

**MINUTES OF AN ORDINARY MEETING OF THE
SELWYN DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBERS,
2 NORMAN KIRK DRIVE, ROLLESTON
ON WEDNESDAY 11 MARCH 2020 COMMENCING AT 1.00PM**

PRESENT

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

IN ATTENDANCE

Messrs. D Ward (Chief Executive), M Washington (Group Manager Infrastructure), D Marshall (Group Manager Property), T Harris (Group Manager Environmental Services), G Bell (Group Manager Corporate Services), S Hill (Group Manager Communication and Customers), R Raymond (Communications Advisor), R Allen (Acquisitions, Disposal and Leasing Manager), A Mazey (Asset Manager Transportation), J Burgess (Planning Manager), B Rhodes (Team Leader Strategy and Policy), A Spanton (Biodiversity Coordinator), M England (Asset Manager Water Services), J Gutknecht (Water Services Project Engineer), J Christensen (Project Manager), G Morgan (Service Delivery Manager) M Johnston (Chief Licensing Inspector); Mesdames D Kidd (Group Manager Community Services and Facilities), B White (Acquisitions, Disposal and Leasing Officer), D Ford (Biodiversity Officer), and N Smith (Executive Assistant) ; and Ms T Davel (Governance Coordinator)

Media:

Mr J Leask (Selwyn App)
Ms D Bolger (Selwyn Times)

APOLOGIES

An apology was received from Cr Epiha.

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

‘That the apology from Councillor Epiha be received.’

CARRIED

IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS

None.

CONFLICTS OF INTEREST

Councillor Hasson in respect of Item 1 ‘*District Licensing Committee*’

PUBLIC FORUM

Roger Cameron	Housing in Lincoln
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Mr Cameron told Council about new boarding houses being built in Te Whariki, Lincoln. He said with cars being parked on the street it leaves little room for manoeuvre. Mr Cameron added many of these houses are not being maintained either. He referred to the covenants set by Ngai Tahu for example that new owners were not allowed to move in without having landscaping done first. He said now this didn't seem to apply any longer. Mr Cameron also referred to the new science facility proposed at Lincoln University and the amount of traffic that will bring about.

In response to a question from Councillor Lyall, Mr Cameron said it would definitely be boarding houses and not simply a flatting situation. He had been inside one of the houses and said there were industrial cookers and industrial size extraction fans. Also along a hallway wall there were built in cupboards which were numbered, and it seemed people rented a room with a cupboard.

Councillor Hasson encouraged Mr Cameron to use the District Plan Review process to choose an appropriate area to submit on. She added the planning team will be helpful to give him advice on the process.

The Group Manager Environmental and Regulatory Services added this was a common issue across New Zealand. He said the issue could be addressed through the District Plan Review Process and added he would meet with Mr Cameron regarding a role as submitter in the process. To this the Mayor asked that staff bring updated information about the matter to Council. Councillor Miller added Mr Cameron should consider bringing this to the attention of the developers as they may not be aware of it.

The Mayor thanked Mr Cameron for coming to talk to Council.

Sean Ellis	Management of feral cats in Canterbury
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Mr Ellis told Council his main goal was to protect domestic cats. He said he had a problem with the report before Council today because it doesn't acknowledge other roleplayers who support him, including Department of Conservation, SPCA, Forest and Bird, many people looking after stray cats and high country farmers. He said they all agreed that the problem was feral cats and how to differentiate between feral, stray and domestic cats. He added he was just the spokesperson for all those people.

Mr Ellis said Council took legal advice from one law firm only and that research done by the mentioned organisations and groups cannot all be wrong. He said 16 other Council did not follow that advice and have actually added cats in their Bylaws, adding that Dunedin City Council went further by approach Government to change legislation.

He said enforcing a Bylaw is a way to protect the Council. He urged the Council to adopt Option 2 and including provisions relating to cats.

Councillors noted there would be opportunity through the consultation process to submit on the matter.

The Mayor thanked Mr Ellis for his time and said that Council would consider the related Report directly after a couple of procedural matters on the agenda to allow for Mr Ellis to be present when it was discussed.

CONFIRMATION OF MINUTES

1. **Minutes of an Ordinary meeting of the Selwyn District Council held in the Council Chambers, on Wednesday 26 February 2020**

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

‘That the Council confirms the minutes of the ordinary meeting of the Selwyn District Council held on Wednesday 26 February 2020.’

CARRIED

2. **Minutes of an Ordinary meeting of the Audit and Risk Subcommittee held in the Council Chambers, on Wednesday 4 March 2020**

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

‘That the Council receives the unconfirmed minutes of the ordinary meeting of the Audit and Risk Subcommittee held on Wednesday 4 March 2020.’

