



NOTICE OF AN ORDINARY COUNCIL MEETING

**Opotiki District Council Chambers, 108 St John Street, Opotiki
Tuesday, 4 February 2025
Commencing at 10.00am**

This meeting will be livestreamed – the link will be available on Council’s website and Facebook page on the morning of the meeting.

ORDER PAPER

OPENING KARAKIA / PRAYER / INSPIRATIONAL READING – COUNCILLOR HOWE

APOLOGIES

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

PUBLIC FORUM

Richard Kemeny (Kutarere Community Water Board) – Kutarere Water Supply

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Chair: His Worship the Mayor – David Moore

Members: Cr Shona Browne (Deputy Mayor)

Cr Tom Brooks

Cr Barry Howe

Cr Maxie Kemara

Cr Steve Nelson

Cr Dean Petersen

Committee Secretary: Gae Finlay

Quorum: 4

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

Councillors are reminded that if you have a pecuniary or non-pecuniary interest in any item on the agenda, then you must declare this interest and refrain from discussing or voting on this item, and are advised to withdraw from the Council chamber.

Stace Lewer

CHIEF EXECUTIVE OFFICER



**MINUTES OF AN ORDINARY COUNCIL MEETING DATED, TUESDAY, 10 DECEMBER 2024 IN THE
ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 10.00AM**

PRESENT:

Deputy Mayor Shona Browne (Acting Chairperson)
Mayor David Moore, via Zoom
Councillors:
Tom Brooks
Barry Howe
Maxie Kemara
Steve Nelson
Dean Petersen

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Nathan Hughes (Group Manager Service Delivery)
Antoinette Campbell (Group Manager Strategy and Development)
Rachael Burgess (Group Manager Business Support)
Miles McConway (Group Manager Business Support – Interim) via Zoom
Annette Munday (EHO/Compliance Manager)
Garry Page (Operations Manager, Parks Reserve and Harbour)
Michael Fryer (Strategy and Policy Manager)
Mercedes Neems (Executive Support Officer)
Gae Finlay (Executive Assistance and Governance Lead)

Councillor Brooks opened the meeting with an inspirational reflection.

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

PUBLIC FORUM

Nil.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 30 OCTOBER 2024 p4

RESOLVED

- (1) That the minutes of the Ordinary Council meeting held on 30 October 2024 be confirmed as a true and correct record.**

Kemara/Nelson

Carried

2. CONFIRMATION OF MINUTES – EXTRA ORDINARY COUNCIL MEETING 24 OCTOBER 2024 p18

RESOLVED

- (1) That the minutes of the Extra Ordinary Council meeting held on 24 October 2024 be confirmed as a true and correct record.**

Nelson/Kemara

Carried

3. MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 8 JULY 2024 p23

RESOLVED

- (1) That the minutes of the Risk and Assurance Committee meeting held on 8 July 2024, and any recommendations therein, be received.**

Brooks/Petersen

Carried

4. DRAFT MINUTES – COAST COMMUNITY BOARD MEETING 5 NOVEMBER 2024 p28

RESOLVED

- (1) That the draft minutes of the Coast Community Board meeting held on 5 November 2024, and any recommendations therein, be received.**

Kemara/Petersen

Carried

His Worship the Mayor and Miles McConway joined the meeting via Zoom at 10.04am.

The EHO/Compliance Manager joined the meeting at 10.05am.

5. MAYORAL REPORT 19 OCTOBER 2024–29 NOVEMBER 2024

p32

RESOLVED

- (1) That the report titled “Mayoral Report 19 October 2024–29 November 2024” be received.**

Kemara/Petersen

Carried

6. DELEGATIONS

p36

Councillor Brooks suggested adding the Mayor or an Elected Member as an observer on the Tenders and Procurement-Sub-Committee. The mover and seconder agreed to this being added to clause 5 of the recommendations.

RESOLVED

- (1) That the report titled “Delegations” be received.**
- (2) That the Chief Executive’s financial delegation be increased to \$400K for budgeted expenditure and \$50K for unbudgeted expenditure.**
- (3) That the Chief Executive be delegated the authority to make amendments required to the current delegations to give effect to the organisation structure change that has come into effect.**
- (4) That Council notes the proposed change to managing delegations that will be reported to Council in the New Year for approval.**
- (5) That the Terms of Reference and associated delegations for the Tenders and Procurement Sub-Committee be approved with the addition of the Mayor or an Elected Member being included as an observer on the Committee.**

Nelson/Kemara

Carried

Miles McConway left the meeting at 10.19am.

