

**MINUTES OF AN ORDINARY MEETING OF THE
SELWYN DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBER AND VIA ZOOM
ON WEDNESDAY 10 AUGUST 2022 COMMENCING AT 1PM**

PRESENT

Mayor S T Broughton, Councillors, M A Alexander, J B Bland, S N O H Epiha, M P Lemon, D Hasson, M B Lyall, S McInnes, G S F Miller, R H Mugford and N C Reid

IN ATTENDANCE

Messrs. D Ward (Chief Executive), K Mason (Group Manager Enabling Services), M Washington (Group Manager Infrastructure & Property), T Harris (Group Manager Development and Growth), M England (Asset Manager Water Services), R Love (Team Leader Strategy & Policy via Zoom), J Richmond (Manager Active Selwyn), L Sole (District Digital Futures coordinator), D Meehan (Surface Water Engineer); Mesdames D Kidd (Group Manager Community Services & Facilities), N Moen (Manager Arts, Culture & Lifelong Learning), K Dingwall-Okoye (Community & Economic Development Advisor), J Lewes (Strategy & Policy Planner), E Larsen (Planning Manager), J Tuilaepa (Senior Strategy & Policy Planner), S Carrara (Property Project Manager), R Carruthers (Strategy & Policy Planner), K Johnston (Senior Communications Advisor) and N Smith (Executive Assistant to the Chief Executive), and Ms T Davel (Committee Advisor via Zoom)

Paul Rogers, Council's legal counsel was in attendance.

The meeting was livestreamed.

The Mayor opened the meeting with the karakia and Councillor Affirmation and welcomed everyone to the meeting. He also welcomed everyone online listening to the meeting.

APOLOGIES

An apology was received in relation to Councillor Gallagher.

Moved – Mayor Broughton / **Seconded** – Councillor Alexander

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

CARRIED

IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS

CONFLICTS OF INTEREST

None.

PUBLIC FORUM

None.

CONFIRMATION OF MINUTES

1. **Minutes of an ordinary meeting of the Selwyn District Council held in the Council Chamber on Wednesday 27 July 2022**

Moved – Councillor Alexander / **Seconded** – Councillor Mugford

‘That the Council confirms the minutes of the ordinary meeting of the Selwyn District Council held on Wednesday 27 July 2022, as circulated.’

CARRIED

MATTERS REQUIRING ATTENTION

Refer table at the end of the minutes.

REPORTS

1. **Mayor**
Mayor’s Report

Moved – Councillor Alexander / **Seconded** – Councillor Lyall

‘That Council receives the Mayor’s Report for July 2022 for information.’

CARRIED

2. **Asset Manager Water Services, and Water Service Delivery Manager**
Water Services Monthly Update

Staff presented. There was a discussion on flooding and staff noted that with each new flood event the information is captured on the LIM notes.

The Mayor noted that Council will continue to ask Environment Canterbury to take more responsibility for the flood-prone areas across Selwyn.

Moved – Councillor McInnes / **Seconded** – Councillor Epiha

‘That the Council:

- a. receives the report “Water Services Monthly Update” for information’, and*
- b. adopts the WSE Bill submission lodged on the 21st July 2022’*

CARRIED

3. **Policy Analyst**

Council Submission on proposed amendments to the Wetland Provisions of the National Policy Statement for freshwater management and national environmental standards for freshwater

Councillor Hasson raised an issue of transparency for the public, where these matters should be discussed prior to submitting, yet this was a request for retrospective approval. It was noted that it was usually the correct process however, the timing of these amendments did not provide that option.

