

**MINUTES OF AN ORDINARY MEETING OF THE
SELWYN DISTRICT COUNCIL
HELD IN THE TAI TAPU COMMUNITY CENTRE,
ON WEDNESDAY 6 NOVEMBER 2019 COMMENCING AT 1.00PM**

PRESENT

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

IN ATTENDANCE

Messrs. D Ward (Chief Executive), M Washington (Group Manager Infrastructure), S Hill (Group Manager Communication and Customers), G Bell (Group Manager Corporate Services), R Raymond (Communications Advisor), S Sudarsanan (ICT / GIS Support Officer), M Chamberlain (Team Leader Transportation); J Burgess (Planning Manager), Mesdames D Kidd (Group Manager Community Services and Facilities), N Smith (Executive Assistant); and Ms T Davel (Governance Coordinator)

Media:

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

APOLOGIES

None

IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS

None

CONFLICTS OF INTEREST

Councillor Hasson in respect of District Licencing Committee.

CONFIRMATION OF MINUTES

1. Minutes of the Inaugural meeting of the Selwyn District Council held at the Tai Tapu Community Centre, on Wednesday 30 October 2019

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

‘That the Council confirms the minutes of the ordinary meeting of the Selwyn District Council held on Wednesday 30 October 2019.’

CARRIED

CURRENT MATTERS REQUIRING ATTENTION

Item	Meeting referred from	Action required	Report Date / Action
Roading conditions on Wards Road	11 September 2019	Report back including road condition, maintenance schedule, snap/send traffic numbers, build up of shingle along the roadside, crash history data, liability for Council in case of accidents; and priority for sealing in relation to other roads in the District.	6 November 2019
Social Housing	November 2018	Update Report	11 December 2019
Rolleston Library and Community Centre naming	11 September 2019	Analysis for facilities in Selwyn Central available for future use by users of Rolleston Community Centre	11 December 2019
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	April 2020
Public Places Bylaw and Policy on Commercial Activities and Events in Public Places	September 2018	Review the effectiveness of the bylaw a year on	February 2020

There was a brief discussion about the item on the Rolleston Library naming.

The Mayor also noted that in respect of a previous item on the September Council agenda, appointing Councillors to hearings panels for the Traffic and Parking Bylaw as well as the Stock Driving Bylaw, Council decided on names.

Moved Mayor Broughton / **Seconded** Councillor Lyall

‘That Council appoint:

In respect of the Traffic and Parking Bylaw, Councillors Alexander (Chair) and McInnes; and

In respect of the Stock Driving Bylaw, Councillors Miller (Chair) and Lemon.’

CARRIED

REPORTS

1. District Licensing Committee

*Joint District Licensing Committee and Licensing Inspectors’ Monthly report for the period
1 September 2019 – 30 September 2019*

Councillor Hasson stepped away from the table during the discussions and vote.

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

*‘That the Council receives the report on the activities of the District Licensing Committee
and the Chief Licensing Inspector for September 2019.’*

CARRIED

Councillor Hasson returned to the table.

2. Mayor

Mayor’s Report

The Mayor explained the significance of a gift received by the delegation of Yubetsu. He noted the Malvern Community Board will become the lead for the Yubetsu relationship.

Councillor Hasson asked about the Mayor’s meeting with the Mayor of Waimakariri. The Mayor said they had a good meeting and spoke about the relationship with Christchurch City Council.

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

‘That Council receives the Mayor’s Report for October 2019 for information.’

3. Chief Executive

Adoption of the Code of Conduct

The Chief Executive told Council that this was the first of five procedural papers they will adopt today as this was the first meeting of the new Council.

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

‘That Council adopt the attached Code of Conduct for the 2019 – 2022 Triennium.’

CARRIED

4. Chief Executive

Schedule of Councillor Appointments

The Mayor noted Councillor Lemon will be the Chair of the Audit and Risk Subcommittee. There will be a full and updated list circulated as well as a table indicating per Councillor, what their appointments would be.

Moved – Councillor Miller / **Seconded** – Councillor Alexander

‘That Council adopt the agreed schedule of appointments for the term of the Council, commencing November 2019.’

