

**MINUTES OF AN ORDINARY MEETING OF THE
SELWYN DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON WEDNESDAY 4 NOVEMBER 2020 COMMENCING AT 1PM**

PRESENT

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

IN ATTENDANCE

Messrs. D Ward (Chief Executive), S Hill (Group Manager Communication and Customers), M Washington (Group Manager Infrastructure), T Harris (Group Manager Environmental and Regulatory Services), K Mason (Group Manager Organisational Performance), R Allen (Acquisitions, Disposals and Leasing Manager), B Charlton (Regulatory Manager), J Richmond (Manager, Active Selwyn), G Morgan (Service Delivery Manager, Infrastructure), A Mazey (Asset Manager Transportation), R Raymond (Communications Advisor) and S Tully (Mayor's Advisor); Mesdames D Kidd (Group Manager Community Services and Facilities), K Bisset (Acquisitions, Disposals and Leasing Manager) and E McLaren (Water Services Delivery Manager), and Ms T Davel (Governance Coordinator)

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

Councillor Alexander opened the meeting with the karakia and Councillor Affirmation.

APOLOGIES

An apology was received from Councillor MP Lemon.

Moved – Councillor Epiha / **Seconded** – Councillor Alexander

'That the apology from Councillor Lemon be received for information.'

CARRIED

IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS

None identified.

CONFLICTS OF INTEREST

Standard conflicts were applied to this meeting.

PUBLIC FORUM

Penny McKay	Halkett Community Pool
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Penny McKay and other members of the committee were present and read through a submission. They were seeking approval to take the required steps to open the pool again. She said the pool was a viable and safe option for families in the community. She raised concerns that Council staff did not get back to them on a number of issues.

The Mayor said there had been no decision to demolish the pool and the future of the pool would be part of the LTP process when there will be consultation with the community.

Bill Woods	Community Committees in the Malvern Area
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Bill Woods read through his presentation.

The Mayor thanked him for bringing the briefing to Council. He added that a review on all community committees was going to happen this year but due to COVID-19 it was delayed. He said a report was coming to the next Council meeting and it may or may not include all the issues raised by Mr Woods. The Mayor said Council was working towards a change and that he is aware that the Malvern Community Board was very keen to see changes happening.

CONFIRMATION OF MINUTES

- 1. Minutes of an Ordinary meeting of the Selwyn District Council held in the Council Chambers on Wednesday 28 October 2020**

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

‘That the Council confirms the minutes of the ordinary meeting of the Selwyn District Council held on Wednesday 28 October 2020.’

CARRIED

- 2. Minutes of an Ordinary meeting of the Representation Review Subcommittee held in the Council Chambers on Wednesday 28 October 2020**

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

‘That the Council receives the draft minutes of the ordinary meeting of the Representation Review Subcommittee held on Wednesday 28 October 2020, for information.’

CARRIED

CURRENT MATTERS REQUIRING ATTENTION

Item	Meeting referred from	Action required	Report Date / Action
Water Services Monthly Update – effect of industrial growth on storage plants	4 November 2020	Report back to Council on the effect of industrial growth on all of Council's storage plants, including resource consent compliance, maintenance and any potential issues around management of the plants.	9 December 2020 Council meeting

REPORTS

1. Mayor

Mayor's Report

The Mayor noted that Jocelyn Lewes, Strategy and Policy Planner presented very well at the recent District Plan Review workshops. He noticed her talking to a group of developers and she was clear in her communication, answering questions without overreaching and promising things which may have seemed a good answer, but might not have been possible. Jocelyn receives the Mayor's award for October 2020.

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

'That Council receives the Mayor's report, for information.'

CARRIED

2. Chief Licensing Inspector

Joint District Licensing Committee and Chief Licensing Inspector Monthly Report September 2020

Councillor Hasson stepped away from the table due to a conflict of interest.

Council's Regulatory Manager gave feedback on the recent Lincoln University garden party, noting that 3500 tickets were pre-sold. He said the Police, Chief Licensing Inspector as well as St John were all impressed with the event. There were 20 arrests, mostly for possession of drugs and trespassing, trying to get in without a ticket. Overall it was well organised and students' welfare was a priority.

