

**MINUTES OF AN ORDINARY MEETING OF THE
SELWYN DISTRICT COUNCIL
HELD VIA ZOOM
ON WEDNESDAY 23 FEBRUARY 2022 COMMENCING AT 1PM**

PRESENT

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

IN ATTENDANCE

Messrs. D Ward (Chief Executive), T Harris (Group Manager Environmental and Regulatory Services), D Marshall (Group Manager Property), K Mason (Group Manager Organisational Performance), M Washington (Group Manager Infrastructure), S Hill (Group Manager Communication and Customer Services), B Rhodes (Planning Manager), G Morgan (Service Delivery Manager Infrastructure), A Mazey (Asset Manager Transportation), P Millar (Acting Major Projects Property Manager), R Love (Team Leader Strategy and Policy), R Allen (Acquisitions, Disposal and Leasing Manager), G Huggins (Roading Maintenance Engineer), D Hayes (Open Space and Property Planner), A Spanton (Biodiversity Officer), M England (Asset Manager Water Services), and S Tully (Mayoral Advisor); Mesdames D Kidd (Group Manager Community Services and Facilities), B White (Acquisitions, Disposals and Leasing Officer), E McLaren (Water Services Delivery Manager), K Johnston (Senior Communications Advisor), G Wolfer (Senior Urban Designer), J Tuilaepa (Senior Policy and Strategy Planner), J Ashley (District Plan Review Project Lead), and N Smith (Executive Assistant), and Ms T Davel (Committee Advisor)

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 from Councillor N C Reid.

Moved – Councillor Bland / **Seconded** – Councillor Lyall

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

CARRIED

IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS

None.

CONFLICTS OF INTEREST

None new.

PUBLIC FORUM

Mrs Heather Morton & Mr Paul Hill – Council Vaccination Policy

Mrs Morton addressed Council about its ongoing policy mandating vaccination passports. Mrs Morton read a statement but noted that students, for example, have invested a lot of time and money and will now be unable to continue their education and finalise their degrees, which means they won't be able to pay their student debts.

Mrs Morton said that people are being prevented from sitting driver's licences. She also told Council that it can't guarantee that its staff and clients will be free from vaccine injury and if there were any injuries Council will be liable. She said her body belongs to her only.

Mrs Morton also spoke at length about the protests in front of Parliament. She said those people were shunned by society and many have lost their jobs. Mrs Morton said Councillors were the ratepayers' representatives to oversee the actions of the Chief Executive and what Mr Ward has implemented was wrong. She spoke about injections which were not effective and have been proven to lead to serious harm.

Mr Paul Hill, who was with Mrs Morton, also shared an example of a young woman who would be unable to finish her studies as a result of the mandates.

The Mayor thanked Mrs Morton for her comments and said he agreed with her view around division being created. He said everybody was under stress but he was appreciative of the fact that Mrs Morton and Mr Hill came to Council to raise the issue.

Mr Don Babe – Cycling in the District

Mr Babe said that Selwyn needed an opinion on further reducing the road toll before 2050. He talked about roadworks in a new subdivision in Lincoln and showed photos of where the roadworks could have been considered more efficiently to allow access to footpaths for both cyclists and pedestrians.

He said staff should work in with contractors to ensure there was access for cyclists and pedestrians where road works were continuing for a period of time, so that people do not have to cross a busy road more than once just to get onto footpaths.

Mr Babe also showed a short video clip of a motorist hitting a cyclist at the Challenge Garage in Lincoln. Signs pointing to roadworks could also be placed on grass berms rather than in the middle of a cycle / footpath. He said these things were common sense, didn't cost any money and were easy to do. It would be safer for anyone using the roads and footpaths.

Mr Keith Turner also addressed Council and said he was glad about lower speed limits across the District albeit he was disappointed at the 60km speed limit around most of the Townships.

He said there were increasing numbers of cyclists on the roads and there shouldn't be an increase in things that put them off getting around on their bikes, such as high speed limits.

Mr Mike Bowie also spoke and said there was a lot of traffic on the roads between the Lincoln Township and University and it needed to have a cycleway to link it, also with Christchurch. He knew of dozens of people biking from Christchurch to Lincoln.

The Mayor thanked them for their presentation.