7. ORGANISATIONAL RISK REGISTER AND REFRESHED RISK POLICY AND FRAMEWORK p45

RESOLVED

- (1) That the report titled “Organisational Risk Register and Refreshed Risk Policy and Framework” be received.**
- (2) That the ODC Risk Management Policy and ODC Risk Management Framework be adopted.**
- (3) That the Organisational Risk Register be endorsed.**

Nelson/Brooks

Carried

The Operations Manager, Parks, Reserves and Harbour entered the meeting at 10.22am.

8. ADOPTION OF THE FREEDOM CAMPING BYLAW

p86

The Group Manager Strategy and Development advised clauses 3 and 4 of the recommendations will need to be amended as NZTA consent has not been received.

The mover and seconder agreed to:

The words *"with the exception of Schedule 3"* being added to Clause 3 of the recommendations.

The words *"and to include Schedule 3 when NZTA consent is received"* being added to Clause 4 of the recommendations.

RESOLVED

- (1) That the report titled "Adoption of the Freedom Camping Bylaw" be received.**
- (2) That Council adopts the response to submitters as set out in Appendix 1.**
- (3) That Council adopts the Freedom Camping Bylaw as per Appendix 2 of the report with the exception of Schedule 3.**
- (4) That Council delegates authority through the Chief Executive to the Group Manager Strategy and Development responsible for bylaws, to make any amendments to the Bylaw in Appendix 2 to correct any errors or omissions and to include Schedule 3 when NZTA consent is received.**

Nelson/Kemara

Carried

The Operations Manager, Parks, Reserves and Harbour and the EHO/Compliance Manager left the meeting at 10.27am.

9. ŌPŌTIKI DISTRICT COUNCIL SCHEDULE OF MEETINGS 2025

p141

It was noted that references to Section 42 of LGOIMA should be Section 46.

RESOLVED

- (1) That the report titled "Ōpōtiki District Council Schedule of Meetings 2025" be received.**
- (2) That Council notes dates for some joint committees and external groups have not been notified and the Schedule will be updated once those dates are known.**
- (3) That the Council approves the Schedule of Meetings 2025 as tabled at the meeting.**

Petersen/Kemara

Carried

10. CHIEF EXECUTIVE OFFICER'S UPDATE

p146

The Chief Executive Officer noting the following as highlights from the report:

- Karakia for the Te Tāwharau o Te Whakatōhea celebration, which he attended with Councillor Kemara.
- The Coast Community Board meeting.
- The Spatial Plan drop-in session at Te Tāhuhu o Te Rangī.

RESOLVED

(1) That the report titled "Chief Executive Officer's Update" be received.

Petersen/Nelson

Carried

11. RESOLUTION TO EXCLUDE THE PUBLIC

p151

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

- 12. Confirmation of In-Committee Minutes – Ordinary Council Meeting 30 October 2024.**
- 13. Minutes – Risk and Assurance Committee Meeting 8 July 2024.**
- 14. Pākihikura (Ōpōtiki) Harbour Development Project.**
- 15. New Targeted Rate for Sewer Line Extension**
- 16. Notes of Council Workshops.**

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:

Item No	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
12.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 30 October 2024.	That the public conduct of 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.	Section 48(1)(a)
13.	Minutes – Risk and Assurance Committee Meeting 8 July 2024.	That the public conduct of 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.	Section 48(1)(a)

14.	Pākihikura (Ōpōtiki) Harbour Development Project.	That the public conduct of 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.	Section 48(1)(a)
15.	New Targeted Rate for Sewer Line Extension.	That the public conduct of 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.	Section 48(1)(a)
16.	Notes of Council Workshops.	That the public conduct of 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.	Section 48(1)(a)

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:

