

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 15 February 2023, commencing at 9.02am

Members Present: Grant Smith (The Mayor) (in the Chair) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

Councillor Mark Arnott left the meeting at 11.47am during consideration of clause 7. He entered the meeting again at 11.56am during consideration of clause 8. He was not present when the meeting resumed at 1.34pm. He was not present for the vote on the substantive motions in clause 7, and clauses 9 to 16 inclusive.

Karakia Timatanga

Councillor Roly Fitzgerald opened the meeting with karakia.

Declaration of Interests

The Mayor (Grant Smith) declared he had an interest in item 6 but no conflict.

Councillor Roly Fitzgerald declared a conflict of interest in Item 8 and took no further part in discussion or debate.

1-23 Confirmation of Minutes

It was requested that the minutes of the ordinary meeting of 14 December 2022 Part I Public be amended to record in clause 193-22 that the Mayor (Grant Smith) chaired the item and participated in the discussion.

Moved Vaughan Dennison, seconded Leonie Hapeta.

RESOLVED

1. That the minutes of the ordinary meeting of 14 December 2022 Part I Public be confirmed as a true and correct record, as amended.

Clause 1-23 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad,

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Karen Naylor, William Wood and Kaydee Zabelin.

2-23 Suspension of Standing Orders

Moved Grant Smith, seconded Vaughan Dennison.

RESOLVED

1. That Standing Order 2.20.1 Presentations be suspended for the duration of this meeting.

Clause 2-23 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

3-23 Presentation - NZ Rural Games Trust

Margaret Kouvelis, Chairperson, James Stewart, Trustee, and Daniel O'Regan, Communications and Marketing Manager of NZ Rural Games Trust made a presentation about the Ford Ranger NZ Rural Games taking place on 10-12 March 2023 at Te Marae o Hine – The Square.

Mrs Kouvelis highlighted how this free event celebrates rural life at the city centre, and thanked Council for its support. The event costs approximately \$1.35million with support from over 75 sponsors.

Beyond the 3-day event, the Trust aims to have positive economic impacts in the region and encourages young people to consider career paths in the food and fibre sector.

Mr O'Regan talked about the audience of the event which is estimated to be 40,000-42,500, drawing participants from Taranaki, Hawkes Bay, Whanganui, Wairarapa and Wellington.

Finally, Mrs Kouvelis acknowledged the partnership with Rangitane o Manawatū.

Moved Grant Smith, seconded Vaughan Dennison.

RESOLVED

1. That the Council receive the presentation for information.

Clause 3-23 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

REPORTS

4-23 **Adoption of Triennial Agreement**

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

Moved Grant Smith, seconded Vaughan Dennison.

RESOLVED

1. That Council adopt the Triennial Agreement for the Manawatū-Whanganui Region.

Clause 4-23 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

5-23 **Council Response to the Draft Manawatū-Whanganui Climate Change Action Plan**

Memorandum, presented by David Murphy, Chief Planning Officer and David Watson, Climate Change Analyst.

Moved Grant Smith, seconded Rachel Bowen.

RESOLVED

1. That Council approve the response to the Draft Manawatū-Whanganui Climate Change Action Plan as included in Attachment 2 'Palmerston North City Council Response to the Draft Manawatū-Whanganui Climate Change Action Plan'.

Clause 5-23 above was carried 16 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

6-23 **Approval of International Travel for the Mayor, March 2023**

Memorandum, presented by Gabrielle Nguyen, International Relations Manager.

Moved Vaughan Dennison, seconded Leonie Hapeta.

RESOLVED

1. That Council grant approval for the Mayor to travel to Taiwan from

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26 March to 31 March 2023 to attend and present at the 2023 Taipei Smart City Mayors' Summit.

Clause 6-23 above was carried 15 votes to 0, with 1 abstention, the voting being as follows:

For:

Councillors Debi Marshall-Lobb, Mark Arnott, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

Abstained:

The Mayor (Grant Smith).

Note:

The Mayor (Grant Smith) declared an interest in this item. He remained at the table during discussion and chaired the item.

The Mayor (Grant Smith) acknowledged the damage caused by the unprecedented weather event affecting several areas of the North Island, especially Hawkes Bay, and commended the work being done by the Civil Defence teams, Rescue teams and all the officers working on emergency response.

The meeting adjourned at 10.03am.

The meeting resumed at 10.35am.

7-23

Adoption of Standing Orders 2023

Memorandum, presented by Hannah White, Democracy & Governance Manager and Sarah Claridge, Democracy & Governance Advisor.

Councillor Mark Arnott left the meeting at 11.47am.

Moved Grant Smith, seconded Rachel Bowen.

