

## 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 06 September 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 and William Wood.

**Apologies:** Councillor Leonie Hapeta for early departure, and Councillor Kaydee Zabelin on Council Business.

Councillor Leonie Hapeta was not present when the meeting resumed at 10.40am. She was not present for clauses 136 to 151 inclusive.

Councillor Orphée Mickalad left the meeting at 12.22pm after consideration of clause 138. He was present when the meeting resumed at 2.26pm. He was not present for clause 139.

Councillor Karen Naylor was not present when the meeting resumed at 2.26pm. She was not present for clauses 144 to 151 inclusive.

Councillor Billy Meehan was not present when the meeting resumed at 4.09pm. He was not present for clauses 146 to 151 inclusive.

#### **Karakia Timatanga**

Councillor Roly Fitzgerald opened the meeting with karakia.

#### **132-23 Apologies**

Moved Grant Smith, seconded Debi Marshall-Lobb.

#### **RESOLVED**

1. That Council receive the apologies from Councillor Leonie Hapeta for early departure, Councillor Kaydee Zabelin on Council Business.

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Clause 132-23 above was carried 15 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 and William Wood.

### **Declarations of interest**

Councillor Leonie Hapeta declared a conflict of interest in Item 15 'District Licensing Committee - Appointment Process' (clause 144). She was not present for that Item.

Councillor Vaughan Dennison declared an interest in Item 16 'Hearings Commissioners List - Review Process' (clause 142) for being a proposed candidate for the selection panel, but stated he would consider the Item with an open mind.

Councillor Orphée Mickalad declared an interest in Item 16 'Hearings Commissioners List - Review Process' (clause 142) for being a proposed candidate for the selection panel and abstained from voting on that Item.

### **133-23**

#### **Presentation - Te Hautū Kahurangi Tertiary Education Union (TEU)**

Te Awatea Ward, Massey University TEU Branch Co-President, Harvey Jones, Massey University TEU Branch Vice-President, and Ben Schmidt, TEU organiser for Massey University, made a presentation about the adverse situation Massey University has been facing, their aspirations for the University and the city, and requests to Council.

The presenters stated that:

- The University had been through a process of job losses, courses changes or reductions, an increase of online courses and decrease of programmes in person, and reducing the number of students on campus. Decisions had been taken without appropriate engagement with stakeholders.
- The situation had negative community and economic impacts on students, staff and their families, the institution, and the city.
- The Union wanted a secure place of work for their members, as well as the University to thrive together with the city.

The presenters requested that Council advocate, within its scope of action, for solutions to the situation and to support the Union's aspirations.

Moved Grant Smith, seconded Debi Marshall-Lobb.

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### **RESOLVED**

1. That the Council receive the presentation for information.

Clause 133-23 above was carried 15 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 and William Wood.

### **134-23 Confirmation of Minutes**

Moved Grant Smith, seconded Debi Marshall-Lobb.

### **RESOLVED**

1. That the minutes of the ordinary meeting of 16 August 2023 Part I Public and Part II Confidential be confirmed as a true and correct record.

Clause 134-23 above was carried 14 votes to 0, with 1 abstention, the voting being as follows:

#### **For:**

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

#### **Abstained:**

Councillor Vaughan Dennison.

### **135-23 Notice of Motion - Extension of free parking provisions for SuperGold Card holders**

Councillor Billy Meehan presented his Notice of Motion.

Moved Billy Meehan, seconded William Wood.

### **RESOLVED**

1. That the Gold Card parking be extended from 9am-12pm Monday to Friday, to 9am -3pm Monday to Friday.

Clause 135-23 above was carried 9 votes to 6, the voting being as follows:

#### **For:**

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Mark Arnott, Vaughan Dennison, Lew Findlay, Roly Fitzgerald, Leonie Hapeta, Billy Meehan and William Wood.

#### **Against:**

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Councillors Brent Barrett, Rachel Bowen, Patrick Handcock, Lorna Johnson, Orphée Mickalad and Karen Naylor.

Moved Billy Meehan, seconded William Wood.

**Note:**

On a motion 'That the Council revoke the following resolution adopted by the Community Committee on 9 August 2023 (clause 28-23): 'That the Committee refer the matter of extending free parking provisions for SuperGold Card holders to be included in the development of the Parking Framework'; the motion was lost 5 votes to 10, the voting being as follows:

**For:**

Councillors Mark Arnott, Lew Findlay, Leonie Hapeta, Billy Meehan and William Wood.

**Against:**

The Mayor (Grant Smith) and Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Orphée Mickalad and Karen Naylor.

The meeting adjourned at 10.20am.

The meeting resumed at 10.40am.

Councillor Leonie Hapeta was not present when the meeting resumed.

