

**MINUTES OF AN ORDINARY MEETING OF THE
SELWYN DISTRICT COUNCIL
HELD VIA ZOOM
ON WEDNESDAY 13 MAY 2020 COMMENCING AT 1PM**

Due to the current COVID-19 situation Councillors linked into the meeting via Zoom.

PRESENT

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

IN ATTENDANCE

Messrs. D Ward (Chief Executive), D Marshall (Group Manager Property), T Harris (Environmental and Regulatory Services), G Bell (Group Manager Corporate Services), S Hill (Group Manager Communication and Customers), T Harris (Group Manager Environmental and Regulatory Services), M Johnston (Chief Licensing Inspector), M Washington (Group Manager Infrastructure), A Lawn (Civil Defence Manager), R Allen (Acquisitions, Disposals and Leasing Manager), M England (Asset Manager Water Services), H Muir (Transportation Project Engineer), B Baird (Strategy and Policy Planner) S Tully (Advisor), Mesdames N Smith (Executive Assistant), B White (Acquisitions, Disposals and Leasing Officer), J Tuilaepa (Senior Strategy and Policy Planner), E McLaren (Water Services Delivery Manager), D Kidd (Group Manager Community Services and Facilities), P Stephens (Team Leader Accounts), Ms S Murphy (Communications Assistant), Ms B Ryan (Personal Assistant) and Ms T Davel (Governance Coordinator)

The Mayor welcomed everyone to the meeting and in particular any members of the public watching the livestream on Council's website and Inspector Cooper

APOLOGIES

An apology was received from Councillor Grant Miller.

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

'That the Council receives the apology from Councillor Miller.'

CARRIED

IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS

None noted.

CONFLICTS OF INTEREST

Councillor Hasson in respect to the Item on District Licencing Committee.

PUBLIC FORUM

Area Commander Inspector Peter Cooper addressed Council. He said that it had been a very challenging time and that a number of lessons were learnt. He said Canterbury seemed to be leading the country with 1080 calls of breaches in the last week, 400 more than in Auckland. These were mainly due to people being over vigilant. He said the police had become involved with people who wouldn't ordinarily be involved with police. Crime e.g. theft and burglaries virtually disappeared during March and April, due to people being at their own homes and able to be vigilant.

Inspector Cooper said they anticipated an increase in mental health issues, specifically family harm. Suicide and attempted suicide has unfortunately also increased. Inspector Cooper said now that alcohol facilities will open up the police will probably be called to more alcohol related incidents and also social distancing issues.

Inspector Cooper said much of the rural sector continued work as normal and they would see a stronger recovery. He added that with people having lost jobs in the city it may be that more people will now be at home in Selwyn and even children may find themselves in Selwyn schools rather than the private city schools. He said there may be new opportunities for Selwyn to grow as a community.

The Mayor thanked Inspector Cooper for joining the meeting.

CONFIRMATION OF MINUTES

1. Minutes of an Ordinary meeting of the Selwyn District Council held via Zoom on Wednesday 22 April 2020

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

'That the Council confirms the minutes of the ordinary meeting of the Selwyn District Council held on Wednesday 22 April 2020.'

CARRIED

CURRENT MATTERS REQUIRING ATTENTION

Item	Meeting referred from	Action required	Report Date / Action
Implementation of District Wide Rates for community centres, halls and reserves and the introduction of online centralized bookings	11 September 2019	Review effectiveness post-implementation (<i>Group Manager Community Services & Facilities</i>)	<i>On hold.</i>

Te Ara Atea – naming of facility	September 2019	Report to Council (<i>note a report 'Analysis for facilities in Selwyn Central available for future use by users of the Rolleston Community Centre' came before Council in March, however, the <u>naming</u> had not yet been addressed</i>)	27 May 2020
Section 70A review of delivery services	13 May 2020	Report to Council to consider Section 70A reviews irt delivery services (<i>Asset Manager Water Services</i>)	10 June 2020
Chlorination Report, Arthur's Pass and Upper Selwyn Huts	13 May 2020	Report from staff to provide an update (<i>Asset Manager Water Services</i>)	8 July 2020

REPORTS

1. Mayor

Mayor's (Verbal) Report on COVID-19

The Mayor provided feedback to community engagement work noting that over 80 people from business, schools, volunteer organisations, police, youth council were involved. The Mayor showed Council the feedback around the 5 areas of wellbeing – cultural, economic, environmental, social and overall wellbeing.