CONFIRMATION OF MINUTES

1. Minutes of an ordinary meeting of the Selwyn District Council held via zoom on Wednesday 9 February 2022

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

'That the Council confirms the minutes of the extraordinary meeting of the Selwyn District Council held on Wednesday 9 February 2022, as circulated.'

CARRIED

MATTERS REQUIRING ATTENTION

See table at the end of the minutes.

REPORTS

1. Chief Executive

Chief Executive's Report

The Chief Executive accepted his report would be taken mostly as read but pointed to some of the interesting facts in the Infometrics section. Selwyn District economy continues to grow strongly. Relating to property values, he said there was an average increase of 33.7% in capital value since 2018. Most owners will find their properties have increased but it doesn't automatically mean rates will go up. Where properties increased in value more than the average, there would an increase.

In relation to delegations changes the Chief Executive said that the maximum value was for individual transactions and that there was regular oversight from the Finance team on frequency of spending across the organisation. He also said that an explanation of the full meaning of what was being delegated to staff and any potential policy impact would be noted and reviewed for the next report.

Moved – Councillor Lyall / **Seconded** – Councillor Gallagher

'That Council:

(a) receives the Chief Executive's Report for information; and

(b) Approves the additions / alterations to the Delegations Manual as presented.'

CARRIED

2. Senior Strategy and Policy Planner

SH73 / Weedons Ross Road Intersection upgrade – application D210004 to Alter Existing Designation (TR1) under Section 181 of the Resource Management Act

Staff noted the application related to the widening of an intersection. For clarity staff noted that the designation covers an entire area but only partly covers the widening, i.e. every time an alteration is needed there would have to be a new alteration application.

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

That the Council:

- a) Resolves to adopt the Commissioners recommendation to allow 'minor' alterations to the existing New Zealand Transport Agency designation.*
- b) Pursuant to section 181(3) of the Resource Management Act 1991, the Selwyn District Council alters the existing designation TR1 in accordance with the Designation Plan included as Attachment 2 of this report.*
- c) Amends the District Plan to take account of the minor alterations.*
- d) Delegates the Team Leader Strategy and Policy to take any steps necessary to give effect to the recommendations (a) – (c) above.'*

CARRIED

3. Group Manager Property

Proposed Hororata Community Centre Update

Council discussed this report in detail. The Councillors who were closely involved in the process so far commented as well. Councillor Gallagher said that the group have been working together for quite some time and were very passionate about the community and the history in the area. The Trust had also been very successful in raising money and she said it was a big project but a good thing. She said the Trust already had more than a million dollars to go into the project, which was quite amazing. Councillor Gallagher said there weren't many other communities who have been prepared to put this sort of money up for a community hub. She supported the proposal and said she was prepared to move the recommendations on the table.

Councillor Mugford told Council this project had been around since the earthquake and he has been involved for all that time. Hororata is a small town and they had lost the hotel and church, left with a substandard hall in his opinion. The community felt frustrated with

Council taking so long to make a decision and it was not only a Town Centre the group was talking about, but also a heritage centre and play centre, amongst other things.

Councillor Mugford said if Council didn't vote on this today he would need to know what the next steps were. He was concerned that he had spent 10 years going around on the matter and he really needed to know what the future held.

Councillor Mugford said he was willing to second the recommendations on the table.

Councillor Alexander said he would support the matter but wanted the recommendations moved and seconded in parts.

He said there has never been another private club coming to Council with such a suggestion and he was slightly concerned with the funding. He would rather have the matter as part of the Annual Plan so that the whole District could be consulted and vote on it. It was not only Hororata that needed a new facility.

Councillor Lemon said Council was altering what it had decided on previously and to follow due process it needed to be consulted on again.

Staff said Council could pass the resolution today but add something around funding. Staff said it needed to move forward.

Staff said ring fencing a million dollars today would make sense after which the project can go into the Annual Plan.

Councillor Lyall proposed an amendment to clause 3 and staff were also asked to change the wording from Centre to Hub. A further amendment to clause (2b) was suggested.

The substantive motion was voted on in part, and as follows. Councillor Bland, having experienced technical difficulties, abstained from voting as he was not present during the discussion.