## REPORTS

### 136-23 Treasury Report - year ending 30 June 2023

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

Moved Grant Smith, seconded Debi Marshall-Lobb.

**RESOLVED**

1. That the Council note the performance of Council's treasury activity for the year ending 30 June 2023.

Clause 136-23 above was carried 14 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, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and William Wood.

### 137-23 Quarterly Performance and Financial Report - Period Ending 30 June

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### 2023

Memorandum, presented by Scott Mancer, Finance Manager, Sue Kelly, Manager - Project Management Office and Andrew Boyle, Head of Community Planning.

Officers rectified an error in Appendix 1, '01. Measure - Arts and Heritage' on page 56 of the Agenda: with regard to Council-owned cultural facilities, the colour for June should be green instead of red.

Moved Grant Smith, seconded Debi Marshall-Lobb.

### RESOLVED

1. That the Council receive the memorandum titled 'Quarterly Performance and Financial Report – Period Ending 30 June 2023', and related attachments, presented on 6 September 2023.
2. That the Council approve the adjustments to carry forward values per the carry forward report attachment.
3. That the Chief Executive be given delegation to allocate 100% of funds from 1888-Low Carbon Fund to other activities, as well as moving the fund between capital new and capital renewal for the financial year 2023/24.

Clause 137-23 above was carried 14 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, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and William Wood.

### 138-23

#### **Options to address key issues raised in the 2022 Annual Residents' Survey**

Memorandum, presented by Jessica Papple, Marketing Manager and Andrew Boyle, Head of Community Planning.

Officers noted an omission in the report: a new customer experience working group, which has been recently implemented, should have been included in Table 1 on page 105 of the Agenda.

Moved Grant Smith, seconded Debi Marshall-Lobb.

### RESOLVED

1. That the Council note the new and ongoing actions to raise awareness of the role of Elected Members, and services and

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operations of Council as detailed in Table 1 of the report titled 'Options to address key issues raised in the 2022 and 2023 Annual Residents' Survey'.

Clause 138-23 above was carried 14 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, Lorna Johnson, Billy Meehan, Orphée Mickalad, Karen Naylor and William Wood.

Councillor Orphée Mickalad left the meeting at 12.22pm.

**EXCLUSION OF PUBLIC**

**139-23 Recommendation to Exclude Public**

Moved Grant Smith, seconded Debi Marshall-Lobb.

**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 |
|---|---|---|---|
| 22.   | City Transport Review - Action Plan           | Commercial Activities and Negotiations                        | s7(2)(h) and s7(2)(i)                                     |
| 23.   | Approve list of Code of Conduct Investigators | Privacy   | s7(2)(a)  |
| 24.   | Civic Honours Awards 2023                     | Privacy   | s7(2)(a)  |

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|     |  |         |          |
|-----|--|---------|----------|
| 25. | Food HQ Innovation Limited Director nomination | 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.

- Bevan Sandison (General Manager – Engineering Solutions, Fulton Hogan); and
- Vic Maggs (Regional Manager Manawatu-Whanganui, Fulton Hogan);

because of their knowledge and ability to assist the meeting in answering questions, noting that such person/s will be present at the meeting only for Item 22 'City Transport Review - Action Plan'.

Clause 139-23 above was carried 13 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, Lorna Johnson, Billy Meehan, Karen Naylor and William Wood.

The public part of the meeting adjourned at 12.24pm to move into the confidential part of the meeting.

The public part of the meeting resumed at 2.26pm.

Councillor Karen Naylor was not present when the meeting resumed.

**144-23 Results of the 2023 Residents' Survey**

Memorandum, presented by Andrew Boyle, Head of Community Development.

An additional motion was put requesting the Chief Executive bring back an action plan. The mover stated that the survey results showed a drop in satisfaction in various areas including Council's reputation, and Elected Members needed to understand what work needs to be done to address the issues.

Moved Grant Smith, seconded Debi Marshall-Lobb.

**RESOLVED**

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1. That the Council note the results of the 2023 Residents' Survey.
2. That the Council request the Chief Executive to bring back an Action Plan for the 2023 Residents Survey's results.

Clause 144-23 above was carried 13 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, Lorna Johnson, Billy Meehan, Orphée Mickalad and William Wood.

### 145-23

#### **Electoral system for Palmerston North City local body elections**

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

Moved Rachel Bowen, seconded Lorna Johnson.

**RESOLVED**

1. That the electoral system for the 2025 local body election be Single Transferable Voting (STV) electoral system.
2. That the Council note the electoral system will remain STV for the next two local body elections, and until a further Council resolution to the contrary.

Clause 145-23 above was carried 11 votes to 2, the voting being as follows:

**For:**

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

**Against:**

Councillors Mark Arnott and Lew Findlay.

Moved Grant Smith, seconded Mark Arnott.

