

**MINUTES OF AN ORDINARY MEETING OF THE
SELWYN DISTRICT COUNCIL
HELD IN THE SELWYN DISTRICT COUNCIL CHAMBERS,
ON WEDNESDAY 13 FEBRUARY 2019 COMMENCING AT 1.00PM**

PRESENT

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

IN ATTENDANCE

Messrs. D Ward (Chief Executive), M Washington (Assets Manager), S Hill (Business Relations Manager), T Harris (Environmental Services Manager), G Bell (Corporate Services Manager), M England (Asset Manager Water Services), M Chamberlain (Team Leader Transportation), Mesdames J Gallagher (Malvern Community Board Chairperson), R Carruthers (Strategy and Policy Planner), T Maylam (Executive Assistant), M Gordon (Parks Policy and Strategy Analyst), and N Smith (Executive Assistant); and Ms T Davel (Governance Coordinator)

Media:

Mr J Leask (Selwyn App); Mr A Zaki (Star Media)

Presenters:

Messrs. Bill Bradley and Graham Evans

APOLOGIES

None

IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS

None

CONFLICTS OF INTEREST

Standing conflicts of interest in respect of SICON Limited, for Councillors Morten and McEvedy.

Standing conflict of interest in respect of the District Licensing Committee, for Councillor Hasson.

Mayor Broughton in respect to an item in the Register of Documents Signed and Sealed.

PUBLIC FORUM

Mr Bill Bradley from Darfield spoke to Council about road safety concerns, contractor conduct and maintenance. He noted that he was formally putting Council on notice that if anything happens and someone gets hurt, Council can and will be held liable.

Mr Bradley said he had ongoing issues with a couple of contractors working in the area. He said some of them did not seem to know what they were doing and they were working too fast, which meant they were not doing a good job. He said a contractor told him he had to do 400m of water race an hour. Mr Bradley said he can do 150m an hour at a push. He added the contractors are so intent on doing almost a half a kilometre per hour that they go through road signs, pipelines and fences without stopping.

Mr Bradley also said he had waited three years for a pothole to be filled with gravel and added there had been several accidents or near misses in the area. He said Council contractors are supposed to be doing a proper job, adding that Council was supposed to make sure jobs were done according to the signed contracts.

Mayor Broughton told Mr Bradley that Council has been concerned with the state and maintenance of roads and they are currently looking at what was needed to fix the roads. Councillor Reid asked whether Mr Bradley's main concern was the state of the road or something else. He responded that he was concerned with large trucks from companies such as Synlait as well and he had reported it to Council. He was logging service requests with Council but his concerns weren't being addressed.

The Mayor thanked Mr Bradley for his time, noting Council will review the matters raised and report back to Mr Bradley if there were any particular actions.

Mr Graham Evans from Upper Selwyn Huts addressed Council about the future of the Upper Huts. He showed Council photos of several houses which had been in families for many years. He also showed photos of some of the events that take place in the area and said the water was exceptionally clean this year.

Mr Evans referred to several Council reports and meetings and in particular the 3 recommendations from a November 2018 report i.e. 30 year lease renewable every 5 years; new sewer scheme to be developed; Upper Selwyn Huts be included in the district water & sewer rating.

He referred to the district wide rating system and said that failure to upgrade the sewer system in the Upper Selwyn Huts, would potentially make a number of people homeless. They would not have the means to buy another home. Mr Evans said he was disappointed to be at council today noting they felt that Council was purposely delaying action on the renewal of the sewage system.

In response to a question from Councillor Alexander about why the rest of the District should pay for an upgrade to their sewage system, Mr Evans said because they were paying a percentage of their licence fee towards water and sewage.

The Mayor thanked Mr Evans for his time and presentation and noted Council will review the issues he raised and reply to him with actions, if any.

CONFIRMATION OF MINUTES

1. **Minutes of an ordinary meeting of the Selwyn District Council held at the Selwyn District Council Chambers, on Wednesday 12 December 2018**

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

‘That the Council confirms the minutes of the ordinary meeting of the Selwyn District Council held on Wednesday 12 December 2018, as circulated.’

