

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 02 March 2022, commencing at 9.00am

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

Apologies: Councillor Aleisha Rutherford (for lateness).

Councillor Aleisha Rutherford entered the meeting at 9.24am during consideration of clause 4. She left the meeting at 10.08am and entered the meeting again at 10.27am during consideration of clause 4. She was not present for clauses 1 to 4.1 inclusive.

Councillor Rachel Bowen was not present when the meeting resumed at 11.30am. She was not present for clauses 5 to 10 inclusive.

1-22 Apologies

Moved Grant Smith, seconded Leonie Hapeta.

RESOLVED

1. That Council receive the apologies.

Clause 1-22 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, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and Bruno Petrenas.

2-22 Presentation - New Year's Honours 2022

Moved Grant Smith, seconded Karen Naylor.

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 2022.

Clause 2-22 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, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and Bruno Petrenas.

3-22 Confirmation of Minutes

Moved Grant Smith, seconded Brent Barrett.

RESOLVED

1. That the minutes of the ordinary meeting of 20 December 2021 Part I Public be confirmed as a true and correct record.

Clause 3-22 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, Zulfiqar Butt, Vaughan Dennison, Renee Dingwall, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and Bruno Petrenas.

REPORTS

4-22 Ferguson/Pitt Street Intersection Upgrade

Report, presented by Sandra King, Acting Group Manager Transport and Development.

Councillor Aleisha Rutherford entered the meeting at 9.24am.

Councillor Aleisha Rutherford left the meeting at 10.08am.

Moved Grant Smith, seconded Leonie Hapeta.

RESOLVED

1. That Council endorses the modified Ferguson/Pitt Street Intersection Upgrade design (Option 1) and proceeds to tender.

Clause 4-22 above was carried 13 votes to 2, the voting being as follows:

For:

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

Against:

Councillors Brent Barrett, Renee Dingwall and Lorna Johnson.

Councillor Aleisha Rutherford entered the meeting again at 10.27am.

Moved Karen Naylor, seconded Patrick Handcock ONZM.

RESOLVED

2. That Council directs the Chief Executive to plan and undertake further investigations, to identify additional safety management options and timings. This includes another signalised crossing at Linton Street.

Clause 4-22 above was carried 12 votes to 4, the voting being as follows:

For:

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

Against:

Councillors Brent Barrett, Lorna Johnson, Billy Meehan and Aleisha Rutherford.

Moved Brent Barrett, seconded Lorna Johnson.

RESOLVED

3. That Council directs the Chief Executive to report to Council with additional safety management options and timings.

Clause 4-22 above was carried 15 votes to 1, 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, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, Bruno Petrenas and Aleisha Rutherford.

Against:

Councillor Lew Findlay QSM.

Moved Brent Barrett, seconded Lorna Johnson.

Note:

On a motion 'That Council directs the Chief Executive to report to Council with an option for a temporary cycle lane trial in the additional road space created in Ferguson Street' the motion was lost 5 votes to 11, the voting being as follows:

For:

Councillors Brent Barrett, Zulfiqar Butt, Renee Dingwall, Lorna Johnson and Aleisha Rutherford.

Against:

The Mayor (Grant Smith) and Councillors Susan Baty, Rachel Bowen, Vaughan Dennison, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Orphée Mickalad, Karen Naylor and Bruno Petrenas.

The meeting adjourned at 10.58am.

The meeting resumed at 11.30am.

Councillor Rachel Bowen was not present when the meeting resumed.

5-22

Update to Delegation Changes for emergency purpose

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

Moved Lorna Johnson, seconded Brent Barrett.

RESOLVED

1. That where the New Zealand government has placed limits on Palmerston North that would require Democracy and Governance staff and/or Elected Members to work from home OR where the Chief Executive (or in their absence Deputy Chief Executive) in concurrence with the Chair (or in their absence Deputy Chair) has determined that staff and/or member capacity limits the holding of meetings in person, then that particular Council/Committee meeting will move online, meeting at their scheduled times via digital means according to LGA Sch.7, s.25B, under the Epidemic Preparedness COVID-19 Notice 2020. In the event that a standing committee or a meeting of Council cannot be serviced, the Chief Executive will advise the Chair of the committee (or in their absence the Deputy Chair or in their absence the Mayor) that the committee or Council meeting will need to be cancelled and any urgent business moved to the next appropriate meeting.
2. That where Palmerston North is under the COVID-19 Protection Framework "Traffic light Orange, or Green," Council and Committees will continue to meet in person following public health guidance, unless Recommendation 1 is in effect.
3. That where Palmerston North is under the COVID-19 Protection Framework "Traffic light Red," Council and Committees will continue to meet in person following public health guidance with those present required to present a New Zealand government regulated Vaccine Pass, unless Recommendation 1 is in effect.
4. That Council note that where the Epidemic Preparedness COVID-19 Notice 2020 remains in force, members, staff and the public may choose to attend meetings remotely or in person, with those present in person required to present a New Zealand government regulated Vaccine Pass. Digital access to the meeting will be provided for

members who request to attend remotely.

5. That the delegations relating to the Business Continuity Committee be updated according to Attachment 1.
6. That Council rescind Council resolution 28-20.

Clauses 5-22 to 5.6-22 above were carried 15 votes to 0, the voting being as follows:

For:

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

Moved Lorna Johnson, seconded Brent Barrett.

RESOLVED

7. That Council agree that attendance statistics of members will not be recorded, other than to ensure that the Local Government Act (Sch 7, s.5(1)(d)) is met, for the period for which Recommendation 1 is in effect.

