

**MINUTES OF AN ORDINARY MEETING OF THE
SELWYN DISTRICT COUNCIL
HELD IN THE SELWYN DISTRICT COUNCIL CHAMBERS
ON WEDNESDAY 23 SEPTEMBER 2020 COMMENCING AT 1PM**

PRESENT

Mayor (S T Broughton), Councillors, M A Alexander, J B Bland, S Epiha, J A Gallagher, D Hasson, M P Lemon, M B Lyall, S G McInnes, G S F Miller and R H Mugford

IN ATTENDANCE

Messrs. D Ward (Chief Executive), D Marshall (Group Manager Property), S Hill (Group Manager Communication and Customers), T Harris (Group Manager Environmental and Regulatory Services), M Washington (Group Manager Infrastructure), K Mason (Group Manager Organisational Performance), R Allen (Acquisitions, Disposals and Leasing Manager), M England (Asset Manager Water Services), B Rhodes (Planning Manager), G Morgan (Service Delivery Manager Infrastructure), A Boyd (Solid Waste Manager), A Mazey (Asset Manager Transportation), M Chamberlain (Team Leader Transportation), R Raymond (Communications Advisor); Mesdames K Bissett (Acquisitions, Disposals and Leasing Officer), J Lewes (Strategy and Policy Planner), E McLaren (Water Services Delivery Manager), N Smith (Executive Assistant) and Ms T Davel (Governance Coordinator)

Several members of the public attended in person and the meeting was also livestreamed.

Councillor Lyall opened the meeting with the karakia and Councillor Affirmation

APOLOGIES

An apology was received from Councillor Reid.

Moved – Councillor Alexander / **Seconded** – Councillor Hasson

‘That the Council receives the apology from Councillor Reid, for information.’

CARRIED

IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS

None identified.

CONFLICTS OF INTEREST

Standard conflicts were applied to this meeting.

PUBLIC FORUM

Ralph Scott, Lincoln Community Committee	Millpond Lane, Lincoln
Selwyn District Youth Council update (to be taken at the end of the meeting)	Youth Council Chair, Liv Duder Youth Council members, Ethan Richards and Jeremy Reed

Mr Ralph Scott from Lincoln Community Committee read a statement with his view as to what Council should consider with the Millpond Lane lots (*refer attached*). Mr Scott said he knows the desire was that part of the site be retained for community use, however, Lot 7 was occupied by a building and well used. He expressed the hope that it becomes available to the community in future.

The Mayor asked that the Property Transactions Update Report (Item 8) be brought forward on the agenda to allow Mr Scott to listen to the debate and decisions.

Selwyn District Youth Council

(This item was taken at 4.10pm during a short recess from the public excluded meeting but for correctness it is being minuted here).

Liv Duder, Ethan Richards and Jeremy Reed presented an updated to Council (*refer attached*). They said they did a survey on what young people think would be good ideas around the Rolleston Town Centre and presented the results to Council. Asking Councillors for ideas as to what they might get involved in, advice was to engage around the District Plan. Councillors also asked that they might do a survey as to the youth culture in Selwyn and acknowledged it would potentially be challenging topics, including violence, alcohol and drug abuse. There was also a call for them to help Councillors understand how the youth feel about unemployment and existing and potential opportunities in the District. The team was also asked to think about open plan school scenarios and although the Ministry of Education decides on that, it would be interesting to hear what young people really feel about that. Council could use that information to inform any decisions made by the MoE.

The Mayor thanked the team for coming along to update Council and looked forward to another update at the end of the year.

CONFIRMATION OF MINUTES

1. Minutes of an Ordinary meeting of the Selwyn District Council held in the Council Chambers on Wednesday 9 September 2020

Taken as read and confirmed.

Moved – Councillor Alexander / **Seconded** – Councillor Bland

‘That the Council confirms the minutes of the ordinary meeting of the Selwyn District Council held on Wednesday 9 September 2020.’

CARRIED

2. Minutes of an Ordinary meeting of the District Plan Committee held in the Council Chambers on Wednesday 4 March 2020

Taken as read and received.

Moved – Councillor McInnes / **Seconded** – Councillor Lyall

‘That the Council receives the unconfirmed minutes of the ordinary meeting of the District Plan Committee held on Wednesday 4 March 2020, for information.’

