palmerston North City District Plan.
<b>Dwelling House</b>	Means a house that a person lives in.
<b>Flight path</b>	Means the distinct route taken by the majority of bees in a colony as they leave, or return to, their hive.
<b>Keep or Keeping</b>	Means owning, looking after, being in charge of, a custodian, or in possession of any animal.
<b>Keeper</b>	Means a person who is keeping an animal.
<b>Nuisance</b>	Means, without limiting the meaning of the term “nuisance”, any unreasonable interference with the peace, comfort or convenience of another person, whether by way of excessive noise or offensive odours, and includes a nuisance as defined in section 29 of the Health Act 1956.
<del><b>Palmerston North Villages</b></del>	<del>Means the urban areas of Ashhurst, Longburn, Linton and Bunnythorpe.</del>
<b>Offensive</b>	Means any activity or thing that, by reason of the manufacturing method or the nature of materials used or produced, adversely affects the amenities of the surrounding environment.
<b>Pigsty</b>	A pen or enclosure used to for the shelter and housing of pigs.
<b>Premises</b>	Means all the land and buildings contained within the legal boundaries of a property.

<b>Poultry</b>	Means peacocks, doves, pheasants, swans, hens, roosters, geese, ducks, pigeons, turkeys, quails and any other bird that the Council by resolution from time to time declares to be poultry for the purposes of this Bylaw.
<b>Rural Zone</b>	Means any land zoned rural in the District Plan.
<b>Stock</b>	Means alpacas, cattle, deer, donkeys, horses, sheep, goats and any other animal that the Council by resolution from time to time determines to be stock for the purposes of this Bylaw, but does not include pigs.
<b>Urban Area</b>	Means any land zoned residential in the District Plan.



## PART 2 GENERAL

### 6. GENERAL PROVISIONS

- 6.1 ~~No~~ A person may ~~not~~ keep animals in a way that, in the opinion of an authorised officer, causes or is likely to cause a nuisance or injury to the health or safety of any person.
- 6.2 If, in the opinion of an authorised officer, an animal kept on private land is causing or is likely to cause a nuisance the authorised officer may issue a notice requiring the person keeping the animal to take such action as the officer considers necessary within any time specified to abate or prevent the nuisance.
- 6.3 A person issued with such a notice under this Bylaw must comply with the notice.
- 6.4 In any instance where there is a discrepancy between this Bylaw and the District Plan, the District Plan shall prevail.

## PART 3 STOCK

### 7. KEEPING STOCK IN URBAN AREAS

- 7.1 A person may keep stock in the Urban Area provided they comply with the General Provisions set out in Part 2 as well as the following conditions:
  - a) The stock are prevented from causing any nuisance or damage to the property of adjoining premises.
  - b) Manure and effluent is removed from the premises, or appropriately recycled or reused, before it creates a nuisance.
  - c) Stock ~~should have an~~ are provided adequate and appropriate living environment for their species including companionship, space, shade and shelter.

## PART 4

### CATS

#### 8. CATS ON PREMISES

- 8.1 ~~No~~ A person may ~~not~~ keep more than three cats per ~~dwelling property~~ premises on any private land in the Urban Area without a permit issued under this Bylaw. Where a unit title exists (such as for an apartment or townhouse) then the limit of cats that can be kept without a permit applies per unit title.
- 8.2 If the Council issues a permit to a person to keep more than three cats under clause 8.1 ~~then~~ the permit holder must comply with the conditions of that permit.
- 8.3 ~~No~~ Cats kept for breeding purposes shall ~~not~~ be housed within 1.8 metres of the boundary of any adjoining property in the Urban Area, unless the housing for the cat or cats is within a dwelling house.
- 8.4 The restrictions of clauses 8.1 and 8.3 shall not apply to kittens below the age of three months.
- 8.5 Nothing in clause 8.1 applies to the SPCA or other animal shelter or a lawfully established veterinary clinic or cattery.
- 8.6 Nothing in clause 8 precludes the need for a resource consent under the District Plan.
- 8.7 Every person who keeps cats must ensure ~~that~~:
- a. Cats over six months of age are microchipped and registered with the New Zealand Companion Animals Register, or other Council approved microchip registry.
  - b. Cats over ~~six~~ four months are desexed (unless kept for breeding purposes and are registered with a nationally recognised cat breeders' body including New Zealand Cat Fancy Ltd. and Catz Inc.).<sup>2</sup>
- 8.8 Clause 8.7 applies to all cats born after 1 July 2018.

<sup>2</sup>Explanatory Note: Cats may reach puberty at any time after 4 months of age. As stated in the Companion Cats Code of Welfare 2018, issued under the Animal Welfare Act 1999 by MPI, desexing cats by 4 months reduces the likelihood of some nuisance cat behaviours occurring which may be objectionable to people (ie: spraying, straying and vocalising). Desexing cats also supports ongoing cat population management in Palmerston North by preventing unwanted breeding.

## PART 5

### PIGS

#### 9. ~~PIG~~ KEEPING PIGS

- 9.1 ~~No person may keep a pig or pigs in the urban area.~~ Pigs are only permitted to be kept in areas zoned rural in the District Plan.
- 9.2 ~~No A person may not keep a pig or pigs on land zoned rural in the District Plan except in accordance with the District Plan.~~ Pigs kept in rural zones must be kept in accordance with the District Plan.
- 9.3 Where there is a discrepancy between this Bylaw and the District Plan regarding the keeping of pigs, the District Plan prevails.

#### 10. MAINTENANCE OF PIGSTIES

- 10.1 ~~A person keeping pigs must at all times ensure that the pig has access to, but is not kept permanently in, a shelter or a pigsty that:~~
- a. ~~is sufficient in size to allow the pig to stand, turn, and lie down in a natural position; and~~
  - b. ~~is adequately ventilated; and~~
  - c. ~~provides protection from extremes of heat and cold; and~~
  - d. ~~has a dry lying area and suitable nesting material; and~~
  - e. ~~includes separate areas for toileting, eating, and separation from offspring.~~
- 10.2 The keeper of pigs must keep the pigsty and all drains, tanks, troughs and other areas associated with the pigsty in a clean condition.
- 10.3 All troughs from which pigs are fed must be watertight and properly constructed using concrete, sheet iron, hardwood or other material. ~~approved in writing by an authorised Officer.~~
- 10.4 Troughs, whether in feeding pens or elsewhere, must be placed on a smooth concrete slab with a raised nib wall around its edge and must be of sufficient size to prevent pollution of the area or ground surrounding the trough.
- 10.5 All manure and effluent must be removed from the premises, or appropriately recycled or reused, before it creates a nuisance.

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- 10.6 All food intended for pigs shall be contained in an impervious container with a close fitting cover sufficient to prevent access by flies or the escape of offensive odours.

## PART 6

### POULTRY

#### 11. KEEPING OF POULTRY

- 11.1 Subject to clause 11.4 relating to roosters, ~~no~~ a person may ~~not~~ keep poultry in the Urban Area except in accordance with clause 12 of this Bylaw.
- 11.2 ~~No A person may not keep poultry in the rural zone except in accordance with the District Plan.~~ Poultry kept in rural zones must be kept in accordance with the District Plan.
- 11.3 Where there is a discrepancy between this Bylaw and the District Plan regarding the keeping of poultry, the District Plan shall prevail.
- 11.4 ~~No~~ A person may ~~not~~ keep roosters in the urban area unless:
- a) The rooster is kept in the Palmerston North villages of Ashhurst, Bunnythorpe, Longburn and Linton; or
  - b) The owner of the rooster holds a valid permit issued under this Bylaw.

#### 12. MAINTENANCE OF POULTRY HOUSES AND RUNS

- 12.1 Poultry must be provided with a poultry house with the following features:
- a) A rainproof roof;
  - b) A floor made of solid wood, concrete or other ~~approved~~ suitable material surrounded by a raised nib to which a poultry run may be attached.
- 12.2 No poultry house or poultry run shall be placed so that any part of it is within 2 metres of any dwelling house, whether wholly or partially occupied, or the boundary of any adjoining premises, unless the properties are separated by a solid fence.
- 12.3 Every poultry house and poultry run shall be maintained in good repair, in a clean condition free from any offensive smell or overflow, and free from vermin.

- 12.4 Any property where poultry are not confined in a poultry house and run must have secure boundary fences to confine poultry to that property, **and the poultry must still be provided with shelter that gives shade, and otherwise protects the animal from excessive rain, cold, or heat.**

## PART 7

### BEES

#### 13. BEE KEEPING

- 13.1 A person may keep bees in the urban area provided they comply with the following conditions:

- a) Hives are placed no closer than 1 metre to any boundary unless there is a solid fence 1.6 metres or taller on that boundary **for the flight path management of bees**; and
- b) The property area is 500m<sup>2</sup> or greater; and
- c) **Hives are positioned on the property so that the flight path of bees is encouraged in a direction directed away from neighbouring properties or public footpaths or walkways;**
- d) The number of hives does not exceed that which is allowed for the area of the property as indicated in the following table:

Property area	Maximum number of hives
500m <sup>2</sup> to 700m <sup>2</sup>	2
701m <sup>2</sup> to 1000m <sup>2</sup>	4
1001m <sup>2</sup> to 2000m <sup>2</sup>	6
2001m <sup>2</sup> or greater	8

- e) The apiary, **or hive**, or the beekeeper must be registered under the Biosecurity Act 1993 and the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998.<sup>3</sup>

<sup>3</sup> Explanatory Note: Beekeepers have a legal obligation to register themselves as a beekeeper under the Biosecurity Act 1993. Beekeepers also have an obligation under the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998 to register their apiary or hive.

The purpose of registration is to protect bees and hives from American Foulbrood Disease, and allows Manatū Ahu Matua - Ministry of Primary Industries (MPI) to respond appropriately to hives experiencing an incursion of exotic pests and diseases. Beekeepers are also required to comply with the ongoing management requirements in the American Foulbrood National Pest Management Plan.

- 13.2 The requirements of clause 13.1 (a) do not apply where a hive is located on or above the second storey of a building.
- 13.3 Notwithstanding clause 13.1, a person may apply for a permit under this Bylaw to keep bees if they are otherwise unable to comply with the conditions of clause 13.1.
- 13.4 A person may keep bees in the rural zone in accordance with the District Plan.

## PART 8

### SLAUGHTERING OF STOCK OR POULTRY

#### 14. SLAUGHTER OF ANIMALS STOCK OR POULTRY

- 14.1 Any person who slaughters stock or poultry must do so in a way that minimises distress to the animal, does not cause the animal to suffer any unreasonable or unnecessary pain or distress, and which does not cause distress or is offensive offence to any person.
- 14.2 Any person who slaughters stock or poultry must dispose of the waste or remains from the animal in such a manner that it does not create a nuisance or threat to public health and safety, and does not cause distress or offence to any person.
- 14.3 The slaughter of stock or poultry must be carried out so as not to be in view of a nearby person, including from inside of a residence.
- 14.4 Stock or poultry must not be slaughtered, or the waste or remains of the animal disposed of, in a public place.

## PART 9

### ADMINISTRATION

#### 15. PERMITS

- 15.1 A permit to keep animals may be issued under this Bylaw if the Authorised Officer is satisfied that the granting of the permit would not create a nuisance or injury to the health or safety of any person.
- 15.2 For the avoidance of doubt, the Council may grant a permit for an activity that would otherwise contravene this Bylaw.

- 15.3 A permit may include conditions that the Council considers are reasonably necessary to manage the effects of the activity, achieve the objectives of this Bylaw, and minimise the risk of nuisance.
- 15.4 Any person seeking a permit must:
- Complete the required application form; and
  - Pay the applicable fee, if any; and
  - Comply with any requirements set as conditions of that permit.
- 15.5 A permit may be cancelled by the Council if:
- The Council receives separate complaints ~~from three or more different properties~~ and the Authorised Officer is satisfied that the complaints are reasonable and justified; or
  - The holder of the permit breaches the conditions of the permit.
- 15.6 The holder of the permit may apply to the ~~General Manager of the Customer Services Unit~~ **delegated officer** for a review of any decision made under clause 15.5 within five working days of receiving notification of the decision.
- 15.7 A permit is personal to the applicant and is not transferable.

## 16. FEES FOR PERMITS

- 16.1 The Council may charge a fee for receiving and processing an application and issuing a permit.
- 16.2 The Council must prescribe a fee for any permit issued under this Bylaw using the Special Consultative Procedure in accordance with the **LGA Local Government Act 2002**.

## 17. OFFENCES AND PENALTIES

Every person who commits a breach of any of the provisions of this Bylaw commits an offence and may be liable on summary conviction to a fine of up to \$20,000 as prescribed by section 242 of the ~~LGA Local Government Act 2002~~.







PALMERSTON NORTH CITY

# PALMERSTON NORTH ANIMALS AND BEES BYLAW

~~2018~~ 2024

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## Administration Manual

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## Document Control

Version No.	Reason for Amendment	Date
1.0	Adopted by Council	28 May 2018
2.0	Adopted by Council	Day Month 2024

## Authorisation

	Name	Signature	Date
Prepared By			
Reviewed By			
Authorised By			

## PART 1 – INTRODUCTION

The purpose of this Administration Manual is to provide material complementary to the Animals and Bees Bylaw.

It addresses aspects of how animals may be kept in urban areas that could be included in the Bylaw, but are of an administrative or operational nature.

These aspects of animal control may be amended before the Bylaw is reviewed and this is appropriately achieved by Council resolution changing this Manual. This will simplify the administration of the Bylaw, allow for administrative and technical processes to be kept up to date, and assist in interpretation of the Bylaw.

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

This Administration Manual will be updated from time to time, as necessary, to ensure that it is kept up-to-date and reflects current practice. Amendments to this document will be authorised by the ~~delegated officer, as set out in the Delegations Manual~~  
~~General Manager for Customer Services Unit.~~

## PART 2 - FORMS

This section includes the form to be used when applying for a permit under the Animals and Bees Bylaw. This form applies to the following activities controlled by the bylaw and for which a permit may be issued:

- Keep more than three cats on private land in the urban area
- Keep more beehives than authorised by the Bylaw
- Other activity that contravenes the Bylaw

# Animals and Bees Bylaw Permit Application Form



## APPLICANT DETAILS

Applicant Name: \_\_\_\_\_

Trading Name of Business (if applicable) : \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

After hours: \_\_\_\_\_

Mobile: \_\_\_\_\_

## ACTIVITY TYPE

Please indicate the type of activity permit for which you are applying

☐ Keeping cats

☐ Keeping bees

☐ Other: \_\_\_\_\_

## PERMIT REQUIREMENTS

I confirm that:

- (a) I have included in this application the required information necessary to enable the Council to consider the application (see overleaf).
- (b) I have paid the prescribed fee (if applicable)
- (c) I agree to comply with the times, terms and conditions of the permit if a permit is issued.

Signature: \_\_\_\_\_ (applicant)

Date: \_\_\_\_\_

### OFFICE USE ONLY

Application received on: \_\_\_\_\_

Recommendation: Approved/Declined (circle one)

Permit number: \_\_\_\_\_

Applicant advised: Yes/No (circle one)

Date: \_\_\_\_\_

## PERMIT INFORMATION REQUIREMENTS

The following are the information requirements for each of the different permit activity types. Please ensure that you supply all the required information with your application to enable the Council to consider your application. A failure to supply the required information may delay your permit application.

### Keeping cats (clause 8)

1. The number of cats being kept.
2. The purpose for which the cats are being kept (e.g. companionship, show, breeding).
3. Information showing the suitability of the property and housing arrangement in which the cats will be kept.
4. How you will manage the effect the additional cats may have on the surrounding neighbourhood, including management of any noise or nuisance effects.

### Keeping bees (clause 13)

1. A sketch plan showing the number and location of hives, including their proposed placement in relation to other buildings or structures on the property or property boundaries.
2. The size of the property where the hives are to be located.
3. The apiary registration number/s.

### Any other animal not permitted in the Bylaw:

1. The species of animal.
2. The number of animals proposed to be kept.
3. The size of the property where the animal will be located.
4. Information showing that suitable provision has been made for the keeping of the animal, including welfare and housing needs.
5. How nuisance caused from the keeping of the animal, including noise and odour which may negatively affect other members of the public, will be mitigated.





## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 8 May 2024

**TITLE:** Draft Palmerston North Dog Control Policy 2024 - Deliberations

**PRESENTED BY:** Kate Harridge, Policy Analyst and Stacey Solomon, Policy Analyst

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

### RECOMMENDATION TO COUNCIL

1. That Council adopt the Palmerston North Dog Control Policy 2024, as presented in Attachment 2 of this memorandum.

### 1. OVERVIEW

- 1.1 Council is required to adopt a Dog Control Policy under section 10(1) of the Dog Control Act 1996 (the Act). Council is also obliged under section 20 of the Act to give effect to the policy by adopting a bylaw no later than 60 days after adopting that policy.
- 1.2 Because the Bylaw which Council adopts must be wholly consistent with the Policy, for Council to correctly replace its Bylaw it needed to review the Policy first under section 10(7) of the Act.
- 1.3 By reviewing and adopting the Policy, Council satisfies the requirements of sections 86, 155 and 156(1) of the Local Government Act 2002, which are the determination that Council would usually make relating to the bylaw being the most appropriate way of addressing the identified issue. Council does not need to consult on its bylaw if it already consulted on its policy under section 10(8)(a) of the Act.
- 1.4 The purpose of the Dog Control Policy is to explain Council's approach to dog control to the community in Palmerston North, and to indicate how Council will exercise its discretionary functions under the Act.
- 1.5 Council gave approval to review the 2018 Dog Control Policy on 10 May 2023, with early community engagement taking place from 25 October to 15 November 2023. At its meeting on 6 December 2023, Council approved the draft Dog Control Policy to go out for consultation. The Statement of Proposal, including the draft Dog Control Policy, was released to the public for comment on 10 January 2024 with written submissions closing on 12 February

2024. Seventy-seven submissions were received by the closing date and two submissions were received after the closing date. Six submitters spoke to their submissions on 21 February 2024 and two submitters spoke to their submissions on 10 April 2024.

- 1.6 The Committee should now deliberate. For the purposes of deliberation, Attachment 1 presents the various issues raised by submitters, provides analysis and advice, and discusses recommended changes to the policy as a result of consultation. Attachment 2 presents the Dog Control Policy with the recommended changes in response to submissions received, shown as tracked changes.
- 1.7 Following deliberation, the Committee may recommend Council adopt the Policy.

## 2. DESCRIPTION OF OPTIONS

- 2.1 At this point of the consultation process, the Committee has two options.

Option 1: Recommend Council adopt the Policy.

Option 2: Not recommend Council adopt the Policy.

- 2.2 Advice on each of these options is provided in Attachment 1 of this memorandum. The summary of options analysis is provided in the table below.

<b>Problem or Opportunity</b>	<p>Following consultation with the community, the Committee can deliberate on submissions made, and further changes proposed, to the draft Palmerston North Dog Control Policy 2024.</p> <p>The Committee should then recommend Council either adopt the draft Policy, or not adopt the draft Policy.</p>
<b>OPTION 1:</b>	<p><b>Recommend Council adopt the Policy.</b></p> <p><i>This option is recommended.</i></p>
Community Views	Different views on the proposal have been shared by members of the Community with the majority of submissions supporting the proposed changes to the Policy.
Benefits	Adopting the draft Policy means that current best practice is able to be incorporated into the regulatory activities of Council.
Risks	There are no risks associated with this option.
Financial	There are no financial issues associated with this option.
<b>OPTION 2:</b>	<p><b>Not recommend Council adopt the Policy.</b></p>

	<i>This option is not recommended.</i>
Community Views	Some submissions received by Council on its draft Policy requested additional changes be made. Additional changes were considered as part of the detailed submissions analysis. Option 2 supports those submissions.
Benefits	There are no benefits associated with this option.
Risks	If we do not adopt the Policy, we run the risk of the Dog Control Bylaw expiring before it can be replaced.
Financial	There are no financial issues associated with this option.

- 2.3 Based on detailed submission analysis and in consideration of the benefits and risks, staff recommend that Council adopt the draft Policy (option 1).

### 3. CONSULTATION


- 3.1 Council [notified consultation](#) on the draft Dog Control Policy on 10 January 2024, and submissions were accepted through to 12 February 2024. Printed copies of the Statement of Proposal which included hardcopy submission forms were made available at the Customer Service Centre, as well as Council libraries. [A consultation page](#) that explained the proposal of Council, information about how people could get in touch, and included an online submission form, was published on the Council's website.
- 3.2 Consultation information was also shared through Council's social media channels, posters, radio interviews, as well as at two drop-in sessions (one in the evening at the Convention Centre, another at the Smooch Your Pooch event at Linklater Park).
- 3.3 Social media engagement

The social media campaign for this consultation attracted a moderate amount of engagement from the community. However, we note that the social media campaign captured the concurrent review of both the Dog Control Policy and the Animals and Bees Bylaw.

The initial Facebook post (posted on 11 January 2024) attracted 85 comments, 45 reactions, and 7 shares.


A second Facebook post (posted on 9 February 2024) attracted 1 comment, 10 reactions, and 1 share.

Generally, the comments and conversations via the social media posts specific to the Dog Control Policy resembled the responses given through the formal submissions being considered by Council.



**Skye Shaddix**

A link to the different dog classifications would be helpful, the legislation it's hidden in isn't very clear



**Glen Signal**

Yeah they just trying to make more money out of pet owners and rates payers

#### 4. SUMMARY OF SUBMISSIONS

4.1 Submissions were circulated separately to Elected Members ahead of the Hearing on 21 February 2024. Submissions were not published in the agenda due to a lack of time to redact sensitive information. Submissions covered the wide range of views commonly associated with any policy regulating animal ownership. Refer to Attachment 1 for the detailed analysis of submissions.

4.2 Submissions made by the community have provided important information for deliberation. Council received 77 submissions on its proposal by the closing date, and two further submissions after the closing date, the majority of which are supportive or supportive in part of the proposed Dog Control Policy.

4.3 To summarise the engagement:

4.4 Dogs classified as menacing

An addition is proposed to Clause 10 Dogs Classified as Menacing that will align it with the requirements of the Act. Aligning the clause with the legislation will assist owners of dogs classified as menacing with understanding their responsibilities when their dogs are in shared public spaces. The proposed addition is:

10. Dogs classified as menacing must not be allowed to be at large or in any public place or private way, except when the dog:

(a) is confined completely within a vehicle or cage; or

(b) is muzzled in a manner that prevents the dog from biting but allows it to breathe and to drink without obstruction.

Sixty-eight submitters supported this change, five submitters did not support this change, five submitters didn't know or had no opinion on this change, and one submitter didn't state their position on this change.

4.5 Dangerous dogs

An additional clause is proposed for dogs which have been classed as dangerous under the Act. Aligning the clause with the legislation will assist

owners of dogs classified as dangerous to understand their responsibilities when their dogs are in shared public spaces, as well as their responsibility to ensure safe access to dwellings located on private property is available where the dangerous dog is kept. The proposed addition is:

11. Dogs classified as dangerous under Section 32 of the Act must be securely fenced on a portion of the owner's property that it is not necessary to enter to obtain access to at least one door of any dwelling on the property, and must not be allowed to be at large in a public place or private way, except when the dog:
  - (a) is confined completely within a vehicle or cage; or
  - (b) is muzzled in a manner that prevents the dog from biting but allows it to breathe and to drink without obstruction; or
  - (c) is controlled on a leash (except for when it is in a specified dog exercise area, and it is appropriately muzzled to prevent it from biting).

Seventy submitters supported this change, three submitters did not support this change, four submitters didn't know or had no opinion on this change, and two submitters didn't state their position on this change.

#### 4.6 Barking dogs

Clause 13 Barking Dogs is proposed to be reworded so that it more clearly aligns with s.55(1) in the Act. Changing the wording of the clause will assist Dog Control Officers by providing additional guidance when they are responding to complaints of barking or howling dogs. The proposed wording is:

13. Council's process for dealing with barking complaints is to determine if ~~the barking or howling~~ is loud and persistent and is causing a nuisance ~~or distress to any person~~. It will then take the appropriate action under the provisions of the Act.

Fifty-eight submitters supported this change, six submitters did not support this change, 14 submitters didn't know or had no opinion on this change, and one submitter didn't state their position on this change.

#### 4.7 Prohibited public places

Clause 17.1 (a-d) outlines the reasons why Council will make a public place prohibited to dogs. The reasons include if the area has a high density of pedestrian traffic, if vulnerable people are likely to be at that location, if it is a sensitive natural environment, or if the nature of the place makes it unsuitable for dogs to be present there. For example, Te Marae o Hine The Square is an area that has high pedestrian usage where vulnerable people often are. However, following a trial period in 2018-2019 that included consultation with the community, a change to the control of dogs from prohibited to on-leash was made.

An addition is proposed to clause 17.1 that states Council will engage with the community before making an area which would usually be prohibited to dogs under one of the reasons set out in 17.1 (a-d), a dog on-leash area. The proposed addition is:

17.1 From time to time, the Council may engage with the community to identify the suitability of areas which would otherwise be considered prohibited public places under this policy to make them a dog on-leash area.

Sixty-six submitters supported this change, six submitters did not support this change, six submitters didn't know or had no opinion on this change, and one submitter didn't state their position on this change.

#### 4.8 Temporary areas of control

Occasionally Council may have reason to change the control for dogs in certain areas. For example, Council may want to host a dog pool party event at one of its aquatic facilities before the pool is drained at the end of the season. Pools and other aquatic facilities are currently prohibited to dogs. Additional wording is proposed for the clause which reads:

18. The Council may have reason to temporarily lift or change specific controls for dogs in public places i.e.: for an event where dogs may need to be off-leash in an area that is otherwise prohibited to dogs, or to prohibit dogs in an area that they are not usually prohibited from.

The Council may from time to time declare any public place that is a prohibited public place to be a dog on-leash or dog off-leash area for a specified time.

Seventy submitters supported this change, two submitters did not support this change, four submitters didn't know or had no opinion on this change, and three submitters didn't state their position on this change.

#### 4.9 Preferred owner scheme

An addition is proposed to Clause 23 Preferred Owner Scheme that would require a dog owner who is applying to become a preferred owner to demonstrate that they are prepared or have plans in place for their dog in case of an emergency or emergency event. The proposed addition is:

(e) In case of an emergency event, the owner is prepared and has a plan or arrangements in place so that the food, water, shelter, and exercise requirements of their dog can be met.

Sixty-nine submitters supported this change, four submitters did not support this change, four submitters didn't know or had no opinion on this change, and two submitters didn't state their position on this change.

#### 4.10 Care and management of dogs

Additional wording is proposed to Clause 26.2, which outlines the responsibilities of owners to adequately house their dogs. The proposed

change aligns the requirements of the Policy more closely with the Code of Welfare for Dogs, particularly the minimum standards for kennelling, shelter, and ventilation. The proposed wording is:

26.2 Owners ~~Dogs must be~~ provided their dog with adequate accommodation that:

- (a) is large enough in size for the dog to stand, turn, and lie down in;
- (b) ~~is, for example a kennel~~ on a hard surface;
- (c) is raised off of the ground;
- (d) is dry and water is prevented from entering;
- (e) is ventilated;
- (f) is suitable to protect the dog from excessive heat or excessive cold; and
- (g) allows the dog to urinate or defecate in an area away from its lying area.

Alternatively, dogs may be provided with access to the interior of a building with an adequate sleeping area at night.

Seventy-one submitters supported this change, four submitters didn't know or had no opinion on this change, and four submitters didn't state their position on this change.

#### 4.11 Other changes

Staff have made a number of proposed revisions throughout the Policy to improve interpretation and readability of the Policy, including the addition of new definitions.

Changes have also been proposed to bring the Policy up to date with current Council information and process, align the Policy with the appropriate legislation and Codes of Welfare, and to remove unnecessary duplication.

Fifty-four submitters supported this change, two submitters did not support this change, 19 submitters didn't know or had no opinion on this change, and four submitters didn't state their position on this change.

#### 4.12 General comments

Thirty-four submitters made general comments in relation to the proposed Dog Control Policy.

### 5. **CONCLUSION**

5.1 The consultation process has generated a broad spectrum of submissions on dog control matters. Overall, most of the submitters support Council's general approach to dog control administration and enforcement.

5.2 Officers have fully considered all of the submissions and the feedback made through the consultation period. Minor amendments are proposed to the policy, but a number of submission comments have been referred to Officers for their consideration, or to guide operational improvements or future work programmes.

5.3 This report recommends that the draft Dog Control Policy 2024 be adopted, as presented in Attachment 2 of this memorandum.

## 6. OTHER CONSIDERATIONS

6.1 Several submitters called for the dog exercise area at Linklater Reserve to be restricted to a limited area of the park, some calling for spring-loaded gates or fencing to be installed. This change was not consulted on. Staff advice is that because there is likely to be a wide range of views on any changes proposed to Linklater Reserve, additional work would need to be completed before any changes are made. These submission comments have been referred to Officers for their consideration.

## 7. NEXT STEPS

7.1 Once adopted, the Dog Control Policy will be given effect by a replacement Dog Control Bylaw. This needs to be done within 60 days of the Policy being adopted. The subsequent Bylaw will be drafted for adoption by Council in June 2024.

7.2 Public notices will be placed, and submitters will be contacted and advised of the outcome of the consultation process. The Dog Control Policy will be published on the Council's website, with physical copies made available in the Customer Service Centre.



## 8. COMPLIANCE AND ADMINISTRATION

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



Contribution to strategic direction and to social, economic, environmental and cultural well-being	The Dog Control Policy and Bylaw contributes to Goal 3: A connected and safe community of Council's strategic direction; "to be a city where people feel safe and are safe". The Safe Communities Plan describes Council's commitment to the delivery of information, education and enforcement of regulatory policy, including the Dog Control Policy and Bylaw.
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## ATTACHMENTS

1. Analysis of Submissions - Draft Dog Control Policy 2024 [↓](#) 
2. Draft Dog Control Policy 2024 - for deliberation [↓](#) 



## Analysis of Submissions

### Draft Dog Control Policy 2024

#### 1. Purpose of this document

This document provides analysis of the issues raised by submitters to the draft Dog Control Policy 2024. The purpose of the analysis is to provide the Committee with information and advice to inform deliberations on the draft Policy.

This analysis should be read in conjunction with the proposed changes to the Policy, and the full text of each submission, which was circulated separately to Elected Members ahead of the Hearings on 21 February 2024 and 10 April 2024.

#### 2. Context

The Council is required to adopt a Dog Control Policy under section 10(1) of the Dog Control Act 1996 (the Act). The Council is also obliged under section 20 of the Act to give effect to the policy by adopting a bylaw no later than 60 days after adopting that policy. The policy review is a result of the requirement to review the Dog Control Bylaw 2018 which will expire in August 2025.

The purpose of the Dog Control Policy is to explain Council's approach to dog control to the community in Palmerston North, and to indicate how Council will exercise its discretionary functions under the Act.

The Committee must now deliberate and, in consideration of the submissions received, make recommendations to the Council to either adopt the proposed changes, or not adopt the proposed changes.

#### 3. What we proposed

##### Dogs classified as menacing

An addition is proposed to Clause 10 Dogs Classified as Menacing that will align it with the requirements of the Act. Aligning the clause with the legislation will assist owners of dogs classified as menacing with understanding their responsibilities when their dogs are in shared public spaces. The proposed addition is:

10. Dogs classified as menacing must not be allowed to be at large or in any public place or private way, except when the dog:

(a) is confined completely within a vehicle or cage; or

(b) is muzzled in a manner that prevents the dog from biting but allows it to breathe and to drink without obstruction.

##### Dangerous dogs

An additional clause is proposed for dogs which have been classed as dangerous under the Act. Aligning the clause with the legislation will assist owners of dogs classified as dangerous with understanding their responsibilities when their dogs are in shared public spaces, as well as their responsibility to ensure safe access to dwellings located on private property is available where the dangerous dog is kept. The proposed addition is:

11. Dogs classified as dangerous under Section 32 of the Act must be securely fenced on a portion of the owner's property that it is not necessary to enter to obtain access to at least one door of any dwelling on the property, and must not be allowed to be at large in a public place or private way, except when the dog:

(a) is confined completely within a vehicle or cage; or

(b) is muzzled in a manner that prevents the dog from biting but allows it to breathe and to drink without obstruction; or

(c) is controlled on a leash (except for when it is in a specified dog exercise area, and it is appropriately muzzled to prevent it from biting).

#### Barking dogs

Clause 13 Barking Dogs is proposed to be reworded so that it more closely aligns with s.55(1) in the Act. Changing the wording of the clause will assist Dog Control Officers by providing additional guidance when they are responding to complaints of barking or howling dogs. The proposed wording is:

13. Council's process for dealing with barking complaints is to determine if ~~the barking or howling~~ is loud and persistent and is causing a nuisance or distress to any person. It will then take the appropriate action under the provisions of the Act.

#### Prohibited public places

Clause 17.1 (a-d) outlines the reasons why the Council will make a public place prohibited to dogs. The reasons include if the area has a high density of pedestrian traffic, if vulnerable people are likely to be at that location, if it is a sensitive natural environment, or if the nature of the place makes it unsuitable for dogs to be present there. For example, Te Marae o Hine The Square is an area that has high pedestrian usage where vulnerable people often are. However, following a trial period in 2018-2019 that included consultation with the community, a change to the control of dogs from prohibited to on-leash was made.

An addition is proposed to clause 17.1 that states the Council will engage with the community before making an area which would usually be prohibited to dogs under one of the reasons set out in 17.1 (a-d), a dog on-leash area. The proposed addition is:

17.1 From time to time, the Council may engage with the community to identify the suitability of areas which would otherwise be considered prohibited public places under this policy to make them a dog on-leash area.

