

**MINUTES OF AN ORDINARY MEETING OF THE
SELWYN DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBER
ON WEDNESDAY 18 JUNE 2025 COMMENCING AT 1PM**

PRESENT

Mayor S T Broughton, Councillors S N O H Epiha, L L Gliddon, D Hasson (from 3.16pm), M B Lyall, G S F Miller, R H Mugford, E S Mundt & N C Reid and Ms M McKay

IN ATTENDANCE

Mrs S Mason (Chief Executive); Messrs. Steve Gibling (Executive Director, People, Culture & Capability); T Mason (Executive Director Infrastructure and Property), A Cabrera (Programme Director Water), Mesdames A Sneddon (Chief Financial Officer), D Kidd (Executive Director Community Services & Facilities), J Hands (Head of Legal and Risk), C Quirke (Head of Community and Economic Development), D Mitchell (Senior Counsel), K Hill (Programme Lead Local Water Done Well), J Gallop (Executive Assistant), B Hammond (Head of Financial Operations), A Prince (Rates Team Lead), Ms P Ganda (Senior Communications Advisor); Ms T Davel (Governance Lead), Mr B Adhikari (Governance Coordinator)

The meeting was livestreamed.

APOLOGIES

Apologies were received in respect of Councillors McInnes; and for lateness, Councillor Hasson (from 3.16pm)

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

‘That the Council receives the apologies, as notified.’

CARRIED

PUBLIC FORUM

None.

IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS

None.

CONFLICTS OF INTEREST

None.

CONFIRMATION OF MINUTES

1. Minutes of the ordinary meeting of the Selwyn District Council held in the Council Chamber on Wednesday 21 May 2025.

Councillor Gliddon noted her comments around Upper Selwyn Huts to be modified; the modification from 3 to 6 months was moved by her; and Ms McKay noted she was an apology for early departure.

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

‘That the Council confirms the minutes of the ordinary meeting of the Selwyn District Council held on Wednesday 21 May 2025.’

CARRIED

2. Minutes of the extraordinary meeting of the Selwyn District Council held in the Council Chamber on Wednesday 28 May 2025.

Moved – Councillor Lyall / Seconded – Councillor Miller

‘That the Council confirms the minutes of the extraordinary meeting of the Selwyn District Council held on Wednesday 28 May 2025.’

CARRIED

MATTERS REQUIRING ATTENTION

None noted.

REPORTS

1. Mayor

The Mayor noted a media release had been sent out in relation to the Mayoral Relief Fund, noting who can apply and how. No responses have been received yet.

The Mayor thanked councillors who joined him for the recent school visits.

Councillor Reid provided a quick A&R update which she was not able to give at the last meeting. The Subcommittee received a Health, Safety and Wellbeing update, went on site visits and walk-arounds; heard that a new Audit NZ director had been appointed for Council and the subcommittee also worked through a new plan with key risk areas. They also discussed sensitive expenditure, GL classification recoding, and received a briefing on risk management strategy and lastly, an update on LGOIMA.

Moved – Mayor Broughton / Seconded – Councillor Lyall

‘That Council receives the Mayor’s Report May 2025 for information’

2. Chief Executive Report

Chief Executive

Councillor Reid left the Chamber at 1.10pm

The Chief Executive's report contained information on the Statement of Intent for Orion Limited and documents relating to the Mayoral Relief Fund.

Councillor Reid returned to the Chamber at 1.12pm

The Chief Executive told Council there were a number of confirmed sponsors for the Selwyn Awards with a record number of applications received. Head of Building, Mrs Vanessa Mitchell, provided a quick update on the team's work, including a submission on the Regulatory Standards Bill noting it did not impact Council. There was no real benefit in submitting on this and Council agreed.

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

'That Council:

- 1) receives the Chief Executive's report for information;*
- 2) receives the final Statement of Intent for Orion New Zealand Limited for FY26, FY27 and FY28; and*
- 3) approves the Mayoral Relief Fund disbursement committee of the Mayor, the Deputy Mayor or councillor alternate, and Jessica Petersen or Emergency Management staff alternate.*

CARRIED

3. Annual Plan 2025-26

Chief Executive

Staff presented the Annual Plan requesting Council to adopt the plan and set the rates from 1 July 2025 – 30 June 2026. Staff referred to a procedural recommendation circulated earlier this morning. They continued to note the annual plan contains the budget and sets out the budget, using the LTP as starting point. The increase in fees and charges as signalled in the LTP will ensure that levels of services will be maintained.