CARRIED

3. Minutes of the (last) meeting of the District Plan Committee held in the Council Chambers on Wednesday 26 August 2020

Taken as read and received.

Moved – Councillor Epiha / **Seconded** – Councillor Lyall

‘That the Council receives the unconfirmed minutes of the (last) meeting of the District Plan Committee held on Wednesday 26 August 2020, for information.’

CARRIED

CURRENT MATTERS REQUIRING ATTENTION

Item	Meeting referred from	Action required	Report Date / Action
Assumptions and Uncertainties for the 2021 – 2031 Long Term Plan and Activity Management Plans	22 July 2020	Staff will report back in three months and assist report readers with the use of colour-coded (or marked) changes and indication as to whether the risks are going up or down.	28 October 2020

REPORTS

1. Chief Executive

Chief Executive's Report

The Chief Executive's report was taken as read. He added he contacted the Darfield Community Committees for nominations for the Westview Special Funds committee. In response to a range of questions on the matter from Councillor Alexander, he said he will do the introductions at the inaugural meeting and ask for nominations for chair. The Chair of the Committee will report formally to Council and in terms of attendance, as the meetings will be public, anyone can attend and this includes elected members not on the Committee.

Councillor Miller questioned whether the Malvern Community Board would be best placed to be in charge. The Chief Executive said this could be the future situation but currently the groups as identified on p 41 of his report, believe to some degree governance is their responsibility.

Moved – Councillor Mugford / **Seconded** – Councillor Gallagher

'That Council:

- a) Receives the Chief Executive's report, for information;*
- b) Endorses the Terms of Reference for the Westview Special Fund Committee; and*
- c) Adopts the recommended changes to the Delegations Manual.'*

CARRIED

Item 8, Property Transactions Update, was taken at this time, but minuted chronologically for ease of reference.

2. Strategy and Policy Planner

Partial Removal of Designation ME14 from Selwyn District Plan

Moved – Councillor Hasson / **Seconded** – Councillor Lyall

'That, pursuant to s182 of the Resource Management Act 1991, the Selwyn District Plan be amended by amending designation ME14 Springston Primary School, designated for Education Purposes (Early Childhood and Primary School) and situated at Leeston Road, Springston, by:

- 1. Amending the legal description to Lot 1 DP 550790 and Lot 2 DP 550790, to reflect an updated survey; and*

2. *Removing the designation over Lot 2 550790 (Record of Title 950362); and*
3. *Removing the designation over Part Lot 7 DP 11913 (Record of Title CB701/82); and*

That the Proposed District Plan be consequentially amended by amending proposed designation MEDU-14 to reflect the amendment to ME14’.

CARRIED

3. Major Projects Property Manager

Naming of Foster Park Indoor Sports Facility

Councillor Alexander noted he would have preferred to retain the word ‘indoor’ in the name, for example Selwyn Indoor Sport Centre. Councillor Epiha asked whether there was any feedback from Ngai Tahu regarding a cultural name but it was confirmed that although iwi were approached they were not interested in naming the facility.

Moved – Councillor Miller / **Seconded** – Councillor Bland

‘That Council:

- a) *Receives the report outlining the proposed naming of the indoor sports facility at Foster Park, Rolleston; and*
- b) *Approves the recommended name for the facility being ‘Selwyn Sports Centre’.*

CARRIED

4. Acquisition, Disposal and Leasing Manager; Acquisition, Disposal and Leasing Officer

Consent to Grant of Easements to Orion New Zealand Limited – 23 St John Street, Southbridge

Moved – Councillor Lemon / **Seconded** – Councillor Mugford

‘That Council:

- a) *Approves the granting of easements to Orion New Zealand Limited for the conveying of electricity over Reserve 4918 being a Reserve held in trust for a site for a town council depot at 23 St John Street, Southbridge*

- b) *Consent to the easement pursuant to Section 48(1) of the Reserves Act 1977, pursuant to a delegation from the Minister of Conservation dated 12 June 2013 under Section 10 of the Reserves Act 1977;*
- c) *Approves that Orion New Zealand Limited cover all costs associated with completing this process;*
- d) *Approves that the easement be at a nil consideration.'*

CARRIED

5. Planning Manager

Plan Change 64 Rolleston – Decision on how to consider the private Plan Change request received from Hughes Developments Limited

Moved – Councillor Alexander / **Seconded** – Councillor Bland

'That, in respect to Plan Change 64 to the Operative Selwyn District Plan lodged by Hughes Development Limited, Council resolves to accept the request for notification pursuant to Clause 25(2)(b) of the Resource Management Act 1991.'