Moved – Councillor Lyall / **Seconded** – Councillor Alexander

‘That Council:

- (a) Receives the report;*
- (b) Retrospectively endorses the attached submission on the proposed amendments to the wetland provisions of the National Policy Statement for Freshwater Management and the National Environmental Standards for Freshwater’*

CARRIED

4. **Policy Analyst**

Council Submission on the proposed national policy statement for indigenous biodiversity 2022

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

‘That Council:

- (a) Receives the report;*
- (b) Retrospectively endorses the attached submission on the proposed National Policy Statement for Indigenous Biodiversity 2022’*

CARRIED

5. **Group Manager Community Services and Facilities**

Community Services and Facilities Group Update

The Group Manager Community Services & Facilities, Mrs Denise Kidd, Council’s District Digital Futures coordinator Luke Sole and Kirstin Dingwall-Okoye, Community & Economic Development Advisor, presented to Council.

Mrs Kidd spoke about a recent customer experience survey which aims to understand the impact of the services delivered by her team, on people’s wellbeing. It informs their operations planning for the year ahead and analyses the behaviours that impact most on wellbeing. Mr Sole spoke about digital equity inclusion, noting that equity relates to access and effective use of digital technology. He said there were barriers to digital

equity amongst seniors, the disabled and new migrants. He said they were now also offering subsidised broadband at libraries and service centres to enhance the way people transact with Council.

Luke said their team works in partnership with e.g. Spark Foundation, Creative Trust and Digital Alliance Aotearoa amongst others, and they work to adopt an inclusive, judgement-free approach.

Councillor Miller left the meeting at 1.56pm

Kirstin Dingwall-Okoye spoke about the new hapai access card which replaced the . Kiwi able access card. Kirstin said this was focussing on a social model of disability and aims to remove barriers for people in all aspects of living their lives. 28 businesses have already come on board with the card. The programme also trains staff in responding to people with all kinds of disabilities.

Moved – Councillor Alexander / **Seconded** – Councillor McInnes

‘That the Council receives the Report “Community Services and Facilities Group Update” for information.’

CARRIED

6. Project Manager, and Manager Active Selwyn

Darfield Pool Redevelopment Budget

Staff said the Sheffield Pool is coming to the end of its life. Ongoing population growth leads staff to consider what is going to happen in Lincoln and how much pressure will come to SAC. They also said cost escalations remained a real risk.

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

‘That the Council:

a) Approves the increase of the Darfield Pool redevelopment works budget from \$1,774,003.00 to \$1,996,561.00 due to supply chain and market increases.

b) Approves the inclusion of additional build items to further enhance the aquatics offering in the Malvern Ward by increasing the total build budget to \$2,391,651.00.’

CARRIED

7. Senior Strategy and Policy Planner

Private Plan Change 68 – Rezoning of land in Prebbleton

Moved – Councillor Lemon / **Seconded** – Councillor Bland

‘That the Council:

a. receives the report and recommendation of independent Commissioner Tony Hughes-Johnson dated 23 June 2022 on Private Plan Change 68 from Urban

Holdings Limited, Suburban Estates Limited, and Cairnbrae Developments Limited to rezone land in Prebbleton;

- b. adopt the recommendation of the Commissioner and, pursuant to Clause 29(4) of the First Schedule of the Resource Management Act 1991, approves Private Plan Change 68 for the reasons given in the Commissioner's recommendation;*
- c. approves the public notification of Council's decision in accordance with Clause 11 of the Resource Management Act;*
- d. delegates the Team Leader Strategy and Policy to take any steps necessary to give effect to recommendations (b), and (c) above.*
- e. delegates to the Team Leader Strategy and Policy to take any steps necessary, following the notification of the Council's Variation to Plan Change 68, to give effect to making Plan Change 68 operative at the conclusion of the appeal period where no appeals are filed.'*

CARRIED

Councillor Hasson, Lyall, McInnes and Reid abstained from voting

8. Strategy and Policy Planner

Private Plan Change 71 – Rezoning of land in Rolleston

Moved – Councillor Epiha / **Seconded** – Councillor Bland

'That the Council:

- a. accepts the recommendation of the Independent Commissioner in regard to Private Plan Change 71 from the Four Stars Development Limited and Gould Developments Ltd to rezone land in Rolleston;*
- b. pursuant to Clause 29(4) of the First Schedule of the Resource Management Act 1991, approves Private Plan Change 71 for the reasons given in the Commissioner's recommendation dated 29 July 2022;*
- c. approves the public notification of Council's decision that establishes that the Operative Selwyn District Plan is deemed to have been amended in accordance with the decision in (b) above from the date of the public notice in accordance with Clause 11 of the Resource Management Act;*
- d. notes that Plan Change 71 will not become fully operative until the notification of Council's variation to PC71; and*
- e. delegates the Team Leader Strategy and Policy to take any steps necessary to give effect to recommendations (b), (c) and (d) above.*

CARRIED

Councillor Hasson, Lyall, McInnes and Reid abstained from voting

9. Strategy and Policy Planner

Request to make operative Private Plan Changes 76, 76 and 78 - Rolleston

Staff confirmed there will be a comprehensive communications package ready by the middle of the next week. Drop-in sessions are also being planned. Affected parties will receive letters and emails.

Moved – Councillor Bland / **Seconded** – Councillor Epiha

'That Council:

- a) approves *Private Plan Changes 75, 76 and 78 to the Selwyn District Plan, under Clause 17(2) of Schedule 1 of the Resource Management Act 1991;*
- b) *delegates the Team Leader Strategy and Policy to complete the necessary statutory processes to publicly notify the date on which the private plan changes become operative, being as soon as possible after the Clause 34 variation is notified (20 August 2022), in accordance with the requirements in Clause 20(2) of Schedule 1 of the Resource Management Act 1991.'*

CARRIED

Councillor Hasson, Lyall, McInnes and Reid abstained from voting

GENERAL BUSINESS

Signed and Sealed Documents Register

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

'That the following transactions and the fixing of the Common Seal under authorised signatures have been approved.'

1	Name of other party	Andre Johnathon Brocherie
	Transaction type	Deed of Licence to occupy to 30 June 2020 (licence has been rolled over)
	Transaction description	Transfer of Deed of Licence from Trekessa J Nesbitt to Andre Johnathon Brocherie following the sale of Hut 15 Upper Selwyn Huts

2	Name of other party	Rolleston Investments Limited
	Transaction type	Deed of Variation of Lease (Rent Review)
	Transaction description	837 Jones Road Rolleston – Warehouse facility leased by Civil Defence

3	Name of other party	Thomland Farms Limited
	Transaction type	Deed Incorporating Additional Premises and Variation of Lease
	Transaction description	Raeburn Farm 354 Creyke Road The tenant at Raeburn Farm has now agreed to take a tenancy of the house and 9ha at the above site and this will be added to the existing lease by variation.

4	Name of other party	Adrienne Mary Goodeve, Philip Dean Thomas, Rural Business Trustees (2018) Limited
	Transaction type	Licence to Occupy Road Reserve (CPW – Small Block Water Access)
	Transaction description	Road reserve of Tramway Road and Kimberley Road, Darfield

5	Name of other party	Orion NZ Ltd
	Transaction type	Agreement to grant electricity easement
	Transaction description	Kirwee Reserve - 38 High Street, Kirwee

6	Name of other party	SDC
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	Transaction type	Signing of Authority & Instruction – right to drain sewage and convey water
	Transaction description	Recreation Reserve, Iris Taylor Avenue, West Melton

7	Name of other party	Stephen Philip Hillson and Peggy Anne Hillson
	Transaction type	Licence to Occupy Unformed Legal Road
	Transaction description	Off Milnes Road, Hororata

8	Name of other party	Max Colin Duncan and Adrienne Laura Duncan
	Transaction type	Deed of Licence
	Transaction description	Off Ryelands Drive, Lincoln adjacent to the Liffey Stream

CARRIED

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

‘That Council extend the meeting beyond the 2 hours without a break, as per standing orders.’

CARRIED

NOTICE OF MOTION

Councillor Alexander submitted a Notice of Motion as follows:

‘That the Chief Executive Officer be instructed to ensure that a needs assessment / business case for a Rolleston Gymnastics facility be completed forthwith, no later than December 2022 – to honour the commitment Council made in its 2021/31 Long Term Plan.’

