

PALMERSTON NORTH CITY COUNCIL

Minutes of the Council Meeting Part I Public, held in the Council Chamber, First Floor, Civic Administration Building, 32 The Square, Palmerston North on 07 December 2022, commencing at 9.01am

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

Councillor Debi Marshall-Lobb was not present when the meeting resumed at 11.44am. She entered the meeting again at 1.46pm during consideration of clause 179. She was not present for clauses 177 and 178.

Councillor Leonie Hapeta left the meeting at 12.01pm during consideration of the motion that was tied. She was present when the meeting resumed at 1.29pm. She was not present for the motion that was tied and clause 178.

Councillors Rachel Bowen, Lew Findlay and Billy Meehan were not present when the meeting resumed at 3.47pm. They were not present for clauses 182 to 186 inclusive.

Councillor Vaughan Dennison left the meeting at 4.26pm during consideration of clause 186. He was not present for clause 186.

173-22 Apologies

Moved Grant Smith, seconded Karen Naylor.

RESOLVED

1. That Council receive the apologies.

Clause 173-22 above was carried 16 votes to 0, the voting being as follows:

For:

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

COUNCIL - PART I - 07 DECEMBER 2022

Declarations of Interest

Councillors Vaughan Dennison and William Wood declared a conflict of interest in Item 18 Tamakuku Terrace Six Monthly Update (clause 183.3) and took no part in discussion or debate.

Councillor Vaughan Dennison declared a conflict of interest in Item 22 Whakarongo Land Purchase (clause 186) and left the meeting.

174-22 Petition: More solar on Council buildings and support for insulation in homes

Willa McLachlan presented a petition on behalf of 340 people across the Manawatū. The petition is part of a national home-grown energy campaign led by 350 Aotearoa, advocating for solutions that will help achieve a fast and just transition to 100% renewable electricity. The group believes the City Council plays an important role in being leaders by investing in and incentivising distributed renewable generation. Local 350 action groups across Aotearoa are calling on their local councils to take meaningful action. Collectively they are also advocating that central government commit to targets for community energy generation and storage. The group is aware of Council's solar, hydro and gas installations and noted there was further opportunity to support the group in their fight for accessible home grown energy and for Council to help our communities and climate thrive through making more productive use of its energy.

Officers advised Council does not have good data on every property in the city in terms of insulation standards. Changes tended to be best driven through national legislation initiatives, such as the Healthy Homes standard, or changes to the Building Code.

Elected Members requested a desktop analysis of opportunities for solar power on Council owned buildings, to ensure visibility and a level of rigour and oversight around any forward planning for solar power.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That Council receive the petition 'More solar on Council buildings and support for insulation in homes' for information.

Clause 174.1-22 above was carried 16 votes to 0, the voting being as follows:

For:

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

COUNCIL - PART I - 07 DECEMBER 2022

Moved Brent Barrett, seconded Orphée Mickalad.

2. That the Chief Executive conduct a desktop analysis of opportunities for solar power on Council-owned buildings, and report to Council in time to inform the 2024/34 Long Term Plan.

Clause 174.2-22 above was carried 16 votes to 0, the voting being as follows:

For:

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

175-22 **Confirmation of Minutes**

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That the minutes of the ordinary meeting of 30 November 2022 Part I Public be confirmed as a true and correct record.

Clause 175-22 above was carried 16 votes to 0, the voting being as follows:

For:

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

176-22 **Exploration of alternative 'Three Waters' funding, financing and investment options**

Moved William Wood, seconded Brent Barrett.

RESOLVED

1. That the Chief Executive explore a range of alternative 'Three Waters' funding, finance and investment options and report to Council with a view to presenting the alternative(s) to the Minister for Local Government.

Clause 176-22 above was carried 9 votes to 7, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Brent Barrett, Vaughan Dennison, Lew Findlay, Leonie Hapeta, Billy Meehan, Karen Naylor, William Wood and Kaydee Zabelin.

Against:

Councillors Debi Marshall-Lobb, Mark Arnott, Rachel Bowen, Roly Fitzgerald, Patrick Handcock, Lorna Johnson and Orphée Mickalad.

COUNCIL - PART I - 07 DECEMBER 2022

PN City Council recognition of status quo funding challenges with 'Three Waters' and opposition to the proposed model

Moved William Wood, seconded Leonie Hapeta.