CARRIED

2. **Minutes of the meeting of the Audit and Risk Subcommittee held at the Selwyn District Council, on Wednesday 5 December 2018**

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

‘That the Council receives the unconfirmed minutes of the meeting of the Audit and Risk Subcommittee held on 5 December 2018, for information.’

CARRIED

3. **Minutes of the meeting of the Property Committee held at the Selwyn District Council, on Wednesday 5 December 2018**

Taken and read and received.

Moved – Councillor McEvedy / **Seconded** – Councillor Morten

‘That the Council receives the unconfirmed minutes of the Property Committee meeting held on 5 December 2018, for information.’

CARRIED

4. Minutes of the meeting of the District Plan Committee held at the Selwyn District Council, on Wednesday 5 & 12 December 2018

Moved – Councillor Watson / **Seconded** – Councillor Lyall

'That the Council receives the unconfirmed minutes of the District Plan Committee meeting held on 5 & 12 December 2018, for information.'

CARRIED

CURRENT MATTERS REQUIRING ATTENTION

Item	Meeting referred from	Action required	Report Date / Action
Accessibility Charter	November 2018	Update Report - accessibility as part of the social asset management plan; - possible changes to the building code	13 March 2019
Feral cat management	December 2018	Update Report - Proposed new bylaw - Proposed changes to existing bylaw	13 March 2019
Overnight sleeping facilities in Council buildings	December 2018	Update Report – review possibility	13 March 2019
Upper Selwyn huts	February 2019	Further recommendations as to the future	10 April 2019
Public Places Bylaw and Policy on Commercial Activities and Events in Public Places	September 2018	Review the effectiveness of the bylaw a year on	14 August 2019
Social Housing	November 2018	Update Report	6 November 2019

REPORTS

1. **Mayor** *Mayor's Report*

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

'That the Council receives the Mayor's Report for December 2018 and January 2019 for information.'

CARRIED

2. **Chief Executive** *Chief Executive's Report*

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

That Council

(a) 'receives the Chief Executive's Report, for information; and

(b) that submissions on the proposal to identify earthquake-prone priority buildings / strategic routes be heard by a hearing panel comprising of Councillors Miller, Lyall and Watson, to be appointed, who shall report to the Council with its recommendations as soon as practicable following the hearing of submissions.'

CARRIED

3. **Chief Executive** *Committee Meeting Updates*

Audit and Risk Subcommittee

Councillor Miller informed Council that the Subcommittee has a large work programme ahead of it, in particular around roading and sewerage. He said the Subcommittee also discussed the AuditNZ annual audit plan and had a good report on gravel roads. He added it was clear from today's public forum discussions that what the NZTA perceives as good quality is not necessarily what our communities think.

Property Committee

Councillor McEvedy noted the committee discussed the completion of Council's facilities, including West Melton and others. He said they discussed continued support to the Sheffield Hall and were comfortable with the future of the Rolleston Rugby Club Rooms.

Selwyn Waihora Zone Committee

Councillor Lemon said the zone committee had a light agenda, taking some time to introduce new people and review its annual report. He said the current Chairperson, Allen Lim, was standing down.

Christchurch West Melton Zone Committee

No meeting yet.

Regional Water Committee

Councillor Reid said Professor Peter Skelton presented a paper to the Committee and it also discussed the CWMS Fit for Future Process. She added that Mayor Broughton presented to this topic, as the representative of the Goals Committee.

Animal Ethics Committee

Councillor Morten said the Committee will next meeting in March and it was in the process of its annual review. He said the Committee was listing all its approved projects and would then select a number of these for an audit.

Water Race Subcommittee

No meeting yet.

Greater Christchurch Public Transport Committee

Councillor Alexander briefly mentioned the Weedons Committee.

Sister City Committee

Mayor Broughton told Council about the recipients of a month's time and experience in China, as part of an annual scholarship offered to people in Selwyn.

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

'That Council receives the Committee Meeting Updates Report, for information.'