CARRIED

CURRENT MATTERS REQUIRING ATTENTION

Item	Meeting referred from	Action required	Report Date / Action
Te Ara Atea	11 September 2019	Analysis for facilities in Selwyn Central available for future use by users of the Rolleston Community Centre	25 March 2020
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	8 April 2020

REPORTS

1. District Licensing Committee

Joint District Licensing Committee and Licensing Inspectors' Monthly report for the period 1 January 2020 – 31 January 2020

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

Councillor Alexander asked about the Kirwee Tavern and implications of the licensing for the manager. The Chief Licensing Inspector noted that should the building not be replaced the licence ceases to exist with a timeframe of up to 2 years for the process, also provided it was the same applicant. He also noted that the student orientation went very well.

Moved – Councillor Alexander / **Seconded** – Councillor Bland

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

CARRIED

Councillor Hasson moved back to the table.

2. Mayor

Mayor's Report

The Mayor added that he had recently attended a Canterbury Mayoral Forum meeting. He said there was a meeting in Wellington about water and Minister Woods was helpful in putting Mayors in contact with the appropriate Ministers to discuss Canterbury's water.

The Mayor also referred to a meeting of the Civil Defence Emergency Management Group which discussed COVID-19. The Mayor asked the Chief Executive to read a briefing note that went out to staff explaining the processes in place for staff.

The Chief Executive told Council that there were daily updates and that staff had prepared a pandemic plan, updated the business continuity plan and civil defence plan to provide for an outbreak such as this. He said supplies e.g. sanitiser and others were checked and replenished. The ICT Team was looking at systems to ensure staff could work from home – in fact, staff are encouraged to take their laptops home at night to work from home if needed.

The Chief Executive said staff were also encouraged to inform their managers should they be travelling overseas or receiving guests or family from overseas, just so that management can keep an eye on the situation.

The Group Manager Infrastructure next provided a brief update to Council on the last Te Waihora Co-Governance meeting where the key issues to review the current Terms of Reference were cited as making the meetings as public as possible; review efficiency; and reviewing how the Co-governance Group may be more flexible around its functions, duties and powers.

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

‘That the Council receives the Mayor’s Report for February 2020 for information.’

CARRIED

3. Management Accountant

Financial Report to 31 January 2020

The Group Manager Corporate Services provided a short update on the financial report, noting the detailed report was discussed and received at the recent Audit and Risk Subcommittee meeting.

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

‘That the Council receives the financial report for the period ending 31 January 2020 for information.’

CARRIED

4. Acquisitions, Disposals & Leasing Officer; and Asset Manager Transportation

Prebbleton Arterial Intersection Upgrades – Stage One

The Asset Manager Transportation provided some background information on how the project came about. He added that the work was so important that they wanted to do it sooner rather than later which is why there was a decision to construct roundabouts rather than wait to install traffic signals. It would potentially save lives at these 2 key arterial intersections.

In response to a question from Councillor Hasson about the impact on a very popular business on the road, staff said the owners were going to reconfigure their site in any event and were working with staff as to the best way to do that.

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

‘That Council:

- (a) receives the report *Prebbleton Arterial Intersection Upgrades – Stage One*;
- (b) for the purposes of complying with the Public Works Act 1981, confirms roundabouts (Option 1) as the preferred option for the upgrade of Shands Road/Blakes Road and Springs Road/Marshs Road intersections; and
- (c) approves the procurement of detailed design and the tendering of a construction contract for two lane roundabouts to be constructed at the Shands Road/Blakes Road intersection and the Springs Road/Marshs Road intersection.'

CARRIED

5. Acquisitions, Disposals and Leasing Officer; and Water Services Project Engineer
Re-classification of Reserve 263 (Shands Road, Prebbleton) to Local Purpose (Utility) Reserve Pursuant to Section 24 of the Reserves Act 1977

Staff noted the reserve will be used for grazing at the moment and depending on future needs it may be some time before a decision is taken to continue with some activity or dispose of it.

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

'That Council approves the following:

Pursuant to the Reserves Act 1977, the Selwyn District Council hereby resolves to classify the reserve described in the Schedule as a Local Purpose (Utility) Reserve, subject to the provisions of the Act.

Canterbury Land District – Selwyn District

Schedule

Area	Description
2.7519 hectares	Reserve 263, Gazette 1881 Page 827, located on Shands Road, Prebbleton'

CARRIED

6. Service Delivery Manager and Asset Manager Water Services
Water Services Monthly Update

Council's Group Manager Infrastructure, Asset Manager Water Services and Service Delivery Manager presented the report, noting it was the first such report which will in future be presented to Council on a monthly basis.

It was noted that in respect to the upgrades in Leeston, this proved a well-run project with minimal obstruction to the community.

