

PALMERSTON NORTH CITY COUNCIL

Minutes of the Planning & Strategy Committee Meeting Part I Public, held in the Council Chamber, First Floor, Civic Administration Building, 32 The Square, Palmerston North on 14 October 2020, commencing at 9.01am

- Members Present:** Councillor Aleisha Rutherford (in the Chair), The Mayor (Grant Smith) and Councillors Brent Barrett, Rachel Bowen, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Bruno Petrenas and Tangi Utikere.
- Non Members:** Councillors Susan Baty, Vaughan Dennison, Lew Findlay QSM and Karen Naylor.
- Apologies:** Councillor Lew Findlay QSM.

Councillor Lew Findlay QSM was present when the meeting resumed at 11.23am. He was not present for clauses 35 to 39 inclusive.

Councillor Tangi Utikere left the meeting at 9.44am at the conclusion of clause 39. He entered the meeting again at 12.08pm during consideration of clause 41. He was not present for clause 40.

Councillor Aleisha Rutherford declared an interest in clauses 37 and 38 and left the table during consideration of clause 38.

Councillor Tangi Utikere declared an interest in clause 40 and left the meeting during consideration of clause 40.

35-20 Apologies

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The COMMITTEE RESOLVED

1. That the Committee receive the apologies.

Clause 35-20 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Tangi Utikere.

36-20 Public Comment

Mr John Bent made public comment regarding the report 'The Future Use of Huia Street Reserve' considered in clause 40-20 below. Mr Bent expressed his concerns about the matter stating that, from his point of view, the officer's recommendations did not represent the outcomes of the consultation process

since the majority of the submitters had supported the use of the land for community purpose in a variety of forms. Mr Bent asked that the Councillors vote against the recommended option in the report.

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The **COMMITTEE RESOLVED**

1. That the Public Comment be received for information.

Clause 36-20 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Tangi Utikere.

37-20

Hearing of Submissions - Auahi Kore Smokefree and Vapefree Policy 2020

Moved Aleisha Rutherford, seconded Vaughan Dennison.

The **COMMITTEE RESOLVED**

1. That the Planning & Strategy 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 37-20 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Tangi Utikere.

Note:

Councillor Aleisha Rutherford declared a conflict of interest.

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

Cancer Society of New Zealand Manawatu Centre Inc (223):

Mrs Kerry Hocquard spoke to the submission and made the following additional comments:

- Acknowledged the consultation process undertaken by Palmerston North City Council's staff.
- International research had shown that the current vaping products were different from the ones available in 2013, when it was first said that vaping was 95% safer than smoking. It had been proved that current models produced more aerosol and had more concentrated levels of nicotine and toxins which were especially harmful. They caused higher blood pressure and increased risk of coronary diseases. Flavoured ingredients should not

be taken into the lungs.

- New Zealand research raised concerns regarding the increase in young people vaping and the associated increase in smoking, including the potential for nicotine addiction and the impact of nicotine in cognitive development. Research stressed the responsibility to protect young people's health and wellbeing.
- At a national level, the Smokefree and Vaping Amendment Act was passed earlier this year. The Act aimed to make products less available to teenagers by banning advertisement, restricting flavours, etc.
- It was her hope to have trained staff in vape shops offering the advice people needed.

Ann Shaw (126):

Mrs Ann Shaw spoke to the submission and made the following additional comments:

- She was a public health practitioner with over 60 years of experience in the field of prevention and had been actively involved in smokefree advocacy since the 1980s.
- Vaping was also harmful to health. Inhalation and exhalation of heated substances was not natural and caused trouble for the respiratory track including the mouth.
- The fact that some substances could be less harmful than others did not make them safe to inhale. Smoking and vaping affected not only smokers and vapers but also others by side stream exhalations.

Note:

Councillor Aleisha Rutherford stood down as Chair and Councillor Patrick Handcock ONZM took over as Chair for clause 38.

38-20

Summary of submissions on the proposed Auahi Kore Smokefree and Vapefree Policy

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

Moved Vaughan Dennison, seconded Rachel Bowen.

The **COMMITTEE RESOLVED**

1. That the memorandum entitled 'Summary of submissions to the proposed Auahi Kore Smokefree and Vapefree Policy' presented to the Planning & Strategy Committee on 14 October 2020, be received.

Clause 38-20 above was carried 13 votes to 0, with 1 abstention, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Patrick Handcock ONZM, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Tangi Utikere.

Abstained:

Councillor Leonie Hapeta.

Notes:

Councillor Aleisha Rutherford declared a conflict of interest and withdrew from discussion and voting on clause 38-20 above.

Councillor Aleisha Rutherford resumed as Chair from clause 39.

39-20 Confirmation of Minutes

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The **COMMITTEE RESOLVED**

1. That the minutes of the Planning & Strategy Committee meeting of 9 September 2020 Part I Public be confirmed as a true and correct record.

Clause 39-20 above was carried 14 votes to 0, with 1 abstention, the voting being as follows:

For:

Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor and Bruno Petrenas.

Abstained:

The Mayor (Grant Smith).

Councillor Tangi Utikere left the meeting at 9.44am at the conclusion of clause 39-20.

40-20 The Future Use of Huia Street Reserve (Corner of Park Road and Fitzherbert Ave)

Report, presented by David Murphy, Acting General Manager - Strategy and Planning.

In discussion it was agreed to remove the wording 'partial sale' from the officer's recommendations. Elected Members were concerned that the public may misunderstand the legal terminology of 'partial sale' as committing the Council to sell the land.

A motion was discussed that set out to retain the land in public ownership, however this was not carried.

