

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 25 February 2019, commencing at 9.00am

Members Present: The Mayor (Grant Smith) (in the Chair) and Councillors Brent Barrett, Susan Baty, Rachel Bowen, Adrian Broad, Gabrielle Bundy-Cooke, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas and Tangi Utikere.

Councillor Vaughan Dennison entered the meeting at 9.09am during consideration of clause 210.

1-19 Presentation - New Years Honours

Councillor Vaughan Dennison entered the meeting at 9.09am

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That Council note that congratulations have been conveyed on behalf of the Council to the local recipients of the New Year's Honours 2019.

Clause 1-19 above was carried 15 votes to 0, the voting being as follows:

For:

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

2-19 Confirmation of Minutes

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That the minutes of the ordinary meeting of 19 December 2018 Part I Public be confirmed as a true and correct record.

Clause 2-19 above was carried 15 votes to 0, with 1 abstention, the voting being as follows:

For:

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

Abstained:

Councillor Gabrielle Bundy-Cooke.

3-19 Audit and Risk Committee Part I Public - 18 February 2019

Consideration was given to Audit and Risk Committee recommendations as appended to these minutes.

Moved Vaughan Dennison, seconded Susan Baty.

RESOLVED

1. That the Committee's recommendations be adopted.

Clause 3-19 above was carried 15 votes to 0, the voting being as follows:

For:

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

REPORTS

4-19 Transfer of Part II (public excluded) Information to Part I (publicly available)

Memorandum, dated 19 February 2019 presented by the General Manager - Strategy & Planning, Sheryl Bryant.

Elected Members were of the view that justification for Part II reports should be included in the register of Part II items.

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That the report dated 19 February 2019 and titled "Transfer of Part II (public excluded) Information to Part I (publicly available)" by the General Manager, Strategy and Planning be received.

Clause 4.1 above was carried 15 votes to 0, the voting being as follows:

For:

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

Moved Karen Naylor, seconded Brent Barrett.

2. That for any Part II items which remain in Part II or are partially released, the justification under LGOIMA 1987 is included on the register.

Clause 4.2 above was carried 10 votes to 5, the voting being as follows:

For:

Councillors Brent Barrett, Rachel Bowen, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Leonie Hapeta, Jim Jefferies, Duncan McCann, Karen Naylor and Bruno Petrenas.

Against:

The Mayor (Grant Smith) and Councillors Susan Baty, Lew Findlay QSM, Lorna Johnson and

Tangi Utikere.

Moved Karen Naylor, seconded Brent Barrett.

Note:

On a motion that:

- 'When Part II items are released, Council determines whether some or all of the supporting information is also released
- That a process is put in place to enable Council to regularly review items which remain in Part II or are partially released, to determine whether the reason is still valid
- That a process is put in place to ensure that any released information into Part I forms part of the public Council record'

The motion was lost 3 votes to 12, the voting being as follows:

For:

Councillors Brent Barrett, Vaughan Dennison and Karen Naylor.

Against:

The Mayor (Grant Smith) and Councillors Susan Baty, Rachel Bowen, Adrian Broad, Gabrielle Bundy-Cooke, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Bruno Petrenas and Tangi Utikere.

5-19 Notice of Motion - Release of Part II Reports

Moved Karen Naylor, seconded Brent Barrett.

"The Chief Executive be instructed to provide a report outlining the Part 2 decisions made over the past 2 years, what information has been released, and what information has not been released including the reason for withholding the information."

Note: The above Notice of Motion was withdrawn by Councillor Karen Naylor at the meeting.

6-19 Approval to formalise city partnership with Mihara, Japan

Memorandum, dated 7 February 2019 presented by the General Manager – Strategy and Planning, Sheryl Bryant.

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That the Council approves the formalisation of a city partnership with Mihara, Japan, during their visit to Palmerston North in March 2019.

Clause 6-19 above was carried 15 votes to 0, the voting being as follows:

For:

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

7-19 Report on Programme 829 City Wide Undergrounding of Power and Telecom Cables

Memorandum, dated 27 January 2019 presented by the Transport & Infrastructure Manager, Robert van Bentum.

