

**MINUTES OF AN ORDINARY MEETING OF THE
SELWYN DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBER
ON WEDNESDAY 21 MAY 2025 COMMENCING AT 1.00PM**

PRESENT

Mayor S T Broughton; Councillors S N O H Epiha, L L Gliddon, D Hasson, M B Lyall, S G McInnes, R H Mugford, E S Mundt, N C Reid & Ms McKay

IN ATTENDANCE

Mrs S Mason (Chief Executive): Messrs., S Gibling (Executive Director People, Culture and Capability); T Mason (Executive Director Infrastructure and Property), R Love (Executive Director Development and Growth), 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), S Carnoutsos (Communications Manager), S Banbury (Senior Advisor Community Funding and Events), N Livermore (Senior Communications Advisor); M Scott (Finance Business Partner), H Eddy (Community Policy Advisor); Messrs J Knight (Head of Health, Safety and Wellbeing People), C Lammers (Senior Communications Advisor), W Stack (Health and Safety Lead), N Kunwar (Transportation Asset Planning Analyst), A Mazey (Strategic Transport Lead); Ms T Davel (Senior Governance Advisor); Mr B Adhikari (Governance Coordinator)

The meeting was livestreamed.

APOLOGIES

None

IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS

None.

CONFLICTS OF INTEREST

None.

PUBLIC FORUM

Bill Bradley

Mr Bill Bradley addressed the Council regarding ongoing infrastructure damage caused by contractors. He expressed frustration that, despite previously raising the issue, no remedial action has been taken. He noted that contractors remain active on-site and that the damage

has worsened over time. He said he reported significant property damage, estimated at approximately \$20,000, including water damage and the destruction of a fence line. Although Councillor Lydia Gliddon and a Council staff member had visited the property, he stated that he has not received any formal response from Council staff, despite submitting the necessary documentation. He requested that the Council take immediate steps to assess and repair the damage and implement stronger oversight of future contractor activities.

Mr Bill was thanked for his presentation.

Residents from Upper Selwyn Huts

1. Clare Lenihan (via Audio Video link)

Ms Clare Lenihan attended the Council meeting as a legal representative of several residents of the Upper Selwyn Huts. Referring to a document circulated to Councillors prior to the meeting, she urged the Council to focus on three key areas namely: redefining the guiding principles to ensure they are 'factual and lawful', maintaining the classification of the Upper Selwyn Huts residents' issue as one of high significance and including an additional license term option under section 5.4 of the Council report 'Upper Selwyn Huts License and Consultation Proposal' specially, an open-ended licence term with defined trigger conditions.

Ms Lenihan was thanked for her presentation.

2. Keith Morrison

Mr Keith Morrison addressed the Council on behalf of a community group within the Upper Selwyn Huts (USH). He appreciated the opportunity to speak and outlined five key points:

- significant changes in the USH community over the past decade, particularly due to the Council issuing multiple licenses
- licensing changes have led to division and conflict within the community
- emphasized the need for the Council to help restore an inclusive community
- raised concerns about inequalities in financial contributions, particularly regarding community sewage costs
- expressed full support for the inclusion of additional license term option involving an open-ended license with defined triggers

Mr Morrison was thanked for his presentation.

3. Kirrily Fea & Fiona Ngakuru

Speaking on behalf of Selwyn Huts Owners Association, Ms Kirrily Fea thanked the Council particularly Executive Director Tim Harris for their work but expressed disappointment that many of the recommendations from the Jacobs report had been disregarded. She emphasized that trust in the Council had been eroded. Referring to the Council report 'Upper Selwyn Huts License and Consultation Proposal', she noted there were multiple errors on guiding principles and significance classification is incorrect, among others. She stressed that the land was not owned by the Council and there needs to consultation with staff on outstanding issues such as trigger points, environmental retreat, license term, and arrears, among others.

Ms Fiona Ngakuru addressed the Council, emphasizing that the Council has not lawfully justified the imposition of a finite term. She argued that the 2019 Council resolution currently being relied upon is outdated and no longer applicable to the present context. She urged the Council to redefine the guiding principles; maintain classification of the Upper Selwyn Huts as of high significance; include an additional license term with option 'open ended term with triggers; and consider the legal opinion provided by their barrister (Ms Clare Lenihan) earlier in the meeting.

Both presenters were thanked for their presentation.

The Mayor noted that the report will be brought forward on the agenda to discuss while presenters were present. He said there would be a short break before then, but also asked that Council observe a moment of silence in remembrance of former Selwyn District Council Mayor Bill Woods and former Selwyn District Councillor Jens Christensen.

Council expressed its deepest condolences to their families and loved ones, acknowledging their dedicated service to the Selwyn community.

