



Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chamber, Level 2, 20 Don Street, Invercargill on Wednesday, 29 January 2025 at 9.30am. (9.31am – 10.38am, 10.45am – 12.31pm (PE 1.01pm – 2.31pm)).

PRESENT

Mayor	Rob Scott
Deputy mayor	Christine Menzies
Councillors	Jaspreet Boparai
	Don Byars
	Derek Chamberlain
	Paul Duffy
	Sarah Greaney (via video link)
	Julie Keast
	Tom O'Brien
	Jon Spraggon
	Matt Wilson

APOLOGIES

Councillor Darren Frazer
Councillor Tom O'Brien
Councillor Margie Ruddenklau (Council approved leave of absence)

IN ATTENDANCE

Committee advisor	Fiona Dunlop
Chief executive	Cameron McIntosh

Mayor Scott opened the meeting with a karakia timatanga as follows:

Mā te whakarongo	Through listening
Mā te kōrero	Through talking
Mā te ngakau	From the heart
Mā te wairua	From the spirit
Mā te manaaki mai	Through giving
Mā te manaaki atu	And receiving respect
Ka puawai te maramatanga	Understanding will bloom
Tihei mauri ora	This is the essence of life

1 Apologies

There were apologies for lateness from Councillor O'Brien, apologies for absence from Councillor Frazer and apologies from Councillor Ruddenklau who is on a Council approved leave of absence.

Resolution

Moved Cr Boparai, seconded Deputy Mayor Menzies **and resolved:**

That Council accept the apologies.

2 Leave of absence

There were no requests for leave of absence.

3 Conflict of Interest

There were no conflicts of interest declared.

4 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

5 Confirmation of Council Minutes

Resolution

Moved Deputy Mayor Menzies, seconded Cr Keast **and resolved:**

That the Council confirms the minutes of the meeting held on 11 December 2024 as a true and correct record of that meeting.

6 Public Participation

Debbie Garlick representing the Te Anau Airport User Group Incorporate Society addressed the meeting regarding the groups concerns over the recent review of the airport.

Reports

7.1 Te Anau Airport Manapouri review - next steps

Record No: R/24/12/74613

Group manager infrastructure and capital delivery – Fran Mikulicic was in attendance for this item.

The purpose of the report was to address the recommendation from the Fiordland Community Board that “the Airport Governance Group be mandated to develop a detailed business case for the future development of the airport” and that Council “requests the chief executive to put in place a commercial arrangement to action this recommendation”.

It was noted that the Governance Group further recommended to Council that “Great South continue to be utilised to implement phase two being the development of the detail business case” and that “unbudgeted expenditure of up to \$324,180 (plus GST) be approved to finance the work, to be funded from the Luxmore subdivision reserve”.

Following discussion, the meeting would be responding to the letter received from the Te Anau Users Group Incorporated Society (TAUG) and that Te Anau Airport Manapouri Governance Group and TAUG meet within the next four weeks to agree on the pathway forward in the implementation phase.

(The meeting adjourned at 10.38am for morning tea and reconvened at 10.45am.)

Resolution

Moved Cr Spraggon, seconded Cr Keast **and resolved:**

That Council:

- a) **Receives the report titled “Te Anau Airport Manapouri review - next steps”.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**

(Councillor Chamberlain requested that his dissenting vote be recorded.)

Resolution

Moved Cr Duffy, seconded Deputy Mayor Menzies **and resolved:**

That Council:

- d) ~~Agrees/disagrees~~ with the appointment of Great South to continue to do this airport review work relating to phase two of the project.**

(Councillor Byars and Councillor Chamberlain requested that their dissenting votes be recorded.)

Resolution

Moved Cr Spraggon, seconded Cr Keast **and resolved:**

That Council:

- e) Determines, in accordance with Section 80 of the Local Government Act 2002, that if its decision is for the chief executive to again enter into a commercial agreement with Great South to manage and market Te Anau Airport Manapouri, it is significantly inconsistent with Council's Procurement Policy.**
- f) Resolves that the reasons why Council is acting contrary to its procurement policy and Buyer's Guide are that:**
- Great South has the specialised skill-set required to do this complex work
 - Council believes Great South's track record and relationship with Council is acceptable
 - there is a desire to progress the work promptly building on the work Great South has already carried out in phase one of the project.
- g) Approves unbudgeted expenditure to finance this work of up to \$324,180 (plus GST), to be funded from the Te Anau Luxmore subdivision reserve.**
- h) Resolves to continue to utilise the Project Governance Group to guide and oversee the work of Great South in developing the detail business case to further advance the airports financial sustainability.**

New I agree to respond to the letter received from the Te Anau Users Group Incorporated Society (TAUG) and that Te Anau Airport Manapouri Governance Group and TAUG meet within the next four weeks to agree on the pathway forward in the implementation phase.