Council has a responsibility for the future to maintain its assets, while the growth of the council remains a challenge which is managed in the annual plan. Council also needed to address the escalation of costs and this is included.

In conclusion staff said they are presenting an annual plan proposing a rates increase of 14.2% to maintain levels of service. It will allow council to uphold its statutory obligations; comply with council's resolution of November 2024 to prepare a plan; and to proceed with implementing the plan with effect from 1 July 2025.

Councillor Mundt asked for confirmation that rural rate payers may go above 16% which staff confirmed. She noted for the record that she would not vote for this item today and that it was a 'protest' vote, because she did not vote for the Long-Term plan. She expressed surprise to see the engagement form going out before this item was adopted.

Councillor Miller also questioned why Selwyn pays more than average for water and services, with rural paying even more than urban areas yet they do not receive the same services. Councillor Miller also indicated that he would not vote for this as a matter of principle as he did not vote for non-consultation of the annual plan.

Ms McKay said she had a different approach and fully supports the decision not to consult, adding it does not affect the LTP, and changes were minor. She said she would be backing her colleagues. By not going out for consultation and following through it shows long-term decision making and provides longevity for services. It further avoided unnecessary costs and administration.

Councillor Epiha acknowledged the tremendous amount of work and was glad there will be a rates review. He added he hoped that councillors in the future will also recognise that by not adopting something, it implies you do not accept any new infrastructure for the communities.

The Mayor thanked everyone and noted there was consultation with communities. He said he often hears that council can be slow, and things take a long time and while it was true that council wanted costs to come down for its communities, funding is a reality.

He said when you support the Annual Plan you support everything in it and that is hard. Being a councillor is complex and nuanced; sometimes things feel as though it is going your way and other times it does not. This is the Council's Annual Plan and if you say 'yes' to it, you say 'yes' to everything in it. Saying 'no' means you say 'no' to the Sheffield pool transfer, the Lincoln Centre upgrade etc. Cost was not the only driver.

The Mayor concluded noting that 90% of all Council's capital is spent on roads and water supplies. That is what the communities want, better roads and better water. He congratulated staff for being focussed on those things. He reminded council that the annual plan not only talks about what council will do, but also what it has already done.

Moved (as amended) – Councillor Lyall / Seconded- Councillor Epiha

'That Council:

a) Notes that on 13 November 2024 Council resolved to not undertake consultation in respect of the Annual Plan for 2025.

b) Notes that the draft Annual Plan 2025/26 has been prepared in accordance with Council's resolution on 13 November 2024.

c) Adopts the draft Annual Plan 2025/26 (including the Funding Impact Statement) as attached as Appendix A to this report.

*d) Sets rates for the financial year **1 July 2025 to 30 June 2026** as per the funding impact statement in the Annual Plan attached as Appendix A to this report, with rates payable in four equal instalments:*

- i. Instalment 1 due 15 September 2025;*
- ii. Instalment 2 due 15 December 2025;*
- iii. Instalment 3 due 15 March 2026;*
- iv. Instalment 4 due 15 June 2026.*

e) Authorises the Chief Executive Officer and Chief Financial Officer to make any non-material or editorial changes to the Annual Plan attached as Appendix A to this report to ensure the accuracy of the published Annual Plan.'

f) Applies rates penalties as follows:

- i. A charge of 5 percent on so much of any instalment for rates (other than targeted rates for metered water supply set on a differential basis) that has been assessed after 1st July 2025, and which is unpaid and due will be added on the following dates:***

Instalment One 16 September 2025

Instalment Two 16 December 2025

Instalment Three 16 March 2026

Instalment Four 16 June 2026

- ii. Previous years' rates (other than targeted rates for metered water supply set on a differential basis) including penalties assessed on or prior to 1 July 2025, and which remain unpaid on 1 July 2025, will have a further 5 percent added on 1 July 2025.'***

CARRIED

Voted against – Councillors Miller, Mundt and Gliddon

4. Water Services Delivery Plan

Executive Director Infrastructure and Property & Programme Director Water

Staff presented noting there was no new information to share, other than what had previously been provided.

Ms McKay said she had a voice, although not able to vote on the matter. She said it was clear that a significant amount of work had gone into this and added that everyone had the same common shared goal. She believed council was heading in the right direction and as the mana whenua representative she needed to ensure her marae and community receive the essential services delivered to the rest of the District. The marae was a vibrant cultural and educational hub hosting thousands of visitors, in fact so busy that her own community struggle to get access. The whole District uses the marae and it's often fully booked. While this was great, it puts pressure on the community to provide the facilities, e.g. waste and drinking water. They had a maximum of \$5m in the bank, which they spend on the community, yet they do not receive the same level of service as the rest of the community.