Note:

On a motion:

"1. That Palmerston North City Council recognise the status quo in terms of 'Three Waters' funding, financing, and investment is untenable and take a public stance against the proposed 'Three Waters' model. This is due to a range of issues with the proposal which include but are not limited to:

- a) Concern around the loss of local assets that have been built up and paid for by ratepayers,
- b) Concern around a lack of local voice and representation in the proposed water entities,
- c) Concern around additional costs that may be levied on ratepayers,
- d) Concern around slower response times to local issues from a centralised water entity."

the motion was lost 6 votes to 9, with 1 abstention, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Vaughan Dennison, Leonie Hapeta, Billy Meehan, Karen Naylor and William Wood.

Against:

Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Lorna Johnson and Orphée Mickalad.

Abstained:

Councillor Kaydee Zabelin.

The meeting adjourned at 11.23am.

The meeting resumed at 11.44am.

Councillor Debi Marshall-Lobb was not present when the meeting resumed.

REPORTS

177-22

Proposals to grant leases:

Marriner Reserve - Proposal to grant a lease on reserve land to Manawatū Model Engineering Club Incorporated

Wahikoa Park - Proposal to grant a lease on reserve land to Northern Club (Manawatū) Incorporated

Andrew Avenue Kindergarten Reserve - Proposal to grant a lease on reserve land to Ruahine Kindergarten Association Incorporated

Memorandums, presented by Bryce Hosking, Group Manager - Property.

COUNCIL - PART I - 07 DECEMBER 2022

Moved Grant Smith, seconded Leonie Hapeta.

RESOLVED

1. That Council grant a lease at Marriner Reserve, Palmerston North, being part of Lot 3 DP 29419, to Manawatū Model Engineering Club Incorporated, in accordance with Section 54 of the Reserves Act 1977.

Moved Grant Smith, seconded Pat Handcock.

2. That Council grant a lease of the land at 74 North Street, Wahikoa Park Palmerston North, being Part Section 2137 and 238 to Northern Club (Manawatū) Incorporated, in accordance with Section 54 of the Reserves Act 1977.

Moved Grant Smith, seconded Orphée Mickalad.

3. That Council grant a lease of the land at 9 Andrew Avenue, Palmerston North, being Lot 1 DP 52257, to Ruahine Kindergarten Association Incorporated, in accordance with Section 54 of the Reserves Act 1977.

Clause 177-22 above was carried 15 votes to 0, the voting being as follows:

For:

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

Proposal to grant a licence on the Railway Land Reserve to Tekton Limited

Report, presented by Bryce Hosking, Group Manager - Property.

Councillor Leonie Hapeta left the meeting at 12.01pm.

Moved Karen Naylor, seconded Roly Fitzgerald.

Note:

On a motion:

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

the motion was tied 7 votes to 7. The chairperson declared the motion lost, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Rachel Bowen, Roly Fitzgerald, Patrick Handcock, Orphée Mickalad, Karen Naylor and Kaydee Zabelin.

Against:

Councillors Mark Arnott, Brent Barrett, Vaughan Dennison, Lew Findlay, Lorna

COUNCIL - PART I - 07 DECEMBER 2022

Johnson, Billy Meehan and William Wood.

178-22 Opie Reserve - Change to Reserve Status to Enable Proposed Use by Ngāti Hineaute Hapu Authority

Report, presented by Kathy Dever-Tod, Group Manager - Parks and Logistics.

Moved Grant Smith, seconded Brent Barrett.

RESOLVED

1. That Council, as the Administering Body of Opie Reserve under the Reserves Act 1977, adopt the proposed new reserve status for Opie Reserve as "Local Purpose – Community", to go out for consultation under the Reserves Act 1977 Section 119 and 120.
2. That Council, in exercise of ministerial delegation from the Minister of Conservation, adopt the proposed new reserve status for Opie Reserve as "Local Purpose – Community", to go out for consultation under the Reserves Act 1977 Section 119 and 120.

Clause 178-22 above was carried 13 votes to 0, the voting being as follows:

For:

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

The meeting adjourned at 12.32pm.

The meeting resumed at 1.29pm.

Councillor Leonie Hapeta was present when the meeting resumed.

179-22 2022 August Storm Damage - Roading

Report, presented by Stuart Cartwright, Chief Engineer and Hamish Featonby, Group Manager – Transport and Development.

Councillor Debi Marshall-Lobb entered the meeting again at 1.46pm.

Moved Karen Naylor, seconded William Wood.