CARRIED

6. Solid Waste Manager

Solid Waste Monthly Update

Council's Solid Waste Manager, Mr Andrew Boyd showed Council drone footage of the upgrades to Pines Resource Recovery Park. Council thanked him for a good report.

Moved – Councillor Mugford / **Seconded** – Councillor Lyall

'That the Council receives the report 'Solid Waste Monthly Update' for information.'

CARRIED

7. Asset Manager Transportation and Team Leader Transportation

Transportation Monthly Update

Asset Manager Transportation, Mr Andrew Mazey and Team Leader Transportation, Mr Mark Chamberlain went through their monthly report. It was a busy time for active transport management. A graph was handed out to show how funding allocation worked.

Reseal costs were trending up because of the needs of the network. A recent road safety initiative providing guidance to mature drivers showed 2 groups of 30 people turning up with more people signing up for further training.

The Mayor said everything we do relied on roads and roading adding Council had a legacy of not lifting the roading budgets. He asked what it would take to lift the budget to where it should be, to which staff responded that it also depended on what the NZTA approved to fund. Staff added that it would not be good to approach NZTA with an unrealistic number as all Councils wanted money for renewals and there were Councils that were really struggling.

Councillor Lemon said Council should never be comfortable seeing an overspend because that reflected unbudgeted money. What was rather needed was an upfront discussion at the start of the Long Term Plan, putting the pressure back on Council to approve a larger budget. He said at the moment, Council was merely matching what NZTA funded and where this was not sufficient, it should be discussed around the Council table.

Councillor Epiha asked about collaboration with heavy traffic groups and associations in order to understand their needs. Staff said that the Trucking Association was already dealing with the NZTA and there was no need for Council staff to also get involved.

Councillor Alexander referred to the Rolleston Christian School frontage on Springston Rolleston Road. The Resource Consent application for the School said a footpath was not required, so the School's Proprietors did not have to build one. Council and the community are now paying for what the business should have paid for. Council did not collect development contributions and now the community is paying for what a business should have paid for.

Councillor Miller challenged using the term 'standard' in reference to footpath width. Mr Mazey said that currently 1.5m was the standard, however, it had been changed in the proposed district plan and only once that was approved, would Council be in a position to expect 2m wide footpaths from developers.

The Mayor asked staff for a report around potential money generated from a fuel tax but staff advised it was a question for the Canterbury Mayoral Forum. The Mayor agreed he would raise it at that level. Mr Mazey would also raise it as part of the regional transport group he sits on.

Moved – Councillor Gallagher / **Seconded** – Councillor Lyaall

'That the Council receives the report Transportation Monthly Update for information.'

CARRIED

8. Group Manager Property

Property Transaction Update – 31 August 2020

The Group Manager Property, Mr Douglas Marshall went through his report noting most projects are tracking really well. Councillor Lyall gave an update on the meeting in Hororata he attended the day before and congratulated staff on presenting good information to the public. He said it was a very successful meeting.

During the discussion on Millpond Lane, the following comments were made:

- The Chief Executive said if the recommendation was going to change it would need a paper back to Council.
- In response to a question from Councillor Hasson on how pertinent it was to sell Lot 5 and what its value would be, Mr Marshall said he would like to maximise the subdivision.
- Councillor Hasson then asked whether development contribution funding could be used to buy Lot 5 and use as reserve. Councillor Lyall said he would support this option.
- Councillor Miller said if the site of the building became reserve too, that would be almost 6000sqm of reserve. He said he needed to reflect on what the Lincoln Community Committee was saying and that was that they wanted to see as much as possible reserve for Lincoln.
- Councillor Alexander spoke about the covenant over the site and said Council needed to look at recouping the cost for the District, while also getting the best return on investment. He would be in favour of Development Contributions being used but Council needed the return, and needed to achieve the goals they set to make prudent decisions. He said he supported Councillor Miller in that one day it may be a beautiful reserve but at the current moment, Council needed to be pragmatic.