#### Temporary areas of control

Occasionally the Council may have reason to change the control for dogs in certain areas. For example, the Council may want to host a dog pool party event at one of its aquatic facilities before the pool is drained at the end of the season. Pools and other aquatic facilities are currently prohibited to dogs. Additional wording is proposed for the clause which reads:

18. The Council may have reason to temporarily lift or change specific controls for dogs in public places i.e.: for an event where dogs may need to be off-leash in an area that is otherwise prohibited to dogs, or to prohibit dogs in an area that they are not usually prohibited from.

The Council may from time to time declare any public place that is a prohibited public place to be a dog on-leash or dog off-leash area for a specified time.

#### Preferred owner scheme

An addition is proposed to Clause 23 Preferred Owner Scheme that would require a dog owner who is applying to become a preferred owner to demonstrate that they are prepared or have plans in place for their dog in case of an emergency or emergency event. The proposed addition is:

(e) In case of an emergency event, the owner is prepared and has a plan or arrangements in place so they the food, water, shelter, and exercise requirements of their dog can be met.

#### Care and management of dogs

Additional wording is proposed to Clause 26.2, which outlines the responsibilities of owners to adequately house their dogs. The proposed change aligns the requirements of the Policy more closely with the Code of Welfare for Dogs, particularly the minimum standards for kennelling, shelter, and ventilation. The proposed wording is:

26.2 Owners ~~Dogs~~ must ~~be provided~~ their dog with adequate accommodation that:

(a) is large enough in size for the dog to stand, turn, and lie down in;

(b) is, ~~for example a kennel~~ on a hard surface;

(c) is raised off of the ground;

(d) is dry and water is prevented from entering;

(e) is ventilated;

(f) is suitable to protect the dog from excessive heat or excessive cold; and

(g) allows the dog to urinate or defecate in an area away from its lying area.

Alternatively, dogs may be provided with access to the interior of a building with an adequate sleeping area at night.

#### Other changes

A number of revisions made throughout the Policy are to improve interpretation and readability of the Policy, including the addition of new definitions.

Changes have also been made to bring the Policy up to date with current Council information and process, align the Policy with the appropriate legislation and Codes of Welfare, and to remove unnecessary duplication.

#### 4. Summary of consultation response

A draft Dog Control Policy 2024 was presented to the Committee on 6 December 2023 for consultation approval. Consultation occurred between 10 January 2024 and 12 February 2024. A total of 79 submissions (77 by the closing date and 2 late) were received. Eight submitters spoke to their submissions on 21 February 2024 and two submitters spoke to their submissions on 10 April 2024, both at the meetings of the Strategy and Finance Committee.

The overall response to submissions is summarised in the below table. Detailed analysis of submissions is provided in section 5 of this document.

Draft Dog Control Policy 2024	Number of submitters that support the proposed change	Number of submitters that do not support the proposed change	Number of submitters that didn't know or had no opinion on the proposed change	Number of submitters that did not state their position on the proposed change	Total response
Clause 10 - Dogs classified as menacing	68	5	5	1	79
Clause 11 - Dangerous dogs	70	3	4	2	79
Clause 13 - Barking dogs	58	6	14	1	79
Clause 17.1 - Prohibited public places	66	6	6	1	79
Clause 18 - Temporary areas of control	70	2	4	3	79
Clause 23 - Preferred owner scheme	69	4	4	2	79
Clause 26.2 - Care and management of dogs	71	0	4	4	79
Other changes	54	2	19	4	79

#### 5. Detailed analysis of submissions and recommended changes

The following section identifies the issues raised by submitters on the proposals included in the consultation document, with analysis of those issues and the staff recommendations in response to each issue.

The issues are arranged by the change proposed, then broadly by theme.

Theme	Generalised comment	Submission Number/s	Staff response	Recommendation
<b>Clause 10 – Dogs classified as menacing</b>				
Individual dog behaviour vs. breed stereotyping	Many commenters emphasise that a dog's behaviour should not be determined solely by its breed, advocating for a focus on individual behaviour rather than breed stereotypes.	2, 9, 28, 38, 41, 43	PNCC must classify a dog as menacing if there are reasonable grounds to believe a dog belongs wholly or predominantly to 1 or more breeds or types listed in Schedule 4 of the Act.	Noted, no changes.
Enforcement and policing of rules	Questions and concerns are raised about how rules regarding menacing dogs will be enforced and policed effectively, given limitations in resources such as animal control officers.	6, 22, 25, 69,	Noted. Comment has been referred to officers for their consideration.	Noted, no changes.

Theme	Generalised comment	Submission Number/s	Staff response	Recommendation
Definition and clarity	There is a repeated call for clear definitions of what constitutes a menacing dog and where specific rules apply. Clarity is seen as crucial for both dog owners and Dog Control Officers.	2, 19, 28, 38, 41, 43	Dogs classified by Palmerston North City Council as menacing are defined under sections 33A or 33C of the Act.	Noted, no changes.
Owner responsibility	There is an emphasis on the responsibility of dog owners to always have control over their pets, whether through leash or muzzle, to prevent incidents.	57	Noted.	Noted, no changes.
Need for education and awareness	Comments suggest that education and awareness about dog behaviour and breed identification are necessary to avoid misunderstandings and misclassification of dogs.	16, 26, 43,	Noted. If a dog is classified as menacing under section 33C of the Act and the owner deems this to be incorrect, the owner may object in writing to PNCC regarding the classification and has the right to be heard in support of the objection. The owner must provide evidence that the dog is not of a breed or type listed in Schedule 4 of the Act. PNCC may uphold or rescind the classification.	Noted, no changes.
Fairness and practicality	There is a consensus that any regulations should be fair and practical for both dog owners and the public, ensuring safety without unfairly targeting specific breeds or creating overly burdensome restrictions.	16, 30,	Noted.	Noted, no changes.
Concerns about public safety	Some comments express concerns about public safety and the need for adequate measures to ensure that the public feels safe from potentially menacing dogs, particularly in public spaces like footpaths and reserves.	27, 40, 57, 69,	The ability to exercise dogs without a leash does not absolve owners from their obligations under the Act, to ensure their dog is kept under control, and to always carry a leash with the dog in a public place. Keeping a dog under control includes the obligation to ensure that the dog does not stray onto private property.	Noted, no changes.
Reclassification	Dogs classified as menacing due to behaviour should have an opportunity to review the classification if the owner can provide evidence of completing training and no infringements obtained within a 12-month period.	78	This measure was not consulted on, so it is not possible to include this into the Policy at this time – we have not had the opportunity to gauge community views on this proposal. PNCC does not currently take this approach.	Accept, no changes at this time. This proposal is referred to officers for their consideration in future policy and bylaw reviews.

Theme	Generalised comment	Submission Number/s	Staff response	Recommendation
			<p>Dogs receive a menacing classification for one of two reasons – based on the breed of the dog (determined by legislation) or based on previous behaviour which is considered menacing.</p> <p>Officers give careful consideration in any instance when a menacing classification may potentially be applied based on previous behaviour. This means that there is a very high bar for a dog to receive the classification.</p> <p>Officers are aware that this reclassification approach has been adopted by Auckland Council. If PNCC wanted to pursue a similar approach, additional work would need to be completed to understand the effect this would have on our current classification practice, our obligations under the Act, and could be considered during the next review.</p>	
<b>Clause 11 – Dangerous dogs</b>				
Individual dog behaviour vs. breed stereotyping	Similar to the ‘menacing dog’ comments, there’s a strong emphasis on the belief that a dog’s behaviour should not be generalised based on breed. Instead, it’s suggested that behaviour is influenced by training and upbringing.	2, 9, 16, 28, 38	PNCC must classify a dog as dangerous if it meets the criteria under section 31(1)(a-c) of the Act. Breed is not a classification for a dangerous dog under the Act.	Noted, no changes.
Concerns for public safety and property protection	Some comments express concerns about dangerous dogs within city boundaries or on private property, highlighting the potential risks to public safety and property security.	8, 42, 76	Noted. The requirements of owners of dangerous dogs and the action they must take on private and public property is set out in clause 11 of the draft Dog Control Policy 2024.	Noted, no changes.
Need for clear definitions	There’s a call for clear definition of what constitutes a dangerous dog and how regulations will be enforced, particularly regarding access to public spaces and private property.	2, 9, 16, 28, 38, 40, 42, 71, 76	Dogs classified by Palmerston North City Council as dangerous are defined under section 31(1)(a-c) of the Act. Owners of a dangerous dog must comply with section 32 of the Act regarding access to public spaces and	Noted, no changes. These comments are referred the operational staff for actioning.



Theme	Generalised comment	Submission Number/s	Staff response	Recommendation
			private property and this is provided by officers to owners in materials received upon registering a dangerous dog, and this is enforced by officers.	
Call for more resources and enforcement	Many commenters express concerns about the adequacy of resources, such as Animal Control Officers, to effectively police regulations regarding dangerous dogs and public safety.	22, 68, 71	Noted.	Noted, no changes.
Emphasis on training and responsible ownership	Suggestion made for mandatory dog training courses for owners of dangerous dogs as a means of ensuring they can control their pets and prevent incidents.	53	Noted.	Noted, no changes.
Welfare of confined dogs	Some comments raise concerns about the welfare of dangerous dogs that may be confined, suggesting the need for measures to ensure their wellbeing.	57, 71	Noted.	Noted, no changes.
Previous experiences and impact	Several comments share personal experiences of encounters with dangerous dogs, underscoring the real impact such incidents can have on individuals and the importance of effective regulation and enforcement to prevent them.	28, 76	Noted.	Noted, no changes.
<b>Clause 13 – Barking dogs</b>				
Challenges in addressing barking issues	There's frustration expressed over the difficulty in addressing barking dog complaints effectively. Commenters note that despite complaints, little action seems to be taken to educate owners or mitigate the problem.	2, 33, 58, 76, 77	Out of scope but noted. Acknowledge comments stating that the 'barking diary' enforcement approach by officers may be seen as ineffective, and comments stating that officers don't respond to complaints.	Out of scope but noted, no changes. Comment has been referred to officers for their consideration
Fairness and accuracy in complaints	Concerns are raised about the fairness and accuracy of complaints, with some feeling unfairly targeted or that complaints may stem from personal biases against dogs.	19, 29, 31, 32, 38, 47,	Noted.	Noted, no changes.
Distinguishing between normal and excessive barking	Some comments discuss about distinguishing between normal barking behaviour, such as excitement, alerting to strangers, and excessive or nuisance barking, distress or separation anxiety, especially during night-time hours.	19, 25, 29, 30, 31, 32, 36, 41, 67, 78	Noted.	Noted, no changes.
Call for action and enforcement	Commenters express a desire for stronger action and better enforcement measures to address persistent barking issues, including the needs for	2, 26, 27, 33, 38, 58, 63, 72, 73, 74, 76, 77,	Out of scope but noted.	Out of scope but noted, no changes. Comment has been referred to officers for their consideration.

Theme	Generalised comment	Submission Number/s	Staff response	Recommendation
	more proactive approaches or training by dog control officers.			
Impact on quality of life	Several comments highlight the significant impact of persistent barking on quality of life, including disrupted sleep and outdoor activities, as well as fear or anxiety caused by aggressive dog behaviour.	22, 33, 75,	Noted.	Noted, no changes.
Need for flexibility and understanding	Suggestions are made for more flexibility in defining nuisance barking, considering factors such as the time of day and individual circumstances, as well as providing support and assistance to dog owners experiencing challenges.	16, 19, 22, 29, 31, 32, 36, 41, 75, 78	Clause 13 of the Policy provides guidance to the community on how an authorised officer determines whether barking is considered nuisance. Section 55 of the Act describes a nuisance being created by the persistent and loud barking or howling being created by any dog.	Noted, no changes. Officers use their discretion under the clauses of the Policy and the Act when responding to complaints.
<b>Clause 17.1 - Prohibited public places</b>				
Need for clarity and communication	There's a call for clear communication and signage regarding designated off-leash areas, as well as information about dog-friendly and dog-prohibited areas, to ensure that dog owners and the public are aware of the rules.	14, 26, 43, 71, 72, 73, 78	Control areas will be signalled through signage at the control area. Examples of prohibited public places, dog on-leash areas and dog exercise areas are listed in the Dog Control Policy. A list of dog off-leash exercise areas is available on the Council <a href="#">website</a> .	Noted, no changes.
Impact on enjoyment of public spaces	Some commenters express discomfort or inconvenience with the presence of dogs in public spaces, citing concerns about dog phobias, past negative experiences with dogs, or simply a preference for dog-free environments.	14, 42, 76,	Noted.	Noted, no changes.
Local specificity and consideration	Concerns are raised about the appropriateness of specific designated areas as off-leash dog zones, with calls for consideration of existing conditions, such as proximity to livestock, pedestrian traffic, and physical features of the area.	42, 76	Noted.	Noted, no changes. Comment has been referred to officers for their consideration.
Importance of enforcement and compliance	There's an emphasis on the need for enforcement of rules regarding off-leash areas, as well as ensuring that dog owners can control their pets effectively to prevent incidents and maintain safety for all users of public spaces.	53, 76	Noted.	Noted, no changes.
Advocacy for on-leash and off-leash areas	Despite some concerns, there's support for designated on-leash and off-leash areas, with a	2, 16, 22, 36, 63, 72, 78	Noted.	Noted, no changes.

Theme	Generalised comment	Submission Number/s	Staff response	Recommendation
	recognition of the importance of providing spaces where dogs can exercise and socialise safely under the control of responsible owners.			
<b>Clause 18 - Temporary areas of control</b>				
Support for flexibility and innovation	Many commenters express support for the proposal, highlighting the benefits of flexibility in policies to accommodate special events or community activities such as dog-friendly pool days. There's enthusiasm for creative and inclusive initiatives that enhance community engagement.	2, 8, 16, 30, 36, 71, 78	Noted.	Noted, no changes.
Concerns about safety and hygiene	Some commenters raised concerns about the safety and hygiene implications of allowing dogs in public pools, emphasising that pools are primarily for human use and should be kept free of animal contamination.	25, 42	Noted.	Noted, no changes.
Need for effective communication	There's a consensus on the importance of effectively communicating any changes to policies, ensuring that all members of the community are aware of the rules and opportunities for participation in events such as dog-friendly pool days.	26, 73	Noted.	Noted, no changes.
Differing views on dog access to public spaces	There are varying opinions regarding whether dogs should be allowed in shared spaces and the balance between accommodating pet owners and ensuring the comfort and safety of all users.	2, 8, 78	Noted.	Noted, no changes.
<b>Clause 23 - Preferred owner scheme</b>				
Support for emergency preparedness	Despite some concerns, there's support for this change, recognising that pets are part of the family and they're just as important to prepare for emergencies.	8, 16, 71, 78	Noted.	Noted, no changes.
Need for clarity and communication.	There's a call for greater clarification and communication regarding the requirements and procedures for pet care during emergencies. Commenters highlight the importance of understanding how the scheme would operate and how owners can ensure their pets' wellbeing in unforeseen circumstances.	2, 6, 14, 26, 27, 38, 40, 48, 52, 64, 72	There's a recognition that different types of emergencies require different approaches to pet care planning. When officers are considering an application for preferred ownership, they will be looking to see that the owners have demonstrated that a plan or arrangements are in place so that the needs of their dog can be met for	Noted, no changes to the Policy. The applications for preferred owners will reflect the requirements of the change.

Theme	Generalised comment	Submission Number/s	Staff response	Recommendation
			the duration of the emergency. Emergency means both a personal emergency (such as a medical event) or an emergency response (such as flooding).	
Support for pet owners without family/friends	There's a recognition of the need to support pet owners who may not have family or friends available to step in during emergencies. Commenters suggest the importance of having systems in place to assist these individuals and ensure their pets' wellbeing.	40, 49, 73	As above.	Noted, no changes to the Policy.
Practical challenges and limitations	Commenters raise practical challenges and limitations associated with emergency planning for pets, such as changes in contact details, difficulties accessing homes during emergencies, and the need for ongoing support and monitoring.	6, 8, 22, 26, 40, 48, 49,	Noted.	Noted, no changes.
Critique of existing policies and schemes	Some commenters express dissatisfaction with the preferred owner scheme including criticism of fees. Some commenters call for a flexible approach to the fencing requirement, for example, those who live in an apartment or other dwelling without a fenced yard but meet their dogs exercise requirements.	28, 41, 62, 74, 78	This measure was not consulted on, so it is not possible to include this into the Policy at this time - we have not had the opportunity to gauge community views on this proposal.	Out of scope but noted, no changes. Comment has been referred to officers for their consideration
<b>Clause 26.2 - Care and management of dogs</b>				
Enforcement and resource allocation	There's a consensus that enforcing standards of care for dogs, such as prohibiting chaining, is crucial. However, there are concerns about the resources required for effective enforcement and monitoring.	2, 3, 30, 51, 68,	Noted.	Noted, no changes.
Importance of animal welfare	Commenters stress the importance of ensuring proper care for pets and express frustration with perceived gap in assistance, particularly outside standard business hours. There's a call for greater authority and responsiveness from enforcers to address issues related to animal welfare.	3, 22, 68,	Noted.	Out of scope but noted, no changes. Comment has been referred to officers for their consideration
Clarity and specificity	There's a desire for clearer and more specific guidelines regarding housing standards for dogs. Commenters seek clarity on how certain living arrangements, such as dogs living indoors with	26, 51, 74, 78	Clause 26.2 provides the exception for dogs who are kennelled inside of a house or dwelling at night. Clause 26.2(a-i) must still be made available.	Noted, no changes.