The decision was to not limit the variety of options to be carefully considered as future parts of the process. Elected Members clarified that at this stage they were deciding on the first step of a process to enable the development of the land.

In discussion it was suggested that a further recommendation be added as a way of securing that the community opinions and concerns expressed through the consultation process held on this matter so far be considered as the process progresses.

The meeting adjourned at 11.04am.

The meeting resumed at 11.23am.

When the meeting resumed Councillor Lew Findlay QSM was present.

Moved Grant Smith, seconded Aleisha Rutherford.

The **COMMITTEE RECOMMENDS**

1. That Council approve the preferred option regarding the future use of Huia Street Reserve, which is that Council initiates the necessary amendments to the Palmerston North Reserves Empowering Act 1966 and the District Plan to enable the development of Huia Street Reserve for housing, including the potential for a mixed-use housing development containing supporting recreational and small-scale commercial activity.
2. That the Chief Executive be directed to engage with the relevant Government agencies and the office of the Palmerston North Member of Parliament to initiate the necessary amendments to the Palmerston North Reserves Empowering Act 1966 to enable the development of Huia Street Reserve for housing, including the potential for a mixed-use housing development containing supporting recreational and small-scale commercial activity.

Clause 40.1 and 40.2 above was carried 13 votes to 2, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor and Bruno Petrenas.

Against:

Councillors Brent Barrett and Lorna Johnson.

Moved Grant Smith, seconded Aleisha Rutherford.

3. That the report entitled 'The Future Use of Huia Street Reserve (Corner of Park Road and Fitzherbert Ave)' presented to the Planning & Strategy Committee on 14 October 2020, be received.
4. That it be noted that, should the Palmerston North Reserves Empowering Act 1966 be amended to enable the development of Huia Street Reserve, lease arrangements and District Plan zoning can provide greater certainty to the Manawatū Lawn Tennis Club regarding the long-term future use of that part of Huia Street Reserve currently occupied by the Manawatū Lawn Tennis Club.
5. That the Chief Executive be directed to engage in discussions with the Manawatū Lawn Tennis Club with the objective of providing greater certainty regarding the long-term future use of that part of Huia Street Reserve currently occupied by the Manawatū Lawn Tennis Club, including reviewing the current lease arrangements and retention of the current Recreation Zone.

6. That the Chief Executive be directed to continue to engage with the Manawatū Lawn Tennis Club regarding their proposed feasibility study for an indoor tennis facility and supporting amenities and consider this as part of a potential mixed-use housing development at Huia Street Reserve, noting that Council could also consider other recreational proposals as part of any mixed-use housing development.
7. That it be noted that should the Palmerston North Reserves Empowering Act 1966 be amended as it applies to Huia Street Reserve to enable the development of Huia Street Reserve, the subsequent Resource Management Act 1991 District Plan change and resource consent process will require an assessment of the potential environmental effects identified in a number of the submissions received on the Future Use of Huia Street Reserve Statement of Proposal.

Clause 40-20 above was carried 14 votes to 1, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor and Bruno Petrenas.

Against:

Councillor Brent Barrett.

Moved Rachel Bowen, seconded Aleisha Rutherford.

8. That the submissions received on the Huia Street Reserve statement of proposal be referred to any future Palmerston North City Council decision making process about Huia Street Reserve.

Clause 40-20 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor and Bruno Petrenas.

Note:

Moved Brent Barrett, seconded Bruno Petrenas.

On a motion to amend the words 'to enable the development of Huia Street Reserve' be replaced with 'to retain public ownership of the land and enable partial development of Huia Street Reserve' in clauses 40.1, 40.2, 40.4 and 40.7, the motion was lost 5 votes to 9, the voting being as follows:

For:

Councillors Brent Barrett, Zulfiqar Butt, Renee Dingwall, Billy Meehan and Bruno Petrenas.

Against:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Susan Baty, Rachel Bowen, Vaughan Dennison, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson and Karen Naylor.

Note:

Councillor Tangi Utikere declared a conflict of interest, left the room and withdrew from

voting on clause 40-20 above.

41-20 Annual Section 10A Dog Control Act 1996 Report to Secretary of Local Government

Memorandum, presented by Kerry-Lee Probert, Head of Environmental Protection Services.

Councillor Tangi Utikere entered the meeting again at 12.08pm.

Moved Aleisha Rutherford, seconded Tangi Utikere.

The **COMMITTEE RESOLVED**

1. That the report on the Dog Control Policy and Practices for Palmerston North City Council pursuant to Section 10A of the Dog Control Act 1996 for the period of 2019/20, as attached to the memorandum entitled 'Annual Section 10A Dog Control Act Report to Secretary of Local Government' and presented to the Planning & Strategy Committee on 14 October 2020, be received.

Clause 41-20 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Tangi Utikere.

42-20 Committee Work Schedule

Moved Leonie Hapeta, seconded Tangi Utikere.

The **COMMITTEE RESOLVED**

1. That the Planning & Strategy Committee receive its Work Schedule dated October 2020.

Clause 42-20 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Karen Naylor, Bruno Petrenas and Tangi Utikere.

EXCLUSION OF PUBLIC

43-20 Recommendation to Exclude Public

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

The **COMMITTEE 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
12.	Flood Risk Modelling Information	Public Interest and Legal Privilege	s7(2)(c)(ii) and s7(2)(g)

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 43-20 above was carried 13 votes to 3, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Aleisha Rutherford, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Bruno Petrenas and Tangi Utikere.

Against:

Councillors Brent Barrett, Lorna Johnson and Karen Naylor.

The public part of the meeting finished at 12.16pm

Confirmed 3 November 2020

Chairperson