

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 26 August 2019, commencing at 9.01am

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

Apologies: Councillor Adrian Broad.

81-19 Apologies

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That Council receive the apologies.

Clause 81-19 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, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

82-19 Late Item

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That the Part II Memorandum titled "Director and Trustee Appointments" be received.

Clause 82-19 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, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

83-19 Deputation - Awapuni Residents

Annette Nixon, Jeanine Gribbin and Stephen Mercer provided a deputation to the Committee on behalf of business owners in Awapuni Village.

Comments relating to the consultation process were positive, although it was generally felt there was a lack of cohesion.

Business owners were not opposed to cycle lanes and limited parking areas, and remain supportive of a low speed, shared space. Elected Members were also supportive of a slower speed in this area.

Staff parking/customer parking was discussed, and it was noted Sheffield Street is not mentioned in the report despite this being used for both staff and customer parking.

Parking represents a competitive advantage for businesses.

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That the Council receive the deputation for information.

Clause 83-19 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, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

84-19

Confirmation of Minutes

Moved Tangi Utikere, seconded Vaughan Dennison.

RESOLVED

1. That the minutes of the ordinary meeting of 24 June 2019 Part I Public be confirmed as a true and correct record.

Clause 84-19 above was carried 12 votes to 0, with 3 abstentions, the voting being as follows:

For:

Councillors Brent Barrett, Susan Baty, Rachel Bowen, Vaughan Dennison, Lew Findlay QSM, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

Abstained:

The Mayor (Grant Smith) and Councillors Gabrielle Bundy-Cooke and Leonie Hapeta.

85-19

Notice of Motion - Cemeteries and Crematorium Bylaw 2018

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That the Chief Executive be instructed to draft an amendment to the Cemeteries and Crematorium Bylaw 2018 that removes section 11.7 'No person may decorate the soil of a grave located in the lawn cemetery with the use of construction materials such as concrete, stone or metal or with the construction of fences or pavement' for consultation with the public in accordance with the Local Government Act 2002.

Clause 85-19 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, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

86-19

Background Information for Notice of Motion - Childcare Allowance

Memorandum, presented by John Annabell, Legal Counsel.

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That the information in the memorandum relating to the Notice of Motion – Childcare Allowance be considered in conjunction with the Notice of Motion.

Clause 86-19 above was carried 13 votes to 1, with 1 abstention, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Rachel Bowen, Gabrielle Bundy-Cooke, Vaughan Dennison, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Aleisha Rutherford and Tangi Utikere.

Against:

Councillor Bruno Petrenas.

Abstained:

Councillor Lew Findlay QSM.

87-19

Notice of Motion - Childcare Allowance

During discussion Elected Members noted it was not appropriate for a decision to be made on Childcare Allowance prior to the election, and that a staged or subsidised approach would be preferable.

Moved Aleisha Rutherford, seconded Leonie Hapeta.

Note:

On a motion that:

1. That Council provide for the childcare allowance in accordance with the local government members (2019/2020) (Local Authorities) Determination 2019, to be effective from 27 August 2019.
2. That the childcare allowance be accommodated within existing budgets or that a new budget be established.

the motion was lost 6 votes to 7, with 2 abstentions, the voting being as follows:

For:

Councillors Brent Barrett, Susan Baty, Leonie Hapeta, Jim Jefferies, Aleisha Rutherford and Tangi Utikere.

Against:

The Mayor (Grant Smith) and Councillors Rachel Bowen, Vaughan Dennison, Lew Findlay QSM,

Lorna Johnson, Karen Naylor and Bruno Petrenas.

Abstained:

Councillors Gabrielle Bundy-Cooke and Duncan McCann.

The meeting adjourned at 10.30am

The meeting resumed at 10.51am

REPORTS

88-19 Outcome of Consultation on College Street Transport Upgrade Options for Awapuni Shopping Area

Memorandum, presented by Robert van Bentum, Manager - Transport and Infrastructure.

After discussion Elected Members decided a compromise regarding the proposed options would enable the project to move forward, and that consideration be given as to how to address future decisions relating to roading.

Councillor Rutherford left the meeting at 10.55am

Councillor Rutherford entered the meeting at 11.13am

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That Council receive the report entitled "Outcome of Consultation on College Street Transport Upgrade Options for Awapuni Shopping Area" dated 9th August.
2. That Council approves the implementation of a hybrid Option of 1, 3 and 4 comprising Buffered Cycle Lanes through the Awapuni Shopping Centre, including trials on slower speed limits, construction of several inset vehicle parks, and trialling parking time limits. To be brought back to the September Council meeting for final approval.

Clause 88-19 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, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

Moved Rachel Bowen, seconded Brent Barrett.

3. That the Chief Executive report on if and how any new residential 'collector' roads constructed within the urban area make provision for separated cycleways unless otherwise determined and to be reported at the next Council meeting.

Clause 88-19 above was carried 9 votes to 6, the voting being as follows:

For:

Councillors Brent Barrett, Rachel Bowen, Gabrielle Bundy-Cooke, Vaughan Dennison, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor and Bruno Petrenas.