12.	Protect the privacy of natural persons Protect information Protection from improper pressure or harassment Prevent disclosure or use of official information Carry out negotiations Maintain legal professional privilege Carry out commercial activities	Section 7(2)(a) Section 7(2)(b)(i) & (ii); (d) & (e) and Section 7(2)(c)(i) & (ii) Section 7(2)(f)(ii) Section 7(2)(j) Section 7(2)(i) Section 7(2)(g) Section 7(2)(h)
13.	Protect the privacy of natural persons Protect information (commercial sensitivity) Protection from improper pressure or harassment Carry out negotiations Prevent disclosure or use of official information Carry out commercial activities	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(ii) Section 7(2)(i) Section 7(2)(j) Section 7(2)(h)
14.	Protect information (commercial sensitivity) Carry out negotiations	Section 7(2)(b)(ii) Section 7(2)(i)
15.	Protect the privacy of natural persons	Section 7(2)(a)
16.	Protection from improper pressure or harassment Prevent disclosure or use of official information	Section 7(2)(a) Section 7(2)(j)

Kemara/Nelson

Carried

RESOLVED

- (1) That the resolutions made while the public was excluded be confirmed in open meeting, except for clauses 2 and 3 of Item 14 Pākihikura (Ōpōtiki) Harbour Development Project) and clause 2 of Item 15 New Targeted Rate for Sewer Line Extension).**
- (2) That the public be readmitted to the meeting.**

Kemara/Nelson

Carried

RESOLVED

- (1) That the in-committee minutes of the Ordinary Council meeting held on 30 October 2024 be confirmed as a true and correct record.**

Kemara/Petersen

Carried

RESOLVED

- (1) That the in-committee minutes of the Risk and Assurance Committee meeting held on 8 July 2024, and any recommendations therein, be received.**

Nelson/Petersen

Carried

RESOLVED

- (1) That the report titled “Pākihikura (Ōpōtiki) Harbour Development Project” be received.**

Kemara/Brooks

Carried

RESOLVED

- (1) That the report titled “New Targeted Rate for Sewer Line Extension” be received.**

Kemara/Petersen

Carried

RESOLVED

- (1) That the report titled “Notes of Council Workshops” be received.**
- (2) That the Council agrees to publicly release the full notes related to the 21 October 2024 and 27 November 2024 workshops.**

Nelson/Petersen

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.21PM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 4 FEBRUARY 2025
2024**

**D G T MOORE
HIS WORSHIP THE MAYOR**



**MINUTES OF AN EXTRA ORDINARY COUNCIL MEETING DATED, MONDAY, 23 DECEMBER 2024 IN
THE OPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, OPŌTIKI AT 10.45AM**

PRESENT:

Mayor David Moore (Chairperson)
Deputy Mayor Shona Browne (Deputy Chairperson)
Councillors:
Tom Brooks
Barry Howe
Maxie Kemara
Dean Petersen

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Nathan Hughes (Group Manager engineering and Services)
Antoinette Campbell (Group Manager Strategy and Development)
Billy Kingi (Finance Manager)
Mercedes Neems (Executive Support Officer)
Gae Finlay (Executive Assistant and Governance Lead)

GUEST:

Kent Duston, via Teams

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

1. RESOLUTION TO EXCLUDE THE PUBLIC

p3

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

- 1. THAT the public be excluded from the following parts of the proceedings of this meeting, namely:**
 - 2. Opotiki Wharf Access Agreement.**

3. Ōpōtiki Harbour Vessel Usage Fees Agreement.

2. THAT the following person be permitted to remain at this meeting after the public has been excluded because of their knowledge of the subject item in relation to the following. This knowledge will be of assistance and is relevant to the matters to be discussed:

Name: Kent Duston

Items: 2 and 3

Business: To provide Council with detailed information relevant to Items 2 and 3.

Reason: To enable the accurate presentation of sensitive information to the Council and to provide responses to queries.

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:

Item No	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
2.	Opotiki Wharf Access Agreement.	That the public conduct of 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.	Section 48(1)(a)
3.	Ōpōtiki Harbour Vessel Usage Fees Agreement.	That the public conduct of 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.	Section 48(1)(a)

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:

2.	Commercial Sensitivity Carry out commercial activities	Section 7(2)(b)(ii) Section 7(2)(h)
3.	Commercial Sensitivity Carry out commercial activities	Section 7(2)(b)(ii) Section 7(2)(h)

HWTM/Browne

Carried

RESOLVED

- (1) That the resolutions made while the public was excluded be confirmed in open meeting, except for clauses 2 and 3 of Item 2 (Ōpōtiki Wharf Access Agreement) and clauses 2 and 3 of Item 3 (Ōpōtiki Harbour Vessel Usage Fees Agreement).
- (2) That the public be readmitted to the meeting.