Councillor Alexander also acknowledged the fact that staff came to the Rolleston Residents Association meeting to talk about water which was well received.

Councillor Mugford said there was very little water in some villages for future housing and wanted to know if the report could add information on available water as well. Staff agreed there would be an additional table showing township water capacity and use.

The Group Manager Infrastructure said in terms of demand management and mitigations for drier seasons, that the challenge was to keep ahead of demand. He added that in peak times the demand would be up to 5 times higher e.g. during summer months.

He added that where there is water metering Council would be reluctant to put restrictions on water use because ratepayers are being asked to pay for water, so Council can't really restrict it at the same time. People can, however, be encouraged to use less water.

Council's Asset Manager Water Services added that they are putting structures in place to link water supplies enabling it to be moved between townships.

Councillor Hasson questioned elevated nitrate monitoring and asked about the safety precautions in place in respect to the increase, apart from simply drilling deeper and deeper. Staff noted they monitor a number of sites every year and they don't have any concerning supplies at the current moment. Staff also agreed to add to the report comparison between output vs input to determine any increases.

In respect to land drainage Councillor Hasson asked whether staff would get comments from local land owners. This was in relation to the Memorandum of Understanding with Living Waters and working through the L2 drainage issues. Staff noted the MOU had been shared and any future design needs will definitely involve land owners.

Councillor Miller asked whether the future resilience strategy for the water network would be a matter before the Audit and Risk Subcommittee and it was agreed that it would be appropriate for a general overview to come before Council. Where there were specific issues identified relating to risk, these can be forwarded to the Audit and Risk Subcommittee.

Moved – Councillor Alexander / **Seconded** – Councillor Reid

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

CARRIED

7. Strategy and Policy Planner

Submission on the Proposed National Policy Statement on Indigenous Biodiversity

Councillor Miller thanked staff for a well-crafted submission and said it was clear staff had developed positive partnerships with landowners. He said it could very well be possible that people may deliberately plant indigenous vegetation because they saw it as an

opportunity to gain from the SNA. This could in turn harm the trusting relationship between staff and landowners.

Councillors agreed this would have an effect on the District Plan going forward.

Moved – Councillor Lemon / **Seconded** – Councillor Mugford

‘That Council endorses the submission on the Proposed National Policy Statement on Indigenous Biodiversity’

CARRIED

8. Regulatory Manager

Public Places Bylaw 2018 – Review of Effectiveness

In response to a question from Councillor Hasson about small groups potentially needing a licence or having to charge a fee, staff commented the public places bylaw did not cover organised events. Vendors or suppliers at the event still required a licence but there was no need for the organiser to get a permit.

Staff also noted the fee to administer the work may need to be increased in the next financial year.

Moved – Councillor Lemon / **Seconded** – Councillor Mugford

‘That the Council receive this report as information.’

CARRIED

9. Regulatory Manager

Proposed Bylaw for keeping animals, poultry and bees Section 155 Determination Report

This item was taken directly after Item 1 to accommodate the public speaker, but for ease of reading it is minuted chronologically.

The Regulatory Manager and Project Manager noted they had met with Mr Ellis and others on a number of occasions. They said that Council directed staff prior to Christmas 2019 to include cats in the Bylaw. Legal advice on e.g. welfare issues was sought.

The report before Council today was not the final Bylaw, rather Council is being asked to decide whether or not a Bylaw was in fact the most appropriate way to address the issues.

Community committees will be asked for comments and a final report and draft Bylaw will come before Council in June / July.

Staff said if the Bylaw went through with provisions to impose de-sexing and micro-chipping of cats it would be then unlawful for a resident to own a cat which has not been de-sexed or microchipped. Staff said it was difficult to envisage how monitoring such

rules could be monitored for compliance without an appropriate programme in place. Prosecution in a District Court would be the only method available to Council to enforce such provisions and it does not seem a sensible approach. They added that there was currently no similar legislative framework available to deal with cats as there is for dogs.

Staff told Council that there would be a submission process with hearings and it was expected there would be a volume of submissions as to what Council could do to support those people who are already working in the space of managing cats. Staff thought that would be a good way forward i.e. not to have a bylaw in place which would be difficult to enforce, but to support those working in the area already.

Adding cats into the bylaw later is something which could be considered in future. Current legal advice would conclude cats should not be included in a Bylaw.

Councillor Alexander raised a concern with some of the definitions including poultry and water trough – which staff said could be changed to water source. Staff noted they were still working on the document and would welcome any comments from Councillors.

In response to a question around the correlation between high density buildings and need for companion animals, and how this may impact the perceived problem of cats, staff said currently there was no action to take, no framework within which Council could dispose of or impound cats.