Moved – Councillor McInnes / **Seconded** – Councillor Bland

'That the Council receives the report on the activities of the District Licensing Committee and the Chief Licensing Inspector for September 2020.'

CARRIED

Councillor Hasson stepped back to the table.

3. Group Manager Organisational Performance, Group Manager Infrastructure and Accounting Manager

Assumptions and Uncertainties for the 2021 – 2031 Long Term Plan and Activity Management Plans

Councillor Hasson moved an amendment to the recommendation, asking that any changes be reported back to Council.

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

'That the Council notes the list of significant assumptions and uncertainties proposed for the purpose of informing the Activity Management Plans 2021-2031 development; and

The Significant assumptions and uncertainties listed are amended only where:

- a) Required by a change in legislation; or*
- b) Approved by the Group Manager Infrastructure, Group Manager Organisational Performance or Project Manager Long Term Plan; and*
- c) That any changes be brought back to Council for approval.*

CARRIED

Councillor Bland noted his concern that climate change was listed as moderate. He asked whether Council had the same level of assumption as for example Ngai Thu or Environment Canterbury. Referring to the seaside communities such as Selwyn Huts he said there was a real risk of litigation there. The Chief Executive said he would raise this at a meeting he was scheduled to have with Department of Conservation, Ngai Tahu and Environment Canterbury. The meeting was going to discuss Greenpark, Lower and Upper Selwyn Huts.

Councillor Alexander asked that staff remove the word 'no' as the assumption that there will be no event, was not right. He said Council should always assume there will be an event.

4. Deputy Electoral Officer *Establishment of Māori Wards*

The Deputy Electoral Officer briefly outline the purpose of his report. He said the inaugural meeting of the Representation Review Subcommittee receive a report on consideration of establishing Māori wards or constituencies. The Subcommittee asked for further consultation with representatives of Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga to seek their views on the matter before making a recommendation to Council.

In the Subcommittee's subsequent meeting on 28 October 2020, the decision was made to recommend to Council not to proceed with establishing Māori Wards. After the Mayor had discussions with both iwi, they indicated that they would not support Maori wards at this stage.

Councillor Epiha said he would like to explain what he said in the Representation Review Committee meeting. He said the issue of Māori wards had been given a lot of publicity and it's quite a divisive process. He said it was his opinion that it needs to be addressed through legislation.

Councillor Epiha said Council's annual report talks about recognising Māori and their culture. He said the word Māori transcends tribes and means all Māori. He said he supported Council's direction with the matter but believed there needs to be more representative iwi and hāpu involvement with important decisions for the District.

The Mayor said the Minister for Local Government said she had Māori representation in her focus.

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

‘That the Council

(a) receives the report Establishment of Māori Wards; and

(b) resolves that no Māori Ward be established for the 2022 and 2025 local government triennial elections.’

CARRIED

5. Asset Manager Transportation

Coalgate Road Dedication

Councillor Mugford declared a conflict and moved back from the table

Staff explained that they were looking to legalise any undedicated parcels of land which were originally planned as roads. They would then decide how best to utilise that, and this could include becoming public walkways or road connections. There could also be a process of road stopping. Staff added that they consulted with Coalgate residents and the community committee and that together, they would decide the best use of the land.

Moved – Councillor Alexander / **Seconded** – Councillor Epiha

‘That Council:

a) Receives the report;

b) Agrees to take the parcels contained in CB9/289, CB48/136 and CB48/137 under the Public Works Act 1981;

c) Accepts the estimated additional costs to complete the legalisation process;

d) Authorise the Chief Executive Officer to execute and approve service of Notices of Intention to Take Land under Section 23 of the Public Works Act 1981 (“PWA”) for the properties affected by Coalgate Road Dedication Project (“the Project”) and takes the other steps required under Section 23 of the PWA; and

e) if after closing of the objection period provided in Section 33 of the PWA, no objections have been lodged with the Environment Court, then the Chief Executive be authorised to proceed with all steps to have the land taken by Proclamation under Section 26 PWA.’

CARRIED

Councillor Mugford moved back to the table.

6. Asset Manager Water Services and Water Service Delivery Manager

Water Services Monthly Update

Staff went through the report, noting in particular any new progress made.