Against:

The Mayor (Grant Smith) and Councillors Susan Baty, Lew Findlay QSM, Leonie Hapeta, Aleisha Rutherford and Tangi Utikere.

The meeting adjourned at 12.02pm

The meeting resumed at 1.51pm

89-19 Earthquake Prone Buildings Policy: For Council Owned Buildings (Uplifted from Table)

Memorandum, presented by David Murphy, City Planning Manager.

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

1. That the memorandum dated 7 June 2019 and titled "Earthquake Prone Buildings: For Council Owned Buildings" be uplifted from the table.

Clause 89-19 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, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

Moved Grant Smith, seconded Tangi Utikere.

2. That the information and advice contained in the memorandum dated 7 June 2019 and titled "Earthquake Prone Buildings Policy: For Council Owned Buildings" attached to the memorandum dated 5 July 2019 and titled "Earthquake Prone Buildings Policy: For Council Owned Buildings (Uplifted from Table)" be received.

3. That the Earthquake Prone Buildings Policy – For Palmerston North City Council Owned Buildings attached to the memorandum dated 7 June 2019 and titled "Earthquake Prone Buildings Policy: For Council Owned Buildings" be adopted.

Clauses 89-19 and 89.3 above were carried 15 votes to 0, the voting being as follows:

For:

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

90-19 Exemption of the Palmerston North Performing Arts Trust from being a Council Controlled Organisation

Memorandum, presented by David Murphy, City Planning Manager.

Moved Tangi Utikere, seconded Aleisha Rutherford.

RESOLVED

1. That pursuant to section 7 of the Local Government Act 2002, the Palmerston North Performing Arts Trust be exempted from being a Council Controlled Organisation for three years from to 30 June 2022.

Clause 90-19 above was carried 14 votes to 0, with 1 abstention, the voting being as follows:

For:

Councillors Brent Barrett, Susan Baty, Rachel Bowen, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

Abstained:

The Mayor (Grant Smith).

91-19

Work Schedule

Moved Grant Smith, seconded Tangi Utikere.

RESOLVED

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

Clause 91-19 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, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

RECOMMENDATIONS FROM COMMITTEE MEETINGS

92-19

Planning and Strategy Committee Part I Public - 5 August 2019

Consideration was given to Planning and Strategy Committee recommendations as appended to these minutes.

Moved Duncan McCann, seconded Aleisha Rutherford.

RESOLVED

1. That the Committee's recommendations be adopted.

Clause 92-19 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, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

93-19 Finance and Performance Committee Part I Public - 19 August 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 50-19 of the Committee's recommendations be adopted.

Clause 93-19 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, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

Against:

Councillor Karen Naylor.

Moved Susan Baty, seconded Jim Jefferies.

2. That the balance of the Committee's recommendations be adopted.

Clause 93-19.2 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, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

94-19 Audit and Risk Committee Part I Public - 19 August 2019

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

Moved Vaughan Dennison, seconded Bruno Petrenas.

RESOLVED

1. That the Committee's recommendations be adopted.

Clause 94-19 above was carried 13 votes to 0, with 2 abstentions, the voting being as follows:

For:

Councillors Brent Barrett, Susan Baty, Rachel Bowen, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

Abstained:

The Mayor (Grant Smith) and Councillor Lorna Johnson.

EXCLUSION OF PUBLIC

95-19 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
17.	Minutes of the ordinary meeting - Part II Confidential - 24 June 2019	For the reasons set out in the ordinary minutes of 24 June 2019, held in public present.	
18.	Contract 3458 – Road Maintenance, Resurfacing and Rehabilitation 2017-21 – Progress Update	Third Party Commercial	S7(2)(b)(ii)
19.	Tranche 12 Electricity Recommendation Report	Commercial Activities	S7(2)(h)
20.	Rates Remission Application – The Ozanam House Trust	Privacy	S7(2)(a)
23.	Director and Trustee Appointments	Privacy	S7(2)(a)

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

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

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), General Manager - Marketing and Communications (Sacha Haskell), Sandra King (Executive Officer) 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.

Democracy Administrators (Carly Chang, Courtney Kibby, Natalya Kushnirenko, and Penny Odell), because of their knowledge and ability to provide the meeting with procedural advice and record the proceedings of the meeting.

[Add Council Officers], 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.

[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].

Clause 95-19 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, Gabrielle Bundy-Cooke, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

The public part of the meeting finished at 2.05pm

Confirmed 23 September 2019

Mayor

RECOMMENDATIONS FROM COMMITTEE

TO: Council

MEETING DATE: 26 August 2019

TITLE: Presentation of the Part I Public Planning and Strategy Committee Recommendations from its 5 August 2019 Meeting

Set out below are the recommendations only from the Planning and Strategy Committee meeting Part I Public held on 5 August 2019. The Council may resolve to adopt, amend, receive, note or not adopt any such recommendations. (SO 3.18.1)

54-19 Palmerston North Wastewater Bylaw 2019 - deliberations on submissions

Memorandum, presented by Julie Macdonald, Strategy & Policy Manager.