CARRIED

5. Chief Executive

Remuneration Allocation

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

‘That Council:

(a) Acknowledges that the Remuneration Authority has allocated a sum of \$479,232 for annual remuneration of elected members to Selwyn District Council; and

(b) Accepts the direction from the Remuneration Authority, that the pool of funds must be fully allocated; and

(c) Advises the Remuneration Authority that it wishes to allocate the annual sum of \$51,342 to the Deputy Mayor, and the annual sum of \$42,789 to all other elected members of Council, for the period commencing 18 October 2019.’

CARRIED

6. Chief Executive

Role and Delegations of the Malvern Community Board

There was a discussion about whether to leave delegation of naming roads with the Board, or take it away to be consistent with what was decided by Council. It was noted that the matter came to Council because of the abolishment of the Selwyn Central Community Board. The Group Manager Infrastructure noted that the responsibility still rests with him, but that staff will take advice from the Board in some instances.

There was majority consensus that the delegation should remain with the Board.

A further amendment was proposed and will be revised by staff:

Removing the first word in Item 3.5 ('approval') and starting the sentence with 'Consultation and approval...'

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

'That Council:

(a) Receive the 'Roles and Delegations of the Malvern Community Board' report; and

(b) Adopt the document 'Roles and Delegations of the Malvern Community Board, as at 6 November 2019.'

CARRIED

7. Chief Executive

Adoption of Proposed Meeting Schedule for 2020

The Chief Executive noted the schedule reflects the discussions Councillors had at the retreat. There was a request from Councillor Lemon that Audit and Risk Subcommittee meetings be moved from the second Wednesday to the first Wednesday of a month.

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

'That Council adopt the proposed meeting schedule for 2020.'

CARRIED

8. **Management Accountant**

Financial Report to 30 September 2019

The Group Manager Corporate Services referred Councillors to page 71, noting that operating income was slightly ahead of budget. Operating expenditure was close to budget, with a slight overspend due to maintenance type costs.

Capital income seemed well ahead of budget, mainly due to land sales and development contributions. Capital expenditure was falling slightly behind.

Councillor Hasson asked a question about the Lincoln New Sports Park Development as well as the Prebbleton Water Reservoir which seemed to show that the projects had not yet started. The Group Manager Corporate Services said background work had started and the Group Manager Infrastructure added that processes were well under way with procurement and design.

The Team Leader Strategy and Policy noted the DPR team will report in more detail on the budget at a future Council meeting.

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

‘That the Council receives the financial report for the period ending 30 September 2019 for information.’

CARRIED

9. **Management Accountant**

Cash flow and borrowing policy monitoring as at 30 September 2019

The Group Manager Corporate Services noted the key projects in the District which will be funded from borrowing. He also spoke about Council's position in terms of its maturity profile for interest rates, noting they were acting outside Council policy as previously agreed.

Councillor Miller reminded Council that, in respect of the Health Hub, although money was borrowed it would be paid back by tenants in the building, so no net cost to Council.

Councillor Hasson asked for information about water billing which seemed to have incurred quite a substantial amount outstanding beyond 90 days. The explanation was that sometimes people simply forget about it as water bills are sent separately to their rates.

Moved – Councillor Miller / **Seconded** – Councillor Lemon

‘That the Council receives the report on cash flow and borrowing policy monitoring as at 30 September 2019 for information.’

CARRIED

10. Team Leader Transportation

Wards Road Condition

The Team Leader Transportation referred to his report noting that Wards Road remained a low volume road, reflected by the surrounding roads. Crash statistics also seemed typical for the type of road. He noted that with regards to Council's liability in case of a crash, it would be like any other road. Should Council be found negligent there could be liability issues. It needed to be noted that drivers needed to drive to the conditions as well.

Councillor Lemon said that liability was also around an identified problem e.g. a pothole and if it is not fixed and that causes a crash, Council has a responsibility under the Health and Safety Act. For example where there was a definite recognised default and it may have been noted, but not fixed.