Regarding potable water staff noted that the drinking water supplies complied with national standards, including bacteriological, protozoa and chemical compliance. Staff said they would have a meeting with the land drainage committees and present to them different options on rating and governance. This will be reported back to Council.

Mapping strategic water races is something which will be discussed during the LTP process

There was a discussion about how Council would be spending the \$10m from the Central Government 3 Waters allocation and how it would be publicised. The Mayor said once the money was approved he would like to see some publicity on it regardless of the LTP process.

Councillor Hasson asked for a report on the effect of industrial growth for all Council's storage plants. Staff responded that this work was already under way and that they would bring a report to Council.

Councillor McInnes left at 2.24pm

Councillor Alexander asked about an industrial processing plant and staff said if there were other facilities going in at Izone, there would always be the possibility to look at a trade waste plant or treatment plant onsite. It would depend on capacity and be built separate to the Pines plant. It could also be a pre-treatment plant.

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

'That the Council receives the report Water Services Monthly Update for information.'

CARRIED

GENERAL BUSINESS

Documents Signed and Sealed

Councillor Alexander raised the issue of continuing to supply deeds of licence to hut owners. It was noted that people living there were well aware of the discussions and if you purchased or sold a property in the area, you would be aware of what the issues were.

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

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

1	Name of other party	Robyn Ann McFarlane
	Transaction type	Deed of Licence
	Transaction description	Transfer of Deed of Licence from Michael and Lorna Durney to Robyn Ann McFarlane following sale of Hut 57 Upper Selwyn Huts

2	Name of other party	SDC
	Transaction type	Declaring Land to be Public Road – for the purposes of having a point strip dedicated/transferred to public road. RC195509
	Transaction description	Hazelnut Ave, Prebbleton

3	Name of other party	Wendy Rema Risdon
	Transaction type	Deed of Licence
	Transaction description	Transfer of Deed of Licence from Eleanor E Fitzgerald to Wendy Rema Risdon following sale of Hut 26 Upper Selwyn Huts

4	Name of other party	Susan Mary Rogers
	Transaction type	Deed of Licence to occupy to 30 June 2020
	Transaction description	Transfer of Deed of Licence from Riki Leonard and Tracy Marie Rolleston to Susan Mary Rogers following sale of Hut 49 Upper Selwyn Huts

Councillor Alexander raised the question he asked in the last meeting around the lease of the rugby club and how their electricity charges will be dealt with. It appears they will have a separate meter to be charged separately.

PUBLIC FORUM DISCUSSION

Penny McKay – Halkett Community Pool

The Mayor asked for a Council briefing and an update from staff to clarify the situation. Councillors with specific issues they wish to raise are to let the Chief Executive know.

There was a discussion about the fact that the pool seem to be operating under misapprehension with respect to rating. Councillor Alexander said they no longer pay a separate rate to repay their loan, as this has been accumulated into the district wide rate. He said to clarify, they are no longer paying a loan rate, as the entire District was now paying for it. He also said that if Council were going to allow the pool to reopen there was a sense of urgency for volunteers to be trained before the summer.

Bill Woods – Community Committees in the Malvern Area

Councillors discussed the matter of Council staff being members of committees and the fact that the current policy excludes them from being members. It was noted that if a staff member wanted to be a member of a committee they should feel free to be but perhaps declare a conflict of interest where this was appropriate.

The topic would form part of the Committees paper coming to Council in December.

RESOLUTION TO EXCLUDE THE PUBLIC

Moved – Councillor Gallagher / **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.	Public Excluded Minutes	Good reason to withhold exists under Section 7	Section 48(1)(a)	
2.	SICON Limited – Director Appointment			Following the SICON Ltd AGM
3.	Naming of Court Space, Selwyn Sports Centre			At the discretion of the Chief Executive
3.	Water Race Closure, Ellesmere			
4.	Expansion of Contract 1241, Water Services Network Management Contract			

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, 3	Protect the privacy of natural persons, including that of deceased natural persons	Section 7(2)(a)
1, 2, 3, 4	Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or	Section 7(2)(h)
1, 2, 3, 4	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

The public meeting ended at 3.00pm for a brief break before moving into Public Excluded at 3.20pm.

The meeting resumed in open meeting, and ended at 3.35pm.

The Mayor closed the meeting with karakia.

DATED this 25th day of November 2020



MAYOR