Browne/HWTM

Carried

RESOLVED

- (1) That the report titled "Ōpōtiki Wharf Access Agreement" be received.

Browne/Kemara

Carried

RESOLVED

- (1) That the report titled "Ōpōtiki Harbour Vessel Usage Fees Agreement" be received.

HWTM/Browne

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.37AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COUNCIL HELD ON 4 FEBRUARY 2025**

D G T MOORE

HIS WORSHIP THE MAYOR



MINUTES OF AN ŌPŌTIKI DISTRICT COUNCIL PERFORMANCE AND DELIVERY COMMITTEE MEETING HELD ON THURSDAY, 10 OCTOBER 2024, IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 09.00AM

PRESENT:

Councillor Tom Brooks (Chairperson)
His Worship the Mayor David Moore
Councillor Dean Petersen
Councillor Steve Nelson

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Nathan Hughes (Group Manager Service Delivery)
Antoinette Campbell (Group Manager Strategy and Development)
Tina Gedson (Operations and Office Manager)
Mercedes Neems (Executive Support Officer)

The Chairperson welcomed everyone to the meeting.

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

1. CONFIRMATION OF MINUTES – PERFORMANCE AND DELIVERY COMMITTEE MEETING 5 AUGUST 2024

p5

RESOLVED

- (1) That the minutes of the Performance and Delivery Committee Meeting 5 August 2024 be confirmed as true and correct record.**

Nelson/Petersen

Carried

2. ISITE, LIBRARY AND PROPERTY ACTIVITY REPORT

p7

The Chief Executive Officer spoke to the report and provided further commentary for the iSite and library areas of focus.

The Operations and Office Manager presented the property areas of focus.

A discussion ensued regarding consistency of charges and ensuring Council is covering its costs for the library. It was requested, with reference to the table on p17, that another margin be included showing a breakdown of revenue collected.

A point of clarification to be noted is paragraph 50 of the report – the air conditioner was replaced due to it being at the end-of-life stage.

RESOLVED

(1) That the report titled “iSite, Library and Property Activity Report” be received.

HWTM/Nelson

Carried

3. ŌPŌTIKI WORKFORCE DEVELOPMENT UPDATE

p21

The report was taken as read.

RESOLVED

(1) That the report titled “Ōpōtiki Workforce Development Update” be received.

HWTM/Nelson

Carried

4. OPERATIONAL AND NON-FINANCIAL PERFORMANCE REPORT

p28

The Group Manager Service Delivery spoke to the report and highlighted the salient items.

Key points were:

- Options are being looked at for surface solutions for footpaths to mitigate the risk of slips.
- The cleanliness of the toilets has recently been in the media. The Church Street toilets are due for refurbishment; however, the project cannot commence until the Long-Term Plan has been adopted.
- The current roading KPI is not on track. A discussion ensued regarding the public’s perception for distinguishing State Highway roads which is the New Zealand Transport Agency’s responsibility, and local roads, which are Council’s responsibility.
- Council have signed up to a three-year roading resurfacing contract. Council has received a significant uplift in NZTA funding for maintenance of the roads.

RESOLVED

(1) That the report titled "Operational and Non-Financial Performance Report" be received.

Petersen/Nelson

Carried

5. CAPITAL WORKS REPORT

p35

The Group Manager Service Delivery spoke to the report.

Projects have been delayed due to late adoption of the Long-Term Plan 2024-2034.

An external specialist in programme management is assisting in the review of the programme of work over a three-year period and will develop a plan to deliver it as optimally as possible.

Key answers to Elected Members queries include:

- The wharf cycleway is included in the project list.
- Discussion on including Upton Park in projects as equipment is reaching end-of-life. This would require an increase of operational budget to do some work.
- The \$1,000,000 allocation for funding towards the administration building is for the main Council building on St John Street.
- The unsealed roading budget falls into the transport programme of works. The team will come up with a range of sites across Ōpōtiki.

RESOLVED

(1) That the report titled "Capital Works Report" be received.

Nelson/Petersen

Carried

THERE BEING NO FURTHER BUISNESS THE MEETING CLOSED AT 9.46AM.

THE FOREGOING MINUTES ARE CERTIFIED AS BEING A TRUE AND CORRECT RECORD AT A SUBSEQUENT MEETING OF THE PERFORMANCE AND DELIVERY COMMITTEE HELD ON 9 DECEMBER 2024.