The Mayor also shared information from a recently released infometrics report and said although a number of indicators did not paint a good picture, Selwyn was still in a better position than others. He added the report would be loaded onto the Council website shortly.

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

'That Council receives the Mayor's (Verbal) Report on COVID-19, for information.'

CARRIED

2. Chief Executive

Chief Executive's (Verbal) Report on COVID-19

The Chief Executive said it was another day of zero new cases of COVID in New Zealand and he wanted to acknowledge all staff for doing their part. He said HQ would be opening the next day and libraries on Thursday, albeit with reduced hours. The Selwyn Aquatic Centre would also reopen this week with reduced hours and limited programmes, as will community and recreation centres.

Council's Civil Defence Manager said they were still working on the response and will be looking for a lead from government as to what central agencies will do going forward. He added the communities continue to look after each other well. Noting the possibility of a second wave of the virus he said Civil Defence also hope for the best and plan for the worst. He asked people to be kind and stay the distance. He added he was pleased with staff and the team and was absolutely astounded by the community response.

The Mayor thanked the Civil Defence Manager for his update. The Mayor then acknowledged the Chief Executive for his recent SOLGM award and said it showed the Chief Executive's level of contribution to local government over many years.

Moved – Councillor Bland / **Seconded** – Councillor Mugford

'That Council receives the Chief Executive's (Verbal) Report on COVID-19, for information.'

CARRIED

3. Chief Executive

SICON Limited – Statement of Intent

The Chief Executive thanked the Mayor for his kind words, adding it was very humbling to receive the award.

The Chief Executive said the Statement of Intent (SOI) was a statutory requirement covering a three year period and the impact of COVID-19 was noted in both his report and the content of the SOI. He said he believed the company will benefit from the 3 waters issue and as the company's sole shareholder he thought Council had a vested interest to create opportunities for them to be successful..

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

‘That Council receive and adopt the SICON Limited Statement of Intent (SOI) for the period 1 July 2020 to 30 June 2023.’

CARRIED

4. District Licensing Committee

Joint District Licensing Committee and Licensing Inspectors’ Monthly report for the period 1 April 2020 – 30 April 2020

Councillor Hasson, having declared an interest, did not participate in the discussion or voting during this item.

The Chief Licensing Inspector said he had discussions with a number of licensees over the past couple of days and they all seemed quite keen to get back to work. He added he did not expect too many problems with physical distancing in restaurants and bars.

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

‘That the Council receives the report on the activities of the District Licensing Committee and the Chief Licensing Inspector for April 2020.’

CARRIED

5. Chief Executive

Annual Reports – Selwyn Waihora Zone Committee AND Christchurch West Melton Zone Committee

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

‘That the Council receives the Annual Reports 2019, from the Selwyn Waihora Zone Committee and the Christchurch West Melton Zone Committee, for information.’

CARRIED

6. Asset Manager Water Services

Council Initiated Water Races Closure Consultation

The Asset Manager Water Services noted the two closures under discussion i.e. Blakes Road and Marshs Road. He confirmed neither was a strategic race. The Asset Manager provided a brief overview of the two types of water race closures – being council initiated or public initiated. The former can be done for a range of reasons for example to assist staff with roading upgrades. The latter could be that people were using the race for stock in the past but due to dairy (or other) conversion or joining a scheme this was no longer required. The owner will then contact Council and ask for it to be closed.

Councillor Hasson asked that Council be reminded the last time they looked at a strategic report on water races was in 2012 and that, since then, there had been a big climate change shift. She added that where sun is not let in to water races has a detrimental effect on the water and Council would need to start looking at the issue from an environmental point of view.

