

**MINUTES OF AN ORDINARY MEETING OF THE
SELWYN DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBER
ON WEDNESDAY 19 APRIL 2023 COMMENCING AT 1.00PM**

PRESENT

Mayor Sam Broughton, Councillors, P M Dean, S N O H Epiha, L L Gliddon, D Hasson, M B Lyall, G S F Miller, R H Mugford, & E S Mundt

IN ATTENDANCE

Messrs. D Ward (Chief Executive), K Mason (Group Manager Enabling Services – via Zoom), M Washington (Group Manager Infrastructure & Property), R Raymond (Communications Advisor), R Allen (Head of Acquisitions, Disposals and Leasing), P Millar (Major Projects Manager), A Boyd (Resource Recovery and Waste Manager), R Love (Head of Strategy and Policy), and Mesdames D Kidd (Group Manager Community Services & Facilities), T Baird (Chief Information Officer), J Hawker (Resource Recovery and Waste Advisor), E Lovell (Educator Waste and Sustainability) and N Smith (Executive Assistant to the Chief Executive) and Ms T Davel (Committee Advisor)

The Chair of the Audit and Risk Subcommittee, Ms A Elstob was in attendance via Zoom.

Council's auditors, Messrs. J Tan and P Momenan were in attendance.

The meeting was livestreamed.

The Mayor welcomed everyone to the meeting, also those listening online.

APOLOGIES

Councillors McInnes and Reid.

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

‘That Council receive the apologies from Councillors McInnes and Reid, for information.’

CARRIED

IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS

None.

CONFLICTS OF INTEREST

None.

PUBLIC FORUM

Mr Peter Schnell talked to Council about the farm that has been in his family for over a hundred years, in particular the gravel pit on the site. There has never been any paperwork in the past as to who is responsible for maintaining what part. He has tried for ten years to deal with the Council about this but apart from a recent letter from the Council legal team there has not yet been a resolution reached.

The only way through in his view would be to carry on lawyer versus lawyer which will be very expensive or sit around a table and sort it out. He asked for Councillors to respond to that.

The Mayor said Council's expectation is that Mr Schnell respond to Council's letter recently sent to him and that would be the starting point. He said it was the same letter as the one sent 5 years ago, and the offer and content has not changed.

CONFIRMATION OF MINUTES

1. Minutes of the ordinary meeting of the Selwyn District Council held in the Council Chamber on Wednesday 8 March 2023

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

'That the Council confirms the minutes of the ordinary meeting of the Selwyn District Council held on Wednesday 8 March 2023, as amended.'

CARRIED

2. Minutes of the extraordinary meeting of the Selwyn District Council held in the Council Chamber on Wednesday 29 March 2023

Moved – Councillor Dean / **Seconded** – Councillor Gliddon

'That the Council confirms the minutes of the extraordinary meeting of the Selwyn District Council held on Wednesday 29 March 2023, as amended.'

CARRIED

MATTERS REQUIRING ATTENTION

Refer Actions.

REPORTS

1. Mayor

Mayor's Report

The Mayor said he was looking forward to the ANZAC ceremonies in the next week. He thanked councillors who will be attending and supporting their communities by laying wreaths. He said over the last two months a lot has happened especially in the solid waste space and thanked Mr Boyd and Mesdames Hawker and Lovell for their hard work.

Staff said it was a very interesting project which turned out better than first envisaged. The number of attendees that come through was great. They will circulate more details to councillors about the success and what has been happening on the site.

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

‘That Council receives the Mayor’s Report for February – March 2023, for information.’

CARRIED

2. Chief Executive

Chief Executive’s Report

The Chief Executive spoke about the Draft Annual Plan process with 43 submissions received so far. He also referred to the Westview Special Fund of which Councillor Mugford is the Chairperson and said that applications were open until end of May.

Moved – Councillor Dean / **Seconded** – Councillor Mugford

‘That Council:

(a) receives the Chief Executive’s report for information; and

(b) approves the additions / alterations to the Delegations Manual as presented.’

CARRIED

3. Chief Executive

Representation Review Subcommittee

The Chief Executive noted that Council would need to get its representation review completed towards the third quarter of 2024, to be signed off in February 2025. The reason he was bringing this paper to Council now was because he was retiring and wanted to get the committee set up and on the right pathway. Local Government Commission advised Council to undertake a communities of interest investigation, and he suggested a subcommittee with membership being one member of each of the 4 electoral wards, the Chairperson of the Community Board, 2 rūnanga representatives as well as the Mayor, who is appointed ex-officio.

Local Government Commission also recommended to have three members of the community around the table. To have a first meeting around mid-May Council would be required to appoint a subcommittee now.

There was some debate about representation and consideration of a youth councillor. While not all agreed about having community members on the Subcommittee Council

did agree that the Terms of Reference note it as a requirement but that the newly formed Subcommittee can make those final decisions at its first meeting.