The Chief Executive said there were three parts to determining liability – firstly, the ability to prove negligence, e.g. did the act or actions of Council cause the issue; secondly to review Council's policy i.e. has it been reported and acted upon correctly; thirdly what was the role of Council's contractor.

The Group Manager Infrastructure added that, when people drive they need to drive to the conditions and sometimes the conditions were not favourable. Councillor Bland added that in case law the courts would ask the question whether the driver was behaving or driving prudently.

The Mayor said there will be a follow up report around roading to review the roading contract and funding through the Long Term Plan. This will include sealing and resealing of the District's roads. Councillor Miller referred to the roading rate which he maintains could have been used to target hot spots.

Moved – Councillor Alexander / Seconded – Councillor Bland

'That Council receives the report for information.'

CARRIED

11. Team Leader Transportation

Speed Limit Bylaw 2018 – Amendment No. 9 to the Register of Speed Limits

There were questions for clarification from Councillors Hasson and Alexander in relation to recommendation (i). The Team Leader pointed out an error in rec (e)

Moved (as amended) – Councillor Hasson / Seconded – Councillor Alexander

'That the Council approves Amendment No. 9 to the Register of Speed Limits pursuant to clause 7(1) of the Speed Limits Bylaw 2018 by setting new speed limits as follows with the new speed limits coming into force on 1 December 2019:

- (a) *The reduction to 60 km/hr from 70 km/hr on Old West Coast Road from a point generally 100 metres east of High Street to a point generally 200 metres east of Tramway Road.*
- (b) *The reduction to 60 km/hr from 70 km/hr on Waddington Road from a point generally 100 metres north west of Henry Street to Curve Road.*
- (c) *The reduction to 60 km/hr from 100 km/hr on Summit Road.*
- (d) *The reduction to 60 km/hr from 80 km/hr on Marshs Road between SH1 and Springs Road.*
- (e) *The reduction to 60 km/hr from 80 km/hr on Springs Road from a point generally 200 metres north east of Blakes Road to the intersection with ~~Hodgens~~ Marshs Road (Christchurch City Council boundary).*
- (f) *The reduction to 60 km/hr from 80 km/hr on Hodgens Rd.*
- (g) *The reduction to 60 km/hr from 80 km/hr on Longstaffs Road from Whincops Road to Hodgens Road.*
- (h) *The reduction to 60 km/hr from 80 km/hr on Whincops Road from Longstaffs Road to Knights Stream (Christchurch City Council boundary).*
- (i) *The reduction to 60 km/hr from 80m km/hr on Shands Rd from a point generally 560 metres southwest of Marshs Road to Marshs Road.'*

CARRIED

12. Team Leader Strategy and Policy

Minor Change to Operative District Plan Using Schedule 1, Clause 20A of the Resource Management Act 1991

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

'That Council approves:

- (a) *pursuant to Clause 20A of the First Schedule of the Resource Management Act a minor correction to the Selwyn Operative District Plan to remove reference of Rule 9.21.1.4 from Rule 9.21.3*
- (b) *delegation to the Team Leader Strategy and Policy the authority to take any steps necessary to give effect to recommendation (a) above.'*

CARRIED

13. Group Manager Community Services and Facilities

Variation to Standing Orders Pending Community Subcommittee Model and Policy Reviews

Councillor Lemon noted a number of committees asked him to chair their triennial meetings but he was not sure whether they had permission or not. The response was that Council staff were not actively promoting the requirement to have elections and if Committees chose to have a meeting that would be fine.

The Group Manager Community Services and Facilities also added four more committees to the list as these had been left off. The committees are:

- 1) Motukarara Community and Hall Committee (unfunded)
- 2) Kowai Pass Reserve Board (unfunded)

- 3) Motukarara Doman Board (unfunded)
- 4) Waihora Park Reserve Board (Inc.) (unfunded)

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

‘That, in accordance with Clause 30 (Section 7), Local Government Act, 2002, Council:

- a) *Resolve that the Community Subcommittees of Council, as specified in this Report, not be discharged until the revised Policy on Community Subcommittees is adopted by Council, within the first half of 2020.*
- b) *Agree no additional Community Subcommittees of Council be established until the revised Policy on Community Subcommittees is adopted by Council, in 2020.*
- c) *Accept that, in the event that a Community Subcommittee has already held an election for the new triennium, the revised membership will be recognised and accepted.’*

CARRIED

GENERAL BUSINESS

14. Register of Documents Signed and Sealed

Moved – Councillor Miller / **Seconded** – Councillor Mugford

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

1	Name of other party	Canlac Holdings 2014 Limited
	Transaction type	Deed of Licence
	Transaction description	Reserve 1470 Wrights Road, Dunsandel 2.0234 hectares

2	Name of other party	Canlac Holdings 2014 Limited
	Transaction type	Deed of Licence
	Transaction description	Reserve 1469 Old South Road, Dunsandel 2.0234 hectares

3	Name of other party	Samuel Walter Truscott & Amy Elizabeth Truscott
	Transaction type	Deed of Licence
	Transaction description	Part Reserve 1052 Old West Coast Road, Kirwee 1.1508 hectares

4	Name of other party	Neville Charles Greenwood
	Transaction type	Deed of Licence
	Transaction description	Reserve 2487 Corbetts Road 3.9457 hectares

5	Name of other party	Adrienne Laura Duncan and Max Colin Duncan
	Transaction type	Deed of Licence
	Transaction description	Reserve 2298 South Two Chain Road 2.4412 hectares

6	Name of other party	Charles Ridgen Buttle
	Transaction type	Deed of Licence
	Transaction description	Reserve 1528 Homebush Road 2.0234 hectares

7	Name of other party	Meadow Mushrooms Limited
	Transaction type	Deed of Licence
	Transaction description	Reserve 1491 corner of Coaltrack Road & Stranges Road 2.0234 hectares

8	Name of other party	Ardleish Farm Limited
	Transaction type	Deed of Licence
	Transaction description	Reserve 2304 Morgans Road 2.0234 hectares Reserve 2302 Rockwood Road 2.0234 hectares

9	Name of other party	Mervyn John Frew
	Transaction type	Deed of Licence
	Transaction description	Reserve 2527 Bealey Road 2.0867 hectares
10	Name of other party	Craig Andrew Eggleston & Lynn Eileen Eggleston
	Transaction type	Deed of Licence
	Transaction description	Reserve 2429 Embankment Road, Greenpark 4.0469 hectares

11	Name of other party	Michael David Smith
	Transaction type	Deed of Licence to occupy to 30 June 2020
	Transaction description	Transfer of Deed of Licence from Nigel Warren Price to Michael David Smith following sale of Hut 59 Upper Selwyn Huts

12	Name of other party	Theland Purata Farm Group Limited
	Transaction type	Deed of Licence
	Transaction description	Rural Section 40307 corner Morgans & Saunders Roads 2.0234 hectares Reserve 2311 Te Pirita Road 2.0234 hectares Reserve 2312 Te Pirita Road 2.0234 hectares Water Race Reserve 1271 Main South Road 1770m ²

13	Name of other party	Adrienne Laura Duncan & Max Colin Duncan
	Transaction type	Deed of Licence
	Transaction description	Part Reserve 1809 corner Breadings & Main South Roads .6700 hectares

14	Name of other party	Leicester John Jenkins & Antony Charles Vernon Brown
----	---------------------	--

	Transaction type	Deed of Licence
	Transaction description	Reserve 988 Waimakariri Gorge Road 2.0234 hectares

15	Name of other party	Vernon John Klassen
	Transaction type	Deed of Licence
	Transaction description	Reserve 352 Brookside Burnham Road 10.9265 hectares

16	Name of other party	Jeremy Adrian Silva
	Transaction type	Deed of Licence
	Transaction description	Reserve 978 Dalethorpe Road 1.821 hectares

17	Name of other party	Tara Farm Ltd
	Transaction type	Deed of Licence
	Transaction description	Reserve 1871-1872 Malvern Hills Road 2.8732 hectares

CARRIED

The meeting closed at 2.20pm

DATED this 20th day of November 2019


MAYOR