**Note:**

On the motions 'That the electoral system for the 2025 local body election be First Past the Post (FPP)electoral system' and 'That the Council note the electoral system will remain FPP for the next two local body elections, and until a further Council resolution to the contrary', the motions were lost 4 votes to 9, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Mark Arnott, Lew Findlay and Billy Meehan.

**Against:**

Councillors Debi Marshall-Lobb, Brent Barrett, Rachel Bowen, Vaughan Dennison, Roly Fitzgerald, Patrick Handcock, Lorna Johnson, Orphée Mickalad



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and William Wood.

The meeting adjourned at 3.54pm.

The meeting resumed at 4.09pm.

Councillor Billy Meehan was not present when the meeting resumed.

### **146-23 Hearings Commissioner List - Review Process**

Memorandum, presented by Desiree Harvey, Legal Counsel.

Officers advised a change to recommendation 3 of the report: replacing reference to 'Principal Planner Customer' with 'Planning Services Manager', as a more appropriate role to for the selection panel.

Moved Grant Smith, seconded Debi Marshall-Lobb.

#### **RESOLVED**

1. That the Council instruct the Chief Executive to commence a review process for Palmerston North City Council's Hearings Commissioners List, according to section 2.4 of this report.
2. That the Council appoint a selection panel to consider applications and bring recommendations to Council, consisting of:
  - Councillor Vaughan Dennison, Chairperson of the Strategy and Finance Committee,
  - Councillor Orophée Mickalad, and
  - the following Council officers: Legal Counsel, Chief Planning Officer and Planning Services Manager.

Clause 146-23 above was carried 11 votes to 0, with 1 abstention, 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, Lorna Johnson and William Wood.

#### **Abstained:**

Councillor Orophée Mickalad.

### **147-23 Adoption of Delegations Manual 2023**

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

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Moved Grant Smith, seconded Debi Marshall-Lobb.

### RESOLVED

1. That the Council adopt the Delegations Manual 2023 (Attachment 2), noting that financial delegations are under review.

Clause 147-23 above was carried 12 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, Lorna Johnson, Orphée Mickalad and William Wood.

**148-23**

### **District Licensing Committee - Appointment Process**

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

Moved Grant Smith, seconded Debi Marshall-Lobb.

### RESOLVED

1. That the Council instruct the Chief Executive to commence a recruitment process for Palmerston North City Council's list of approved District Licensing Committee members, according to sections 2.5 and 2.6 of this report.
2. That the Council agree the Mayor, Deputy Mayor, Legal Counsel and Susan Baty, form the selection panel to finalise selection criteria, shortlist and interview candidates and make recommendations to the Council regarding final appointments.
3. That the Council amend the Appointment of Directors Policy 2022 to include the selection process outlined in section 2.6 of this report.

Clause 148-23 above was carried 12 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, Lorna Johnson, Orphée Mickalad and William Wood.

**149-23**

### **Elected Members' Meeting Attendance Statistics - 1 July 2022 to 30 June 2023**

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

Councillor Debi Marshall-Lobb requested that the report be corrected

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to note that she presented an apology for absence on Council Business for the 3 May 2023 Council meeting, which was recorded in the minutes of that meeting.

Moved Grant Smith, seconded Debi Marshall-Lobb.

### **RESOLVED**

1. That the Council receive the memorandum titled 'Elected Members' Meeting Attendance Statistics - 1 July 2022 to 30 June 2023', as amended, presented to Council on 6 September 2023 for information.

Clause 149-23 above was carried 12 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, Lorna Johnson, Orphée Mickalad and William Wood.

## **150-23 Council Work Schedule September 2023**

Moved Grant Smith, seconded Debi Marshall-Lobb.

### **RESOLVED**

1. That the Council receive its Work Schedule dated September 2023.

Clause 150-23 above was carried 12 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, Lorna Johnson, Orphée Mickalad and William Wood.

## **RECOMMENDATIONS FROM COMMITTEE MEETINGS**

### **151-23 Community Committee Part I Public - 9 August 2023**

Consideration was given to the Community Committee recommendation stated below.

Moved Lorna Johnson, seconded Patrick Handcock.

### **RESOLVED**

That the recommendation from the Part I Public Community Committee meeting of 9 August be adopted (Clause 29.23):

#### **Review of Companion Card Scheme Trial**

1. That Council agree to support the Companion Card scheme for the

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remainder of 2023/24 financial year, and plan to hand over delivery from 2024/25 onwards to an appropriate arts or social sector organisation (Option 1).

Clause 151-23 above was carried 12 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, Lorna Johnson, Orphée Mickalad and William Wood.

**Karakia Whakamutunga**

Councillor Roly Fitzgerald closed the meeting with karakia.

The meeting finished at 4.25pm

Confirmed 4 October 2023

**Mayor**