RESOLVED

1. That Council adopt the Standing Orders 2023 (Attachment 2) to replace Standing Orders 2020; subject to any amendments, including any of the following:

- Allow 'public comment' to be presented to Council.

2. That Council delegate authority to the Chief Executive to make minor edits to the Standing Orders 2023, including agreeing the te reo equivalents of Standing Order titles.

Clause 7-23 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad,

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Karen Naylor, William Wood and Kaydee Zabelin.

Moved Karen Naylor, seconded William Wood.

3. That the Chief Executive provide clarity on the definition and application of interests and conflicts of interest to be included in Standing Orders, and that this is presented to Council to consider / adopt.

Clause 7-23 above was carried 12 votes to 3, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Roly Fitzgerald, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

Against:

Councillors Lew Findlay, Patrick Handcock and Leonie Hapeta.

Moved Karen Naylor, seconded Orphée Mickalad.

Note:

On a motion to amend resolution 1 to add: 'Include Option A for Council meetings and Option C for committee meetings and include the option to vote with a simple 50% majority to change the debating style to Option C for Council meetings for either specific items or for the duration of the meeting', the motion was lost 3 votes to 13, the voting being as follows:

For:

Councillors Mark Arnott, Vaughan Dennison and Karen Naylor.

Against:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, William Wood and Kaydee Zabelin.

Moved Vaughan Dennison, seconded Lew Findlay.

Note:

On a motion to amend resolution 1 to add: 'That Option B be the alternate debating style for all meetings', the motion was lost 3 votes to 13, the voting being as follows:

For:

Councillors Mark Arnott, Vaughan Dennison and Lew Findlay.

Against:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

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8-23 Approval of International Travel for Councillor Roly Fitzgerald as Rangitāne and Council representative

Memorandum, presented by Todd Taiepa, Principal Māori Advisor and Gabrielle Nguyen, International Relations Manager.

Councillor Mark Arnott entered the meeting again at 11.56am.

Moved Grant Smith, seconded Vaughan Dennison.

RESOLVED

1. That Council grant approval for Councillor Roly Fitzgerald to attend the Mayor-led delegation to visit Palmerston North City's partners in the United States of America and the Netherlands in June 2023.

Clause 8-23 above was carried 13 votes to 1, with 1 abstention, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, William Wood and Kaydee Zabelin.

Against:

Councillor Mark Arnott.

Abstained:

Councillor Karen Naylor.

Note:

Councillor Roly Fitzgerald declared a conflict of interest, withdrew from the discussion and sat in the gallery.

The meeting adjourned at 12.30pm.

The meeting resumed at 1.34pm.

Councillor Mark Arnott was not present when the meeting resumed.

9-23 Transport Choices - Cycling

Report, presented by Hamish Featonby, Group Manager - Transport & Development.

Moved Grant Smith, seconded Vaughan Dennison.

RESOLVED

1. That Council delegate authority to the Chief Executive to sign the Transport Choices funding agreement with Waka Kotahi for \$4.893M over 2022/23 and 2023/24 at a Funding Assistance Rate of 100%.
2. That Council note the constrained project timeline, and agree a decision-making forum to enable decisions on final design to be made in August 2023.

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3. That Council approve creation of a new Programme called 'Transport Choices – Cycleways' to reflect both the additional capital new expenditure and additional subsidy revenue which breaks down as follows:
 - a. An increase of \$300k in the 2022/23 Capital New Budget for design engineering and engagement and consultation costs.
 - b. An increase to Waka Kotahi Capital Revenue of \$300k being 100% of the new budget for 2022/23.
4. That Council note commitment to the addition of the 'Transport Choices – Cycleways' of \$4.593M in the 2023/24 Annual Budget for capital new for construction and an associated increase to Waka Kotahi Capital Revenue of \$4.593M in the 2023/24 Annual Budget.
5. That Council approve an increase of \$208k to the Streets for People budget for the 2023/24FY as contingency for the Streets for People – Featherston Street project at a Funding Assistance Rate of 90% from Waka Kotahi.
6. That Council note a decrease of \$1,688k for programme 1559-City-wide - Urban Cycle Infrastructure Network improvements will be included in the 2023/24 Annual Budget.
7. That Council note a decrease in Waka Kotahi Capital Revenue for programme 1559-City-wide - Urban Cycle Infrastructure Network improvements of (\$780k) and a decrease in PNCC Debt Funding for this programme of (\$908k) will be included in the 2023/24 Annual Budget.

Clause 9-23 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

10-23

Transport Choices - Public Transport

Report, presented by Hamish Featonby, Group Manager - Transport & Development.

Moved Grant Smith, seconded Vaughan Dennison.