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

‘That the Council:

- (a) adopt, for the purposes of public consultation, the attached Statement of Proposal in relation to the proposed closure of one length of water race totalling approximately 2700m length in the Paparua Water Race Scheme and one length of water race totalling approximately 920m length in the Paparua Water Race Scheme;*
- (b) consult in respect of the proposed water race closure(s) in accordance with the Council’s Significance and Engagement Policy and in accordance with Part 6, Subpart 1 of the Local Government Act 2002 (LGA);*
- (c) give public notice of its intention to close the above mentioned lengths of water race; and*
- (d) that a sub-committee consisting of Councillors Epiha, Hasson and McInnes and supported by Council Staff consider submissions and report back to Council at the 12 August 2020 Council meeting for adoption of the race closure(s).’*

CARRIED

7. Asset Manager Water Services

Potential Water Race Closure – Council Deliberation and Decision

The Asset Manager Water Services told Council this was a ratepayer initiated closure. Four closures were proposed and all property owners signed in favour of closing, with none of these being strategic races.

Councillor Hasson pointed out that the Ellesmere Junction Road was a boundary of LII land drainage with at least 4 or 5 races in the vicinity. One goes into a stream and there was also an underground stream with respect to a large swale which filled up with water historically. She said all this evidence was available at Council. Councillor Hasson said sufficient storm water retention basins were important and asked staff whether the closure were presented to the LII drainage committee. Staff responded that the water races are predominantly dry so they did not see the need to talk to the committee although where there could be an impact, staff would do so.

The Asset Manager said he would bring a report to Council to consider a race change as the decision sits with Council.

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

‘That the Council approve closure of 4 lengths of water race totalling approximately 2.4km in the Paparua Water Race Scheme and 3.3km in the Ellesmere Scheme.

CARRIED

8. Asset Manager Water Services & Water Services Delivery Manager
5 Waters Monthly Report

Staff gave an overview of the 5 Waters Monthly Report noting they were working with the DHB in relation to water safety plans. They showed Councillors how water demand changed through the lockdown which showed that people didn't get up as early during the lockdown. The peak in the evening was also earlier during lockdown which could be because of the lack of commute between work and home.

Staff said there wasn't a great profile change in terms of the amount of water and the drop in water could be due to seasonal variances, rather than being COVID related. Kirwee water was no longer deemed to be a risk and temporary chlorination was ceased. West Melton and Dunsandel remained under investigation and the results should be coming in the next month.

Staff told Council that the temporary boil water notice for Upper Selwyn Huts had now been lifted. The reason there was on was because of someone who reportedly tampered with the water and possibly cutting into the laterals. They confirmed that the NZ Police had been involved.

Staff said a further report in relation to chlorination in Arthur's Pass and Upper Selwyn Huts will be brought to Council in June or July 2020.

The Group Manager Infrastructure said there was no clarity yet from Central Government in terms of the three waters review and staff were waiting for direction from the Canterbury Mayoral Forum.

A report will be presented to Council in June 2020 to consider Section 70A reviews and a review of delivery services to extend the current SICON Ltd contract.

Staff also agreed to add Upper Ellesmere date in future reports.

In response to a question from Councillor Mugford regarding Springfield reservoirs staff noting there was one landowner opposing the proposal but that staff were working through any issues with them. In relation to Hororata Stormwater it was acknowledged the Malvern Community Board would have an interest and staff mentioned a site visit later in the week with Environment Canterbury. The outcome of the site visit will be communicated to the Chief Executive.

Moved – Councillor Mugford / **Seconded** – Councillor McInnes

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

CARRIED

9. Acquisitions, Disposals and Leasing Officer

Service of Notices of Entry under Section 111 of the Public Works Act 1981 – Prebbleton Intersections Upgrade – Stage 1

Moved – Councillor Lyall / **Seconded** – Councillor Hasson

‘That the Council authorises the Chief Executive to execute and approve service of Notices of Entry on Land for survey and further investigations pursuant to Section 111 of the Public Works Act 1981 on landowners whose properties are affected by the Stage 1 Prebbleton intersection upgrades at Springs Road/Marshs Road and Shands Road/Blakes Road.’