CARRIED

4. **Systems Accountant**

Financial Report to 31 December 2018

The Chief Executive told Council the report was discussed in detail at the Audit and Risk Subcommittee meeting. The Corporate Services Manager highlighted some comments and in particular referred Council to the four charts on page 65, noting it reflected the story of Council's financial situation.

During a brief page-by-page turn, the following comments were made:

- Figures seemed slightly ahead of budget – due to income;
- Operational expenditure was favourable to budget with some underspends to be carried forward;
- Capital income was under budget;
- Capital expenditure showed a gap between budget and actual figures, due to progress made in the design phase and project spends which had not yet happened; and
- There was spare budget for maintenance, removal of flax and re-establishing of plants.

Moved – Councillor Mugford / **Seconded** – Councillor Watson

'That the Council receives the financial report for the period ending 31 December 2018, for information.'

CARRIED

5. **Strategy and Policy Planner**

Plan Change 59 – Decision on how to consider the Private Plan Change request received from G W Wilfield Ltd

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

"That in respect to Plan Change 59 to the Selwyn District Plan lodged by GW Wilfield Ltd, Council resolves to accept the request for notification pursuant to Clause 25 (2)(b) of the Resource Management Act 1991.'

CARRIED

6. **Parks Policy and Strategy Analyst**

Recommendatory Report from the Parks and Reserves Bylaw 2009 Review Subcommittee Deliberations

In response to a question from Councillor Lyall regarding fees charged when reserves are being used for bookings, it was noted that commercial use was being addressed in this plan change.

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

'That Council:

- a) *Receive the recommendation of the Parks and Reserves Bylaw Review Subcommittee to approve and make the attached Parks and Reserves Bylaw 2009;*
- b) *Resolve, pursuant to s155 of the Local Government Act 2002, that the Parks and Reserves Bylaw 2009:*
 - a. *Is the most appropriate way of addressing the perceived problem;*
 - b. *Is the most appropriate form of bylaw; and*
 - c. *Does not give rise to any implications under the New Zealand Bill of Rights Act 1990;*
- c) *Approve and make the attached Parks and Reserves Bylaw 2009;*
- d) *Provide a copy of the Parks and Reserves Bylaw 2009 to the Minister of Conservation for approval under section 108 of the Reserves Act 1977; and*
- e) *Send a formal response to the submissions made, and a copy of the final bylaw, to all those who submitted.'*

CARRIED

GENERAL BUSINESS

7. Register of Documents Signed and Sealed

Due to a conflict of interest declared at the start of the meeting, Mayor Broughton moved away from the table and Councillor Lyall presided as Chair for this item.

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

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

1	Name of other party	Thomland Farms Limited
	Transaction type	Deed of Lease & Deed of Licence (Grazing) (Raeburn Farm)
	Transaction description	354 Creyke Road, Darfield 126.99 ha 354 Creyke Road, Darfield 9.56 ha

2	Name of other party	Gregory Jane Limited
	Transaction type	Deed of Lease
	Transaction description	Hororata Domain, Hororata Road 52.9 ha

3	Name of other party	Elaine Fraser & John Fraser
	Transaction type	- Register easements in gross over SDC reserve. - Register fencing covenant indemnifying SDC of responsibility to fencing costs on Reserve boundary.
	Transaction description	39 Fairhurst Place, Rolleston RC175259

4	Name of other party	GW Wilfield Limited
	Transaction type	Fencing Covenant to indemnify SDC of liability towards fencing reserves
	Transaction description	RC175713 Wilfield Subdivision

5	Name of other party	Roxburgh Developers Limited
	Transaction type	Fencing covenant to indemnify SDC of all responsibility towards fencing requirements.
	Transaction description	RC165539 & RC185125 Roxburgh Subdivision, High Street, Southbridge

6	Name of other party	GW Wilfield, West Melton
	Transaction type	- Easement in gross over private right of way. - Fencing covenant indemnifying SDC of liability towards reserve fencing costs.
	Transaction description	RC175706, 708, 710, 712, 713 RC175715

7	Name of other party	Broughton Land Holding Limited
	Transaction type	Deed of Licence
	Transaction description	Reserve 3536 - 108 Yeomans Road 1.5201 ha