Moved – Councillor Lyall / **Seconded** – Councillor Lemon

That the Council agrees in principle to the following:

1. *That the proposed Hororata Community Centre project as outlined in the 2021-2031 Long Term Plan will not proceed but will be replaced by the Go Hororata community group's proposal for a Hororata Community Hub to be located at the current Hororata Community Hall.*

CARRIED

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

2. *That the following actions are agreed to support the hub proposal:*

- a. *the commencement of the processes as outlined in the email memorandum prepared by The Property Group Limited dated 30 April 2020 for the revocation of the reserve status for CB610/4 and the process to allow the sale of the endowment land CB610/5.*

- b. **It is proposed** that title CB610/4 and that title CB610/5 once clear of their reserve status and other encumbrances will be transferred to a Hororata community entity at nil consideration.

CARRIED

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

- ~~3. That the Council agree to transfer funds allocated to the Hororata Community Centre project of \$1million less the legal costs for property conveyancing incurred in achieving the actions noted in (2) above subject to acceptable documentation being prepared and agreed by the Council.~~

~~Council consult in its draft annual plan on a proposal to agree to set aside funds of up to \$1m (that is inclusive of the legal costs of achieving 2 above and \$20k previously approved to support preparation of a feasibility report) to support the Hororata community centre hub project; that council will transfer the funds once it has received a report from the community committee and is satisfied on the feasibility of the project and the long-term operation of the facility when completed. The report will include project feasibility, consultation outcomes, a comprehensive design and building cost for the project.~~

CARRIED

Councillors Mugford & Gallagher against

Moved – Councillor Lyall / **Seconded** – Councillor Lemon

4. That the feasibility study being developed by the Hororata Heritage group for the conversion of the Hororata Hall to a museum be provided to the Council for its consideration by 31 August 2022.

CARRIED

Moved – Councillor Lyall / **Seconded** – Councillor Lemon

5. That a progress report on the actions outlined in this recommendation be provided by Council staff to the Council by 31 August 2022.

CARRIED

Moved – Councillor Lyall / **Seconded** – Councillor Lemon

6. That a final report will need to be adopted by the Council to complete the 'in principle' stage of this request."

CARRIED

4. Asset Manager Transportation and Team Leader Transportation *Transportation Monthly Update*

Staff presented their report noting good progress on most projects. Regarding the West Melton traffic signals staff were currently going through a number of processes with adjoining land owners. A detailed design has been submitted to Council for approval.

Regarding street lighting on the Lincoln / Rolleston Road it was noted that developers (Foodstuffs) will be responsible for upgrading their roading frontages. It was acknowledged that one of the land owners on that side of the road was in fact Council and that it would need to face the cost as part of the development.

Councillor Miller said that Council should not put funding forward as this was developer driven. He said if people couldn't afford to pay the costs they shouldn't develop. Developers shouldn't be telling Council where to put street lights. Councillor Miller said he wanted a far stronger position put forward and that ratepayers across Selwyn will pick up the cost, which he didn't think was fair as they are not all part of the locality in question.

Staff said they had been able to apply for an expression of interest to Waka Kotahi for Stage 1 of Lincoln's upgrade and the project will go through for consideration. It is not yet the final decision stage but at least it's a really good start.

Moved – Councillor Bland / **Seconded** – Councillor Lyall

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

CARRIED

5. Asset Manager Water Services and Water Service Delivery Manager
National Environmental Standards for Sources of Human Drinking Water Submission

Moved – Councillor Lemon / **Seconded** – Councillor Lyall

'That Council:

(a) Approve the draft submission.

(b) Delegate the Chief Executive the authority to sign the final submission.

(c) Agree to staff making any amendments to fix any typographical, formatting or other minor errors.

CARRIED

6. Group Manager Property
Property Transaction Update – 31 January 2022

In response to a query about broadleaf weeds, staff noted landscaping was not a major part of the current works in the area between the Rolleston College and SAC. It would be programme in to be done at the end of March.

Moved – Councillor Alexander / **Seconded** – Councillor Gallagher

'That the Council receives the update report on property projects as at 31 January 2022, for information.'