Councillor Hasson moved that a report come back to Council to potentially use development contributions to purchase Lot 5 to retain as reserve, and that the current resource consent not proceed at this stage, until this matter is finalised. She thanked Mr Marshall for his work on the report. Councillor Miller noted that at the last meeting Council actually gifted Lot 6 without using the development contributions fund and asked Councillors whether they should now go back on that decision and ask that Lot 6 also be purchased from development contribution funding. He added mixed messages were being sent.

Moved (as amended) – Councillor Hasson / **Seconded** – Councillor Lyall

‘That Council

- a) receives the update report on property projects as at 31 August 2020 for information; and*

CARRIED

- b) a report come back to Council for use of Development Contributions to purchase Lot 5 and that the Resource Consent application does not proceed at this stage.’*

During debate on the amendment the following comments were made around the table:

- Councillor Alexander said he did not support Lot 5 as reserve
- Councillor Lemon said there would not have been a debate had Council not bought the land in the first instance. He was comfortable with Lot 6 being the only reserve.
- Councillor Bland said although he was not in favour of changing what was initially agreed to, he thought that pragmatically he could see the merit.
- Councillor Lyall said when the land was originally bought there was little development and little development contributions coming in.

The Chief Executive reminded Council that they had already discussed the matter twice before, in July and August. Council then decided to sell Lots 1 – 5 and retain Lots 6 and 7.

The vote was put and the outcome is as follows:

For the request of a report to come back to Council on purchasing Lot 5:

Councillors Lyall, Hasson and Bland (3)

Against a report to come back to Council on purchasing Lot 5:

Councillors Epiha, Lemon, Mugford, Miller, Gallagher, Alexander, McInnes and Mayor Broughton (8)

LOST

GENERAL BUSINESS

RESOLUTION TO EXCLUDE THE PUBLIC

Moved – Councillor Lyall / **Seconded** – Councillor McInnes

‘That the public be excluded from the following proceedings of this meeting. The general subject matter to be considered while the public is excluded, the reason of passing this resolution in relation to the 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		Reasons for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution	Date information can be released
1.	Public Excluded Minutes			

2.	Notify the Proposed District Plan	<i>Good reason to withhold exists under Section 7</i>	<i>Section 48(1)(a)</i>	<i>5 October 2020, being the date of public notification</i>
3.	Road Network Maintenance Term Contract			<i>Upon resolving at today's Council meeting, being 23 September 2020</i>
4.	Property Transaction Update – 31 August 2020			
5.	Three Waters Service Delivery Reform			<i>Upon approval by the DIA</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 or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

1, 3, 4, 5	Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or	Section 7(2)(h)
1, 3, 4, 5	Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or	Section 7(2)(i)
2, 5	To maintain the effective conduct of public affairs through: (i) The free and frank expression of opinions by or between or to members or officers or employees of any local authority; or any persons to whom section 2(5) applies, in the course of their duty; (ii) The protection of such members, officers, employees and persons from improper pressure or harassment.	Section 7(2)(f)
2	To prevent the disclosure or use of official information for improper gain or improper advantage.	Section 7(2)(j)

2. *that appropriate officers remain to provide advice to the Committee.'*

CARRIED

The public meeting ended at 2.50pm for a brief break before moving into Public Excluded at 3.10pm.

The meeting resumed in open meeting, and ended at 4.50pm.

Resolution released into the Public Domain (taken from the Public Excluded Minutes, dated 23 September 2020)

4. Service Delivery Manager Infrastructure

Procurement Plan – Contract No. 1420 Selwyn District Road Network Maintenance Term Contract

Moved – Councillor Alexander / **Seconded** – Councillor Bland

'That Council:

a) Approves the Procurement Plan for Contract No. 1420 Selwyn District Road Network Maintenance Term Contract; and

b) That the resolution moves to Public.'

CARRIED

The Mayor closed the meeting with karakia.

DATED this 14 day of October 2020



MAYOR