8	Name of other party	Doyleston Farm Limited
	Transaction type	Deed of Licence
	Transaction description	Reserve 2293 - corner Mitchells Road and Sharlands Road 2.0234 ha

9	Name of other party	Goulds Developments Ltd
	Transaction type	Fencing Covenant
	Transaction description	RC175197 - Goulds Estate, Goulds Road

10	Name of other party	CIT Branthwaite Limited
	Transaction type	Fencing Covenant
	Transaction description	RC175070 Stage N & O Branthwaite

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

CARRIED

Mayor Broughton moved back to the table and resumed his role as Chair.

REVIEW OF ISSUES RAISED IN PUBLIC FORUM

Councillors discussed the issues raised in public forum.

Mr Bill Bradley

The Chief Executive noted he would investigate exactly what the responses were to Mr Bradley's service requests. He said contractors doing work extended to third party contracts as well and as such, that would be more difficult for Council to control. He added that, during the discussion, questions were correctly raised with respect to the capacity to undertake inspection work and added Council staff will be putting forward a case for an additional role of roading inspection officer.

In response to questions from the Mayor and Councillor Watson about a report about the lag of timely responses, the Chief Executive said he would bring a report back to the full Council.

It was noted that the independent NZTA audit of the District's roading was at odds with the complaints from communities and the Chief Executive would review the audit as well. Councillor Miller noted Council had a moral obligation to look after its ratepayers and asked why Council was not getting the services they were paying for. He asked whether it related to not having enough money, or rather spending the money inappropriately.

The Chief Executive said that Council would have an opportunity to review the roading budget in the next couple of weeks. Councillor Lemon added Council needed to continue asking for assurance that the level of services was good.

Mr Graham Evans

The Chief Executive said that for the past three and a half years there had been ongoing discussions to address operational matters in Upper Selwyn Huts. More recently the meetings included Department of Conservation, Environment Canterbury and the rūnanga. Climate change is also being considered. He told Council he was satisfied with the direction the discussions were heading. Further staff recommendations were to come before Council soon. He added it wasn't an easy solution.

The Mayor said timeliness around direction to the community was key. It was agreed that Mr Evans would be invited to the next working group meeting.

Councillors raised a concern that Council staff were not communicating as well with the communities as they could. It was noted that perhaps Council was not articulating well about the future of the Huts and, as such, was not being fair to the community. It was acknowledged that other organisations were also on board in managing the issue.

The Property and Commercial Manager spoke of his involvement in leading those discussions. He said there was a lot of time spent looking at how climate change impacted the communities around the lake. Consents, hut licences and renewal of licences were all issues being considered and that Environment Canterbury was considering how to deal with consents going forward. He said it was key to be transparent and make information available.

RESOLUTION TO EXCLUDE THE PUBLIC

Moved – Councillor Morten / **Seconded** – Councillor Alexander

1. *'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
1	Public Excluded Minutes	<i>Good reason to withhold exists under Section 7</i>	<i>Section 48(1)(a)</i>
2	Public Excluded Chief Executive's Report		
3	Purchase of Property in Lincoln		

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, 3	Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(b)(ii)
2, 3	Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	Section 7(2)(h)

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

CARRIED

The meeting moved into Public Excluded at 2.33pm.

The meeting reconvened in open meeting at 4.34pm.

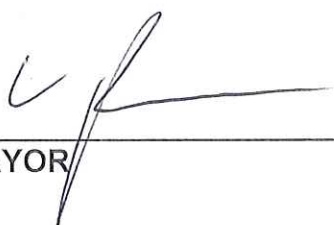
OTHER GENERAL BUSINESS

Councillor Miller announced that the Chief Executive was to become a Fellow of Chartered Accountants Australia and New Zealand. The Chief Executive noted it was an honour to receive this for services to finances in Local Government.

The Mayor added that it highlights how fortunate the District was to have Mr Ward as the Chief Executive and congratulated him.

The meeting closed at 4.34pm.

DATED this 13th day of March 2019



MAYOR