(Councillor Boparai, Councillor Byars and Councillor Chamberlain requested that their dissenting votes be recorded.)

Final resolution

That Council:

- a) Receives the report titled "Te Anau Airport Manapouri review - next steps".**
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**

- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Agrees with the appointment of Great South to continue to do this airport review work relating to phase two of the project.**
- e) **Determines, in accordance with Section 80 of the Local Government Act 2002, that if its decision is for the chief executive to again enter into a commercial agreement with Great South to manage and market Te Anau Airport Manapouri, it is significantly inconsistent with Council's Procurement Policy.**
- f) **Resolves that the reasons why Council is acting contrary to its procurement policy and Buyer's Guide are that:**
 - **Great South has the specialised skill-set required to do this complex work**
 - **Council believes Great South's track record and relationship with Council is acceptable**
 - **there is a desire to progress the work promptly building on the work Great South has already carried out in phase one of the project.**
- g) **Approves unbudgeted expenditure to finance this work of up to \$324,180 (plus GST), to be funded from the Te Anau Luxmore subdivision reserve.**
- h) **Resolves to continue to utilise the Project Governance Group to guide and oversee the work of Great South in developing the detail business case to further advance the airports financial sustainability.**
- l) **agree to respond to the letter received from the Te Anau Users Group Incorporated Society (TAUG) and that Te Anau Airport Manapouri Governance Group and TAUG meet within the next four weeks to agree on the pathway forward in the implementation phase.**

7.2 Council submission on proposed Commerce Commission levy for economic regulation of water services

Record No: R/25/1/2035

Senior policy analyst – Ana Bremer and Group manager strategy and partnerships – Vibhuti Chopra were in attendance for this item.

The purpose of the report was to provide a summary of the Council submission to the Commerce Commissions proposed levy for water services economic regulation and consumer protection.

The two levies proposed are to fund separate regulatory regimes for New Zealand's water services as follows:

- Water Services Authority – Taumata Arowai: the drinking water quality regulator. It also has an oversight and standard setting role for environmental performance of public drinking water, wastewater and stormwater networks.
- The Commerce Commission: the economic regulator, focusing on supporting water infrastructure to be appropriately invested in, maintained, and delivered for the long-term benefit of consumers.

Resolution

Moved Deputy Mayor Menzies, seconded Cr Boparai **and resolved:**

That the Council:

- a) **receives the report titled "Council submission on proposed Commerce Commission levy for economic regulation of water services".**
- b) **note the submission on the proposed Commerce Commission water levy (attachment A of the officer's report).**

7.3 Housing Action Plan Progress Report

Record No: R/25/1/1737

Intermediate policy analyst – Theresa Cavanagh and Group manager strategy and partnerships – Vibhuti Chopra were in attendance for this item.

The purpose of the report was to provide an update on the housing action plan.

(During discussion, Councillor Byars left the meeting at 11.08am and returned at 11.11am.)

Resolution

Moved Mayor Scott, seconded Deputy Mayor Menzies **and resolved:**

That the Council:

- a) **Receives the report titled "Housing Action Plan Progress Report".**

7.4 Speed Limits Bylaw Revocation

Record No: R/23/12/58561

Team leader organisational policy – Chris Rout was in attendance for this item.

The purpose of the report was for Council to revoke the Speed Limits Bylaw and to finalise the regulatory transformation process in accordance with guidance from the New Zealand Transport Authority.

Council noted that in 2022, the *Land Transport Rule: Setting of Speed Limits 2022* established an integrated speed management planning process, centred around Speed Management Plans.

In conjunction with the change, road controlling authorities (local authorities) have been required to migrate existing speed limits, and register all speed limit changes, in the New Zealand Transport Authority National Speed Limit Register. The register is the new legal instrument used to set speed limits.

Resolution

Moved Cr Boparai, seconded Cr Wilson **and resolved:**

That Council:

- a) **Receives the report titled "Speed Limits Bylaw Revocation".**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Revokes the Speed Limits Bylaw in accordance with Regulation 13 of the Land Transport (Register of Land Transport Records—Speed Limits) Regulations 2022.**

7.5 Physical removal of closed bridges

Record No: R/25/1/132

Strategic manager transport – Hartley Hare, Roading asset engineer – Roy Clearwater and Group manager infrastructure and capital delivery – Fran Mikulicic were in attendance for this item.

The purpose of the report was to seek approval from Council to physically remove five bridges that have been closed for a number of years now.

Beyond physical removal of the existing bridges; staff were looking for direction on priority of potential replacements at each of the five site locations.

