



USH LICENCE HOLDER MEETING 1

Date	28 August 2024	Time	6pm-8pm
Location	Springston South Soldiers Memorial Hall, Springston		

Meeting Notes

Rational objectives are to:

1. Clarify the current situation and scope of what Licence holders can influence in this engagement process.
2. Contribute to the development of a Statement of Proposal for Upper Selwyn Huts to Selwyn District Council.
3. Confirm next steps.

This meeting would also:

1. Include information on the Deed of Licence and the planned (proposed) engagement process.
2. Be a chance (for SDC and USH community members) to ask questions and share concerns.

Facilitation experiential objectives:

1. Participants feel welcomed, respected, valued, challenged and comfortable challenging others.
2. A (psychological and culturally) safer, supportive, and stimulating environment is established and maintained.
3. Participants can share and hear diverse perspectives, be open minded and learn from each other.

Opening: 6:06 PM

- **Welcome:** Chris Mene, independent facilitator, opened the meeting.
- **Meeting 26 August 2024:** Chris discussed the meeting last Friday with some members of the Upper Selwyn Huts (USH) Owners Committee. Chris has passed on his code of ethics to the Committee. The focus of that meeting was identifying concerns and discussing ways to address them.
- **Karakia:** Traditional blessing for the meeting.
- **Introductions:** Selwyn District Council staff and USH Committee members introduced themselves. Chris asked for a show of hands of who were licence holders and the majority of attendees, if not all, were licence holders. Attendees were encouraged to ask questions and share concerns, with an emphasis on confidentiality.

Slide 1: Operating Principles:

1. **Confidentiality:** Confidentiality with discussion tonight.
2. **Respect:** Maintain respectful communication.
3. **Equity:** Acknowledge that some may not be present tonight therefore the information from tonight would be shared / notes are being taken.
4. **Safety:** Physical and psychological safety for all participants.
5. **Trust:** Engagement and progress depend on trust. (Engagement happens at the speed of trust).

Update from USH Committee members:

Committee Member 1:

- USH Committee provided Council with a proposed scope of points to engage with Council. Scope of points sent to Tim. Committee member 1 wanted to discuss the following tonight:
- Council's Significance and Engagement Policy and wanted clarification of the significance level for USH and the level of engagement. Committee member 1 commented that for the success of the process she wants to ensure that the level of engagement is set correctly (high).
- District Wide Rates (DWR).
- Wanted clarification tonight on the scope of engagement and limits of owners to influence.
- Positive outcomes are hoped for, despite the challenges of collaboration.
- Owners/residents have been engaged since March with Council and the USH Committee and wants to see those affected engaged in the highest level as they believe that this is of high significance.
- Spoke of IAP2 (International Association for Public Participation) models for collaboration and empowerment are relevant.

Committee Member 2:

- Commented that the current proposed timeframe for engagement is deemed unachievable, owners do not have experts on stand-by and legal expertise is not free. Commented that this is an extraordinary circumstance.
- Costs incurred personally are substantial and no budget is available unlike Council have.
- Feels blindsided by the Council decision in March.
- Wants Council to consider more time for owners to respond to any proposals or suggestions.

Committee Member 3:

- Commented that 15 years goes by fast, and would like to have the USH on DWR's.
- Discussed fee including rates, licence fee and wastewater pipeline costs and options to look at licence fee contributing to DWR and other options for the licence fee.
- Wants to see costs (DWR) spread across the district like everyone else in Selwyn and commented that USH is the only settlement in Selwyn not on the DWR. And noted that Darfield are on septic tanks.
- Commented that he has made eight attempts to address adding USH on the DWR with SDC since 2018 and that SDC's reasons for not including USH in DWR are not adequate and have included:
 - USH does not pay rates
 - DWR was not meant for USH.
 - SDC does not own USH sewer scheme, this belongs to USH users.
 - Cost to other users too much
 - USH should pay for cost of upgrade.
 - Not appropriate of USH to be on DWR as the rates were never meant to be full-time residents / only occupied for a number of set dates. (USH have been paying rates as per other homeowners).
- Commented that there is lots of evidence on why USH should be put on the DWR. A Barrister has provided a legal opinion to Council that supports USH inclusion in DWR. Expressed disappointment in Councillors with previous requests to be on the DWR scheme refused and refusal to review the DWR decision.
- Request for DWR to urgently be looked at.

SDC Staff Response (Tim Harris):

- **Significance and Engagement Policy Level:**

- The decision is significant and involves a special consultative process with submissions and hearings, therefore this triggers the high significance engagement process. Acknowledges that this is of high significance to owners and residents. This is a collaborative process.

- **Timeframes:**

- Acknowledges tight deadlines. Tim commented that he is not the decision maker, however, through the process, if progress is being made and we as a collaborative can't meet timeframes, he will make a recommendation to the CEO to request more time.

- **DWR:**

- Tim has raised this at Council meetings and has come to a view that the DWR needs to be reconsidered. Tim is not the decision maker but will put forward to Councillors.
- Tim added that staff are here to listen, collaborate and find solutions

Owner 1:

- Discussed the level of significance changing throughout the years from low, to medium and now high and commented that it is like going around in circles and back to the start again.
- Comment was made that people are losing their homes and there are no plans for social housing in Lincoln or Rolleston. Taking people's homes away in his opinion is extremely high significance.
- Tim responded that yes, he hears what you are saying and, in a way, we are going back to the start, however, to make progress we need to move forward.