CARRIED

GENERAL BUSINESS

Matters raised in public forum

The Chief Executive read a statement in response to matters raised by Mrs Morton and Mr Hill around Council's vaccine mandate policy. Councillor Lemon noted that while he had sympathy for the speakers who feel they were excluded it was largely a personal choice.

Councillor Miller said the key question he heard was whether access to facilities by non-vaccinated people actually increase the level of risk. It is well known that vaccinated people can not only get sick but also carry the virus as well.

The Chief Executive said he is confident that Council's actions have kept its facilities available for a vast majority of people. The situation is monitored daily. The Mayor said a review of the decision could be triggered by a review of the traffic light situation and asked what could cause a meaningful change. The Chief Executive said their messages come from national level and it is a given that it will get worse before getting better.

The Mayor directed that the Medical Officer from the District Health Board be invited to address Council as soon as possible with a formal report supporting evidence of continuing with vaccine pass policies.

Councillors were requested to send any questions they had for the Medical Officer through to the Chief Executive's Executive Assistant.

RESOLUTION TO EXCLUDE THE PUBLIC

Moved – Councillor Alexander / **Seconded** – Councillor Miller

'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.	SDC Variation in response to Resource Management Amendment Act	<i>Good reason to withhold exists under Section 7</i>	<i>Section 48(1)(a)</i>	<i>Following a decision at today's Council meeting</i>
3.	Update on Crown Reserve Disposal Process			
4.	Property Update			
5.	Tarerekautuku Yarrs Lagoon Wetland Restoration Project Contract Award			<i>Following a decision at today's Council meeting</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:

2	Withholding of information necessary to maintain legal professional privilege	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	Making available the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.	Section 7(2)(b)(ii)

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

CARRIED

Council had a short break from 3.10pm – 3.25pm

The public meeting moved into Public Excluded at 3.25pm.

RELEASE OF PUBLIC EXCLUDED INFORMATION

1. Team Leader Strategy and Policy

Proposed Selwyn District Plan Variation in response to the Resource Management (Enabling Housing Supply and other matters) Amendment Act

Councillors Alexander, Hasson and Lyall declared a conflict of interest and di not participate in the discussion nor voted on this item.

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

‘That the Council:

a) Receives the Public Excluded Report on the Proposed Selwyn District Plan Variation in response to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act;

b) Approves the development of an Intensification Planning Instrument/Variation of the Proposed Selwyn District Plan in response to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021’;

c) Endorses the scope of the Intensification Planning Instrument/Variation to include the relevant residential zones in the townships of Rolleston, Lincoln, and Prebbleton;

d) Approves the inclusion of the Future Urban Development Areas to the south of Lincoln Rolleston Road to be re-zoned as part of the Variation of the Proposed Selwyn District Plan;

e) Approves the inclusion of the Housing Accords and Special Housing Areas Act areas to be re-zoned as part of the Variation of the Proposed Selwyn District Plan;

f) Notes the need for Council to vary Private Plan Changes (PPC’s) that are subject to Clause 34 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act and approves their inclusion into the Council’s Variation where the Private Plan Change has a decision to be approved under Clause 10, Schedule 1 of the Resource Management Act 1991;

g) Delegates to the Team Leader Strategy and Policy to take the necessary steps to include, or exclude, to the Variation relevant Private Plan Changes that are required to be varied by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act;

h) Resolves that the report can be made public following a decision on the above recommended resolutions.

CARRIED

The meeting resumed in open meeting at 5.38pm and ended at 5.38pm.

DATED this day of 2022

MAYOR

A handwritten signature in black ink, consisting of a stylized 'V' or 'U' shape followed by a horizontal line and a small upward stroke.

PUBLIC MATTERS UNDER INVESTIGATION

<i>Community Centres, Halls and Libraries Network Plan (Council, 13 October 2021)</i>	Report on landbanking - buying land now for future community facilities	2022
<i>Accessibility Report (Council, 13 October 2021): how staff can encourage applicants to ensure buildings were as accessible as possible</i>	Staff report to consider modifications after advice from Chief Executive	2022
<i>Canterbury Museum representative update</i>	To invite Council's Canterbury Museum Representative to brief Council	Q1, 2022
<i>Vaccine mandate policy – advice from Medical Officer</i>	Invite CDHB Medical Officer to present evidence as to efficiency of vaccine mandate policy	March 2022