CARRIED

10. Group Manager Community Services and Facilities

Update on the Selwyn Community Grants Fund

The Group Manager Community Services and Facilities told Council this was part of the statutory obligations to report on this to Council. She said there were a number of recipients who were not able to deliver the projects they received funding for or the projects were no longer considered appropriate. This reports requests Council to allow for a subcommittee to receive counter proposals from those and also to allow changes in what the funding is being spent on.

The Group Manager also asked Council to allow the subcommittee to meet more frequently, as and when requests are received, potentially quarterly. This will allow the subcommittee to take a flexible approach on what the funding is spent on.

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

‘That Council:

- a) receives a summary of the funding decisions from Year One of the Selwyn Community Grants Fund;*

- b) approves recommended changes in relation to Selwyn Community Grants Fund funding decisions made in October 2019 but yet to be spent; and*
- c) approves recommended time limited changes in relation to consideration of April and October 2020 funding rounds for Selwyn Community Grants Fund.'*

CARRIED

11. Senior Strategy & Policy Planner

Oranga Tamariki residence – Application D1200068 to alter existing Designation (MS1) under section 181 of the Resource Management Act

Staff provided an overview of the changes. They said no consultation was undertaken as no parties were considered to be directly affected. If Council agreed, the District Plan could be amended.

Councillor Alexander raised his concerns that there was no consultation with the wider public. He said the Community Liaison Committee (CLC) failed as they did not consult with the community. He said he did not support the process as the CLC failed and continue to do so. He said Council could not adopt the recommendation as there is an error in the amended designation, a new purposed was added but yet the occupancy condition was not amended to include visitor accommodation. He said it was his view that this error cannot be fixed without another hearing.

Councillor Hasson spoke in support of these concerns. Councillor Epiha, a member of the CLC, said the last couple of meetings did not have large numbers of attendees.

The Group Manager Environmental and Regulatory Services said there should be no conflict around the use of the term visitor accommodation. Occupancy referred to residents, not visitors. Some visitors do stay overnight to visit their relatives but it was clear that the condition was around occupancy. He added consultation as well as the role or function of the CLC was outside of this process. In summary this was a minor operation reflecting the operational management of the facility, rather than any change in direction.

Staff did, however, agree to check on the original designation to determine if there was historically a decision around visitor accommodation. Councillors against the recommendation said it needed to be clarified as they did not have all of the historical information before them to fully understand how the designation change came about. They commented that they were prepared to let the report lie on the table for further research to be undertaken in order that they could do their due diligence.

Councillor Lyall disagreed and said Council employed an independent commissioner for a task and that task was done to the satisfaction of staff.

Councillor Lyall said he would move the recommendation with Councillor McInnes indicating her intention to second the recommendation.

Councillor Alexander said he believed the report should lie on the table and from his previous involvement he explained that visitor accommodation was originally excluded because of the community angst about visitors staying on site. He added Council had a role to scrutinize staff reports.

Councillor Alexander moved a procedural motion as follows:

Moved – Councillor Alexander / **Seconded** - Councillor Lemon

‘That the item does lie on the table until such time as clarification is sought on the matters raised and be adjourned to a subsequent Council meeting.’

For: Councillors Alexander, Bland, Hasson, Lemon and Reid

Against: Councillors Epiha, Gallagher, Lyall, McInnes, Mugford and Mayor Broughton

LOST

The original motion was put to the vote:

Moved – Councillor Lyall / **Seconded** – Councillor McInnes

‘That the Council:

- a. *Resolves to adopt the Commissioners recommendation to allow ‘minor’ alterations to the existing Oranga Tamariki residence designation.*
- b. *Pursuant to section 181(3) of the Resource Management Act 1991, the Selwyn District Council alters the existing ‘Oranga Tamariki residence’ Designation applying to Section 1 SO 308984 at 108 Runners Road, Burnham.*
- 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.’*

For: Councillors Epiha, Gallagher, Lyall, McInnes, Mugford and Mayor Broughton

Against: Councillors Alexander, Bland, Hasson, Lemon and Reid

CARRIED

A question on the process followed was raised and staff reported back that the meeting followed correct process as per Standing Orders 25.

