

# **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 27 November 2017, commencing at 9.00am**

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

Councillor Rachel Bowen entered the meeting at 9.26am at the conclusion of clause 189. She was not present for clauses 183 to 189 inclusive.

### **183-17 Apologies**

Moved Grant Smith, seconded Tangi Utikere.

#### **RESOLVED**

1. That Council receive the apologies.

Clause 183-17 above was carried 14 votes to 0, the voting being as follows:

#### **For:**

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

### **184-17 Notification of Late Item**

Moved Grant Smith, seconded Susan Baty.

#### **RESOLVED**

1. That subject to Section 46A(7) of the Local Government Official Information and Meetings Act 1987 and in accordance with the advice by the Chairperson the following item be considered as an urgent item:

- (i) Memorandum, titled "Programme 180 – Social Housing – City Wide Community Housing Refurbishments"

As the item was not available at the time the Agenda was circulated; and consideration of the item was a matter of urgency, requiring a decision without delay to enable the Council to manage relationships, meet deadlines, finalise decision and receive information within agreed timeframes.

Clause 184-17 above was carried 14 votes to 0, the voting being as follows:

**For:**

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

**185-17 Confirmation of Minutes**

Moved Grant Smith, seconded Tangi Utikere.

**RESOLVED**

1. That the minutes of the ordinary meeting of 24 October 2017 Part I Public be confirmed as a true and correct record.

Clause 185-17 above was carried 14 votes to 0, the voting being as follows:

**For:**

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

**REPORTS**

**186-17 Turitea Water Treatment Plant - Access Road - Programme 893 - Additional Budget Request**

Memorandum, dated 8 November 2017 from the Water Asset Engineer, Dora Luo and the Water & Waste Services Manager, Robert van Bentum.

Moved Grant Smith, seconded Tangi Utikere.

**RESOLVED**

1. That Council approve an increase in the budget allocated to Capital New Programme 893-Turitea Water Treatment Plant - New Retaining Walls on Access Road by \$290,000 from \$180,000 to \$470,000, funded from additional borrowings, to enable additional retaining structures to be constructed.

Clause 186-17 above was carried 14 votes to 0, the voting being as follows:

**For:**

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

**187-17 Annual Meeting Calendar 2018**

Memorandum, dated 30 October 2017 from the Governance & Support Team Leader, Kyle Whitfield.

Moved Grant Smith, seconded Tangi Utikere.

**RESOLVED**

1. That Council adopt the 2018 Annual Meeting Calendar.
2. That Council note the recommendations from the Mayor regarding Committee Membership/Structure.

Clause 187-17 above was carried 14 votes to 0, the voting being as follows:

**For:**

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

**188-17 Plan Change 16 - Tangata Whenua and Resource Management - Appointment of Commissioners**

Memorandum, dated 10 November 2017 from the Legal Counsel, John Annabell.

Moved Grant Smith, seconded Cr Duncan McCann.

**RESOLVED**

1. That Mr Chris Mitchell (Chairperson), Councillor Karen Naylor and Councillor Aleisha Rutherford be appointed as Commissioners to consider submissions made relating to Plan Change 16 – Tangata Whenua and resource management of the Sectional District Plan Review and be given such powers and responsibilities as delegated by the Council to Commissioners including making decisions on submissions regardless of whether or not a hearing is held.
2. That should an additional commissioner be requested by one of more of the submitters so that the Commissioner panel includes a commissioner with an understanding of tikanga Māori, such commissioner will be appointed from the Council's current commissioner list with this assignment to be made in the normal manner as specified by clause 196 of the Council's Delegations Manual.

Clause 188-17 above was carried 12 votes to 0, with 1 abstention, the voting being as follows:

**For:**

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

**Abstained:**

Councillor Aleisha Rutherford.

**Note:**

Councillor Karen Naylor declared a conflict of interest and withdrew from voting and discussion on clause 188 above.

Councillor Rachel Bowen entered the meeting at 9.26am

**189-17 Work Schedule**

Moved Grant Smith, seconded Tangi Utikere.

**RESOLVED**

1. That the Council receive its Work Schedule dated November 2017.

Clause 189-16 above was carried 13 votes to 2, 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, Jim Jefferies, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

**Against:**

Councillors Leonie Hapeta and Lorna Johnson.