The **COMMITTEE RECOMMENDS**

1. That the Council confirms that the Palmerston North Wastewater Bylaw 2019 is the most appropriate form of bylaw and does not give rise to any implications under the NZ Bill of Rights Act 1990.
2. That the Council adopts the Palmerston North Wastewater Bylaw 2019 and Palmerston North Wastewater Bylaw 2019 Administration Manual, as shown in attachments 1 and 2.
3. That the Chairperson and Deputy Chairperson of the Planning and Strategy Committee be given delegated authority to approve minor amendments to the Palmerston North Wastewater Bylaw 2019 and Palmerston North Wastewater Bylaw 2019 Administration Manual prior to publication.

59-19 Priority Intersection and Safety Treatments Across City

Report, presented by Robert van Bentum, Transport and Infrastructure Manger.

The **COMMITTEE RECOMMENDS**

1. That Council receive the report outlining the current approach and options for maintaining, enhancing or reducing investment in intersection safety improvements.
2. That Council endorse the Officer recommendation to adopt Option 1 being the maintenance of the current level of investment safety improvements for the 2018-2021 three year NZTA funding cycle.

ATTACHMENTS

Nil

UNCONFIRMED

RECOMMENDATIONS FROM COMMITTEE

TO: Council

MEETING DATE: 26 August 2019

TITLE: Presentation of the Part I Public Finance and Performance Committee Recommendations from its 19 August 2019 Meeting

Set out below are the recommendations only from the Finance and Performance Committee meeting Part I Public held on 19 August 2019. The Council may resolve to adopt, amend, receive, note or not adopt any such recommendations. (SO 3.18.1)

50-19 Sound System Replacement - The Regent Theatre

Memorandum, dated 17 July 2019 from Bryce Hosking, Manager - Property.

The **COMMITTEE RECOMMENDS**

1. That Council provide a one-off capital grant to The Regent Theatre Trust to the value of \$134,300 + GST to replace and upgrade the sound system in the Regent Theatre Building.

52-19 Quarterly Performance and Financial Report - Quarter Ending 30 June 2019

Memorandum, dated 2 August 2019 from Stuart McKinnon, Finance Manager.

The **COMMITTEE RECOMMENDS**

1. That the Committee receive the June 2019 Quarterly Performance and Financial Report and note:
 - a. The June 2019 financial performance and operating performance.
 - b. The June 2019 capital expenditure programme progress together with those programmes identified as unable to be completed this financial year.
2. That the Committee note that the capital expenditure carry forward values in the 2019/20 Annual Budget will be increased by a net \$4,065,000 to the amount of remaining programme budgets.

54-19 Local Impact Procurement Policy

Memorandum, dated 6 May 2019 from Julie Pedley, Procurement Manager.

The **COMMITTEE RECOMMENDS**

1. That Council approves and implements a Local Impact Procurement Policy.
- 1. That the Local Contribution Assessment factors include consideration of specific local knowledge or expertise.**
3. That the Chief Executive develops, for consideration by Council, a draft procurement policy targeting social & environmental impact.

57-19 Review of Rating System - Terms of Reference

Memorandum, dated 5 August 2019 from Steve Paterson, Strategy Manager - Finance.

The **COMMITTEE RECOMMENDS**

- 1. That the Terms of Reference for the Review of Rating System be revised to include identification of ways that a future rating system could positively contribute to strategic outcomes, including optimisation of land use within and among district planning zones.**
- 1. That the Terms of Reference for the Rating Review as outlined in Appendix Three of the report titled "Review of Rating Systems – Terms of Reference", be endorsed.**

ATTACHMENTS

Nil

RECOMMENDATIONS FROM COMMITTEE

TO: Council

MEETING DATE: 26 August 2019

TITLE: Presentation of the Part I Public Audit and Risk Committee Recommendations from its 19 August 2019 Meeting

Set out below are the recommendations only from the Audit and Risk Committee meeting Part I Public held on 19 August 2019. The Council may resolve to adopt, amend, receive, note or not adopt any such recommendations. (SO 3.18.1)

20-19 Business Assurance Framework and Business Assurance 2019/20 Plan

Memorandum, dated 30 July 2019 from Vivian Watene, Senior Internal Auditor.

The **COMMITTEE RECOMMENDS**

1. That the Council endorse the Business Assurance Framework and Business Assurance 2019/20 Plan prepared by PricewaterhouseCoopers PwC, (Appendix A).
2. That the Business Assurance 2019/20 Plan supersede the previously approved Internal Audit 2019/20 Plan (Appendix B), except for 3 audits, and their reason for exclusion, in paragraph 2 of this Memorandum.

24-19 Business Assurance Charter

Memorandum, dated 25 July 2019 from Vivian Watene, Senior Internal Auditor.

The **COMMITTEE RECOMMENDS**

1. That Council endorse the Business Assurance Charter (the Charter) as enclosed in Appendix B.

ATTACHMENTS

Nil