Councillor Bland asked whether this was simply too hard to do to which staff said that a Bylaw was not hard to put in place but they didn't believe they should have a Bylaw if they wouldn't be able to monitor or enforce it. They added Council could successfully advocate for national legislation regarding managing cats.

Councillors agreed there needed to be communication that we were concerned with cats and the need to control them, with Councillor Miller noting the feral cat problem should really be dealt with through Environment Canterbury's pest management.

The Mayor said feral cats should be removed from Selwyn and Council should do what it can to protect domestic cats.

The Mayor suggested two additions to the recommendation. Councillors Bland and McInnes disagreed that cats should be excluded and each spoke to their suggested amendment. Council voted on each recommendation separately.

Moved (as amended) – Councillor Bland / Seconded – Councillor McInnes

- 1) *'That a Bylaw is the most appropriate way of addressing the public health and safety, and nuisance problems caused by the keeping of animals (~~other than cats~~), in urban areas of Selwyn District;*

CARRIED 8/3

Councillors Lyall, Miller and Lemon voting against the amendment in (1)

- 2) *Supporting drafting and implementation of national legislation to control cats in achieving predator-free 2050; and*

CARRIED

- 3) *Submit to Environment Canterbury Regional Council through their Annual Plan process to control feral cats in Canterbury through their pest management strategy'*

CARRIED

GENERAL BUSINESS

10. Register of Documents Signed and Sealed

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

'That the following transactions and the fixing of the Common Seal under authorised signatures have been approved:

1	Name of other party	Central Plains Water Limited
	Transaction type	Registration of Easement – Right to convey water
	Transaction description	Main Race No. 1

2	Name of other party	Springston Pony Club
	Transaction type	Deed of Licence
	Transaction description	Part Reserve 372 corner Ellesmere Junction Road and Rattletrack Road, Springston 6.1284 hectares

3	Name of other party	Central Plains Water Enhancement Scheme
	Transaction type	SDC to CPWL - Licence for apparatus in Road Reserve – Stage 2
	Transaction description	Toby Box and pipework installation in Road Reserves at Hoskyns Road, Bealey Road, Telegraph Road, Bangor Road and Clintons Road

4	Name of other party	Twyn Visions 2016 Ltd
	Transaction type	Deed of Indemnity - Dedication of road subject to underlying covenants
	Transaction description	3/675 East Maddisons Road

5	Name of other party	Royal New Zealand Plunket Trust
	Transaction type	Deed of Renewal of Leases
	Transaction description	57-59 High Street, Leeston 158 North Belt, Lincoln

6	Name of other party	Emma Diane Stead & Scott Blaikie Walker
	Transaction type	Licence to Occupy Road Reserve
	Transaction description	Regent Street, Springfield Lot 14 DP 36946 and Lot 15 DP 36946

7	Name of other party	Thomas John Innes & Dorothy Anne Innes
	Transaction type	Licence to Occupy Road Reserve
	Transaction description	Regent Street, Springfield Lot 16 DP 36946

8	Name of other party	Saba Charles
	Transaction type	Deed of Licence
	Transaction description	Part Reserve 1566 Auchenflower Road, Darfield

9	Name of other party	Kerry Wright & Warren Wright
	Transaction type	Deed of Licence
	Transaction description	Reserve 1431 corner Dalethorpe and Wyndale Roads

10	Name of other party	Road Metals Company Limited
	Transaction type	Lease
	Transaction description	Reids Pit Clean-fill, restoration and recreation development

11	Name of other party	West Melton-Weedons Pony Club
	Transaction type	Deed of Licence
	Transaction description	Reserve 1039 Newtons Road, Templeton 2.0234 hectares

12	Name of other party	Lions Club of Malvern
	Transaction type	Deed of Licence
	Transaction description	Reserve 152 corner Homebush & Waireka Roads, Darfield 2.0234 hectares

CARRIED

DISCUSSION ON PUBLIC FORUM ITEMS

Both public forum speakers were notified of staff follow up and actions, directly after Public Forum. Speakers will receive a letter or email of thanks as per usual practice.

RESOLUTION TO EXCLUDE THE PUBLIC

Moved – Councillor Reid / **Seconded** – Councillor McInnes

‘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.	Proposed Leeston Property Purchase			<i>18 March 2020</i>
3.	Appointment of DLC Members (Commissioners)			<i>Upon appointment</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:

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)
3	Protect the privacy of natural persons;	Section 7(2)(a)

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

CARRIED

Afternoon tea break 3.07pm – 3.30pm

The meeting moved into Public Excluded at 3.30pm and resumed in open meeting at 3.41pm.

The meeting closed at 3.41pm.

DATED this 25 day of March 2020


MAYOR