Ms McKay said that she asked for clarification a week ago, about the \$11m and this was because she truly saw for the first time how under serviced her community was. The willingness shown by council to move forward has changed her view and decision. She wanted this to change into a good discussion and was committed to working together positively and have a genuine partnership to continue.

The Programme Director: Water, said it was a good opportunity for everyone and noted everyone was determined to do the best we can for that community.

There was a discussion about revenue, debt and liability. There was confirmation from staff and the Chief Executive that the plan was a point in time document, especially with respect to the legislation. The next step was a water strategy which the CCO will put together, considering all that council was raising.

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

‘That Council:

a) Adopts the Water Services Delivery Plan, attached as Appendix A to this report.

b) Authorises the Chief Executive Officer to make minor changes (if required) to the Water Services Delivery Plan to allow for certification.

CARRIED

5. Local Water Done Well - Establishment decisions

Executive Director Infrastructure and Property & Programme Director Water

Staff noted the transition period and said they would be looking at adopting the Statement of Expectation in August. It was confirmed that council retains governance oversight until transfer. Head of Legal confirmed there were essentially two levels of governance responsibility – operations of the water services entity with its own governance responsibilities while under contract and doing what it agreed to, including managing its own staff arrangements; and then secondly in terms of assets that are maintained and setting of rates which remain with Council until this is fully transferred over to the CCO.

There was a discussion about expenditure and set up costs, with Councillor Miller asking whether staff moving from SDC to the CCO would need to be paid redundancy payments. Head of Legal and Risk said there were no redundancy payments where someone was being transferred across in a similar role.

Staff said the budget would still be consolidated at group level and would identify working capital, personnel costs etc. They also confirmed that to support a smooth transition, both the Chief Executive and Mr Murray Strong would oversee the process together with one other nominated representative. It was noted this having a steering group / working group was a management level tool, like a steering group looking at the day-to-day tasks, and this level of information would not necessarily come back to council.

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

That Council:

a) Notes establishment costs and on-going funding requirements of Selwyn Water Limited;

b) Notes that Council will provide interim funding to Selwyn Water Limited on the basis of a pass-through Working Capital Facility;

c) Approves the entry into the Operational Delivery Agreement, Transitional Services Agreement and Working Capital Facility Agreement each in the final form appended to this paper;

d) Delegates to the Chief Executive the power to execute the Operational Delivery Agreement, Transitional Services Agreement and Working Capital Facility Agreement to give effect to the above resolutions; and

e) Resolves to disestablish the Local Water Done Well Subcommittee with effect from the day of this Council meeting, being 18 June 2025.'

CARRIED

Councillor Gliddon against

6. Customer Satisfaction Survey

Head of Community Insights and Policy

Staff presented the results of the Customer Satisfaction Survey to council noting it used more robust terminology and methodology than before.

Different kinds of consumers were surveyed, including those involved in consultations, choosing to use the facilities and programmes by choice or use council services e.g. for complaints, paying a service etc.

An executive summary from the analysis showed that there was high customer satisfaction including for front of house and with Community Services and Facilities (CSF) staff. It also showed a drop in the satisfaction when people were passed on to a department for more complex queries. The top three areas noted for improvement were: lack of progress and resolution; lack of clarity on process; and quality of information provided.

There were some celebrations for example, the Front of House team received 9.3 out of 10 across 8 questions, with the CSF team receiving 9 out of 10, across a range of questions. This dropped to 6.8 out of 10 if a query went to a department.

Staff said the key elements for improvement will take some time to implement. ELT has looked at these and responded with the Mayor adding this was one of the Chief Executive's KPI's.

Staff assured council that future surveys will consult councillors as well.

There was a question about walk-in customers being offered an appointment as part of the process if they were unable to see someone immediately. The Chief Executive said this was part of the Modern Workplace initiative and council will receive a presentation in future, about what is being prioritised in this space. There will be at least annual updates to council specifically tracking the areas for improvement.

Moved – Councillor Gliddon / **Seconded** – Councillor Mugford

'That Council receives this report for information.'

