

# PALMERSTON NORTH CITY COUNCIL

## Minutes of the Extraordinary Strategy & Finance Committee Meeting Part I Public, held in the Council Chamber, First Floor, Civic Administration Building, 32 The Square, Palmerston North on 07 June 2023, commencing at 2.02pm

**Members Present:** Councillors Vaughan Dennison (in the Chair), Karen Naylor, Mark Arnott, Brent Barrett, Lew Findlay, Patrick Handcock, Leonie Hapeta, Lorna Johnson, Orphée Mickalad, William Wood and Kaydee Zabelin.

**Non Members:** Councillors Rachel Bowen, Debi Marshall-Lobb and Billy Meehan.

**Apologies:** The Mayor (Grant Smith) (absent on Council business).

### **Karakia Timatanga**

Councillor Debi Marshall-Lobb opened the meeting with karakia.

### **33-23 Apologies**

Moved Vaughan Dennison, seconded Karen Naylor.

The **COMMITTEE RESOLVED**

1. That the Committee receive the apologies.

Clause 33-23 above was carried 14 votes to 0, the voting being as follows:

**For:**

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

### **34-23 Hearing of Submissions: Draft Water Supply Bylaw 2023**

Moved Vaughan Dennison, seconded Karen Naylor.

The **COMMITTEE RESOLVED**

1. That the Strategy & Finance 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 34-23 above was carried 14 votes to 0, the voting being as follows:

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### **For:**

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

The Committee considered submissions on the Draft Water Supply Bylaw 2023 with supporting oral statements including additional tabled material.

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

### **Murray Guy (13)**

Murray Guy spoke to his submission and made the following additional comments:

- High quality supply of water which has health benefits as opposed to collecting rainwater off sometimes dirty, dusty rooves with organic matter from birds and/or trees.
- Have consent and approval from Council for that water supply and would like to see it included in maps and commentary.
- Kingsdale Park will shortly be extending and it will go right through to Highway 57.

### **Homewood Property (20)**

Kevin Judd and Matthew Currie spoke to the submission and made the following additional comments:

- Asking for the ability for Council Officers to consider rural residential development outside the present bylaw area for connection to the water supply, on a case by case, or area by area, basis.
- Clause 16.6 of the draft bylaw to include suitable land zoned rural residential but outside the water supply area. The way the bylaw currently reads this is not permitted at all; there are no exclusions around that.
- Would be of value to someone looking at a rural residential block to have a connection which provides certainty in summer, even if it's only a drip feed. This could affect market value.

### **Te Tūmatakahuki Society Incorporated (36)**

Hayden Turoa spoke to the submission and made the following additional comments:

- Need to recognise that it is not necessarily possible to consider geographic rohe when it comes to water. There are overlapping

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areas of interest. Our hapū and iwi have a whakapapa relationship to these water bodies. When you are looking after a waterway what happens upstream can impact those downstream. An entire awa should not be dissected through bylaws – there is a better and more sophisticated model when it comes to protecting our awa – we've seen inter-iwi connections work in other parts of the country.

- It could be seen that the exclusive language within the proposed bylaw could prejudice our involvement in the future. We are currently working through our treaty settlement process, and we seek inclusive language so that we are not impacting our future generations by this bylaw. Recognising one iwi as mana whenua while disregarding the mana of other harms rather than promotes cultural wellbeing.
- Rights and interests in water is a topical conversation, and there is room to be risk adverse when you could set a precedent that is going to have a long term impact.
- The proposed bylaw fails to appropriately factor in tikanga, noting that tikanga is hapū-specific and a recognised part of New Zealand law.

### **Robert Elshire (37)**

Rob Elshire spoke to his submission and made the following additional comments:

- We fully support Council's efforts to provide a secure, reliable and clean water supply for all Palmerston North area residents, and support amending the bylaws from time to time to reflect the changing needs of the community and environment in which we all live.
- Our understanding is that there are about 16 homes near us that are being provided water under an extraordinary supply connection and we know more are expected to be allowed to connect.
- The property two sections further down the valley was purchased several years ago by parties intending to develop it into housing. We have water rights related to the groundwater source on the property. They have approached us asking us to relinquish those rights for easier development on their part. If there is even a small likelihood that our access to Council water supply would be halted upon review triggered by the updated bylaws, and there was nothing that could be done to maintain our connection, we would want the option of using the water rights we currently have. At the same time it is important to consider neighbourly relations as part of a strong community foundation.
- People in neighbouring properties share our concerns as we would all be in the same situation.

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**35-23**

### **Summary of Submissions - Draft Water Supply Bylaw 2023**

Memorandum, presented by Peter Ridge, Senior Policy Analyst.

Moved Vaughan Dennison, seconded Karen Naylor.

#### The **COMMITTEE RESOLVED**

1. That the Committee receive the memorandum titled 'Summary of Submissions – Draft Water Supply Bylaw 2023', presented to the Strategy & Finance Committee on 7 June 2023.

Clause 35-23 above was carried 14 votes to 0, the voting being as follows:

#### **For:**

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

**36-23**

### **Opie Reserve: Reclassification from Recreation Reserve to Local Purpose: Community**

Report, presented by Kathy Dever-Tod, Group Manager - Parks & Logistics.

Moved Vaughan Dennison, seconded Karen Naylor.

#### The **COMMITTEE RECOMMENDS**

1. That the Council, as the Administering Body of Opie Reserve, applies to the Minister of Conservation to have Opie Reserve (Lot 81 DP 24258) reclassified from its current status as Recreation Reserve to Local Purpose: Community, as per Section 24 (b) of the Reserves Act 1977.
2. That the Council, acting under delegated authority (2013) from the Minister of Conservation, ensures that Sections 119 and 120 of the Reserves Act 1977 were followed during the proposed reclassification of Opie Reserve.

Clause 36-23 above was carried 14 votes to 0, the voting being as follows:

#### **For:**

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

### **Karakia Whakamutunga**

Councillor Debi Marshall-Lobb closed the meeting with karakia.

The meeting finished at 2.52pm.

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Confirmed 20 September 2023

**Chair**