

## 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 01 June 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, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, Bruno Petrenas and Aleisha Rutherford.

**Apologies:** Councillors Susan Baty (early departure) and Renee Dingwall.

Councillor Rachel Bowen left the meeting at 11.20am during consideration of clause 58. She was not present for clause 58.

#### **50-22 Apologies**

Moved Grant Smith, seconded Aleisha Rutherford.

#### **RESOLVED**

1. That Council receive the apologies.

Clause 50-22 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, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, Bruno Petrenas and Aleisha Rutherford.

#### **Declarations of Interest**

The Mayor (Grant Smith) declared a conflict of interest in Item 5 Exemption of the Palmerston North Performing Arts Trust from being a Council Controlled Organisation (clause 52) and Item 6 Approval of International Travel for the Mayor, November 2022 (clause 53) and advised that he would vacate the Chair and take no part in the discussion or debate.

Councillor Vaughan Dennison declared an interest in item 9 (clause 56)

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but stated they would consider the item with an open mind.

### 51-22 **Confirmation of Minutes**

Moved Grant Smith, seconded Aleisha Rutherford.

#### **RESOLVED**

1. That the minutes of the ordinary meeting of 4 May 2022 Part I Public be confirmed as a true and correct record.

Clause 51-22 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, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, Bruno Petrenas and Aleisha Rutherford.

The Mayor (Grant Smith) vacated the Chair and left the room. Deputy Chair Aleisha Rutherford took over as Chair.

## **REPORTS**

### 52-22 **Exemption of the Palmerston North Performing Arts Trust from being a Council Controlled Organisation**

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

Moved Aleisha Rutherford, seconded Leonie Hapeta.

#### **RESOLVED**

1. That Council exempt the Palmerston North Performing Arts Trust from being a Council Controlled Organisation for three years to 30 June 2025, pursuant to section 7 of the Local Government Act 2002.

Clause 52-22 above was carried 14 votes to 0, the voting being as follows:

#### **For:**

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

#### **Note:**

Councillor Grant Smith declared a conflict of interest, withdrew from the discussion and left the room.

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**53-22**

### **Approval of International Travel for the Mayor, November 2022**

Memorandum, presented by Gabrielle Nguyen - International Relations Manager and Hannah White - Democracy and Governance Manager.

In discussion a concern was raised over the timing of the overseas trip for the Mayor as it would occur just after the elections. It was suggested that the trip be deferred to early next year.

Moved Karen Naylor, seconded Lorna Johnson.

### **RESOLVED**

1. That Council agree the travel overseas in November 2022 will not proceed and that Council instruct the Chief Executive not to send a delegation at this time.

Clause 53-22 above was carried 9 votes to 5, the voting being as follows:

#### **For:**

Councillors Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Lorna Johnson, Orphée Mickalad, Karen Naylor and Aleisha Rutherford.

#### **Against:**

Councillors Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan and Bruno Petrenas.

The meeting adjourned at 10.19am.

The meeting resumed at 10.35am.

The Mayor (Grant Smith) resumed as Chair.

**54-22**

### **Review of Trust Deeds 2022**

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

Moved Grant Smith, seconded Aleisha Rutherford.

### **RESOLVED**

1. That Council approve the alterations to the Trust Deed for the Globe Theatre Trust (Attachment 1), subject to 7.3a stating 'the annual account of the Trust'.
2. That Council approve the alterations to the Trust Deed for the Regent Theatre Trust (Attachment 2), subject to 7.3a stating 'the annual account of the Trust'.
3. That Council approve the alterations to the Trust Deed for the Te Manawa Museums Trust (Attachment 3), subject to 7.3a stating 'the annual account of the Trust'.
4. That Council note that the proposed alterations of the trust deeds listed in recommendations 1-3 require the approval of three quarters

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of trustees of the relevant Trust Board before the deed can be amended.

5. That Council note that the trust deeds for the Palmerston North Performing Arts Trust and Palmerston North Jaycee Trust have been reviewed but require no changes.
6. That Council note that the trust deed for the Palmerston North Heritage Trust has been reviewed and requires further investigation.

Clause 54-22 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, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, Bruno Petrenas and Aleisha Rutherford.

### 55-22

#### **Remits to Local Government New Zealand 2022 Annual General Meeting**

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

Moved Aleisha Rutherford, seconded Patrick Handcock ONZM.

#### **RESOLVED**

1. That Council does not endorse the 2022 remit proposal from New Plymouth District Council (Attachment 1).

Clause 55-22 above was carried 11 votes to 3, with 1 abstention, the voting being as follows:

**For:**

Councillors Susan Baty, Rachel Bowen, Zulfiqar Butt, Vaughan Dennison, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, Karen Naylor and Aleisha Rutherford.