CARRIED

7. Local Government New Zealand Remits 2025

Chief Executive

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

'That Council:

- (a) receives the Local Government New Zealand Remits report for information; and*
- (b) requests that Deputy Mayor Lyall, and Councillor McInnes as Selwyn District Council Delegates to the Local Government New Zealand Annual General Meeting (LGNZ AGM) to vote in accordance with the wishes of Council on each Remit in front of the LGNZ AGM to be held on Wednesday 16 July 2025.'*

CARRIED

Council discussed each remit and voted in support / not as follows:

1. Security System Payments (Far North District Council and Central Otago District Council)

That LGNZ advocates for security system payments to be included as an allowance under the Local Government Members Determination, in line with those afforded to Members of Parliament.

SUPPORTED

2. Improving Joint Management Agreements (Northland Regional Council)

That LGNZ advocate to Government for: a) legislative change to make the Joint Management Agreement (JMA) mechanism more accessible for councils to use with iwi/hapū, b) for the provision of technical, legal and financial support to facilitate the use of JMAs for joint council and iwi/hapū environmental governance, and c) for a mechanism such as JMAs to be included in the Government's new resource management legislation.

SUPPORTED

3. Alcohol Licensing Fees (Far North District Council)

That LGNZ advocates for the government to update the Sale and Supply of Alcohol (Fees) Regulations 18 December 2013 to account for inflation and include a mechanism for automatic annual inflation adjustments.

SUPPORTED

4. Aligning public and school bus services (Nelson City Council)

That LGNZ advocate for the reform of the Ministry of Education funded school bus services to provide an improved service for families and to better integrate the services with council provided public transport services, including the option of Public Transport Authorities (e.g. regional and unitary councils) managing such services (with appropriate government funding), noting that:

- a. councils better know their local communities; and*
- b. the potential to reduce congestion from better bus services for schools; and*
- c. the efficiency gains realised from integrating these two publicly funded bus services*
- d. the outdated and inflexible rules of the current centralised school bus system*

NOT SUPPORTED

5. Review of local government arrangements to achieve better balance (Tauranga City Council)

That LGNZ works with the Government and Councils to review current local government arrangements, including the functions and structure of local government, to achieve a better balance between the need to efficiently and effectively deliver services and infrastructure, while enabling democratic local decision-making and action by, and on behalf of communities.

SUPPORTED

Council had a short break between 2.55pm – 3.15pm

Councillor Hasson arrived 3.16pm

8. Ellesmere Reserve Board

Senior Advisor Community Funding and Events & Senior Legal Counsel

Staff provided a summary of their report. They confirmed that, considering how Council approaches incoming across the District, it would be unusual for a community to be allowed to make assessments about how to spend the income.

There was a discussion about whether or not the funds would be retained within Ellesmere. Councillors clarified the area on the map and referenced the process in the past when there were community committees. Councillors also referred to an example in the Westview Special Fund which only considered funding applications from Darfield. The discussion centred on whether this was a trust deed with income from the trust deed, and therefore it needs to be considered to spend it in the area it pertains to. Another example by way of clarification was the Rhodes Memorial Park in Tai Tapu where a golf course brings in funding.

Legal Counsel noted that this matter goes back at least 100 years. There was a will, some land gifted to the Crown which resulted in a recreation reserve with trustees initially caring for the land. There was no direction in terms of allocation of income generated and over time money was thought to be given back to community groups. The legal opinion is that the trust as it existed, must have been extinguished at law. There is no trust deed as to how the funds ought to be spent and the assets would have been spent by now. Council now was the responsible authority looking after the land and given there was no trust deed or direction as to how the money should be spent, it takes Council back to first principles. Any income should go back into the purpose for which the Reserves Act applies.

The Mayor clarified that council could decide to utilise the money for the upgrading of Ellesmere or for the entire Selwyn. Councillors spoke in favour of looking at this in more

detail and utilise the money across the District rather than targeting to a particular area. There were other examples of smaller reserve funds over the last 10 – 15 years which the Council disbursed among the wider community.

Councillor Lyall moved an amendment (seconded by Councillor Mugford) to replace the word 'Ellesmere' to 'Selwyn' in the recommendation proposed by staff.

Councillors discussed the matter further noting that receivers of the fund, albeit mainly 2 groups, need to be included in any discussions.

Staff said over the last number of years there had only been the two recipients from the fund and they had benefited quite substantially from it. The concern was that council is starting to encourage the utilisation of a fund, especially with a legal position. Correspondence had been sent to group historically benefitting from the fund, but not the last round of recipients.