**TOM BROOKS
CHAIRPERSON**



MINUTES OF AN ŌPŌTIKI DISTRICT COUNCIL RISK AND ASSURANCE COMMITTEE MEETING HELD ON MONDAY, 14 OCTOBER 2024, IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 10.00AM

PRESENT:

Philip Jones (Chairperson)
Councillor Tom Brooks
Mayor David Moore
Councillor Steve Nelson
Councillor Dean Petersen

Deputy Mayor Shona Browne

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Nathan Hughes (Group Manager Service and Delivery)
Antoinette Campbell (Group Manager Strategy and Development)
Rachael Burgess (Group Manager Business Support)
Miles McConway (Group Manager Business Support – Interim)
Billy Kingi (Finance Manager)
Ivan Arnerich (ICT Service Manager)
Mercedes Neems (Executive Support Officer)
Gae Finlay (Executive Assistant and Governance Support Officer)

GUESTS:

David Walker and Warren Goslett (Audit New Zealand), via Teams

The Chairperson opened the meeting.

APOLOGY

Councillor Brooks tendered his apology from 10.30am.

RESOLVED

(1) That the apology be sustained.

Petersen/HWTM

Carried

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

1. MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 8 JULY 2024 **p5**

RESOLVED

- (1) That the minutes of the Risk and Assurance Committee meeting held on 8 July 2024 be confirmed as a true and correct record.**

Brooks/Nelson

Carried

2. RISK AND ASSURANCE ACTION SHEET **p10**

Procurement Policy

In response to a query from the Chairperson regarding the dates being achievable, the Group Manager Business Support – Interim made the following points:

- A thin layer exists at Ōpōtiki District Council between doing Business as Usual and doing extra ordinary things.
- There are risks with IT and the Annual Report
- It is about identifying, prioritising and then reallocating resources if a matter becomes urgent.

The Chairperson then asked what are seen as the critical risks and is Council managing these?

The Group Manager Business Support – Interim responded:

- One of the critical risks is attracting and retaining capable staffing which has always been a challenge for Ōpōtiki.
- Observations over the last two or three years are that Council has a good suite of second tier managers.
- Council has been able to attract others in a learning capacity.
- A lot of money could be spent on back-up services, but sometimes you just have to live with the risk, so long as everyone is aware of what the risk is that you are exposed to.

The Chief Executive Officer concurred with the above comments, adding that Council has been deliberate in terms of visibility of the work in front of it, the resources Council has and what the risk of those decisions are. Council is also bringing structure to the business to make more informed decisions.

Programme Management Review

The Group Manager Service Delivery noted that Line 72 is linked to Line 71. An external programme project management specialist consultant has spoken with the team, learnt how we have done this historically and come up with recommendations on how we can improve. In the interim, the consultant is sitting in on debrief sessions for projects recently completed, and incorporating the lessons learnt into what we do in the future.

RESOLVED

(1) That the Risk and Assurance Action Sheet be received.

Jones/Nelson

Carried

Warren Goslett joined the meeting at 10.10am.

3. COMPLETION OF ANNUAL REPORT

Verbal Update

The Finance Manager advised that it was intended for the Annual Report to be completed, audited and signed off by mid to early December. We are now looking to have the Annual Report completed in December, with the audit completed after December. This is in light of logistical matters that have occurred during this calendar year. It will result in a breach of not having the Annual Report adopted by the end of October.

The Chairperson noted that, technically, the Annual Report did not have to be adopted by 31 October as Council was late adopting its Long Term Plan. If the Annual Report is not adopted by December, there is a breach.

David Walker acknowledged that Council has had a lot of work which has been delayed and there is a lot of work that Council needs to do, and to get that completed this year. Audit did not want to try and put resources into next year.

The Chairperson advised that the majority of the work will be done by December, but not entirely completed and will likely be brought back to Council in February next year.

David Walker stated that it is the intention that Audit would not need a full team of resource to do most of the work required.

The Group Manager Business Support – Interim said the target was to have the draft finalised, audited Annual Report go to the December Risk and Assurance Committee meeting, then to Council early in the New Year.

David Walker said it would be a discussion with Council as to whether Council staff would be able to deliver on that basis.

4. RESOLUTION TO EXCLUDE THE PUBLIC

p11

A replacement Resolution to Exclude the Public was tabled.