RESOLVED

1. That Council delegate authority to the Chief Executive to sign the Transport Choices funding agreement with Waka Kotahi for \$5.5M over 2022/23 and 2023/24 at a Funding Assistance Rate (FAR) of 100%.
2. That Council delegate authority to the Chief Executive to sign a Memorandum of Understanding with Horizons Regional Council for the joint delivery of the Palmerston North portion of the Transport

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Choices – Public Transport programme Horizons has received funding for.

3. That Council approve creation of a new Programme called 'Transport Choices – Public Transport' to reflect both the additional capital new expenditure and additional subsidy revenue as follows:
 - a. An increase of \$300k in the 2022/23FY Capital New Budget for design engineering, engagement and consultation costs.
 - b. An increase to Waka Kotahi Capital Revenue of \$300k being 100% of the new budget for the 2022/23FY.
4. That Council note commitment to an increase of \$5.2M in the 2023/24 Annual Budget of capital new funding and an associated increase to Waka Kotahi capital revenue of \$5.2M in the 2023/24 Annual Budget.
5. That Council remove the 2022/23 budget provision for programme 1680-City-wide - Public Transport Infrastructure Improvements of \$93K and associated capital revenue of \$47.3K.

Clause 10-23 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

11-23

Ferguson Street & Pitt Street Intersection Upgrade - Budget Adjustment

Report, presented by Hamish Featonby, Group Manager - Transport & Development, and Geoffrey Snedden, Senior Project Manager.

Moved Grant Smith, seconded Vaughan Dennison.

RESOLVED

1. That Council approve the additional funding of \$633,161 for the Capital New Programme 2059 - Urban Transport Improvements - Enabling Palmerston North Integrated Transport Initiative to increase the 2022-23 budget from \$2,088,868 to \$2,722,029 to enable the completion of the revised scope of the Ferguson Street & Pitt Street Intersection Upgrade.
2. That Council approve transferring \$551,873 from programme 218 – City Wide – Water Main Renewals by creating a Capital New Programme to recognise the unplanned relocation and replacement of 3 Waters pipes that needed to occur due to the construction of the Ferguson Street & Pitt Street Intersection Upgrade.
3. That Council delegate authority to the Chief Executive to vary the contract value to \$3,923,763 and Contract Contingency by a further \$200,000 within the provisions included in the updated programme

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budget if required for the successful delivery of the contract.

Clause 11-23 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

12-23

Council Submission on the Natural and Built Environment Bill and Spatial Planning Bill

Memorandum, presented by Jono Ferguson Pye, City Planning Manager and Michael Dunidam, Principal Planner.

Moved Grant Smith, seconded Vaughan Dennison.

RESOLVED

1. That Council approve Council's submission to the Natural and Built Environment Bill and the Spatial Planning Bill included as Attachment 1.

Clause 12-23 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

13-23

Council Submission on the Future for Local Government Review Draft Report

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

Moved Grant Smith, seconded Vaughan Dennison.

RESOLVED

1. That Council approve the submission on the Future for Local Government Review Draft Report (Attachment 1), subject to any amendments.

Clause 13-23 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

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14-23 Council Submission on the Water Services Legislation Bill

Memorandum, presented by Mike Monaghan, Group Manager - Three Waters.

Moved Grant Smith, seconded Vaughan Dennison.

RESOLVED

1. That Council approve the submission on the Water Services Legislation Bill (Appendix 1).
2. That Council note the response to Te Tari Taiwhenua - Department of Internal Affairs (DIA) on Draft guidance on DIA's oversight and Monitoring guidance.

Clause 14-23 above was carried 13 votes to 2, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

Against:

Councillors Brent Barrett and Lorna Johnson.

15-23 Council Work Schedule

Moved Grant Smith, seconded Vaughan Dennison.

RESOLVED

1. That Council receive its Work Schedule dated February 2023.

Clause 15-23 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

EXCLUSION OF PUBLIC

16-23 Exclusion of Public

Moved Grant Smith, seconded Vaughan Dennison.

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

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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
19.	Minutes of the ordinary meeting - Part II Confidential - 14 December 2022	For the reasons set out in the ordinary minutes of 14 December 2022, held in public present.	
20.	Tender Award - Arena 3 Roof and Changing Room Upgrade	Negotiations	s7(2)(i)
21.	Tender Award - James Line Improvements (Schnell Dr. to Kelvin Grove Rd.)	Negotiations	s7(2)(i)

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 16-23 above was carried 15 votes to 0, the voting being as follows:

For:

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor, William Wood and Kaydee Zabelin.

The public part of the meeting finished at 3.33pm

Confirmed 1 March 2023

Mayor