**190-17 Programme 180 - Social Housing - City Wide Community Housing Refurbishments**

Memorandum, dated 21 November 2017 from the Parks & Property Manager, John Brenkley.

Moved Grant Smith, seconded Lorna Johnson.

**RESOLVED**

1. That Council confirm the resolution of 26 June 2017 concerning the *Implications of the proposed review of the Social Housing Strategy* applies to not proceeding with conversion of bedsits under Programme 180 : *City Wide – Community Housing Refurbishments* in the 2017/18 financial year.

Clause 190-17 above was carried 14 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 Aleisha Rutherford.

## **RECOMMENDATIONS FROM COMMITTEE MEETINGS**

### **191-17 Planning and Strategy Committee Part I Public - 6 November 2017**

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 191-17 above was carried 14 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 Aleisha Rutherford.

#### **Abstained:**

Councillor Tangi Utikere.

### **192-17 Arts, Culture and Heritage Committee Part I Public - 13 November 2017**

Consideration was given to Arts, Culture and Heritage Committee recommendations as appended to these minutes.

Moved Rachel Bowen, seconded Jim Jefferies.

#### **RESOLVED**

1. That the Committee's recommendations be adopted.

Clause 192-17 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, Vaughan Dennison, Lew Findlay QSM, Leonie Hapeta, Jim Jefferies, Lorna Johnson, Duncan McCann, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Tangi Utikere.

### **193-17 Finance and Performance Committee Part I Public - 20 November 2017**

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

Moved Susan Baty, seconded Jim Jefferies.

#### **RESOLVED**

1. That the Committee's recommendations be adopted.

Clause 193-17 above was carried 14 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 Aleisha Rutherford.

**194-17**
**Audit and Risk Committee Part I Public - 20 November 2017**

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 194-16 above was carried 13 votes to 0, with 2 abstentions, the voting being as follows:

**For:**

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

**Abstained:**

The Mayor (Grant Smith) and Councillor Aleisha Rutherford.

**EXCLUSION OF PUBLIC**
**195-17**
**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
13.	Minutes of the ordinary meeting - Part II Confidential - 24 October 2017	For the reasons setout in the ordinary minutes of 24 October 2017, held in public present.	
14.	Follow up Report for the Acquisition of Ashhurst School Pool	Third Party Commercial and Commercial Activities	s7(2)(b)(ii) and s7(2)(h)
15.	Contract 3470 Supply of Two LEV (Electric) Kerbside Collection Vehicles	Commercial Activities and Negotiations	s7(2)(h) and s7(2)(i)

16.	<b>Appointment of RMA Commissioners</b>	<b>Privacy</b>	<b>s7(2)(a)</b>
17.	<b>District Licensing Committee - Appointments</b>	<b>Privacy</b>	<b>s7(2)(a)</b>
18.	<b>Presentation of the Part II Confidential Finance and Performance Committee Recommendations from its 20 November 2017 Meeting</b>		

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), General Manager, City Enterprises (Ray McIndoe), General Manager, City Future (Sheryl Bryant), General Manager, City Networks (Ray Swadel), General Manager, Customer Services (Peter Eathorne), General Manager, Libraries and Community Services (Debbie Duncan), Human Resources Manager (Wayne Wilson) and Senior Communications Advisor (Sandra Crosbie) 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 Management 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.

Governance and Support Team Leader (Kyle Whitfield) and Committee Administrators (Penny Odell, Carly Chang and Rachel Corser), because of their knowledge and ability to provide the meeting with procedural advice and record the proceedings of the meeting.

Parks and Property Manager (John Brenkley), Property Officer (Bryce Hosking), Logistics and Support Manager (Paul Compton) and Solid Waste Operations Manager (Stewart Hay) 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 195-17 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, 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 9.42am

Confirmed 21 December 2017

**Mayor**



## RECOMMENDATIONS FROM COMMITTEE

**TO:** Council

**MEETING DATE:** 27 November 2017

**TITLE:** Presentation of the Part I Public Planning and Strategy Committee Recommendations from its 6 November 2017 Meeting

Set out below are the recommendations only from the Planning and Strategy Committee meeting Part I Public held on 6 November 2017. The Council may resolve to adopt, amend, receive, note or not adopt any such recommendations. (SO 3.18.1)

### **73-17 Wastewater BPO Project Vision and Objectives**

Memorandum, dated 24 October 2017 from the Water & Waste Services Manager, Robert van Bentum and the Special Projects Manager, Phil Walker.