Councillor Alexander read a statement noting why he wanted the notice of motion before Council. He said a staff report in May 2021 said the land adjacent to the SAC would be suitable to build purpose-built facility for Affinity Gymnastics to lease from Council. Councillor Alexander said the decision was not rescinded and therefore still stands.

Councillor Alexander noted the systems and processes within Council failed and he was embarrassed about that, enough that he had apologised personally to Affinity Gymnastics. He said Council made a commitment which it has not fulfilled and if it was unable to do so, it should rescind its earlier commitment and apologise. He asked Council to alternatively consider instructing the Chief Executive to undertake the business case and have staff fulfil the commitment made.

The Chief Executive said that staff advised Council of a wider sports and recreation strategy to be table in September, in which gymnastics is identified as one of a number of fast-growing sports. His advice to Council was to wait for that report before making any further decisions.

Councillors offered their opinions ranging from improving systems to track decisions, with Councillor Bland noting that every organisation will have processes that fail. He said he has never seen a notice of motion come to Council to applaud the initiatives of staff on behalf of the Selwyn community. He noted the notice of motion had a sense of public humiliation about it which he would not stand for, and said it should have been dealt with differently.

Councillor Lyall agreed saying a future facility is something where multiply clubs, including gymnastics could be involved. He also did not think it needed to be dealt with in this manner.

Councillor Miller entered the meeting at 3.15pm

The Chief Executive said there were two parts in this process – Council should firstly vote on the motion and if that succeeds, Council should ask him to find funding as it can't proceed without any funding. If the notice of motion fails, there will be an opportunity for Council to have a report in September which could incorporate the issue for a further discussion and decision.

The Mayor put the motion:

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

'That the Chief Executive Officer be instructed to ensure that a needs assessment / business case for a Rolleston Gymnastics facility be completed forthwith, no later than December 2022 – to honour the commitment Council made in its 2021/31 Long Term Plan.'

LOST

Council will consider this as part of the wider Selwyn strategy coming before it in September.

MATTERS RAISED IN PUBLIC FORUM

None.

RESOLUTION TO EXCLUDE THE PUBLIC

Moved – Councillor Lemon / **Seconded** – Councillor Reid

'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.	PX Minutes	<i>Good reason to withhold exists under Section 7</i>	<i>Section 48(1)(a)</i>	
2.	Withdrawal of council report re private plan changes			
3.	Expenditure approval for Hughes Development Agreement			
4.	Leasing of tenancy at Rolleston Fields			

5.	Springfield Stormwater Property Purchase			
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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:

2	To protect all communications between a legal adviser and clients from being disclosed without the permission of the client	Section 7(2)(g)
1 - 5	Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or	Section 7(2)(h)
1 - 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 that appropriate officers remain to provide advice to the Committee.'

CARRIED

Council had a brief break between 3.20 – 3.40pm.

The public meeting moved into Public Excluded at 3.40pm.

The meeting resumed in open meeting at 4.31pm and ended at 4.31pm.

DATED this 24 day of August 2022



 MAYOR

PUBLIC MATTERS UNDER INVESTIGATION

Item	Meeting referred from	Action required	Report Date
Potential Stock Water Race Closure	April 2022	Review and consider the additional correspondence received in respect of the Proposed Closure of the McLeans Island Road section	24 September 2022
Accessibility Report: how staff can encourage applicants to ensure buildings were as accessible as possible	13 October 2021	Staff report to consider modifications	23 November 2022
Flooding Sansbrook, Taumutu – presentation Tim Sanson, public forum	6 July 2022	Staff report and presentation to Council on options – to include ECan staff Site visit Mayor, Councillors and ECan Councillors and staff from both SDC and ECan	24 August 2022 As soon as possible
Community Centres, Halls and Libraries Network Plan	13 October 2021	Report on landbanking - buying land now for future community facilities	23 November 2022