12. Strategy & Policy Planner

Plan change 61 Darfield – decision on how to consider the private plan change request received from R & C Wright

Moved – Councillor Lyall / **Seconded** – Councillor Hasson

‘That, in respect to Plan Change 61 to the Operative Selwyn District Plan lodged by R & C Wright, Council resolves to accept the request for notification pursuant to Clause 25 (2)(b) of the Resource Management Act 1991.’

CARRIED

EXTRAORDINARY BUSINESS

None.

DISCUSSION OF PUBLIC FORUM

No discussion required.

GENERAL BUSINESS

13. Register of Documents Signed and Sealed

Moved – Councillor Gallagher / **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	Charlene Tharon Webb
	Transaction type	Deed of Licence to occupy to 30 June 2020
	Transaction description	Transfer of Deed of Licence from Nicolas Benjamin Woollaston to Charlene Tharon Webb following sale of Hut 29 Upper Selwyn Huts

2	Name of other party	Ruth Margaret Buckley & Peter James Buckley
	Transaction type	Deed of Licence
	Transaction description	Reserve 2752 Hauschilds Road .4047 hectares

3	Name of other party	Tessa Ryder Family Trust
	Transaction type	Irrigation Agreement (Paparua Water Race Scheme)
	Transaction description	881 Weedons Ross Road

4	Name of other party	Ballooning Canterbury Ltd
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	Transaction type	Deed of Licence (Use of Reserve Land)
	Transaction description	Part of the Sheffield, Greendale, Hororata and Glentunnel Domains

5	Name of other party	Men's Shed of Lincoln Society Incorporated
	Transaction type	Deed of Surrender Lease
	Transaction description	Lot 1 DP477257 Lincoln Reserve

6	Name of other party	Flipside Limited
	Transaction type	Deed of Licence
	Transaction description	Reserve 1536 Old West Coast Road 2.0234 hectares

7	Name of other party	Donald Joseph Woolley
	Transaction type	Deed of Surrender of Licence
	Transaction description	Part Reserve 1618 Wairiri Road, Hororata

8	Name of other party	Donald Joseph Woolley
	Transaction type	Deed of Licence
	Transaction description	Part Reserve 1618 Wairiri Road, Hororata

9	Name of other party	G H Park Ltd (Nathan Grant Langridge & Cheryl Maree Langridge)
	Transaction type	Deed of Assignment of Lease
	Transaction description	Sale of Glentunnel Holiday Park from Noel & Robyn Langridge to GH Park Ltd

10	Name of other party	Global Bus Ventures NZ Ltd
	Transaction type	Deed of Variation of Lease
	Transaction description	51-63 Detroit Drive, Rolleston

RESOLUTION TO EXCLUDE THE PUBLIC

Moved – Councillor Mugford / **Seconded** – Councillor Hasson

'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 report can be released

1.	Public Excluded Minutes	<i>Good reason to withhold exists under Section 7</i>	<i>Section 48(1)(a)</i>	
2.	COVID-19 Updates			
3.	SICON Ltd Update			

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, 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)

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

CARRIED

The public meeting ended at 2.55pm for a 20 minute break before moving into Public Excluded at 3.15pm.

The meeting resumed in open meeting at 3.15pm.

RESOLUTION RELEASED TO PUBLIC MEETING

During Item 11 above, there was a question on process in relation to the procedural motion from Councillor Alexander. Staff noted Council followed due process according to Standing Orders.


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

'That the explanation relating to Procedural Motion process (refer Standing Order 25.1), be released as part of the public Council minutes.'

CARRIED

The meeting closed at 4.07pm

DATED this 27th day of May 2020



MAYOR