Councillor Miller asked for the report to lie on the table until staff were certain of the facts but retracted his request after an explanation from staff. Staff noted they were comfortable with the direction. The land was transferred to the Crown and designated as reserve, leaving Council as the administering body. Advice from several appropriate government agencies clearly did not produce a trust deed.

Legal Counsel reiterated in relation to the law about perpetuity, that even if there was a trust deed it would have expired by now. Unless it was resettled, and there is nothing to suggest that it happened, staff remain confident in their position.

They also confirmed that they followed all the principles of judicial review so if Council was challenged it can show it did everything it could.

Moved (as amended) – Councillor Lyall / Seconded – Councillor Mugford

'That Council:

- 1. approve the use of the Ellesmere Reserve Board Reserve and any future income to the maintenance and upgrading of **Selwyn** ~~Ellesmere~~ reserves, effective immediately.*

CARRIED

Councillor Mundt, Hasson and Epiha voted against

- 2. approve the removal of the Ellesmere Reserves Board Reserve from the community funding programme, effective immediately.*

CARRIED

Councillor Mundt voted against.

- 3. approve the updating of the Community Funding Policy (C213) and any other information held elsewhere including the Community Funding Assessment Panel Terms of Reference and Council's website, to reflect the removal of the Ellesmere Reserves Board Reserve from the community funding programme.*

CARRIED

Councillor Mundt voted against.

4. *note that staff will communicate the above changes with community groups that have regularly received funds from the Ellesmere Reserves Board Reserve.'*

CARRIED

Councillor Mundt voted against.

9. Amendment to the Designation for State Highway 1

Policy Planner

Staff noted this had now been through a statutory process and was notified in March.

Moved– Councillor Miller / **Seconded** – Councillor Lyall

- a) *That pursuant to s171 of the Resource Management Act 1991, the Council accept the recommendation of the planner's report and the Commissioner and recommend to the New Zealand Transport Agency Waka Kotahi that the Partially Operative Selwyn District Plan be amended to alter the boundaries of NZTA-1 State Highway 1 to incorporate 34,304m² of land identified in Appendix 1, subject to the conditions outlined therein.*
- b) *That Council delegates the Policy Team Leader to undertake all necessary actions to give effect to the decision of the New Zealand Transport Agency Waka Kotahi in relation to recommendations above*
- c) *That Council note that the amendment to NZTA-1 does not contain proposed changes to the design and access of State Highway 1 at this time. New Zealand Transport Agency Waka Kotahi will progress these through a future Outline Plan process.*

CARRIED

10. Trustee and Director Policy

Executive Director People, Culture and Capability & Head of Legal and Risk

Staff explained that the new policy will have stronger references to a skill matrix; greater clarity for each appointment process; conflicts of interest; and include the requirement for an exit interview. The ability for a board member to contest their removal was not amended.

Council spoke in support of the document and noted it struck a sensible balance. They thanked staff for taking council's feedback on board.

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

'That Council revokes the existing Trustee and Director Appointment Policy and adopts the new policy in the form attached to this report.'

CARRIED

11. Selwyn District Charitable Trust CCO Exemption

Head of Financial Control

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

‘That the Council continues the exemption of the Selwyn District Charitable Trust from being a Council Controlled Organisation under Section 7 (3) of the Local Government Act.’

CARRIED

12. Tramway Reserve Trust CCO Exemption

Head of Financial Control

Moved– Councillor Epiha / **Seconded** – Councillor Miller

‘That the Council continues the exemption of the Tramway Reserve Trust from being a Council Controlled Organisation under Section 7 (3) of the Local Government Act.’

CARRIED

GENERAL BUSINESS

None.

MATTERS RAISED IN PUBLIC FORUM

None.

RESOLUTION TO EXCLUDE THE PUBLIC

Moved – Councillor Reid / **Seconded** – Councillor Mugford

Recommended

‘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	Good reason	Section	

2.	SDC Insurance Programme	to withhold exists under Section 7	48(1)(a)	
3.	Potable Water Projects – Award of contracts to CORDE Ltd			Resolution (b) can be released upon decision
4.	C1241 Water Services Network Management, Operations & Maintenance Contract Separation and Review			18 June 2025

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	protect the privacy of natural persons, including that of deceased natural persons	Section 7(2)(a)
1, 2	Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or	Section 7(2)(h)
3, 4	Would disclose a trade secret; or Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of this information	Section 7(2)(b)

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

CARRIED

The meeting went into public excluded at 4.12pm and back into public at 5.20pm.

With no further business being discussed, the meeting closed at 5.20pm.

DATED this 28 day of July 2025


 CHAIRPERSON