#### **The COMMITTEE RECOMMENDS**

1. That the Wastewater BPO Vision and Objectives as set out in clauses 3.1 and 3.2 respectively of the report titled "Wastewater BPO Project Vision and Objectives" and dated 24 October 2017, from the Water and Waste Services Manager, Robert Van Bentum and the Special Projects Manager, Phil Walker, be adopted as endorsed by the Wastewater BPO Project Steering Group.

### **74-17 Amendment to Administration Manuals - Water Supply, Stormwater Drainage, Wastewater Bylaws**

Memorandum, dated 9 October 2017 from the Policy Analyst, Peter Ridge.

#### **The COMMITTEE RECOMMENDS**

1. That the Council determines that no consultation is necessary because the proposed changes are very minor and do not significantly affect any particular group of stakeholders.
2. That the Council amend the Water Supply Bylaw 2015 Administration Manual, Stormwater Drainage Bylaw 2015 Administration Manual, and the Wastewater Bylaw 2017 Administration Manual, as shown in attachments 1-3.

**76-17 Cemeteries and Crematorium Bylaw Review - Section 155 Determination Report**

Memorandum, dated 17 October 2017 from the Policy Analyst, Lili Kato.

The **COMMITTEE RECOMMENDS**

1. That pursuant to section 155(1) of the Local Government Act 2002, the Council determines that a bylaw is the most appropriate way of addressing the issues relating to managing cemeteries and crematoria in Council's control, including protecting the solemn nature of cemeteries, protecting the private interests of those with exclusive rights to burials, and creating a balance between pragmatic management and meeting the needs of the community;
2. That pursuant to section 155(2) of the Local Government Act 2002, the Council determines that the standalone form of bylaw is the most appropriate form of bylaw;
3. That pursuant to section 155(2) of the Local Government Act 2002, the Council agrees that it is not anticipated that a revised bylaw would give rise to implications under the New Zealand Bill of Rights Act 1990;
4. That the Chief Executive is instructed to draft a bylaw that addresses the issues relating to managing cemeteries and crematoria in Council's control, including protecting the solemn nature of cemeteries, protecting the private interests of those with exclusive rights to burials, and creating a balance between pragmatic management and meeting the needs of the community.

**ATTACHMENTS**

Nil

## RECOMMENDATIONS FROM COMMITTEE

**TO:** Council

**MEETING DATE:** 27 November 2017

**TITLE:** Presentation of the Part I Public Arts, Culture and Heritage Committee Recommendations from its 13 November 2017 Meeting

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Set out below are the recommendations only from the Arts, Culture and Heritage Committee meeting Part I Public held on 13 November 2017. The Council may resolve to adopt, amend, receive, note or not adopt any such recommendations. (SO 3.18.1)

**30-17 Presentation of Annual Reports 2016-2017 for Council-Controlled Organisations (Cultural)**

Report, dated 27 October 2017 from the Community Funding Coordinator, Rebecca Hofmann and the Management Accountant, Matt Duxfield.

The **COMMITTEE RECOMMENDS**

1. That the 2016-17 annual reports submitted by Caccia Birch Trust Board, Globe Theatre Trust Board, Regent Theatre Trust and Te Manawa Museums Trust be received.
2. That the Council notes the performance achieved by each of the four cultural CCOs.
3. That the Council thanks the board members, staff and volunteers of the cultural CCOs for their contributions and commitment during the 2016-2017 year.
4. That the Chief Executive report to Council on options to enhance the Hoko-whitu Lagoon embankment at Caccia Birch House.
5. That the Chief Executive reports back on the implementation of tourism signs for Caccia Birch by December 2017.

**31-17      Globe Theatre - Mobility Access to Main Auditorium**

Report, dated 27 October 2017 from the Senior Property Assets Officer, Jocelyn Broderick and the Parks & Property Manager, John Brenkley.