Theme	Generalised comment	Submission Number/s	Staff response	Recommendation
	access to cat/dog doors, align with proposed standards.			
Critique of existing standards	Some commenters express dissatisfaction with existing standards and suggest that they may not adequately address the welfare needs of dogs.	22, 68, 74,	The Policy follows current good practice guidelines and the requirements of the legislation. We constantly monitor the Policy and periodically review it to ensure that the needs of the community and of their dogs are being met.	Noted, no changes.
Support for proposed changes	Despite critiques, there's support for proposed changes to align standards with national codes of welfare to acknowledge the importance of allowing dogs to live indoors in comfortable conditions. Commenters view these changes as positive steps towards ensuring better care for dogs.	16, 27, 50, 71, 73, 78	Noted.	Noted, no changes.
<b>Other changes</b>				
Clarity and transparency	Many commenters express a need for clearer communication about the proposed changes to the Dog Control Policy.	22, 38, 54	Noted. We make our material available in a number of different ways so that people can have their say in the way that suits them. This includes online material, hardcopy material, as well as the opportunity to discuss the proposal with staff.	Noted, no changes.
Concerns about dog waste	There are significant concerns about the amount of dog waste found in public areas and the potential health hazards it poses, especially to children and immune-suppressed individuals. Commenters call for better control of dog waste, increased fines for offenders, and stricter enforcement of regulations.	63	Noted.	Out of scope but noted, no changes. Comment has been referred to officers for their consideration.
Adequacy of policy	Some commenters express doubts about the adequacy of the policy, suggesting that there are loopholes that allow for irresponsible behaviour towards dogs and animals. They call for clearer and more comprehensive wording to address these concerns.	68	PNCC works with a number of animal welfare agencies, groups and law enforcement to ensure that all animals in the city including dogs are cared for responsibly.	Noted, no changes.
Concerns about play area distances	There are concerns raised about the proposed distance requirements for dogs from playgrounds	73	Noted. PNCC has a variety of off-leash and on-leash areas available to dog	Noted, no changes.

Theme	Generalised comment	Submission Number/s	Staff response	Recommendation
	and play areas. Some commenters feel that that proposed distances are too restrictive and could negatively impact dog owners' ability to exercise their pets in certain areas.		owners across the city that enable the exercise of dogs.	
Responsibility and training for dog owners	There is a call for greater accountability and responsibility among dog owners, including measures to address repeated complaints or issues related to poor dog ownership. Some suggest the need for mandatory dog/owner training for those with a history of complaints or issues.	75	Noted.	Out of scope but noted, no changes. Comment has been referred to officers for their consideration.
<b>General comments</b>				
Cost of dog registration	There are concerns about the increasing cost of dog registration, with some commenters expressing worried about the affordability of registering their dogs. Suggestions are made to limit fee increases and provide discounts for responsible owners.	1, 2, 6, 22, 28, 40, 43, 59, 51, 66,	Noted.	Out of scope but noted, no changes. Comment has been referred to officers for their consideration
Limiting number of dogs per property	Some commenters advocate for limiting the number of dogs per property, especially in residential areas, to prevent overcrowding and potential nuisance issues.	5	The limit of dogs per property is generally appropriate for the city. PNCC enables exception by permit and where the owner can demonstrate they are able to effectively care for the number of dogs they have requested.	Noted, no changes.
Enforcement and penalties for irresponsible owners	There is a call for stricter enforcement and penalties for irresponsible dog owners, including those who do not register their dogs or fail to comply with regulations. Some suggest mandatory training for owners with repeated offenses.	6, 9, 16, 68, 73	Noted.	Out of scope but noted, no changes. Comment has been referred to officers for their consideration
Concerns about off-leash dogs	Several commenters express concerns about off-leash dogs in prohibited areas, such as parks and sidewalks, and the need or better enforcement of leash laws. Suggestions include signage, fines, and designated off-leash areas.	9, 20, 49,	Noted.	Noted. Feedback passed on to appropriate officers.
Community safety	Concerns are raised about the safety of community members, particularly children and elderly individuals, in areas where off-leash dogs pose a threat. Suggestions include restricting off-	42, 69, 70	Noted.	Noted, no changes.

Theme	Generalised comment	Submission Number/s	Staff response	Recommendation
	leash areas and implement measures to prevent dog attacks.			
Improvement to dog control areas	Some commenters propose changes to existing dog control areas, including requests to designate new on-leash or off-leash areas in parks to accommodate dog owners.	69, 70, 71	Noted. Captured by clause 18 of the Policy – temporary areas of control.	Out of scope but noted, no changes. Comment has been referred to officers for their consideration
Animal welfare standards	Concerns are raised about the adequacy of animal welfare standards, with some commenters advocating for higher standards and stricter regulations to ensure the wellbeing of dogs in the community.	23, 74, 78	Noted.	Noted, no changes.

## 6. Summary of recommended changes

Based on the detailed analysis of submissions received, the following changes are recommended.

- Some references to the Code of Welfare for Dogs list the previous version of the Code (2010). Ensure all references to the Code of Welfare for Dogs is updated to the 2018 version (see page 18 of the Policy).

## 7. Other matters raised in submissions

The following matters were raised by submitters through the consultation but are out of scope of this review.

Theme	Generalised Comment	Submission Number/s	Staff response	Recommended response
Concerns about off-leash dogs at Linklater Reserve	Citing threatening behaviour or attacks by off-leash dogs, several submitters called for the dog exercise area at Linklater Reserve to be restricted to a limited area of the park, some calling for spring-loaded gates or fencing to be installed. Specially, submitters suggested that the exercise area be restricted to the section of the part furthest from Kelvin Grove Road.	69, 70	This measure was not consulted on. Staff advice is that because there is likely to be a wide range of views on any changes proposed to Linklater Reserve, additional work would need to be completed before any changes are made.	Accept, no changes at this time. Comment has been referred to officers for their consideration.

## 8. Social Media Analysis

The social media campaign for this consultation attracted a moderate amount of engagement from the community. However, it should be noted that the social media campaign captured by the concurrent review of both the Dog Control Policy and the Animals and Bees Bylaw.

The initial Facebook post (posted on 11 January 2024) attracted 85 comments, 45 reactions, and 7 shares.

A second Facebook post (posted on 9 February 2024) attached 1 comment, 10 reactions, and 1 share.

Generally, the comments and conversations via the social media posts specific to the Dog Control Policy resembled the responses given through the formal submissions being considered by the Council.



**Skye Shaddix**

A link to the different dog classifications would be helpful, the legislation it's hidden in isn't very clear



**Glen Signal**

Yeah they just trying to make more money out of pet owners and rates payers





PALMERSTON NORTH CITY

# **DRAFT PALMERSTON NORTH DOG CONTROL POLICY ~~2018~~ 2024**

*(incorporating amendments as at 23 September 2019)*

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## OVERVIEW

### PURPOSE AND SCOPE

The Dog Control Act 1996 (the Act) requires all territorial authorities to adopt a policy for dog control, as well as to develop and adopt a bylaw that provides the legal instrument for the Council to implement and give effect to that policy. This Policy fulfils Council's obligations and requirements under section 10 of the Act, and includes all mandatory content as required by the Act.

The ~~overall~~ purpose of dog control is to maintain and improve public safety by minimising or avoiding the danger, distress, or nuisance that can be caused by the ownership and keeping of dogs in Palmerston North. The Council recognises that most dog owners in the City are responsible, and that most interaction between dogs and the community is positive. This policy aims to balance regulatory controls required for dog control that are needed to ensure ~~and~~ public safety, while recognising the health, well-being, and wider community benefits of dog ownership.

~~This Policy is a requirement of the Dog Control Act 1996 (the Act) that requires some mandatory content. The Policy should be read alongside the Palmerston North Dog Control Bylaw that gives effect to and provides the legal instrument to implement the Policy. This Policy applies to all of Palmerston North City.~~

~~A key aim of the This Policy is to~~ explains Council's approach to dog control ~~to~~ for the community as well as providing a basis for internal operational policy and practice. It also indicates how Council will exercise its discretionary functions under the Act.

The Policy applies to all of Palmerston North City, and should be read alongside the Palmerston North Dog Control Bylaw.

## OVERVIEW

Every year the Council is required to report to the Department of Internal Affairs under Section 10A of the Act on the administration of its dog control policy and dog control practices. ~~as well as a variety of dog control related statistics.~~

The Council received the 2022/23 Section 10A Dog Control Report at its meeting on 4 October 2023. The ~~2016/17~~ report showed that:

- There are an increasing number of registered dogs in Palmerston North (9,636 in 2022/23)~~(over 8,000 in 2016/17).~~
- Palmerston North has a high compliance rate for dog registration.
- There is a decreasing number of dog owners within the city.
- There ~~continues to be~~ ~~are~~ a high number of complaints about roaming/~~uncontrolled~~secured dogs ~~and barking dogs.~~
- Complaints about barking dogs are increasing.

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PALMERSTON NORTH DOG CONTROL POLICY 2024 ~~(ADOPTED 25 JUNE 2018 AND AMENDED 23 SEPTEMBER 2019)~~

- While reported dog attacks decreased in 2022/23, the five-year average shows an overall increase in dog attacks. ~~While trends over the last six years show that there is a decreasing number of complaints about aggressive and rushing dogs, and dog attacks,~~

~~Animal Dog~~ control activities are almost fully funded from registration fees and impoundment fees and charges, ~~which are found in the Revenue and Financing Policy.~~ The Council's ~~animal management dog control~~ service is prioritised based on risk. Reports of dog attacks, and aggressive and/or secured dogs receive an immediate response and are considered 'p~~riority 1 one~~' activities. Roaming dogs are considered ~~Priority 1 one~~ afterhours (5pm – 8am) ~~only, on weekends, and on public holidays.~~ All other tasks, ~~including and assessment of applications and property checks~~ are planned and carried out around the ~~Ppriority 1 one~~ activities.

An out of hours service for ~~Ppriority 1 one~~ activities ~~and roaming dogs~~ is undertaken by a contractor on behalf of the Council.

The Council ~~also~~ operates an animal ~~pound shelter~~ within the City, which has kennelling for 36 dogs and six puppies alongside a designated dog exercise area and administrative space for two staff members. A new shelter facility (under construction in 2023) will have capacity to house 45 dogs, distributed among three kennel blocks. These kennel blocks will include space for pregnant dogs and their whelping needs, as well as eight kennels for small dogs or puppies. Additionally, there will be 11 purpose-built kennels to safely house and manage dangerous dogs.

Council provides education through its Animal ~~Management Control~~-Team, ~~as well as and~~ through the provision of information on its website.

Council continues to work with other agencies to achieve the objectives of the Dog Control Act 1996 and the Animal Welfare Act 1999, including Nga Priihimana O Aotearoa - the New Zealand Police, the Society for the Prevention of Cruelty to Animals (SPCA), and other local and regional animal welfare groups and societies.

### Summary of Legal Requirements for Dog Control

**Dog Control Act 1996** - dog control is regulated by this Act that focuses on managing risk and enabling the Council to take action to mitigate unreasonable risk. The regime created by the Act is based on dog owners being responsible for the control of their dogs and complying with the Act. The Council's role is to administer, implement and enforce the Act.

**Dog Control Policy** - explains Council's approach to dog control to the community and provides the basis for internal operational policy and practices. The Policy indicates how Council exercises discretion under the Act (e.g. for neutering menacing dogs, determination of probationary owners) and covers mandatory requirements set out in Section 10 of the Act.

**Dog Control Bylaw** – gives effect to the Policy by specifying the legal requirements for the keeping of dogs in Palmerston North. The requirements are necessary to ensure compliance with the Dog Control Act 1996 and the Palmerston North Dog Control Policy 2011, and to give effect to the objectives of that Act and that Policy.

## PART 1 INTRODUCTION

### 1. PURPOSE

The purpose of this Policy is to ~~explain~~ ~~express~~ how Palmerston North City Council will fulfil its responsibilities under the Dog Control Act 1996.

The Policy identifies areas ~~where dogs~~:

- ~~where dogs~~ are prohibited;
- where dogs ~~are permitted but~~ must be controlled on a leash;
- ~~areas~~ where dogs ~~are permitted and~~ can be exercised ~~in exercise areas or in public spaces~~ without being controlled on a leash.

The Policy also outlines the obligations and responsibilities of dog owners.

### 2. OBJECTIVES

The objectives of the Policy are guided by Section 10 of the Dog Control Act ~~and seek to~~. When adopting the Policy, the Council gives regard to:

- a) ~~The need to~~ ~~M~~minimise danger and distress ~~and nuisance dogs may cause~~ to the community generally ~~that may be caused by dogs~~; and
- b) ~~The need to~~ ~~A~~avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children ~~or other vulnerable members of the community~~, whether or not children might be accompanied by adults; ~~and~~
- c) ~~The importance of~~ ~~enabling~~, as far as practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; ~~and~~
- d) ~~Provide for~~ ~~t~~The exercise and recreational needs of dogs and their owners.

~~In addition to the requirements of Section 10 of the Dog Control Act, in adopting the Policy, the Council has given further regard to:~~

- e) ~~Ensure~~ ~~ing~~ all dogs within the city boundary are registered, and ~~dogs that are required to be~~ ~~are~~ micro-chipped; ~~and~~
- f) ~~Encourage~~ ~~ing~~ responsible dog ownership so that owners take all reasonable steps to ensure that their dogs do not cause a nuisance to other people or other animals.

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3. **REVIEW**

This Policy will be reviewed ~~by 2023~~ no later than 2029.

4. **DEFINITIONS**

All definitions used in this Policy are in Appendix One.

COPY FOR DELIBERATION

## PART 2 ADMINISTRATION AND ENFORCEMENT

### 5. EFFECT OF POLICY

The Policy is given effect and implemented through the Palmerston North Dog Control Bylaw ~~2018~~ 2024.

### 6. NATURE AND APPLICATION OF DOG CONTROL BYLAW

Section 20 of the Act lists the matters for which bylaws may be made. The Council's Dog Control Bylaw covers the following matters:

General control of dogs in public places including:

- exempting certain types of dogs (working and disability assist dogs) from control areas
- prohibiting dogs from specified public places
- requiring dogs to be on a leash in specified public places
- designating specified areas as dog exercise areas/off-leash areas

Keeping of dogs including:

- placing limitations on the number of dogs that may be kept on private properties
- requirements for dogs to be kept or housed a minimum distance from a boundary, or where they are not likely to cause nuisance
- requirements to provide exercise, standards for the accommodation of dogs, confinement of bitches in season, responsibility to remove faeces, responsibilities of owners with diseased dogs, and dogs becoming a nuisance or injurious to health
- dogs not kept under proper control (i.e.: dogs being prevented for roaming)
- dogs classified as menacing must be neutered
- dog and owner education

The Enforcement approach of the Council, including:

- seizure of dogs in public places that are in contravention of the bylaw
- offences and penalties.

### 7. ENFORCEMENT TOOLS

There are a range of enforcement tools available to the Council including:

- Seizure of dog/s
- Issue of infringement notices and fines
- Prosecution with fines being possible

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PALMERSTON NORTH DOG CONTROL POLICY 2024 (ADOPTED 25 JUNE 2018 AND AMENDED 23 SEPTEMBER 2019)



- Declaring a dog as menacing or dangerous
- Limiting dog ownership by classifying an owner as 'Probationary' for a period of 2 years
- Prohibiting dog ownership by classifying an owner as 'Disqualified' for a period of no more than 5 years

~~Prohibiting dog ownership by classifying an owner as 'Disqualified'~~. Non-regulatory methods, such as education and a registration fee schedule that recognises responsible dog ownership, are also covered in this Policy.

## 8. SEIZURE OF DOGS

A ~~warranted Animal Dog~~ Control Officer or a Dog Ranger may seize and impound any dog at large in a public place in contravention of this Policy and in accordance with the powers contained in the Act.

## 9. INFRINGEMENT NOTICES

Infringement offences, with associated ~~fees or penalties fines~~, are set by the Dog Control Act 1996. Council has no discretion to alter these fees.

Where an owner or person in charge of a dog is in breach of the Act, or ~~a~~ the ~~B~~ylaw, a Dog Control Officer may issue an infringement notice.

Where, in the opinion of an Animal Control Officer, the keeping of dogs on a premises ~~is, or is likely to~~ has become, a nuisance, or injurious or hazardous to health, property or safety, the owner may be served with an infringement notice to:

- reduce the number of dogs on the premises,
- alter, reconstruct or improve the accommodation for dogs,
- require the dogs to be ~~tied up appropriately and safely tethered~~ or confined,
- take such other precautions as may be considered necessary.