RESOLVED

1. That Council allocate \$1.627M as an unbudgeted sum in 2022/23 financial year and \$950,000 in 2023/24 financial year to address the August 2022 Network Storm Damage outcomes, in a new Capital New programme (Option 2) and that the \$1.627M in 2022/23 be offset through deferral of other planned work.
2. That Council transfer existing emergency expenditure related to the new capital works against that new budget line.
3. That Council refer consideration of future emergency budget allocation to Long Term Plan considerations.

COUNCIL - PART I - 07 DECEMBER 2022

Clause 179-22 above was carried 16 votes to 0, the voting being as follows:

For:

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

180-22

Local Government Election 2022 - participation

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

Elected Members requested that consideration for civics education be referred to the Long Term Plan, to encourage greater voter participation and better connection with different community/ethnic leaders and groups. Council had a part to play in this rather than waiting for central government.

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That Council receive the memorandum titled 'Local Government Election 2022 - participation', presented on 7 December 2022.

Clause 180.1-22 above was carried 16 votes to 0, the voting being as follows:

For:

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

Moved Orphée Mickalad, seconded William Wood.

2. That consideration for civics education be referred to the Long Term Plan 2024-34.

Clause 180.2-22 above was carried 14 votes to 2, the voting being as follows:

For:

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

Against:

Councillors Lew Findlay and Karen Naylor.

181-22

Annual Meeting Calendar 2023

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

Moved Grant Smith, seconded Debi Marshall-Lobb.

COUNCIL - PART I - 07 DECEMBER 2022

RESOLVED

1. That Council adopt the Annual Meeting Calendar 2023 (Appendix 1) subject to the following amendment:
 - To swap the Strategy & Finance meeting on 15 March with Community on 22 March.

Clause 181-22 above was carried 16 votes to 0, the voting being as follows:

For:

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

The meeting adjourned at 3.30pm.

The meeting resumed at 3.47pm.

Councillors Rachel Bowen, Lew Findlay and Billy Meehan were not present when the meeting resumed.

182-22 Local Government (Pecuniary Interests Register) Amendment Act - Appointment of Registrar

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

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That Council agree the following amendment to the Delegations Manual 2017:

162B. The Legal Counsel is appointed Registrar to exercise the functions, powers and duties under section 54G(1) of the Local Government (Pecuniary Interests Register) Amendment Act 2022.

Clause 182-22 above was carried 13 votes to 0, the voting being as follows:

For:

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

INFORMATION REPORTS

183-22 Progress Update of Programme 2041 – Accessibility Assessment

Papaioea Place Redevelopment Six Monthly Update

Tamakuku Terrace Six Monthly Update

Memorandums, presented by Bryce Hosking, Group Manager - Property.

COUNCIL - PART I - 07 DECEMBER 2022

Moved Grant Smith, seconded Brent Barrett.

RESOLVED

1. That Council receive the memorandum titled 'Progress Update of Programme 2041 – Accessibility Assessment' presented on 7 December 2022.
2. That Council receive the memorandum titled 'Papaioea Place Redevelopment Six Monthly Update', presented on 7 December 2022.

Clauses 183.1-22 and 183.2-22 above were carried 13 votes to 0, the voting being as follows:

For:

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

Moved Grant Smith, seconded Debi Marshall-Lobb.

3. That Council receive the memorandum titled 'Tamakuku Terrace Six Monthly Update', presented on 7 December 2022.

Clause 183.3-22 above was carried 11 votes to 0, the voting being as follows:

For:

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

Note:

Councillors Vaughan Dennison and William Wood declared a conflict of interest and withdrew from the discussion.

184-22

Council Work Schedule

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

1. That Council receive its Work Schedule dated 7 December 2022.

Clause 184-22 above was carried 13 votes to 0, the voting being as follows:

For:

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

COUNCIL - PART I - 07 DECEMBER 2022

EXCLUSION OF PUBLIC

185-22 Recommendation to Exclude Public

Moved Grant Smith, seconded Debi Marshall-Lobb.

RESOLVED

"That the public be excluded from the following parts of the proceedings of this meeting listed in the table below.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for passing this resolution
22.	Whakarongo Land Purchase	Negotiations	s7(2)(i)

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.

Clause 185-22 above was carried 13 votes to 0, the voting being as follows:

For:

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

The public part of the meeting finished at 3.59pm

Confirmed 14 December 2022

Mayor