Clause 5-22 above was carried 8 votes to 7, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Vaughan Dennison, Lew Findlay QSM, Lorna Johnson, Orphée Mickalad and Aleisha Rutherford.

Against:

Councillors Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor and Bruno Petrenas.

6-22

Council Appointments

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

Moved Susan Baty, seconded Orphée Mickalad.

RESOLVED

1. That Council appoint Councillor Findlay as the councillor liaison on the Seniors Reference Group for the remainder of the Council term.
2. That Council appoint Councillor Renee Dingwall as the councillor liaison on the Pasifika Reference Group for the remainder of the Council term.
3. That Council appoint Mayor Grant Smith as the elected member on the Design Working Party for Te Motu o Poutoa for the remainder of

the Council term.

Clause 6-22 above was carried 12 votes to 0, with 3 abstentions, the voting being as follows:

For:

Councillors Brent Barrett, Susan Baty, Zulfiqar Butt, Vaughan Dennison, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, Bruno Petrenas and Aleisha Rutherford.

Abstained:

The Mayor (Grant Smith) and Councillors Renee Dingwall and Lew Findlay QSM.

7-22

Submission to the Palmerston North Reserves Empowering Amendment Bill (Huia Street Reserve)

Memorandum, presented by Jono Ferguson-Pye, City Planning Manager.

Moved Grant Smith, seconded Vaughan Dennison.

RESOLVED

1. That Council note the Submission to the Palmerston North Reserves Empowering Amendment Bill (Huia Street Reserve).

Clause 7-22 above was carried 14 votes to 0, the voting being as follows:

For:

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

Note:

Councillor Brent Barrett declared a conflict of interest on the above item and withdrew from discussion and removed himself from the table.

8-22

Work Schedule

Moved Grant Smith, seconded Susan Baty.

RESOLVED

1. That the Council receive its Work Schedule dated March 2022.

Clause 8-22 above was carried 15 votes to 0, the voting being as follows:

For:

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

RECOMMENDATIONS FROM COMMITTEE MEETINGS

9-22 Finance & Audit Committee Part I Public - 23 February 2022

Consideration was given to Finance & Audit Committee recommendations as appended to these minutes.

Moved Susan Baty, seconded Karen Naylor.

RESOLVED

1. Quarterly Performance and Financial Report - Quarter Ending 31 December 2021

1. That the Committee receive the memorandum titled 'Quarterly Performance and Financial Report – Quarter Ending 31 December 2021' presented to the Finance & Audit Committee on 23 February 2022.
2. That Council note and approve that the capital expenditure and associated revenue values in the 2021/22 Long Term Plan Budget relating to Three Water Reform funding will be changed as per the details in Appendix 4 of this report.
3. That the Chief Executive quantify the likely underspend across PN City Council 2021/2022 events and events-related budgets and bring forward a report on options to reallocate funds to provide relief and support to the city's events sector.
4. That a report is presented to the March Finance & Audit Committee meeting outlining 'expected / forecast variations' to operational budgets.
5. That ongoing reporting on variations to operational budgets is included in future quarterly reports, as outlined in clause 210 of the Delegations Manual.

2. Awapuni Park - Proposal to grant a lease on reserve land to Awapuni Park Community and Recreation Centre Incorporated

1. That Council approves notifying the public of the proposal to grant a lease at Awapuni Park, 22 Newbury Street, Palmerston North to Awapuni Park Community and Recreation Centre Incorporated, in accordance with Section 54 of the Reserves Act 1977.
2. That the Council notes the land area affected by the lease to Awapuni Park Community and Recreation Centre Incorporated is described as part of Lot 97 DP20548. The lease area is shown in Figure One of this report.

3. Bunnythorpe Recreation Ground - Proposal to grant a lease on reserve land to Bunnythorpe Community Centre Association

Incorporated

1. That the Council approves notifying the public of the proposal to grant a lease at Bunnythorpe Recreation Ground, Raymond Street, Palmerston North to Bunnythorpe Community Centre Association Incorporated, in accordance with Section 54 of the Reserves Act 1977.
2. That the Council notes the land area affected by the lease for Bunnythorpe Community Centre Association Incorporated is described as part of Lot 82 DP217. The lease area is shown in Figure One of this report.

4. Huia Street Reserve - Manawatū Lawn Tennis Club Lease Proposal

1. That Council approves entering a new lease with Manawatū Lawn Tennis Club Incorporated for part of the Huia Street Reserve, Palmerston North for a term of 10 years with a right of renewal for another 10 years.
2. That Council notes the lease will not include an early termination clause.

Clause 9-22 above was carried 15 votes to 0, the voting being as follows:

For:

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

EXCLUSION OF PUBLIC

10-22 Recommendation to Exclude Public

Moved Grant Smith, seconded Patrick Handcock ONZM.

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	Ground(s) under Section 48(1) for passing this resolution
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		matter	
13.	Minutes of the ordinary meeting - Part II Confidential - 20 December 2021	For the reasons set out in the ordinary minutes of 20 December 2021, held in public present.	
14.	PNCC Wastewater Consent Renewal Irrigation requirements - Decision on funding early land negotiation and purchase	Third Party Commercial and Negotiations	s7(2)(b)(ii) and s7(2)(i)
15.	Part IIB - Chief Executive Contract	Privacy	s7(2)(a)
16.	Part IIB - Chief Executive Recruitment	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.

Clause 10-22 above was carried 15 votes to 0, the voting being as follows:

For:

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

The public part of the meeting finished at 12.03pm

Confirmed 6 April 2022

Mayor