## 10. DOGS CLASSIFIED AS MENACING ~~MUST BE NEUTERED~~

Dogs classified by Palmerston North City Council as menacing under sections 33A or 33C of the Dog Control Act 1996, or any dog classified as menacing which is transferring to Palmerston North City Council, ~~are~~ ~~is~~ required to be neutered.

~~Dogs classified as menacing must not be allowed to be at large or in any public place or private way, except when the dog:~~

- (a) is confined completely within a vehicle or cage; or
- (b) is muzzled in a manner that prevents the dog from biting but allows it to breathe and to drink without obstruction.

#### 11. DANGEROUS DOGS

Dogs classified as dangerous under Section 32 of the Act must be securely fenced on a portion of the owner's property that it is not necessary to enter to obtain access to at least one door of any dwelling on the property, and must not be allowed to be at large in a public place or private way, except when the dog:

- (a) is confined completely within a vehicle or cage; or
- (b) is muzzled in a manner that prevents the dog from biting but allows it to breathe and to drink without obstruction; or
- (c) is controlled on a leash (except for when it is in a specified dog exercise area, and it is appropriately muzzled to prevent it from biting).

#### 12. DOG ATTACKS

Dog attacks and dangerous dogs are responded to as an immediate priority. ~~Dog Animal~~ Control Officers will conduct an investigation following a dog attack using best practice guidance.

#### 13. BARKING DOGS

Council's process for dealing with barking complaints is to determine if ~~it the barking or howling~~ is loud and persistent and is causing a nuisance or distress to any person. It will then take the appropriate action under the provisions of the Act.

#### 14. ROAMING DOGS

Upon notification of a roaming or stray dog the Council will respond as soon as practical to locate the dog. If the dog is caught, the Animal Management ~~Control~~ team will ensure the dog is ~~R~~registered, ~~M~~microchipped and had not more than one substantiated complaint in the preceding 12 months. Where this is the case, they will endeavour to reunite the dog with its owner. If ~~this is~~ reuniting the dog with its owner is unsuccessful the dog will be impounded.

Frequent roaming will result in impoundment and further enforcement action.

15. **DOGS NOT KEPT UNDER PROPER CONTROL**

Dogs not kept under proper control may be required by the Council to be neutered or for owners to complete a dog obedience course approved by the Council. Notice that a dog is required to be neutered or complete an obedience course will be served on the owner.

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## PART 3 AREAS OF DOG CONTROL

### 16. CONTROL OF DOGS IN PUBLIC PLACES

Three categories of control areas in the City are identified:

- (a) Prohibited Public Places
- (b) Dog On Leash Areas
- (c) Dog Exercise Areas

The general rule in Palmerston North is that all dogs should be on a leash in a public place at all time unless those public places are prohibited to dogs entirely, or are designated dog exercise areas.

Dog owners must carry a leash at all times in all of the control areas as required by the Act. Dog owners must also carry a dog waste bag at all times in any of the control areas to collect and properly dispose of dog faeces in Council provided rubbish bins or at the owner's premises.

In all public places where dogs are not prohibited or required to be on a leash, dogs must be under the control of their owners or person in charge at all times. This means when referring to a dog, either controlled on a leash, or controlled by voice command where the dog obeys the commands of its controller without hesitation. Dogs should otherwise always be accompanied by their owners and not be left unattended in any public place at any time.

Control areas will be publicised signalled through appropriate signage at the control area, as well as on the Council website.

The Council will periodically review its areas of dog control, considering factors such as population and density change, changing community needs, and community feedback before making decisions on areas of dog control.

These control areas are shown on maps available on Council's website. <https://www.pncc.govt.nz/local-regulations-and-licences/dogs-and-other-animals/dogs/exercising-your-dog/>

### 17. PROHIBITED PUBLIC PLACES

- 17.1 Prohibited public places are locations in the City where dogs are not allowed at any time for a number of reasons, including, but not limited to, areas where:

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- (a) There is high density of pedestrian traffic where dogs may compromise the health, safety and comfort of people;
- (b) Children or other vulnerable people gather or play, and the presence of dogs may pose a risk to their health and safety;
- (c) It is a sensitive natural environment;
- (d) The nature of the public place or facility makes it inappropriate to have dogs present.

From time to time, the Council may engage with the community to identify the suitability of areas which would otherwise be considered prohibited public places under this policy to make them a dog on-leash area.

17.2 Subject to clauses 17.3 and 17.4 all dogs are prohibited from the following places:

- (a) Any swimming pool, aqua play features or splashpads, paddling pool, or aquatic facility owned or controlled by the Council, including all areas within the fenced boundary of the swimming pool;
- (b) Within 30 metres of any child's play equipment or play area or paddling pool in any park or reserve, or of any aviary in any park or reserve;
- (c) Palmerston North Holiday Park (the camping grounds);
- (d) Any marked grass playing surfaces or artificial sports surfaces of sportsgrounds or sportsfields owned or controlled by the Council;
- ~~(e) (deleted by amendment 23 September 2019)~~
- (e) The Council Crematorium and all Council Cemetery grounds;
- (f) Memorial Park;
- (g) The Ashhurst Domain Playground and adjacent picnic area;
- (h) The Ashhurst Domain Wetlands Conservation Area;

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- (i) The central Victoria Esplanade area (which includes the children's playground and paddling pool, the scenic railway station, Peter Black Conservatory, Central Energy Trust Wildbase Recovery Centre, aviary and the cafe, also known as Victoria House);
- (j) The Junior Road Safety Park in the Victoria Esplanade;
- (k) The walkway around the Awapuni racecourse between ~~5am~~ 4:30am and ~~10am~~ 10:30am daily
- (l) Turitea Controlled Water Catchment Area, subject to clause ~~16.5~~ 17.6;
- (m) Central Energy Trust Arena Manawatū;
- (n) The Urban Eels platform.

~~17.3~~ Nothing in clause 17.2 shall apply to a working dog that is working at the time it is in a prohibited public place.

~~17.34~~ Where the only pedestrian access to either the owner's residence, or a dog groomers place of business, or a dog day-care facility, or a veterinary surgery, is through a prohibited public place the owner may lead the dog through the prohibited public place provided that:

- (a) the owner and dog take the most direct route across the prohibited public place, and
- (b) the dog is controlled on a leash.

~~17.45~~ Where a dog is being exercised in a dog exercise area (as specified in clause 20) that borders a prohibited public place, the owner may lead the dog through the prohibited public place provided that:

- (a) there is no reasonable alternative access, and
- (b) the owner and dog take the most direct route across the prohibited public place, and
- (c) the dog is controlled on a leash.

~~17.56~~ A dog may only be allowed within the Turitea Controlled Water Catchment Area if it is registered and under the control of a person holding a valid Hunting Permit issued by the Council for the Turitea Water Catchment Reserve, and subject to conditions the Council may apply to that Hunting Permit.

18. **TEMPORARY ~~PROHIBITED PUBLIC PLACES AREAS OF CONTROL~~**

The Council may have reason to temporarily lift or change specific controls for dogs in public places i.e.: for an event where dogs may need to be off-leash in an area that is otherwise prohibited to dogs, or to prohibit dogs in an areas that they are not usually prohibited from.

~~Notwithstanding any provisions allowing for dog on-leash areas or dog exercise areas;~~ The Council may from time to time ~~by resolution~~ declare any public place that is not already a prohibited public place to be a prohibited public place for a specified time.

The Council may from time to time declare any public place that is a prohibited public place to be a dog on-leash or dog off-leash area for a specified time.

The Council will give public notice of its intention to declare any area to be a temporary prohibited public place ~~or a temporary dog on-leash or dog off-leash area~~, specifying a reason. Appropriate signs shall be posted in the area and prior notice shall be published in a newspaper circulating in the District and on Council's website.

~~19. **TRIAL OF CENTRAL BUSINESS DISTRICT AREA TO DOG ON LEASH CONTROL AREA** (deleted by amendment 23 September 2019)~~

**19. DOG ON LEASH AREAS**

Dog on leash areas are locations where dogs are permitted on a leash in public places.

The owner of a dog ~~(other than working dogs that are working at the time)~~ shall not allow the dog on any public place (not being a prohibited public place or a dog exercise area) unless the dog is kept under ~~direct~~ control on a leash.

The following are public places in which dogs are to be kept under control on a leash:

- (a) All streets, roads and footpaths within the District except those within prohibited areas or dog exercise areas;
- (b) All parks, reserves and walkways within the District except those within prohibited areas or dog exercise areas;
- (c) All public places within the Central Business District;

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- (d) The walkway around the Awapuni Racecourse except for the prohibited time between ~~5am~~ 4:30am and ~~10am~~ 10:30am daily;
- (e) Ashhurst Domain Camping Grounds;
- (f) ~~The Manawatū River Shared Pathway and adjoining reserve land~~ (Manawatū Riverside Walkway and Bridle Track) between the Fitzherbert Bridge and the Palmerston North Holiday Park;
- (g) ~~Caccia Birch House.~~

## 20. DOG EXERCISE AREAS

Dog Exercise areas are locations where dogs can be run at large, that is, ~~the dog may be~~ off the leash but under the ~~immediate~~ control of their owners at all times.

The ability to exercise dogs without a leash does not absolve owners from their obligations under the Act, to ensure their dog is kept under control, and to carry a leash at all times with the dog in a public place. Keeping a dog under control includes the obligation to ensure that the dog does not stray onto private property.

~~Dog Exercise Areas are generally recreational areas, such as parks, reserves and walkways, where people can expect to encounter dogs being exercised under proper control.~~

Council will review the need for specified dog exercise areas, including the provision of Dog Parks, and suitable locations, as necessary.

The following areas are dog exercise areas:

- (a) Drainage Reserve area off Rugby Street;
- (b) Ashhurst Terrace Walkway;
- (c) Frederick Krull Reserve and Walkway;
- (d) Schnell Wetland Walkway;
- (e) Manawatū Riverside Walkway and Bridle Track excluding the section between the Fitzherbert Bridge and the Palmerston North Holiday Park;
- (f) Mangaone Stream Walkway (except where it passes around the Awapuni Racecourse);



- (g) Upper Celaeno Park (between Frederick Krull Reserve and Shakespeare Way);
- (h) The Ruamahanga Wilderness area;
- (i) Edwards Pit Park;
- (j) Ahimate Reserve (previously Waitoetoe Park);
- (k) Durham Street Park;
- (l) Linklater Reserve (only the part ~~open to the public~~ which is designated as a dog exercise area, and not within 30m of children's play equipment);
- (m) Awatea Terrace Reserve;
- (n) "Railway" land, bounded by Pitt Street, Church Street, Pioneer Highway, and Cook Street (excluding the Skate Park that is defined as a play area under clause ~~46~~17.2(ab));
- (o) Turitea Stream Esplanade Reserves (Green Corridors);
- (p) The Upper Circuit of the Ashhurst Domain, except for those parts of the walkway which pass through Prohibited Public Places or Dog on Leash areas as designated in clauses 16 and 19 of this Policy.
- (q) Summerhill Reserve
- (r) Poutoa Walkway;
- (s) Titoki Walkway;
- (t) Pari Reserve and Walkway (previously known as Mangaotane);

## **21. CLASSIFICATION OF AREAS UNDER OTHER LEGISLATION**

Access for dogs may be controlled by other legislation, for example the Conservation Act 1987 ~~or the National Parks Act 1980~~ can declare any part or parts of land managed and administered by the Department of Conservation as "controlled dog areas" and "open dog areas".

Dogs are not allowed in the Manawatū Gorge Scenic Reserve.

## PART 4 DOG OWNERSHIP

### 22. RESPONSIBLE DOG OWNERSHIP

Dog owners have the following responsibilities:

- registering dog/s(~~s~~) and informing Council of any changes of address;
- keeping dog/s(~~s~~) under control at all times;
- ensuring dog/s(~~s~~) get daily care and attention, and have access to sufficient ~~has enough~~ food, water, shelter and exercise;
- ensuring dog(s) do not disturb people with repeated barking or howling ~~that is loud and persistent and causing distress~~;
- ensuring dog/s(~~s~~) do not hurt, endanger or distress people, animals or protected wildlife;
- ensuring dog/s(~~s~~) do not damage or endanger property belonging to someone else;
- complying with the requirements of the Dog Control Act and all regulations and bylaws made under the Act;
- providing the Palmerston North City Council with details of dog/s(~~s~~) microchipping and neutering.

Dog owners should familiarise themselves with the Animal Welfare Act 1999 and the underlying regulations and codes of welfare, which includes the Animal Welfare (Dogs) Code of Welfare 2018<sup>99</sup>. The purpose of this code is to encourage all those responsible for dogs to adopt the highest standards of husbandry, care and handling.

### 23. PREFERRED OWNER SCHEME

To reward responsible dog ownership a dog owner may apply to the Council to be a preferred owner. Preferred owner status ~~is renewed~~ reassessed on registration of the owned dog/dogs each year and will qualify owners for a reduced dog registration fee.

Application to retain preferred owner status will be made using the registration fee demand. The application will be approved at the discretion of an ~~Animal~~-Dog Control Officer, taking into account the following criteria:

- the previous ownership history of the applicant including registration compliance;
- an interview or completion of a self-administered test ~~based on~~ information contained in the preferred owner application form ~~Dog~~

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~~Owners Handbook~~ (or both, at the discretion of the ~~Animal Dog~~ Control Officer);

- (c) the premises, inspected from time to time, where the dog is kept including approval of fencing, sleeping quarters and exercise space;
- (d) There is access to a door on the property without your dog/s(~~s~~) being able to approach people when they enter.
- (e) In case of an emergency event, the owner is prepared and has a plan or arrangements in place so that the food, water, shelter, and exercise requirements of their dog can be met.

Preferred owner status may be lost where any of the criteria ~~is~~ are no longer met, such as failing to register on time, repeated ~~substantiated~~ offences ~~for roaming, and or~~ moving to a property without adequate fencing.

~~For more information refer to: <https://www.pncc.govt.nz/local-regulations-and-licences/dogs-and-other-animals/dogs/preferred-owner-scheme/>~~

Information on preferred ownership can be found on the Council website.

## 24. REGISTRATION FEES

Dog registration fees are set annually by Council resolution. A schedule of fees for Dog Registration is available ~~from the Customer Service Centre of the Council and is available~~ on Council's website, or on request.

Registration fees are issued before the end of each registration year (30 June) and shall take into account:

- (a) the classification of the dog as a dangerous dog;
- (b) the classification of the dog as a working dog;
- (c) if the dog is desexed;
- (d) if the owner of the dog is a preferred owner.

~~—(b ) number of dogs owned (see clause 26)~~

If the registration demand is unpaid by 1 August of any year 50% of the registration demand will be added to all fee types ~~the fee~~;

If a preferred owner fails to pay the registration demand by 1 August of any year, ~~preferred ownership will be removed for a period not less than~~

~~2 years the registration fee will revert to the standard fee for the classification of the dog together with an additional 50% of the standard registration fee, and the owner will lose preferred owner status for that year.~~

The Council reserves the right to invoice a dog owner for the cost of registering any dog which is not validly registered by 1 August each year. Unpaid invoices may be subject to debt collection.

## **25. OTHER FEES**

These fees are also set by Council resolution and include, but are not limited to:

~~(a) — Impounding fees (set down under the Impounding Act 1955);~~

(a) Sustenance and board during period of impounding (set down under the ~~Dog Control Act 1996 Impounding Act 1955~~);

(b) Micro-chipping (set down under the Dog Control Act 1996).

Animal Control fees and charges are available on Council's website.  
~~<https://www.pncc.govt.nz/plans-policies-and-public-documents/fees-and-charges/>~~

## **26. CARE AND MANAGEMENT OF DOGS**

### **26.1 Number**

No more than two dogs may be kept on premises of less than 2000m<sup>2</sup> provided that:

- a. not more than one unspayed bitch may be kept on the property.
- b. ~~the number of dogs on a property does not include dogs under the age of three months~~ provision is made available for the care of all dogs on the premises in an emergency situation.

The number of dogs on a property does not include dogs under the age of three months.

### **26.2 Housing**

Dogs shall not be housed, confined or restrained within 1.8 metres of a boundary fence, ~~or where they are likely to cause nuisance.~~

~~Owners Dogs must be provided their dog~~ with adequate accommodation that:

- (a) is large enough in size for the dog to stand, turn, and lie down in a natural position;
- (b) is, ~~for example a kennel~~ on a hard surface;
- (c) is raised off of the ground;
- (d) is dry and water is prevented from entering;
- (e) is ventilated;
- (f) allows the dog to access water for drinking;
- (g) is suitable to protect the dog from excessive heat or excessive cold;
- (h) allows the dog to urinate or defecate in an areas away from its lying area; and
- (i) faeces and urine are not allowed to accumulate in the area where the dog is kept.

Alternatively, dogs may be provided with access to the interior of a building with an adequate sleeping area at night.