Council break 2:21 pm-2:38pm

REPORTS

1. Upper Selwyn Huts License and Consultation Proposal (*Agenda item was brought forward and discussed*)

Executive Director Community Services & Facilities; Head of Legal and Risk; and Senior Counsel

Staff highlighted key points from the report as:

- The report recommends a 12-month license renewal for Upper Selwyn Huts (USH) license holders on existing terms and conditions.
- The proposed consultation period is three months, though the current license term is shorter and may require a longer timeframe.
- The consultation process formally initiated through this report, allowing for targeted engagement with USH license holders and the wider community.
- The report includes opportunities for feedback and acknowledges historical inaccuracies, such as the incorrect reference to Council ownership of the land (which is Crown-owned and Council-managed).

Staff also addressed concerns about the use of 'finite term', noting that while language has varied over the years, the Council retains the right to define license terms.

Councillor Hasson tabled an amendment which was seconded by Councillor Miller. After discussion on the amendment, Councillor Hasson requested for a division during the vote. The motion was lost 8-2.

LOST

Votes for: Councillors Gliddon, Hasson

Votes against: Mayor Broughton, Councillors Epiha, Lyall, McInnes, Miller, Mugford, Mundt, Reid

Councillor Mundt tabled a further amendment which was seconded by Councillor Gliddon. It was lost 8-2.

LOST

Votes for: Councillors Gliddon, Mundt

Votes against: Mayor Broughton, Councillors Epiha, Hasson, Lyall, McInnes, Miller, Mugford, Reid

Moved (as amended)– Councillor Gliddon / **Seconded –** Councillor Mugford

That Council:

(a) receive the report 'Upper Selwyn Huts Licence and Consultation Proposal'.

(b) agree to a 12-month licence roll-over (ends 1 July 2026), conditional to recommendation

*(c) directly below, to allow time for consultation process and appropriate level of planning and communication (c) agree that licence holders who are in arrears are given ~~three~~ **six** months roll-over to rectify the arrears and at the end of ~~three~~ **six** months either:*

- i) their licence is not renewed if they remain in arrears; or*
- ii) their licence is rolled over for a further ~~nine~~ **six** months (also ending 1 August 2026), if they have fully remediated the arrears*

(d) note that a plain language FAQ/Explanation of what the rollover means within the current terms and conditions of the licences will be included within the consultation

(e) endorse the Consultation process and activity in Appendix 1. The consultation questions are in section 5 of this report (Context of Consultation).

(f) Note that the licence payment cost identified as \$1,3891 for period commencing 1 July 2026 does not include the cost of USH contribution to wastewater or rates. It is recommended that consultation in relation to wastewater/rates will be undertaken as a separate consultation as part of the Annual Plan 2026/27. Any adjustment (increase or decrease) to the fees and charges associated with the licence will be confirmed later, following decisions made as part of the 2026/27 Annual Plan consultation. There will be a mechanism incorporated for review of the licence fee on an annual basis.

CARRIED

Councillor Reid was not present in the Chambers during the voting.

Councillor McKay left the Chambers at 4:28pm

2. WSCCO Constitution (Agenda item was brought forward and discussed) *Executive Director Infrastructure and Property*

Councillor Mundt left the Chambers at 4:29 pm

Staff informed Council that there were no significant changes to the constitution but that if there were, it would be duly communicated.

Councillor Mundt returned to the Chambers at 4:31 pm

A workshop for Councillors has been tentatively scheduled for August. Staff clarified that Mr. Murray Strong has been recommended as the initial director. A refreshed policy outlining the process for entrusting and appointing directors will be presented to the Council in June, with a view to seeking formal endorsement in July.

Councillor Mugford was not in Chambers between 4:35pm and 4:39pm.

When asked whether it was appropriate to appoint the initial director without first discussing the terms, conditions, and remuneration details, staff clarified that the appointment must proceed to meet the legislative requirement by July.

Councillor Epiha was not in Chambers between 4:42 pm and 4:44pm.

Councillor Mundt proposed a motion to delay the decision. It was lost 8-2.

LOST

Votes for: Councillors Mundt, Gliddon

Votes against: Mayor Broughton, Councillors Epiha, Lyall, Hasson, McInnes, Mugford, Reid, Miller

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

That Council:

a) Resolves that a council-controlled organisation (with Council as sole shareholder) to deliver waste and drinking water services be incorporated under the Companies Act 1993 and registered as Selwyn Water Limited (SWL);

b) Approves the adoption of a constitution for SWL in the form appended to this paper subject **that this will be reviewed and amendments proposed as required post a further workshop with Council prior to full transfer of all waste and drinking water assets;**

c) Appoints Murray Strong as initial director of SWL for an initial term of three years, with his remuneration (and that of a future board) to be set in July subsequent approval of a refreshed Trustee and Director Appointment Policy being brought to Council for briefing and decision in June.

d) Delegates to the Chief Executive the power to execute any documentation necessary to give effect to the above resolutions.

e) Notes that Officers will hold a workshop with Council on amendments to the Constitution and the statement of expectations for SWL (anticipated August 2025)

CARRIED

Councillor Mundt left the meeting at 4:53

It was noted that an extraordinary Council meeting was scheduled for 28 May 2025 starting at 1pm to finalise the agenda.

With no further business being discussed, the meeting closed at 4.54pm.

DATED this 18 day of June 2025



CHAIRPERSON