The five locations for removal are as follows:

- Remove Nelson Road bridge 2475.001 to not be considered for replacement.
- Remove the current Thomsons Crossing Road West bridge 2526.001 and earth bunds be constructed either side of bridge; and not be reprioritised for replacement in lieu of other bridges.
- Remove the current Scott Road bridge 2596.001 and earth bunds be constructed either side of bridge; and not be reprioritised for replacement in lieu of other bridges.
- Remove the current Welsh Road East bridge 2654.001 and an earth bund be constructed on the formed road side of bridge; and not be considered for replacement.

- Remove the current Off Hall Road bridge 2619.001 and either gates or earth bunds (liaise with farmer) be constructed either side of bridge; and not be considered for replacement.

(During discussion, Councillor Wilson left the meeting at 11.38am and returned at 11.41am.)
(During discussion, Councillor Byars left the meeting at 11.55am and returned at 11.57am.)

Resolution

Moved Cr Duffy, seconded Cr Boparai **recommendations a to l with new j and k (as indicated) and resolved:**

That Council:

- a) Receives the report titled "Physical removal of closed bridges".**
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) Endorse that the current Nelson Road bridge 2475.001 be removed; and not be considered for replacement.**
- e) Endorse that the current Thomsons Crossing Road West bridge 2526.001 be removed and earth bunds be constructed either side of bridge; and not be reprioritised for replacement in lieu of other bridges.**
- f) Endorse that the current Scott Road bridge 2596.001 be removed and earth bunds be constructed either side of bridge; and not be reprioritised for replacement in lieu of other bridges.**
- g) Endorse that the current Welsh Road East bridge 2654.001 be removed and an earth bund be constructed on the formed road side of bridge; and not be considered for replacement.**
- h) Endorse that the current Off Hall Road bridge 2619.001 be removed and either gates or earth bunds (liaise with farmer) be constructed either side of bridge; and not be considered for replacement.**
- i) Agree to give the group manager infrastructure and capital delivery the delegation to approve the disposal method(s) of bridge components (either from the removed structures and/or Hunt Street yard).**

New j) Note that the approvals in clauses d to h by Council are subject to consultation/engagement with effected residents/key stakeholders/landowners for potential divestment and future use. If feedback results in concerns from stakeholders where a resolution cannot be reached, then a further report will be brought to Council if required.

New k) Request that officers check that there are any resource consent implications from undertaking the work outlined in clauses d to h.

7.6 Reverting sealed road to gravel road

Record No: R/25/1/264

Strategic manager transport – Hartley Hare, Roding asset engineer – Roy Clearwater and Group manager infrastructure and capital delivery – Fran Mikulicic were in attendance for this item.

The purpose of the report was seeking direction from Council on the continued investment in low volume sealed roads that currently don't provide an equitable level of service when compared to similar unsealed roads across the district, especially when funding levels are insufficient to retain current levels of service due to the size of the district's road and bridge network versus ratepayer base.

It was noted that Council has a significant road and bridge network with a limited ratepayer base which is reliant on appropriate funding through the National Land Transport Plan.

Over successive long term plan cycles Council has not been able to secure sufficient funding from the National Land Transport Plan to sustain historic levels of service.

Crooked Road, Waterloo Road and Wilanda Downs Road were nominated for reverting gravel road over a period of time.

(During discussion, Councillor O'Brien joined the meeting at 12.05pm.)

The meeting decided that it would lay the report on the table to enable the Roding team to undertake consultation with the residents of the affected roads.

Resolution

Moved Mayor Scott, seconded Cr O'Brien **and resolved:**

That Council:

- a) **Lays the report on the table to enable the Roding team to undertake consultation with the residents of the affected roads.**

Public Excluded

Exclusion of the public: Local Government Official Information and Meetings Act 1987

Resolution

Moved Mayor Scott, seconded Deputy Mayor Menzies **and resolved:**

That the public be excluded from the following part(s) of the proceedings of this meeting.

C8.1 Local Government Act 2002 Section 17A Roading Services review

C8.2 Objection to a classification under the Dog Control Act 1996

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each 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	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Local Government Act 2002 Section 17A Roading Services review	s7(2)(h) - the withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. s7(2)(i) - the withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.
Objection to a classification under the Dog Control Act 1996	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

The public were excluded at 12.31pm.

The meeting adjourned for lunch at 12.31pm and reconvened at 1.01pm.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available unless released here.

The meeting concluded at 2.31pm.

CONFIRMED AS A TRUE AND CORRECT RECORD OF A MEETING OF THE COUNCIL HELD ON WEDNESDAY 29 JANUARY 2025.

DATE:.....

CHAIRPERSON:.....