Additional information on recommended practice and minimum standards for kennelling, shelter, and ventilation for dogs is available in the Code of Welfare: Dogs 2018. Recommended practice for kennelling includes:

- kennels being constructed of solid, non-permeable materials raised above ground level which are stable and sufficient in size to accommodate the dog comfortably;
- dogs should not be required to sleep on concrete or metal surfaces. Where kennels are made of these materials, dogs should be provided with a raised platform or shelf or other type of bed made of a softer material;
- housing or kennelling should provide shelter from cold, wet, and windy weather, as well as shade on hot sunny days. Artificial shade should be provided if there is no natural shade available.
- if more than one dog is being kept in the kennel, ventilation should be controlled to manage dampness and odour, as well as to minimise the spread of infectious disease such as kennel cough;
- dogs should only be housed communally if they are known to interact well, or are under observation to ensure they do not fight; and
- kennels and kennels with runs attached should be of appropriate size for the dog or dogs being housed in them.

### 26.3 Exercise

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Owners must provide their dogs with adequate exercise. An in-season bitch must be confined but adequately exercised.

#### **26.4 Removal of faeces**

Owners must **immediately** remove their dog's faeces from public land or premises other than that occupied by the owner.

To avoid nuisance such as odour or flies, owners must ensure that their private premises are kept free from excessive dog faeces that may be hazardous or injurious to health, or cause nuisance.

Dogs suffering from an infectious disease must not be taken into any public place or allowed to wander free.

### **27. EMERGENCY PREPAREDNESS**

All owners are expected to plan and prepare for the care and welfare of their dog/s~~(s)~~ in anticipation of an emergency **event (such as a flood, earthquake, or fire)**. ~~While a state of emergency is in place d~~Dog owners must:

- (a) Keep their dog/s under effective control at all times; **and**
- (b) Ensure their dog/s does not injure, endanger or cause distress to any person; **and**
- (c) **Continue to provide adequate food, water, and shelter for their dog/s.**

### **28. EXEMPTIONS**

An owner may apply to the Council for an exemption from the requirements of clauses **26.1** (multiple dog permit) and **26.2** (housing permit).

The Council may grant an exemption for a specified duration under clause 26 provided that -

- (a) there is insufficient space on the property to house, confine or restrain the dog in accordance with clause 26.2, and
- (b) **the owner of the dog/s can demonstrate that the dog/s will receive adequate exercise suitable for it's breed or type;**
- (c) the neighbour whose boundary adjoins the proposed area for housing, restraining or confining the dog does not object on reasonable grounds to the granting of an exemption, and
- (d) the Council may impose such conditions as may be necessary to ensure compliance with this Policy, the Dog Control Act and for the avoidance of nuisance.

## 29. DOG AND OWNER EDUCATION

To support and encourage responsible dog ownership, the Council makes available free of charge a range of informative material on its website which is useful for dog owners.

The Council encourages dog owners to attend dog obedience courses, particularly puppy training classes, to assist in the training and socialisation of dogs.

The Council may from time to time, by resolution, approve education programmes for dogs and their owners.

## 30. PROBATIONARY OWNER'S EDUCATION

Where a person is convicted of any offence (not being an infringement offence) under the Act or any offence under the Animal Welfare Act 1999, Conservation Act 1987 or National Parks Act 1980 the Council may classify that person as a probationary owner.

If a person is classified as a probationary owner under the Act the Council ~~will~~ may require the person to undertake a dog owner education programme or dog obedience course approved by the Council. The probationary owner will be notified in writing of the obligation to attend the programme or course.

The probationary owner will undertake the programme or course at ~~his or her~~ their own expense.

~~The Council shall be furnished with satisfactory evidence of completion of the programme or course.~~ The probationary owner may apply for early termination of classification as a probationary owner six months after they were classified as a probationary owner provided that they can demonstrate that the offending will not continue and that they have ~~completion of the programme or course provided that the applicant has~~ not committed any further offences or infringements to which section 21 of the Act applies.

The Council shall consider the application for removal of classification as probationary owner in accordance with this Policy, including all the relevant circumstances of the applicant as a dog owner and may, at its discretion terminate the classification.

## APPENDIX ONE

### DEFINITIONS

Except as described below all definitions used in the Policy are the same as those contained in the Dog Control Act 1996 and amendments.

**Act** means the Dog Control Act 1996.

**Bylaw** means the Palmerston North Dog Control Bylaw ~~2018~~ 2024.

**Central Business District** means from the mid-line of the road reserve for the roads that form the Inner Ring Road, namely the area bounded by and including from the intersection of Grey and Princess St along Princess Street, to the intersection with Ferguson Street, along Ferguson Street to the intersection with Pitt Street, along Pitt Street and Bourke Street to the intersection of Bourke and Walding Streets, along Walding Street and Grey Street to the intersection with Grey and Princess Streets.

**Council** means the Palmerston North City Council.

**Dangerous Dog** means a dog classified as dangerous under Section 31 or 33ED of the Dog Control Act 1996.

**Disability assist dog** means a dog ~~defined~~ certified as a disability assist dog by one of the organisations listed in Schedule 5 of ~~under~~ the Dog Control Act 1996 ~~and specifically includes a dog certified by one of the following organizations as being a dog that has been trained to assist (or is being a dog in training) to assist~~ a person with a disability.:

~~Hearing Dogs for Deaf People New Zealand~~

~~Mobility Assistance Dogs Trust~~

~~New Zealand Epilepsy Assist Dogs Trust~~

~~Royal New Zealand Foundation of the Blind~~

~~An organisation specified in an Order in Council made under section 78D of the Dog Control Act 1996.~~

**District** means the area within the territorial boundary of the Palmerston North City Council.

**Dog Exercise Area** means a public place identified in this Policy as an area where dogs may be exercised at large without being controlled on a leash. Dogs must still be under control within Dog Exercise Areas.

**Dog on Leash Area** means the areas identified in this Policy where dogs must be controlled on a leash.

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**Leash** means a lead which is capable of restraining the dog.

**Menacing Dog** means a dog classified as menacing under Section 33A, 33C, or 33ED of the Dog Control Act 1996.

**Nuisance** means anything which interferes with or threatens the health or enjoyment of people, and in this context may involve things such as barking, causing distress via intimidating behaviour (such as aggressive barking or rushing), or attacking people, wildlife or other animals.

**Owner** has the same meaning as under the Dog Control Act 1996 and includes every person who owns a dog or has a dog in his or her possession, or the parent or guardian of a person under the age of 16 years who owns a dog.

**Policy** means the Dog Control Policy.

**Premises** includes any recreation ground, yard, building or enclosed space whether separately occupied or not and whether public or private.

**Probationary Owner** means an owner classified as probationary under Section 21 of the Dog Control Act 1996.

**Prohibited Public Place** means a public place identified in this Policy as a place where dogs are prohibited, except as provided for in this Policy or the Act.

**Public Place** has the same meaning as in section 2 of the Dog Control Act 1996, and generally means a place that is open to the public whether or not it is private property.

**Roaming Dog** means any dog which is found in a public place or on land or premises which are not those regularly occupied by the owner of that dog, and which is unaccompanied by its owner.

**Under control** means, when referring to a dog, either controlled on a leash, or controlled by voice command where the dog obeys the commands of its controller without hesitation. Keeping a dog under control includes the obligation to ensure that the dog does not stray onto private property.

**Working Dog** means a dog defined as a working dog under the Dog Control Act 1996. For clarity, working dog includes any disability assist dog, as defined in the Act.

~~and specifically includes:~~

~~any disability assist dog;~~

~~Any dog—~~

~~Kept by the Police or any constable, the Customs department, the Ministry of Agriculture, the Ministry of Fisheries or the Ministry of Defence, or any officer or employee of any such Department of State solely or principally for the~~

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~~purposes of carrying out the functions, powers, and duties of the Police or the Department of State or that constable, officer, or employee; or~~

~~Kept solely or principally for the purposes of herding or driving stock; or~~

~~Kept by the Department of Conservation or any officer or employee of that Department solely or principally for the purposes of carrying out the functions, duties, and powers of that Department; or~~

~~Kept solely or principally for the purposes of destroying pests or pest agents under any pest management strategy under the Biosecurity Act 1993; or~~

~~Kept by the Department of Corrections or any officer or employee of that Department solely or principally for the purposes of carrying out the functions, duties, and powers of that Department; or~~

~~Kept by the Aviation Security Service established under section 72B(2)(ca) of the Civil Aviation Act 1990, or any officer or employee of that Service solely or principally for the purposes of carrying out the functions, duties, and powers of that Service; or~~

~~Certified for use by the Direction of Civil Defence Emergency Management for the purposes of carrying out the functions, duties, and powers conferred by the Civil Defence Emergency Management Act 2002; or~~

~~Owned by a security guard as defined in section 4 of the Private Investigators and Security Guards Act 1974 and kept solely or principally for the purposes of carrying on the business of a security guard; or~~

~~Declared by a resolution of the territorial authority to be a working dog for the purposes of this Act, or any dog of a class so declared by the authority, being a dog owned by any class of persons specified in the resolution and kept solely or principally for the purposes specified in the resolution.~~

## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 8 May 2024

**TITLE:** Opie Reserve and Tui Park: Proposal to grant a lease on Council land to Te Kōhanga Reo O Ngāti Hineaute Ki Rangitaane O Manawatū Trust - Deliberations Report

**PRESENTED BY:** Bryce Hosking, Group Manager - Property and Resource Recovery and Perene Green, Property Officer

**APPROVED BY:** Chris Dyhrberg, Chief Infrastructure Officer

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### RECOMMENDATIONS TO STRATEGY & FINANCE COMMITTEE

1. That the Committee grant leases of the land at both Opie Reserve and part of Tui Park, Palmerston North described as Lot 81 DP 24258 and Sec 1 SO 452061 respectively to Te Kōhanga Reo O Ngāti Hineaute Ki Rangitaane O Manawatū Trust, in accordance with Council's Support and Funding Policy and section 54 of the Reserves Act 1977.

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#### 1. ISSUE

- 1.1 The Trust has been occupying part of Tui Park since 2013; the lease expired on 21 October 2023.
- 1.2 The Trust has outgrown its current lease area at Tui Park. The Trust proposes to expand its services to the community by building a new urban marae/place of gathering for the people of Hineaute and the wider community at Opie Reserve.
- 1.3 The Trust proposes to continue to operate at Tui Park until such time the Trust can relocate to the new site at Opie Reserve.
- 1.4 Council consulted the community on the proposal to lease part of Tui Park and Opie Reserve for the purpose of an urban Marae and Kōhanga Reo.
- 1.5 This report seeks approval to grant two new lease agreements to Te Kōhanga Reo O Ngāti Hineaute Ki Rangitaane O Manawatū Trust in accordance with Section 54 of the Reserves Act 1977 and Council's Support and Funding Policy.

## 2. BACKGROUND

- 2.1 The report titled '[Opie Reserve – Proposal to support Te Kōhanga Reo O Ngāti Hineaute Ki Rangitaane o Manawatū Trust by notifying the intention to grant community occupancy via a lease of Council land](#)' was presented to the Committee on 15 November 2023. Please refer to this report for additional background. The report recommended that public consultation be undertaken of Council's intention to enter two new lease arrangements with the Trust.
- 2.2 Consultation was undertaken in January and February 2024. Community views were expressed during the consultation and hearings. No submissions were received regarding the lease at part of Tui Park. 106 submissions were received regarding the lease at Opie Reserve, 91 submitters supported the proposal and 15 were against the proposal.
- 2.3 The Strategy and Finance Committee received the report titled '[Proposal to grant a lease to Te Kōhanga Reo o Ngāti Hineaute Ki Rangitaane o Manawatū Trust – Summary of Submissions](#)' on 10 April 2024 which provided a summary of the submissions received regarding Opie Reserve. Please refer to this report for details on the submissions received.
- 2.4 In addition, at the same meeting, the Committee held a hearing for submitters who wished to be heard in person.
- 2.5 The Reserves Act requires Council to consider any objections raised in public submissions regarding the proposal before deciding. Appendix 1 lists the matters raised in submissions and Officer comments.

### Opie Reserve Proposal

- 2.6 If entered the proposed lease will commence on 1 June 2024 and will be for a term of ten (10) years, with two (2) rights of renewal of a further five (5) years each.
- 2.7 The proposed annual rental is \$150 plus GST. This is consistent with the rental framework in Council's Support and Funding Policy 2022.

### Tui Park Proposal

- 2.8 If entered the proposal lease will commence on 1 June 2024 and will be for a term of five (5) years with no right of renewal.
- 2.9 The proposed annual rental is \$50 plus GST. This is consistent with the rental framework in Council's Support and Funding Policy 2022.

## 3. CONCLUSION

- 3.1 Council has supported the Trust by leasing part of Tui Park since 2013. The Trust intends to provide further opportunities for the public to support Council's strategic direction.

- 3.2 Given the number of submissions in support of the new lease proposal, and the requirements of the Support and Funding Policy have been met, it is recommended that Council continue to support the Trust and proceed with granting two new leases to the Trust.

#### 4. NEXT STEPS

- 4.1 Enter two new lease agreements between Palmerston North City Council and Te Kōhanga Reo O Ngāti Hineaute Ki Rangitaane O Manawatū Trust for Opie Reserve and Tui Park.

#### 5. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do, they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 2: A Creative and Exciting City	
The recommendations contribute to the achievement of action/actions in Connected Communities	
The actions are:	
<ul style="list-style-type: none"> <li>Build and maintain relationships with local communities of identity, interest, and place to understand and support their strengths and aspirations.</li> <li>Lease Council and facilities to 'for-purpose' organisations in line with the Support and Funding Policy.</li> </ul>	
Contribution to strategic direction and to social, economic, environmental, and cultural well-being	The recommendation is in line with Council's Support and Funding Policy which supports community groups to deliver benefits contributing to the cultural, economic, environmental

#### ATTACHMENTS

1. Summary of Submissions - Officer Comments [↓](#) 

Matters Raised	Total	Officer Comments
<b>Comments Against:</b>		
Not benefiting the wider community	5	The proposal is for an urban marae, which by nature is inclusive. The Kōhanga Reo is open to all families seeking full immersion in Te Reo learning.
Concerns related to parking	5	The management of any roading and traffic issues will be considered as part of a resource consenting process. The Trust has proposed car parking in their proposal.
Not a safe area for tamariki	5	The applicant would be responsible for managing health and safety within the lease area.  While Council plays a role in community safety it the applicants decision as to whether they are comfortable with the proposed site and the community it is in.
Proposal of an alternative activity/use for the land	5	Monrad Park is 120m away and contains two playgrounds, a community centre and 8 + ha of open space/playing fields. Mariner Reserve is 500m away and has 8,000 square metres of open space.
Ngāti Hineaute is a private organisation not representing the entire iwi	3	Rangitāne o Manawatū has been engaged to provide feedback on the proposal.
Not a suitable location, propose an alternative location for this project	4	The applicant has identified this location being as suitable location for their proposal.
Traffic-related concerns	3	The management of traffic concerns will be considered as part of a resource consenting process.
Already marae and kōhanga reo available to the community	2	Council does not determine whether or not there are sufficient marae or kōhanga reo. Those are matters for the iwi, the applicant and the Ministry of Education.  The Trust has advised they have a waiting list.
Noise concerns from children	2	The land is zoned recreation and facilities such as playgrounds and basketball hoops are permitted activities were council to develop the site.

		<p>The management of noise will be considered as part of a consenting process.</p> <p>There is a general nuisance clause in standard leases that can be called upon should any resource consent conditions, if any, prove inadequate.</p>
Marae should not be built on lease land	1	Views noted.
Privacy issues if security cameras are erected	1	Cameras are able to be erected on private property, on the condition that they are not in direct sight of neighbouring private property.
Not agreeable with the proposed rental figure under the Support and Funding Policy	1	The rental structure is consistent for all for-purpose (not-for-profit) groups as outlined in the Support and Funding Policy.
The lease figure is to be set at a rate that is fairly assessed by independent parties	1	The Lease figure is not assessed by an independent party as is not a commercial tenant. The Trust is a for-purpose (non-for-profit) organisation, therefore the rental figure is determined through the Support and Funding Policy.
Funds should be invested in supporting established local non-Māori and Māori education providers	1	The Trust is a current Māori education provider and intends to expand its current services, due to limited space in the current premise. This is a community initiative, not funded by Council.
<b>Comments for:</b>		
Provides opportunities for the community	35	The Trust have been providing early childhood services to the community for nearly 9 years, and they seek to expand their services.
Good use of under-utilised land, enhancing the area	16	This reflects the findings of the 2012 Property Review.
The initiative focuses on improving Maori outcomes for the future	16	Views noted.
Great initiative	12	Views noted.
A positive opportunity for our tamariki	11	The Trust intends to support the education of Tamariki through Te Reo Māori and the Urban Maraе.