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

'That

- (a) Mayor Broughton, Councillors Lyall, Epiha, Dean and Gliddon, a representative of the Selwyn Youth Council, and Malvern Community Board Chair, and representatives from Te Taumutu Rūnanga and Te Ngāi Tuāhuriri Rūnanga are appointed to the Representation Review Subcommittee; and*
- (b) The Representation Review Subcommittee Terms of Reference be amended to allow the appointment of up to four community members at the discretion of the Representation Review Subcommittee.*
- ~~(c) The Chief Executive be requested to approach community members with a view to assessing their willingness to join the Representation Review Subcommittee to assist in achieving its outcomes.'~~*

CARRIED

4. Chief Executive

Adoption of Annual Report for year ended 30 June 2022

Ms Elstob, Council's Audit and Risk Subcommittee Chairperson joined the meeting online and said the report was discussed by the Audit and Risk Subcommittee earlier in the week. The Chief Executive added that the auditors were also present at that meeting and that it was acknowledged that staff and Council do so much but actually forget all that gets done. Mr Mason said he wanted to acknowledge the challenges of AuditNZ impacting country-wide and would also like to express his thanks to his team for their hard work.

Mr Mason went through some of the key highlights in the report including the continued rapid growth within the District and the increase in development contributions. Ms Elstob noted she had nothing new to add but reiterated her thanks to Mr Mason, his team and the auditors. She said she was well aware of the audit crisis around the world, not only in New Zealand and that she hoped things got back to some sense of normal. Ms Elstob also thanked AuditNZ noting they often worked in challenging circumstances. She said the report was dealt with in-depth by the Subcommittee and was a good opportunity to tell the stories of Selwyn.

Likewise, the auditors said they had nothing more to add and that the report was now good to go.

Councillor Miller questioned why the Subcommittee did not have auditor-only time as was done in the past. He added it was unusual that the Chair would meet with the auditors without the rest of the committee. Members of the Subcommittee agreed that they were on board with this decision and that it may be something to do in the future. Auditors noted that it was their personal preference to talk about anything with the Subcommittee in the presence of the management team and staff.

Moved – Councillor Mundt / **Seconded** – Councillor Dean

‘That the Council:

- a) Approves the draft 2021/22 Annual Report for the year ended 30 June 2022.*
- b) Delegates to the Group Manager Enabling Services the authority to make alterations of minor effect or to correct any minor errors to the approved Annual Report for the year ended 30 June 2022.*
- c) Authorises the Mayor, Chief Executive and Group Manager Enabling Services to sign the statement of compliance and responsibility.*
- d) Authorises the Mayor and Chief Executive to sign the representation letter to auditor.*
- e) Receives the Independent Auditor’s Report of Selwyn District Council’s for the year ended 30 June 2022.*
- f) Adopts the audited Annual Report with the Auditor’s Report for the year ending 30 June 2022.’*

CARRIED

5. Chief Executive

Register of Documents Signed and Sealed

Councillor Miller asked about #5 on the list to which staff noted it was a forestry block and owned by Council. Staff would follow up as to whether it’s regarded as an investment property.

Moved – Councillor Hasson / **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	Andrew James Feltell & Amanda Jayne Feltell
	Transaction type	Licence to Occupy Unformed Legal Road
	Transaction description	Charles Street, Coalgate

2	Name of other party	Malvern Community Arts Council Incorporated
	Transaction type	Deed of Licence
	Transaction description	5 Mathias Street, Darfield (for storage of container)

3	Name of other party	Ashmark Holdings Limited
	Transaction type	Right of Way Easement
	Transaction description	Part Reserve 955 Larcombs Road (corner Main South Road)

4	Name of other party	SDC Infrastructure/Wastewater Department
	Transaction type	Licence to Occupy Road Reserve
	Transaction description	Raeburn Farm – unformed portion of Pole Road, Darfield - 47m ²

5	Name of other party	Corde Limited
	Transaction type	Deed of Licence

	Transaction description	Corner Waterholes Road & Main South Road – utilise a bare block of council land as a temporary laydown site whilst they attend to civil works
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6	Name of other party	Prebbleton Village Shopping Centre Limited
	Transaction type	Registration of Easement
	Transaction description	Easement to convey water and sewer over Lot 3 - Coupling Close Prebbleton

7	Name of other party	Morrish Farming Partnership
	Transaction type	Deed of Renewal of Lease
	Transaction description	District Park Site - Part Lot 1 DP 75990 98.635 hectares

CARRIED

GENERAL BUSINESS

None.

MATTERS RAISED IN PUBLIC FORUM

None.

RESOLUTION TO EXCLUDE THE PUBLIC

Moved – Councillor Mugford / **Seconded** – Councillor Mundt

‘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.	Minutes	<i>Good reason to withhold exists under Section 7</i>	<i>Section 48(1)(a)</i>	
2	Rolleston Town Centre Reserve Greenspace paper			

3	Glentunnel Camping Ground lease			
4	Offer to Chief Executive			

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	To maintain legal professional privilege	Section 7(2)(g)
1, 2, 3	Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or	Section 7(2)(h)
1, 2, 3	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)
4	To protect the privacy of natural persons, including that of deceased natural persons;	section 7(2)(a)

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

CARRIED

The public meeting moved into Public Excluded at 1.49pm

The meeting resumed in open meeting at 2.22pm.

With no further business being discussed, the meeting closed at 2.22pm

DATED this 17 day of May 2023


 CHAIRPERSON

PUBLIC MATTERS UNDER INVESTIGATION

Item	Meeting referred from	Action required	Report Date
Flooding Sansbrook, Taumutu – presentation Tim Sanson, public forum	6 July 2022	Staff report and presentation to Council on options – to include ECan staff	May 2023
Community Centres, Halls and Libraries Network Plan	13 October 2021	Report on landbanking - buying land now for future community facilities	May 2023
Report on Selwyn Hut Licences	14 September 2022	Staff to provide a comprehensive report outlining the LIM note, licence conditions and rates setting.	May 2023