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That Council approve a change in the funding arrangements for Programme 829 City Wide Undergrounding of Power and Telecom Cables from an annual recurring sum to a provisional sum not eligible for carry forward to the amount of \$350,000 to be used to support undergrounding works only when the utility provider is undertaking scheduled renewal or upgrade of the above ground network.
2. That the budget for the 2018/19 Transport Capital New Programme 713 & 829 City Wide Undergrounding of Power and Telecom Cables be revised from \$1,185,607 to \$285,607.

Clauses 7.1 and 7.2 above were carried 14 votes to 1, the voting being as follows:

For:

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

Against:

Councillor Lorna Johnson.

The meeting adjourned at 11.08am

The meeting resumed at 11.29am

8-19 Softball World Champs Committee

Memorandum, dated 14 February 2019 presented by the General Manager - Marketing and Communications, Sacha Haskell.

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That expressions of interest for an Elected Member to be a representative on the Board of Softball 2020 Limited for the World Junior Men's Softball World Cup 2020 be forwarded to Penny Odell by 28 February 2019 for approval by the Mayor and Deputy Mayor.

Clause 8-19 above was carried 15 votes to 0, the voting being as follows:

For:

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

9-19 Uplifting Report - Funding agreement between Palmerston North City Council and Palmerston North Public Sculpture Trust

Elected Members were advised that the funding agreement was not yet ready for approval and therefore should remain on the table until it was ready.

Moved Grant Smith, seconded Karen Naylor.

RESOLVED

1. That the report dated 17 January 2019 and titled "Funding agreement between Palmerston North City Council and Palmerston North Public Sculpture Trust" be uplifted from the table.

Clause 9.1 above was carried 15 votes to 0, the voting being as follows:

For:

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

Moved Grant Smith, seconded Tangi Utikere.

2. That the report dated 17 January 2019 and titled "Funding agreement between Palmerston North City Council and Palmerston North Public Sculpture Trust" lie on the table until the funding agreement is ready for approval.

Clause 9.2 above was carried 15 votes to 0, the voting being as follows:

For:

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

10-19 Council Work Schedule

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That the Council receive its Work Schedule dated February 2019.

Clause 10-19 above was carried 15 votes to 0, the voting being as follows:

For:

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

RECOMMENDATIONS FROM COMMITTEE MEETINGS

11-19 Finance and Performance Committee Part I Public - 18 February 2019

Consideration was given to Finance and Performance Committee recommendations as appended to these minutes.

Moved Susan Baty, seconded Jim Jefferies.

RESOLVED

1. That clause 3 of the Part I Public meeting and clauses 9.2 and 9.3 from the Part II (Confidential) Finance and Performance Committee meeting of 18 February 2019 be adopted.

Note: Clauses 9.2 and 9.3 of the Part II (Confidential) meeting are outlined below:

- 9.2 That the Chief Executive be instructed to investigate a buy local policy and report back to the Finance and Performance Committee in May 2019.
- 9.3 That recommendation 9.2 be transferred to the Part I public part of the meeting.

Clause 220-19 above was carried 15 votes to 0, the voting being as follows:

For:

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

EXCLUSION OF PUBLIC

12-19 Recommendation to Exclude Public

Moved Grant Smith, seconded Tangi Utikere.

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
16.	Minutes of the ordinary meeting - Part II Confidential - 19 December 2018	For the reasons setout in the ordinary minutes of 19 December 2018, held in public present.	

17.	Notice of Requirement for Te Ahu a Tūranga - Manawatū Tararua Highway: Appointment of Commissioners	Privacy	s7(2)(a)
18.	He Ara Kotahi and Manawatu River Cycle Pedestrian Pathway - Progress and Funding Update	Third Party Commercial and Negotiations	s7(2)(b)(ii) and s7(2)(i)
19.	Presentation of the Part II Confidential Finance and Performance Committee Recommendations from its 18 February 2019 Meeting		

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public as stated in the above table.

Also that the persons listed below be permitted to remain after the public has been excluded for the reasons stated.