The community needs an additional whare and Kohanga Reo	9	The Trust has provided evidence supporting this comment, with their current waiting list.
The proposal supports local iwi and the community	9	Views noted.
An initiative to strengthen community through shared space to connect	7	Views noted.
The proposal is a mana-enhancing venture	7	Views noted.
A great resource for the community	6	Views noted.
Investments in the area will give families some pride in their community	5	Views noted.
A proposal that aligns with Te Tiriti o Waitangi	3	Views noted.
The proposal encourages diversity	2	Views noted.
Creating a safer space for tamariki	1	<p>This feedback aligns with Council's strategic direction, goal 3, a connected and safe community.</p> <p>Crime Prevention Through Environmental Design principles include surveillance (more people being present improves safety), encouraging community ownership of space, and quality environments. The proposal will improve these.</p>
Frees up space in the Highbury shopping centre for new businesses	1	The current building that the Trust occupies is private ownership, if the proposal is approved, the Trust intend to move from their location once improvements have been erected.



## MEMORANDUM

**TO:** Strategy & Finance Committee

**MEETING DATE:** 8 May 2024

**TITLE:** 21 Havelock Avenue (part of Bill Brown Park): Proposal to grant a licence on Council land to Papaioea Pasifika Community Trust - Deliberations Report

**PRESENTED BY:** Bryce Hosking, Group Manager - Property and Resource Recovery and Perene Green, Property Officer (Intermediate)

**APPROVED BY:** Chris Dyhrberg, Chief Infrastructure Officer

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### RECOMMENDATION TO STRATEGY & FINANCE COMMITTEE

1. That the Committee grant a licence of the land at 21 Havelock Avenue (part of Bill Brown Park), Palmerston North described as Lot DP 40097 to Papaioea Pasifika Community Trust, in accordance with Council's Support and Funding Policy and section 54 of the Reserves Act 1977.

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#### 1. ISSUE

- 1.1 The Trust has been occupying the Pasifika Community Centre through a community lease, the current iteration of which commenced in 2019.
- 1.2 The Trust has proposed to extend its services to the community to include an educational community garden, Maala Kai, within Bill Brown Park.
- 1.3 Council consulted the community on a proposal to grant a licence to the Trust for part of 21 Havelock Avenue (Bill Brown Park) for a community garden.
- 1.4 This report seeks approval to grant a new licence to Papaioea Pasifika Community Trust in accordance with Section 54 of the Reserves Act 1977 and Council's Support and Funding Policy. The location of the gardens is shown in red in the aerial photograph below.



Figure 1: Garden location

## 2. BACKGROUND

- 2.1 The report titled '[21 Havelock Avenue \(part of Bill Brown Park\) - Proposal to support Papaioea Pasifika Community Trust by notifying the intention to grant a Licence Agreement of Council land](#)' was presented to the Strategy & Finance Committee on 15 November 2023 (please refer to this report for additional background on the licence and situation). This report recommended that public consultation be undertaken of Council's intention to enter a new licence with the Trust.
- 2.2 Consultation was undertaken in January and February 2024. Community views were expressed during the consultation and hearings. 45 submitters supported the proposal and 3 were against the proposal.
- 2.3 The Strategy & Finance Committee received the report titled '[Proposal to grant a licence of Council-owned land to Papaioea Pasifika Community Trust - Summary of Submissions](#)' on 10 April 2024, which provided a summary of the submissions received (please refer to this report for details on the submissions received).
- 2.4 In addition, at the same meeting, the committee held a hearing for submitters who wished to be heard in person.
- 2.5 The Reserves Act requires Council to consider any objections raised in public submissions regarding the proposal before deciding. Appendix 1 lists the matters raised in submissions and Officer comments.

2.6 If entered into, the proposed licence will commence on 1 June 2024 and will be for a term of two (2) years, with one right of renewal for a further two (2) years.

2.7 The proposed annual licence fee is to be \$50.00 plus GST. This is consistent with the rental framework in Council's Support and Funding Policy 2022.

### 3. CONCLUSION

3.1 Council has supported the Trust by leasing the Pasifika Community Centre through a community lease. The Trust intends to provide further opportunities for the public to support Council's strategic direction.

3.2 Given the number of submissions in support of the new licence proposal, and the requirements of the Support and Funding Policy have been met, it is recommended that Council continue to support the Trust and proceed with granting a new licence to the Trust.

### 4. NEXT STEPS

4.1 A new licence between Palmerston North City Council and Papaioea Pasifika Community Trust is executed.

### 5. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do, they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the achievement of action/actions in Connected Communities	
The action is: Lease Council land and facilities to for-purpose organisations in line with the Community Funding Policy.	
Contribution to strategic direction and to social, economic, environmental, and cultural well-being	The recommendation is in line with Council's Support and Funding Policy which supports community groups to deliver benefits contributing to the cultural, economic, environmental, and social wellbeing of the city.

## ATTACHMENTS

1. Appendix 1 - Officer comments regarding summary of submissions



Matters Raised	Total	Officer Comments
<b>Against:</b>		
Concerns with the current vandalism in the area, and the effects on the proposal	2	The Trust has been occupying the Community Centre on site for many years and is aware of activities within the area. Repairs due to vandalism to the garden licence area will be at the cost of the Trust.
Only part of the community will reap the rewards, which should be available to all.	2	The Trust funds this proposal and has identified the need for the teaching garden in our community. The Licence does not impact on existing recreation uses.
Funds and ratepayers' money should be used for other community issues	2	This proposal is community funded. The financial cost to Council is for Officer time to process the application and manage the licence if it is approved.
Concerns about the maintenance responsibilities of the garden area	1	The maintenance responsibilities of the Trust will be outlined in the Licence Agreement. All maintenance responsibilities will be at the cost of the Trust.
Concerns for operations of the garden running effectively	1	The Pasifika Community Centre has been working with Council Officers and community groups who have similar initiatives. The Licence Agreement conditions require the garden to be maintained.
Security concerns regarding the crops	1	Cameras are operating on-site. The Licence Agreement will require that any damage caused by vandalism or security concerns will be the responsibility of the Trust.
Preference for upgrades to the playground current site.	1	This proposal is community-funded not Council budgets. The playground was upgraded in 2015. No further upgrades are planned.
<b>Comments for:</b>		
Provides Community benefits	16	
Educational, ability for learnings of new skills and knowledge	13	The Trust intend to have a more educational focus, to teach the community skills in vegetation.
Improves social connections within the community	12	Officers acknowledge that other community gardens that are operating on Council Land have been successful.
Great initiative	9	
Positive response to the cost of living	7	The Trust have identified that from the Covid 19 response that a

		number of vulnerable families are in need of these services.
Provides an opportunity for people to be more self-sufficient	5	
This leads to a healthy community	4	
Provides benefits for mental health	4	
An activity that encourages families to be outside	2	
Builds resilience within the community	2	
Benefit to the site and improving the environment	2	
Ability to grow foods that are not common in New Zealand and are more indigenous to what and where they would grow normally	2	The Trust differ from other community gardens in the community as the only Pasifika provider in the space.
Provided physical benefits	1	

## **REPORT**

**TO:** Strategy & Finance Committee

**MEETING DATE:** 8 May 2024

**TITLE:** Ongley Park - Proposal to continue supporting Rose Gardens Croquet Club Incorporated by notifying the public of the intention to grant community occupancy via a lease of Council land

**PRESENTED BY:** Bryce Hosking, Group Manager - Property and Resource Recovery and Perene Green, Property Officer (intermediate)

**APPROVED BY:** Chris Dyhrberg, Chief Infrastructure Officer

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### **RECOMMENDATIONS TO STRATEGY & FINANCE COMMITTEE**

1. That Council continues to support Rose Gardens Croquet Club Incorporated by notifying the public of its intention to grant community occupancy of Council land at Ongley Park, Palmerston North in accordance with the Support and Funding Policy 2022.
2. That Council notes the land affected by the community occupancy of Rose Gardens Croquet Club Incorporated is described as Lot 2 DP 77988.

## SUMMARY OF OPTIONS ANALYSIS FOR

<b>Problem or Opportunity</b>	<p>The Croquet Club has requested support from Council by granting community occupancy through a new lease agreement.</p> <p>This report seeks Council's approval to commence the public notification process for the preferred option (Option 1) in accordance with the Support and Funding Policy.</p>
<b>OPTION 1: (Preferred Option)</b>	<b>Notify the public of Council's intention to continue supporting the Club by granting occupancy via a lease under the Support and Funding Policy of the site being part of Ongley Park.</b>
Community Views	<ul style="list-style-type: none"> <li>Community views will be sought during the public notification period.</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>The community views, along with any objections received, will be considered to inform the decision.</li> <li>Council can continue supporting and developing the relationship with the Croquet Club and enable them to continue their activities.</li> </ul>
Risks	<ul style="list-style-type: none"> <li>If Council continued to lease the land to Rose Gardens Croquet Club, it will be unavailable to be leased by another organisation who may feel aggrieved. This risk can be mitigated through the objection process.</li> </ul>
Financial	<ul style="list-style-type: none"> <li>The costs of public notification will be minor.</li> <li>Council will receive the annual rent of \$250.00 plus GST.</li> </ul>
<b>OPTION 2:</b>	<b>Do not notify the public of the preferred option (intention to support through a lease) which would effectively end the Club's occupancy of Council land.</b>
Community Views	<ul style="list-style-type: none"> <li>Community views to inform the Council's decision on the Club's proposed occupancy will not be sought.</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>Should the lease end, and Croquet Club be requested to vacate the premises, the Support and Funding Policy provides a process for Council to explore alternative use options of the land prior to potentially seeking an alternative community occupant. This allows for a strategic view of land use when an arrangement ends.</li> <li>Under the current lease, at the expiration of the lease, Council has the option to purchase the Club's buildings and improvements within three months of the date of expiration at a price agreed between both parties.</li> </ul>



Risks	<ul style="list-style-type: none"> <li>• Council may be perceived as not supporting the sport and recreation activities of the Club.</li> <li>• If Council wishes to proceed with this option, the Club will be required to vacate the land and, unless agreed otherwise, remove all assets, and return the land to its original state.</li> </ul>
Financial	<ul style="list-style-type: none"> <li>• Council would no longer receive the existing annual rent of \$250.00 plus GST.</li> <li>• Council staff time would be required to assist in the process of the removal of improvements.</li> </ul>

## RATIONALE FOR THE RECOMMENDATIONS

### 1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY

- 1.1 The Club has been occupying Council land at Ongley Park since 1983. Their lease expired in September 2023 and the Club now requests a new lease so they can continue to occupy the site and expand their facilities.
- 1.2 Under the Council's Support and Funding Policy, if a for-purpose organisation requests a new lease for the occupancy of Council land at the end of their agreed term, the proposal is to be publicly advertised to seek feedback from the public.
- 1.3 This report seeks Council's approval to commence the public notification process in accordance with the Support and Funding Policy, noting that this is the first step in the process and only seeks approval for consultation. Consultation feedback and the final decision to lease to the Club will be brought to the Strategy & Finance Committee in a subsequent report.

### 2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

- 2.1 The Club was formed in 1983. Since that time, the Club has occupied Council land and played an active role in the community providing social and competitive croquet activities, with around 60-70 members.
- 2.2 Council only leases the land to the Club. Over time, the Club has made investments to improve its facilities and operations.
- 2.3 The leased land is subject to the Palmerston North Reserves Act 1922. The lease can be granted by Resolution of Council, without public consultation, where Council sees fit. While there is no legal requirement for public consultation, Council Officers recommend that Council seek public feedback prior to granting a lease. This recommendation is to ensure a consistent approach for all recreational leases and follow the process outlined in Council's Support and Funding Policy.

### 3. THE PROPOSAL

- 3.1 The Club has included in their application a proposal to extend their lease area, to provide a specific storage area for equipment for the purpose of play and maintenance of the grounds. The proposal requests an increase to the lease area from 5,595m<sup>2</sup> to 5,617.5m<sup>2</sup>. The proposed lease area is outlined in Figure 1 below.
- 3.2 If the land lease is granted the proposed annual rental is \$250.00 plus GST. This is consistent with the framework in Council's Support and Funding Policy.
- 3.3 The proposed term would be for five (5) years, with one right of renewal for a further five (5) years.



Figure 1: Proposed leased area

### 4. ASSESSMENT OF PROPOSAL UNDER THE SUPPORT AND FUNDING POLICY

- 4.1 The Support and Funding Policy provides a framework for how Council will deliver support and funding to groups, organisations, and individuals to achieve the vision of the city. One form of support within the policy is to enable for-purpose groups to occupy Council-owned property at community rental rates.
- 4.2 All for-purpose groups expressing an interest in occupying Council-owned property, either for a new occupancy or renewal of an existing occupancy, must make an application. The application is then assessed by Council

Officers to ensure that firstly they meet the policy's eligibility criteria before proceeding any further.

- 4.3 The application from the Club is attached to the report as Appendix 1.
- 4.4 Further assessment considerations are outlined in the policy. In broad terms, the assessment covers three main areas:
  - a) The Policy for the Use of Public Space – guidelines relevant to the application.
  - b) Reserves Act 1977 – including consideration of the values and purpose of the reserve and the impacts on the public use of the reserve.
  - c) Impact on the locality and park operations.
- 4.5 A copy of the assessment is attached as Appendix 2.
- 4.6 In summary, following the assessment against the policy, Council Officers conclude that the Club is providing community good, however, because of the extended area, there is some minor impact on the locality and park operations in the area.

## 5. LEASING POWERS UNDER PALMERSTON NORTH RESERVES ACT 1922

- 5.1 In addition to the Support and Funding Policy requirements, as the land is a reserve held under the Palmerston North Reserves Act 1922, the leasing provisions also apply.
- 5.2 Section 4 of the Palmerston North Reserves Act 1922 allows for an administering body to:

*'Notwithstanding anything contained in the Wellington Reserves Act 1876 Amendment Act 1877, the Palmerston North Borough Council (hereinafter called the Council) may from time to time lease, for any term not exceeding twenty-one years, the whole or any portion of the reserves for such rent or rents and subject to such covenants, conditions, and agreements (but without compensation or right of renewal) in every respect as the Council shall think fit.'*

- 5.3 The proposal would see the continued use of part of the reserve by the Club. The lease does have minor impacts on the current user experience or change the existing capacity for other activities.

## 6. LAND STATUS

- 6.1 A summary of the land status information is:

Title	Reserve Status
Lot 2 DP 77988	Subject to Palmerston North Reserves Act 1922.

## 7. GIVING EFFECT TO THE PRINCIPLES OF THE TREATY OF WAITANGI

- 7.1 Rangitāne o Manawatū representatives were consulted on the existing leased area, as Council Officers at the time were not aware of the intentions of the Club to expand their activities. Rangitāne is comfortable with the existing proposal and happy for it to proceed.
- 7.2 Rangitāne o Manawatū will be consulted on the minor extension to the lease area during the public consultation period.

## 8. DESCRIPTION AND ANALYSIS OF OPTIONS

**Notify the public of Council's intention to continue supporting the Club by granting occupancy via a lease under the Support and Funding Policy of the site being part of Ongley Park**

- 8.1 This is the preferred option.
- 8.2 Council will seek feedback on continuing to support the Club through the process outlined in the Support and Funding Policy.
- 8.3 While Council is not legally required to give people the opportunity to submit on the proposal and be heard before deciding to grant a lease, Council Officers recommend that we follow the process for consistency with all recreational leases.
- 8.4 After considering feedback, Council can then decide to enter a formal lease with the Club.
- 8.5 The Club contributes to the community and shows strong alignment with Council's strategic direction. The Club adds to Council's priority to ensure the use of all community recreation facilities is optimised.

**Do not notify the public of the preferred option (intention to support through a lease) which would effectively end the Club's occupancy of Council land**

- 8.6 The impact of this option would mean that the opportunity to seek community feedback on the Club's continued occupancy of the site would not occur.
- 8.7 In turn, this would mean that the lease would cease, and Council would follow the process outlined in the Support and Funding Policy to determine the future use of the land (refer 5.5.1(b)). The first step in this process is to carry out a strategic options review.

8.8 The implication of this option on the Club would mean that they would not be able to continue leasing the site. Under the lease provisions, a decision would then need to be made regarding the improvements owned by the Club.

8.9 This option poses the risk that Council will be perceived as not supporting the activities of the Club that has occupied the site since 1983.

## **9. CONCLUSION**

9.1 The proposal is consistent with the requirements of the Support and Funding Policy. Continued occupancy and extension will allow the Club to offer recreational activities to the community.

9.2 Public notification on the continuing support will provide opportunities for submissions and objections to be made before a decision is made, fulfilling the requirements of the Support and Funding Policy 2022.

9.3 It is recommended the Committee proceed with Option 1. The Club's activities contribute to outcomes to achieve Goal 2 of Council's strategic direction.

## **10. NEXT ACTIONS**

10.1 Public notification of the intention to grant the lease, seeking submissions and objections.

10.2 Provide the opportunity for any submitters that wish to be heard to speak to Council.

10.3 Consider the objections and submissions and provide advice to Council on whether to accept, modify or decline the lease proposal.

## **11. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS**

11.1 The proposed consultation process meets the public notification requirements of the Support and Funding Policy 2022 and the Reserves Act that requires a minimum of one-month period advertised in the Manawatū Standard, Dominion Post and on the Council website.