**The COMMITTEE RECOMMENDS**

1. To increase the width of the main aisle in the Globe Theatre auditorium to accommodate wheel chair access, totally funded by Council under its budget contribution of 72k for Programme 1325 (Option 2).

**32-17      Investigation into Military Heritage Precinct**

Memorandum, dated 30 October 2017 from the Policy Planner, Matthew Mackay.

**The COMMITTEE RECOMMENDS**

1. That the Council continues to explore & invest in methods to raise awareness and communicate local military history as part of the delivery of existing programmes and activities.
2. That the Council note that the Chronology of Palmerston North's Military and Defence History (1860 – 1975) is available on Manawatū Heritage.
3. That military history is adopted as a key heritage theme for Palmerston North.
4. That the Council does not proceed with an explicitly defined Military Heritage Precinct in the Central Business District.
5. That the Chief Executive completes an audit of Council programmes against Military Heritage Research to identify and communicate opportunities to develop a Heritage Theme.

**33-17 Military History/Heritage - issues and options update**

Report, dated 6 November 2017 from the Manager - Community Engagement, Ian Littleworth.

The **COMMITTEE RECOMMENDS**

1. That the report *Military History/Heritage - issues and options update* be received.
2. That the option to house a military heritage space within Te Manawa be considered as part of the Te Manawa 2025 concept.
3. That the option to explore future military heritage exhibition opportunities with Te Manawa be undertaken.
4. That within Programme 1343 further research be undertaken to identify technology opportunities to showcase our military heritage and that any funding implications be referred to the 10 year plan.
5. That Council requests Te Manawa to explore opportunities to support and collaborate with local museums and in particular Engineers Corps Memorial Centre.

**ATTACHMENTS**

Nil

## RECOMMENDATIONS FROM COMMITTEE

**TO:** Council

**MEETING DATE:** 27 November 2017

**TITLE:** Presentation of the Part I Public Finance and Performance Committee Recommendations from its 20 November 2017 Meeting

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Set out below are the recommendations only from the Finance and Performance Committee meeting Part I Public held on 20 November 2017. The Council may resolve to adopt, amend, receive, note or not adopt any such recommendations. (SO 3.18.1)

**82-17 Ashhurst Domain - Manawatu River Bank Protection Works Update**

Memorandum, dated 16 November 2017 from the General Manager - City Networks, Ray Swadel.

The **COMMITTEE RECOMMENDS**

1. That the update information regarding funding the Manawatu River bank protection works adjacent to the Ashhurst Domain immediately upstream of the State Highway Ashhurst Bridge be received.

### **ATTACHMENTS**

Nil

## RECOMMENDATIONS FROM COMMITTEE

**TO:** Council

**MEETING DATE:** 27 November 2017

**TITLE:** Presentation of the Part I Public Audit and Risk Committee Recommendations from its 20 November 2017 Meeting

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Set out below are the recommendations only from the Audit and Risk Committee meeting Part I Public held on 20 November 2017. The Council may resolve to adopt, amend, receive, note or not adopt any such recommendations. (SO 3.18.1)

### **30-17 LED Street Lighting Compliance Review**

Report, dated 2 November 2017 from the Road Planning Team Leader, David Lane.

#### The **COMMITTEE RECOMMENDS**

1. That Council confirm continued delivery of programme 1086 allowing upgrading of LED luminaires in both compliant and non-compliant parts of the network; thereby rescinding Resolution 6.3(b) adopted on 25 May 2017.
2. That Council notes that a proposed programme 1367 will be included for consideration in the Draft 2018-28 Ten Year Plan to allow for upgrading of street lights to meet the relevant standard.
3. That the Chief Executive develop a business case for the upgrading of street light networks with the aim of delivering the programme within the next financial year 2018/19.

**34-17      Delegations Manual - Amendment to Powers of Chief Executive**

Memorandum, dated 3 November 2017 from the Legal Counsel, John Annabell.

The **COMMITTEE RECOMMENDS**

1. That the Council's Delegations Manual be amended by adding the following sub-clause (c) to clause 201 relating to delegations to the Chief Executive:

**“(c) Does not involve the revocation or alteration of any decision previously made by the Council unless expressly permitted; and”.**

**ATTACHMENTS**

Nil