Owner 2:

- Commented that he does not think that Council had the legal right to set the finite period.

Committee Member 2:

- Asked if all 8 points in the scope are still on the table.
- Tim was provided a copy of the 9 points (*note copy of engagement point sent to Tim had 9 points*) and read out the 9 points out as below:
 1. When discussing the term of the Deed of Licence we want included that we are a Local Purpose Hut settlement.
 2. Replacing the Council owned reticulation system and adding this cost to the DWR
 3. Building inspections
 4. Trigger points for climate change
 5. Mitigation
 6. Relocation/compensation if previously agreed climate change trigger points mean we must leave
 7. Historic significance
 8. Compensation for our legal fees
 9. Removal of the word 'finite'
- Tim responded yes that all the points proposed by USH Owners Committee are up for discussion.

Committee Member 4:

- Raised concerns about how to progress without a decision-maker/s at the meetings. With a spend of over \$50k in costs (mostly legal) he wanted to know the process going forward for progression.
- Tim discussed the process, with collaboration, a Statement of Proposal will be formed, for example the proposal may include recommendations on the district wide rate, level of significance, timeframe, deed of licence, this will form the consultation document which needs to go through a process for Councillors (Council) to approve. Tim will present the proposal to executive leadership team (ELT) and Council for approval. This will go out for consultation and hearing. Judicial review of this engagement process would be a last resort.
- Owner would like staff to be more prepared at Council meetings to be able to answer Councillors questions and commented that Councillors are focused on dragging out the past.
- Owners would like circulated material for Council position and reasons why before every community meeting.

Owner 3:

- Discussion was held around some owners not feeling included in the USH Owners Committee meetings and a request was made to attend on a non-speaking basis however no follow up was made.
- Would like to see all material sent to all owners from both the USH Owners Committees and SDC and to be circulated to all owners.

Committee Member 1:

- In response to owner 3's comments, committee member 1 responded that the Committee sent out emails to everybody, post on Facebook, hold community meetings, send out minutes, printed out information, posted on sign board, have a newsletter and hold several good working groups. She added the group is highly motivated for all licence holders and residents to be involved, therefore please get in touch.

Owner 4:

- Discussion was held around the impression that some Councillors have not read up about the USH situation and are struggling to trust Councillors and some have the impression that Councillors have been 'told' how to vote by the Executive Leadership Team.

Committee Member 2:

- Throughout this process they would like to see community meetings involve councillors as they are the people making the decisions and made comment that she believes they have been misinformed. She added some Councillors hearing our story has had influence on their opinions and votes.

Jacobs presentation:

- Andrew introduced himself and apologised that Monique could not make the meeting. Monique is working with Council to support the programme to work with stakeholders and USH owners on the future of USH. Andrew spoke to the Jacobs presentation (to be circulated).
- A survey of 'what matters' to you is available for owners to complete.

Other Topics:

- **Building Inspections: Health and Safety at Work Act 2015:** Discussion around building inspections and health and safety obligations particularly the H&S Work Act.

Tim commented that Council has layers of responsibilities under the H&S Act. Council has a duty of care to look at risks & H&S.

Discussion was held around obligation to act / obligation to inform.

Tim to provide more information and the legal opinion to be circulated.
- **Plans for the Reserve:** Some owners had difficulty in understanding that Council has no set plans for the reserve after 15 years.
- **Environment Canterbury / Stop banks:** Owners want more information about the stop banks and have asked Council to facilitate meetings with Environment Canterbury (Craig Pauling contact).
- **Te Taumutu Runanga / History Board:** Owners would like to see a history board display for USH similar to another nearby board. Struggling to find a delegation to speak with. Would like Council to help facilitate a meeting with Te Taumutu Runanga.
- **Communication:** The need for transparency and regular updates. Internal communications to be sent to Councillors as well, to keep them informed.
- **Deed of Licence (DoL):** Request to circulate updated/amended draft DoL, after feedback, to be shared with owners.

Next Steps:

- **Draft notes:** A write-up of draft notes from meeting to be circulated to committee members to review. Draft notes to include scope to focus on and start drafting the Statement of Proposal. Scope includes:
 1. When discussing the term of the Deed of Licence we want included that we are a Local Purpose Hut settlement.
 2. Replacing the Council owned reticulation system and adding this cost to the DWR
 3. Building inspections
 4. Trigger points for climate change
 5. Mitigation
 6. Relocation/compensation if previously agreed climate change trigger points mean we must leave
 7. Historic significance
 8. Compensation for our legal fees
 9. Removal of the word 'finite'
- **Next meeting:** Request for a bigger gap for owner meeting 2, as owners are awaiting legal and historical advice, proposed 6-8 week gap. Request for a schedule of proposed meetings to take place. Preference for meeting to be held at Lincoln Events Centre so attendees could join online. Weekday, evening works for most but could look at doing a weekend day for one of the meetings.
- **Communication:** Material, notes and updates to be distributed to owners and made available online.
- **Councillor Involvement:** Tim will discuss with look at where in the process it may be appropriate for Councillors to have involvement noting that they are the decision-makers. Possible online attendance for councillors if in-person is not feasible.

Closing: Chris closed with a karakia at 7:55 PM.