## **COMPLIANCE AND ADMINISTRATION**

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

Are the recommendations inconsistent with any of Council's policies or plans?		<b>No</b>
The recommendations contribute to Goal 2: A Creative and Exciting City		
The recommendations contribute to the achievement of action/actions in Active Communities		
The action is: The use of all community recreation facilities is optimised.		
Contribution to strategic direction and to social, economic, environmental, and cultural well-being	The recommendation is in line with Council's Support and Funding Policy which supports community groups to deliver benefits contributing to the cultural, economic, environmental, and social wellbeing of the city.	

## ATTACHMENTS

1. Application - Rose Garden Croquet Club [↓](#) 
2. Assessment of Lease Proposal [↓](#) 

**Request for Occupancy/lease of Council Land/Building 22/23**  
**Application form**  
**Application No. 0013 From Pamela Green**  
 Form Submitted 8 Apr 2024, 6:16PM NZST

## About Your Group

\* indicates a required field

### Organisation registration details

**Organisation Name**

Rose Gardens Croquet Club Inc.

**NZ Charity Registration Number (CRN)**

**New Zealand Charities Register Information**

**Reg Number**

**Legal Name**

**Other Names**

**Reg Status**

**Charity's Street Address**

**Charity's Postal Address**

**Telephone**

**Fax**

**Email**

**Website**

**Reg Date**

Must be formatted correctly.

### Current Address

**Primary Phone Number**

021 173 6113

Must be a New Zealand phone number.

**Primary Website**

<http://www.rosegardenscroquetclub.org.nz/>

Must be a URL.

### Contact Details

**Primary Contact**

Pamela Green

**Primary Contact Email**

pam.20man@gmail.com

Must be an email address.

**Primary Contact Phone Number**

021 173 6113

Must be a New Zealand phone number.

## Request for Occupancy/lease of Council Land/Building 22/23

### Application form

Application No. 0013 From Pamela Green

Form Submitted 8 Apr 2024, 6:16PM NZST

#### Secondary Contact Name

#### Secondary Contact Phone Number

Must be a New Zealand phone number.

#### Secondary Contact Email

Must be an email address.

#### Secondary Contact Phone Number

Must be a New Zealand phone number.

#### Applying for: Please tick which relates to your application

- ☐ Occupying/leasing a (previously unoccupied) council-owned property
- ☐ Constructing a new community building on council-owned land
- ☒ Renewing an occupancy/lease

#### What is the vision of the organisation, what are you wanting to achieve?

We are a sporting organization which provides recreational sports activity for the wider Palmerston North Community. The Club provides social and competitive croquet for all age groups and abilities.

#### How are the major decisions in your organisation taken? (e.g. Trust Board, Management Committee) \*

Management Committee

#### Who are the current members of the major decision-making group? \*

Pamela Green, John Wall, Irene Deline, Michael Hardman, Margaret Snelling, John Doolan, Trevor Dearlove, Terry Klein, Josh Smith, Lorraine Pickett, Neil Stantiall, Jeremy Neild, Micki Tyler.

#### Are staff employed or is all work carried out voluntarily? \*

Volunteers

#### If staff are employed, what is the source(s) of funding used to pay them? \*

N/A

#### What are the key positions in the organisation (paid and/or voluntary) ?

Volunteers

#### What in general terms are the roles of these positions?

As per the Constitution

#### Who currently holds these positions? Please give names and brief resumes.

President - Pamela Green

Vice President - John Wall



## Request for Occupancy/lease of Council Land/Building 22/23

### Application form

Application No. 0013 From Pamela Green

Form Submitted 8 Apr 2024, 6:16PM NZST

Treasurer - Jeremy Neild

Secretary - Irene Deline

#### Please provide a summary of your organisation's achievements since its establishment?

The Club has provided social and competitive croquet for all age groups and abilities since it was established in 1983.

It has hosted many Club, regional, national and international competitions over these last 40 years. We arrange Business House competitions for the local community, and introductory sessions for those with special needs and disabilities.

Members have represented the Club in regional, national and International events.

Some members are involved with aspects of Croquet New Zealand, as the governing body, with refereeing, law's committee and tournaments. Members are also involved in governing our regional association - Croquet Manawatu-Wanganui.

#### Additional information

*No files have been uploaded*

Please upload any additional information to support your application

### Intended Use

#### What is the intended use of the property?

- ☒ Sport and recreation
- ☐ Community or social service
- ☐ Education
- ☐ Other:

#### What service is to be provided from the property? Please give a full description

The property is a sports field which provides an opportunity for the community to play croquet. The proposed extension to the grounds will provide a specific storage area for the equipment in respect of play and maintenance of the grounds.

#### What are the objectives of the service or activity?

The objectives of the croquet activities are to provide players an opportunity for physical activity, a way of developing or maintaining physical coordination, mental acuity, and social interaction.

#### Who is expected to benefit from the service/project? (i.e. who will be the end users or client group)?

Club members, local community groups, school and special needs groups, regional, national and international croquet players

#### What geographic catchment will the project serve?

Service areas in order of importance - Palmerston North, Manawatu and Whanganui region, lower North Island, New Zealand (Country wide, and International

## Request for Occupancy/lease of Council Land/Building 22/23

### Application form

Application No. 0013 From Pamela Green

Form Submitted 8 Apr 2024, 6:16PM NZST

#### What is the demographic profile of those who are expected to benefit from the service/project?

Historically the Club facilities have provided croquet related activities for everyone. All ages, skill levels and abilities are welcome. The age of users range from 10 to well over 90 years of age.

#### How many people are expected to use the service/project on an annual basis?

Approximately 1800 - 2000 per annum - based on current play

#### How was this need identified?

The RGCC currently has an equipment shed and a maintenance shed which are both limited in their ability to provide enough capacity for the equipment and maintenance requirements of the Club which is currently growing in numbers. We are also concerned about security of members possessions and club equipment.

#### Which organisations in the City are providing services for a similar target group? (i.e. similar geographic location, demographic profile)

None

#### In what way does your service/activity differ from that supplied by these other organisations?

N/A

#### What evidence do you have that the service/activity will meet the need identified?

Rose Gardens Croquet Club has been serving the community for over 40 years. The number of members is climbing but currently sits at around 60 - 70 on an annual basis.

#### Has the service/project been pilot tested for effectiveness? If so, please give details of pilot test and results.

The Club has been based at the current site for the last 40 years. We believe this shows its effectiveness in the community.

#### Has the service/project previously been operated in Palmerston North or anywhere else in New Zealand? If yes, please give details.

Yes - Rose Gardens Croquet Club is one of 112 croquet clubs currently operating in New Zealand.

#### How will you measure the level of success of this service/project?

Success is measured by the number of club members and the enjoyment and entertainment others have when attending the facility, either socially or competitively.

## Readiness

#### What are the costs involved in establishing this activity/service? Please give the main categories of cost and as close an estimate as you can manage for each category.

The Club is established. We wish to extend the lease area to enable us to build a larger

## Request for Occupancy/lease of Council Land/Building 22/23

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equipment shed to accommodate the growing club and members. We also wish to alter the entrance way to the lawns to allow better access to the lawns without damaging the surface of the playing areas.

We expect the works we wish to undertake to be around \$50,000.00. Providing the services and laying the groundworks would perhaps be another \$20,000.00.

**How do you anticipate funding these costs? (e.g. funds in hand, grants, fund raising) Please specify which funds have already been secured and which are subject to further work/decisions.**

We currently have some club savings but the works are expected to be paid for by grants, donations and fund raising.

**What are the estimated costs of operating the service/project on each year?**

We estimate the costs to be around \$2,500.00 per annum

**How do you anticipate funding these costs?**

Through Club activities, subs and grants.

**Have you prepared a business plan for the service/project? If yes, please supply a copy.**

Not at this stage

**Upload Business Plan**

*No files have been uploaded*

**Please supply a copy of your most recent audited accounts.**

Filename: Financial Report - 2023.docx.pdf

File size: 72.2 kB

**If you are leasing a property, what is the timeline for making the service/project operational?**

No current time line

**Please specify plans for resourcing (equipment, services, people, tools etc.)**

Volunteers from Club Members and supporting businesses

**Have you prepared any conceptual and technical plans? Please Upload**

Filename: Proposed new equipment shed plan - 2024.png

File size: 1.9 MB

## Fit with Council Direction

### Policy on Use of Public Spaces 2019

**Support and Funding Policy - Occupancy of council-owned Property by For-Purpose groups**

## Request for Occupancy/lease of Council Land/Building 22/23

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**Purpose:** The purpose of this support is to provide to allow for-purpose groups to occupy and operate out of Council owned property for sporting, recreational, community/social services and educational purposes at community rental rates.

**Support Priorities:** For-purpose groups that contribute to outcomes to achieve goals 2, 3, and/or 4 of Council's strategic direction. For- purpose organisations who are jointly seeking a shared space within a Council-owned building; and their presence fits with the identified space and will maintain or enhance the uniqueness of the space.

#### Policy on Use of Public Spaces 2019<sup>[1]</sup>

In considering an application to use public space, and particularly where there are competing applications for the use of public space or high demand for a public space, the Council will consider whether the activity:

- supports the achievement of the Council's goals
- adds to the variety of events or activities available in Palmerston North
- enhances any precinct identities (e.g. Broadway as a hospitality precinct)
- provides an experience (rather than a simple commercial exchange)
- does not significantly limit the availability of space for general community use.

Council may also consider:

- whether the event or activity is inclusive of and accessible to the wider community
- iwi feedback on the proposed event or activity
- the opportunity to enhance or celebrate the heritage values of the public space
- the opportunity to enhance or celebrate the natural environment of the public space
- the opportunity to contribute to preparedness for emergency response, disaster response, or national security concerns
- potential impact on existing city businesses. Council may require applications to be subject to public consultation where an application is likely to be controversial, or where it is unclear if the proposal is consistent with the overall intent of the policy.

Note that none of the criteria or considerations provided for in this policy outweigh the freedoms guaranteed under the Bill of Rights Act.

[1] <https://www.pncc.govt.nz/council-city/official-documents/policies/policy-for-the-use-of-public-space/>

### Palmerston North Strategic Direction

Goal 1: An Innovative and growing city

Goal 2: A creative and exciting city

Goal 3: A connected and safe community

Goal 4: An eco-city

[Strategic direction | Palmerston North City Council \(pncc.govt.nz\)](https://www.pncc.govt.nz/council-city/official-documents/policies/policy-for-the-use-of-public-space/)

**Please explain how your proposed lease will contribute to one or more goals of Council (it is not necessary to contribute to more than one goal):**

The current lease and the proposed physical extension of the leased area contributes to Goal 2 of the PNCC goals i.e. a creative and exciting city. The Rose Gardens Croquet

## Request for Occupancy/lease of Council Land/Building 22/23

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Club courts allow inclusive recreational and competitive sports activities for the wider community. Many sectors of the local community, including Club Members and community, schools, service, special needs and physically disabled groups enjoy croquet play at any level from beginners to advanced. Club competitions are also a well-known destination for regional, national and international croquet players.

**Is the need which this project/service aims to address identified in any other City Council plans or research? If so please indicate the report and relevant sections.**

Not sure

### Type of Property (new requests only)

**35. Does your group require a building or land only?**

**36. Please describe the type of property you require? Size, type, what attributes must it have etc.**

**37. Does the property need to be located in a particular area of the City? If so, where?**

**38. Is this location essential or desirable? Please bear in mind that if you mark essential and the Council does not have suitable property in that location then no property at all may be offered.**

☐ Desirable

☐ Essential

**39. Do you have a location or Council property in mind? If so where?**

**40. Approximately how long do you anticipate requiring Council property for?**

**41. Please attach any other information you wish to supply as part of your application**

*No files have been uploaded*

### Declaration

**You must agree to the below statements before submitting your application:**

#### New Question

☒ I confirm that all information given or written is true, complete and accurate.

☒ I give authority for Council to use the information provided publicly, such as in a report to the Council, to assess our proposal.

**Request for Occupancy/lease of Council Land/Building 22/23**  
**Application form**  
**Application No. 0013 From Pamela Green**  
Form Submitted 8 Apr 2024, 6:16PM NZST

### Assessment of Lease Proposal – Support and Funding Policy

In considering an application of a for purpose organisation to use public space, and particularly where there are competing applications for the use of public space or high demand for a public space, the Council will assess the applications against the criteria set out in both policies.

**Date:** 16/04/2024

**Group Name:** Rose Gardens Croquet Club Incorporated

**Proposed Lease Location:** Ongley Park, Palmerston North

### Use of Public Space Policy

Criteria	Assessment
Supports the achievement of the Council's goals	Activities of the Club are consistent with goals two and three of Council's strategic direction.
Is accessible to the wider community	The Club's activities seek and support the Palmerston North community.
Adds to the variety of events or activities available in Palmerston North	The Club provides opportunities to promote confidence and create connections within the community.
Enhances any precinct identities (e.g. Broadway as a hospitality precinct)	The Club supports and enhances the range of recreational activities at Ongley Park.
Provides an experience (rather than a simple commercial exchange)	The Club is focused on personal development and community engagement.
Does not significantly limit the availability of space for general community use	The lease extension would reduce the availability of the space for general community use. This is not expected to be a significant impact however, this will be tested through the consultation on the proposed lease.
Rangitāne o Manawatu feedback on the proposed activity	Rangitāne o Manawātū representatives have considered the existing lease and have no comment. Rangitāne o Manawātū will be consulted on the proposed extension during the consultation period.
Potential impact of the occupancy and proposed activities	The Club has been occupying the site since 1983. The proposed lease will extend the current leased area. It will have a minor impact on the amount of greenspace.

**Reserves Act 1977 Considerations**

Criteria	Assessment
Meets the defined purpose of recreation reserve in Section 17(1) of the Reserves Act 1977.	The Club is providing a sports club organisation to the local community. It is undertaken in people's leisure time and contributes to the community. This activity is consistent with the purpose of recreation reserves.
The public shall have freedom of entry and access to the reserve, except for the ability to lease areas under Section 54.	The proposal is only subject to The PN Reserves Act 1922 this does not apply.
Where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve.	No trees or vegetation are required to be removed by the proposal and the Pohutukawa tree would not be adversely affected.
Those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and the better use and enjoyment of the reserve shall be conserved.	The Club has proposed a minor extension to their lease however, it will not significantly impact the existing pleasantness and enjoyment of the reserve.
To the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.	The proposed lease will not impact on soil, water and forest conservation.
Does not significantly limit the availability of space for general community use	The lease does not affect the availability of the space for general community use.



**Impact on the locality and Park operations**

Criteria	Assessment
Aesthetics	The Club currently occupies the site. While the Club has proposed an extension to their lease area these changes are minor.
Security	The Club will be responsible for the security of their buildings and assets.
Cleaning and Offensive litter	The Club is responsible for managing litter within its leased area
Vegetation	No trees or shrubs would be required to be removed
Carparking	Existing car parking is available. No new effects are created in approving a new lease
Affected Parties	Parties identified include: <ul style="list-style-type: none"> <li>- Members of United Cricket Club</li> <li>- Users of the Manawaroa Pavilion.</li> <li>- Neighbouring residents and tenants</li> <li>- Local Community</li> <li>- Rangitāne o Manawatū</li> </ul>



# COMMITTEE WORK SCHEDULE

TO: Strategy & Finance Committee

MEETING DATE: 8 May 2024

TITLE: Committee Work Schedule

## RECOMMENDATION TO STRATEGY & FINANCE COMMITTEE

1. That the Strategy & Finance Committee receive its Work Schedule dated May 2024.

COMMITTEE WORK SCHEDULE – MAY 2024					
Item No.	Estimated Report Date	Subject	Officer Responsible	Current Position	Date of Instruction/ Clause number
1.	May 2024	Draft Palmerston North Dog Control Policy 2024 – Deliberations	Chief Planning Officer		
2.	May 2024	Draft Palmerston North Animals and Bees Bylaw 2024 – Deliberations	Chief Planning Officer		
3.	May 2024	Quarterly Performance & Financial Report (quarter 3 ending 31 March 2024)	Chief Financial Officer		Terms of Reference
4.	May 2024	Treasury Report (Quarter 3)	Chief Financial Officer		Treasury Policy
5.	14 August	Quarterly	Chief		Terms of

	2024	Performance & Financial Report (quarter 4 ending 30 June 2024)	Financial Officer		Reference
6.	14 August 2024	Treasury Report (Quarter 4)	Chief Financial Officer		Treasury Policy
7.	August 2024	Draft Waste Management and Minimisation Bylaw – Approval for Consultation	Chief Planning Officer		11 August 2021 Clause 21
8.	November 2024	Quarterly Performance & Financial Report (quarter 1 ending 30 September 2024)	Chief Financial Officer		Terms of Reference
9.	November 2024	Treasury Report (Quarter 1)	Chief Financial Officer		Treasury Policy
10.	November 2024	Vegetation Framework to include a Tree Policy focused on Council administered streets and public spaces	Chief Planning Officer		Committee of Council 9 June 2021 Clause 31.8
11.	TBC	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	Chief Infrastructure Officer		20 September 2023 Clause 58.3

**ATTACHMENTS**

NIL