Chief Executive (Heather Shotter), Chief Financial Officer (Grant Elliott), Chief Infrastructure Officer (Tom Williams), General Manager – Strategy and Planning (Sheryl Bryant), General Manager - Community (Debbie Duncan), Chief Customer and Operating Officer (Chris Dyhrberg), Executive Officer (Sandra King), General Manager - Marketing and Communications (Sacha Haskell) because of their knowledge and ability to provide the meeting with advice on matters both from an organisation-wide context (being members of the Council’s Executive Leadership Team) and also from their specific role within the Council.

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

Committee Administrators (Penny Odell, Rachel Corser and Courtney Kibby), because of their knowledge and ability to provide the meeting with procedural advice and record the proceedings of the meeting.

Transport and Infrastructure Officer (Robert van Bentum) and City Planning Manager (David Murphy), because of their knowledge and ability to assist the meeting in speaking to their report and answering questions, noting that such officer will be present at the meeting only for the item that relate to their respective report.

Clause 12-19 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Rachel Bowen, Adrian Broad, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim

Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas and Tangi Utikere.

Moved Brent Barrett, seconded Karen Naylor.

Note:

On a motion 'that item 18 of the agenda remain in the Part I Public part of the meeting' the motion was lost 1 vote to 14, the voting being as follows:

For:

Councillor Brent Barrett.

Against:

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

The public part of the meeting finished at 12.12pm

The public part of the meeting resumed at 4.03pm

7-19 Report on Programme 829 City Wide Undergrounding of Power and Telecom Cables – Continued

Memorandum, dated 27 January 2019 presented by the Transport & Infrastructure Manager, Robert van Bentum.

Moved Grant Smith, seconded Tangi Utikere.

3. That Council reallocates a surplus of \$450,000 to Capital New Programme 57 – He Ara Kotahi Downstream Pedestrian/Cycle Bridge Construction and \$450,000 to Capital New Programme 977 – Manawatu River (Fitzherbert Bridge to Linton) Cycle Pedestrian Pathway.

Clause 7.3 above was carried 14 votes to 1, the voting being as follows:

For:

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

Against:

Councillor Lorna Johnson.

The meeting finished at 4.06pm

Confirmed 25 March 2019

Mayor

RECOMMENDATIONS FROM COMMITTEE

TO: Council

MEETING DATE: 25 February 2019

TITLE: Presentation of the Part I Public Audit and Risk Committee Recommendations from its 18 February 2019 Meeting

Set out below are the recommendations only from the Audit and Risk Committee meeting Part I Public held on 18 February 2019. The Council may resolve to adopt, amend, receive, note or not adopt any such recommendations. (SO 3.18.1)

7-19 Library Building - Risk Assessment

Memorandum, dated 1 February 2019 presented by the Property Manager, Bryce Hosking and the Chief Infrastructure Officer, Tom Williams.

The **COMMITTEE RECOMMENDS**

1. That Council receive the Risk Assessments for the Central Library Service's options regarding the occupation of the library building.

8-19 Committee Work ScheduleThe **COMMITTEE RECOMMENDS**

1. That the Audit and Risk Committee receive its Work Schedule dated February 2019.
2. That the Chief Executive be instructed to report on all Committee/Council Part II matters that have been transferred to Part I (over the last 12 months), the establishment of a public register of transferred items, and a review of the process; such report to be presented to the next Council meeting.
3. That the balance of this term of Council (Committee/Council Part II matters to be transferred into Part I) be reported to the March 2019 Council meeting.

ATTACHMENTS

Nil

RECOMMENDATIONS FROM COMMITTEE

TO: Council

MEETING DATE: 25 February 2019

TITLE: Presentation of the Part I Public Finance and Performance Committee Recommendations from its 18 February 2019 Meeting

Set out below are the recommendations only from the Finance and Performance Committee meeting Part I Public held on 18 February 2019. The Council may resolve to adopt, amend, receive, note or not adopt any such recommendations. (SO 3.18.1)

3-19 **Acquisition of Fitzherbert East Road site for Landfill Purposes**
Memorandum, dated 8 January 2019 presented by the Property Manager, Bryce Hosking.

The **COMMITTEE RECOMMENDS**

1. That Council agrees to enter into the Reverse Sensitivity Encumbrance arrangement as part of the acquisition of the Fitzherbert East Road site for Landfill Purposes.

ATTACHMENTS

Nil