**Against:**

Councillors Brent Barrett, Billy Meehan and Bruno Petrenas.

**Abstained:**

The Mayor (Grant Smith).

Moved Grant Smith, seconded Patrick Handcock ONZM.

#### **RESOLVED**

2. That Council endorses the 2022 remit proposal from Hutt City Council (Attachment 2).

Clause 55-22 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, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen

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Naylor, Bruno Petrenas and Aleisha Rutherford.

### **56-22      Alteration to Caccia Birch Trust Deed**

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

Moved Brent Barrett, seconded Patrick Handcock ONZM.

#### **RESOLVED**

1. That Council approve the alterations to the Caccia Birch Trust Deed (Attachment 1).

Clause 56-22 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, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, Bruno Petrenas and Aleisha Rutherford.

#### **Note:**

Councillor Vaughan Dennison declared an interest on the above item but took part in the discussion and voting.

### **57-22      Clarification of Resolution on E-Scooters**

Memorandum, presented by Peter Ridge, Senior Policy Analyst.

Moved Karen Naylor, seconded Orphée Mickalad.

#### **RESOLVED**

1. That the intent of clause 21-22 is to remove the limit of 200 e-scooters included in the current permits and have no limit placed on e-scooter numbers that operators can operate in Palmerston North.

Clause 57-22 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, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, Bruno Petrenas and Aleisha Rutherford.

### **58-22      Fees and Charges - Confirmation Following Public Consultation**

Memorandum, presented by Steve Paterson, Strategy Manager - Finance.

Councillor Rachel Bowen left the meeting at 11.20am.

Moved Susan Baty, seconded Leonie Hapeta.

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### RESOLVED

1. That the fees and charges for Planning & Miscellaneous Services, as scheduled in Attachment 1 of the memorandum titled 'Fees and Charges – Confirmation Following Public Consultation' presented to the Council on 1 June 2022, be approved, effective from 1 July 2022.
2. That the fees and charges for Trade Waste Services, as scheduled in Attachment 2 of the memorandum titled 'Fees and Charges – Confirmation Following Public Consultation', presented to the Council on 1 June 2022, be approved, effective from 1 July 2022.

Clause 58-22 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, Zulfiqar Butt, Vaughan Dennison, Lew Findlay QSM, Patrick Handcock ONZM, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, Bruno Petrenas and Aleisha Rutherford.

#### Abstained:

Councillor Leonie Hapeta.

## 59-22

### Council Work Schedule

Councillor Rachel Bowen entered the meeting again at 11.23am.

Moved Grant Smith, seconded Aleisha Rutherford.

### RESOLVED

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

Clause 59-22 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, 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

## 60-22

### Environmental Sustainability Committee Part I Public - 18 May 2022

Consideration was given to Environmental Sustainability Committee recommendations as appended to these minutes.

Moved Brent Barrett, seconded Zulfiqar Butt.

### RESOLVED

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### 1. Investigation into Options for Eco-Burial

1. That the Council adopt Option 2, continue to work with Manawātū District Council on the opportunity to establish a natural burial cemetery in the Manawātū and direct the Chief Executive to provide a progress report to Council in 2023.

Clause 60-22 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, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, Bruno Petrenas and Aleisha Rutherford.

**61-22**

### Finance & Audit Committee Part I Public - 25 May 2022

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

Moved Susan Baty, seconded Karen Naylor.

### RESOLVED

#### 1. Request for Financial Support for the Regent Theatre Trust

1. That Council approves financial support of \$80,000 to the Regent Theatre Trust Board in the 2021/22 Financial Year.

Clause 61-22 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, Lew Findlay QSM, Patrick Handcock ONZM, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, Bruno Petrenas and Aleisha Rutherford.

## EXCLUSION OF PUBLIC

**62-22**

### Recommendation to Exclude Public

Moved Grant Smith, seconded Aleisha Rutherford.

### 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:

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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 - 4 May 2022	For the reasons set out in the ordinary minutes of 4 May 2022, held in public present.	
17.	Oriana Reserve: Return and relocation of reserve	Negotiations	s7(2)(i)
18.	Appointment of Consultant- Working environment review	Third Party Commercial and Negotiations	s7(2)(b)(ii) and s7(2)(i)
19.	Monitoring the Chief Executive's Performance- review of process	Commercial Activities and Negotiations	s7(2)(h) and s7(2)(i)
20.	Presentation of the Part II Confidential Finance & Audit Committee Recommendations from its 25 May 2022 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.

Clause 62-22 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, 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 11.25am.

Confirmed 29 June 2022



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**Mayor**