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

1. THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

5. Confirmation of In-Committee Minutes – Risk and Assurance Committee meeting 8 July 2024.

6. ODC Organisational Risk Register and Refreshed Risk Policy/Framework.

7. IT Security Workplan Update.

2. THAT the following persons be permitted to remain at this meeting after the public has been excluded because of their knowledge of the subject item in relation to the following. This knowledge will be of assistance and is relevant to the matters to be discussed:

Name: David Walker and Warren Goslett (Audit New Zealand).

Item: Extra Item

Business: Presentation of the Report to the Council on the Audit of Ōpōtiki District Council's Long Term Plan Consultation Document.

Reason: To enable a discussion with Audit representatives, and obtain answers to queries, on the Audit of Opotiki District Council's Long Term Plan Consultation Document.

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:

Item No	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
5.	Confirmation of In-Committee Minutes – Risk and Assurance Committee meeting 8 July 2024.	That the public conduct of 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.	Section 48(1)(a)
6.	ODC Organisational Risk Register and Refreshed Risk Policy/Framework	That the public conduct of 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.	Section 48(1)(a)
7.	IT Security Workplan Update.	That the public conduct of 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.	Section 48(1)(a)
Extra Item	Report to the Council on the Audit of Ōpōtiki District Council’s Long Term Plan Consultation Document.	That the public conduct of 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.	Section 48(1)(a)

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:

5.	Protect the privacy of natural persons Protect information (commercial sensitivity) Protection from improper pressure or harassment Carry out negotiations Prevent disclosure or use of official information Carry out commercial activities	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(ii) Section 7(2)(i) Section 7(2)(j) Section 7(2)(h)
6.	Protect information Prevent disclosure or use of official information	Section 7(2)(b)(i) Section 7(2)(j)
7.	Protect information Prevent disclosure or use of official information	Section 7 (2)(b)(i) & (ii) Section 7(2)(j)
Extra Item	Protect information Prevent disclosure or use of official information	Section 7 (2)(b)(i) & (ii) Section 7(2)(j)

RESOLVED

- (1) That the resolutions made while the public was excluded be confirmed in open meeting.**
- (2) That the public be readmitted to the meeting.**

Nelson/Petersen

Carried

RESOLVED

- (1) That the in-committee minutes of the Risk and Assurance Committee meeting held on 8 July 2024 be confirmed as a true and correct record.**

Brooks/Nelson

Carried

RESOLVED

- (1) That the report titled "ODC Organisational Risk Register and Refreshed Risk Policy/Framework" be received.**
- (2) That the ODC Risk Management Policy and ODC Risk Management Framework be endorsed, as amended, with staff to table at a future full Council meeting for approval.**
- (3) That feedback is provided on the ODC Organisational Risk Register to staff.**

Jones/HWTM

Carried

RESOLVED

- (1) That the report titled "IT Security Workplan Update" be received.**

Jones/HWTM

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.25AM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE RISK AND ASSURANCE COMMITTEE
HELD ON 16 DECEMBER 2024**

**PHILIP JONES
CHAIRPERSON**

MINUTES OF A MEETING OF THE COAST COMMUNITY BOARD, HELD AT TE RŪNANGA O TE WHĀNAU OFFICES, COMMENCING AT 10.00 AM ON TUESDAY, 17 DECEMBER 2024.

PRESENT:

Maxie Kemara (Chairperson)
Jack Parata
Linda Steel
Allen Waenga
Michael Collier

His Worship the Mayor David Moore (via audio link)

IN ATTENDANCE:

Antoinette Campbell (Group Manager Strategy and Development)
Michael Fryer (Strategic Development and Policy Manager)
Maia Calcott (Workforce Development Co-Ordinator)
Mercedes Neems (Executive Support Officer)

The meeting was opened with a karakia.

Deputy Chair Allen Waenga took the chair as Councillor Kemara was delayed.

APOLOGIES

Nil.

DECLARATION OF CONFLICTS OF INTEREST

Nil.

PUBLIC FORUM

Alice Cameron & Haimona Waititi – Item 06: Funding Application Re: Tū Te Ihi

Councillor Kemara took the chair and Haimona Waititi entered the meeting at 10.12am.

Alice Cameron spoke to her application via audio link.

The purpose of the application was to seek funding to upgrade the community tennis courts in Raukokore, a central feature to the applicant's community. The Committee is requesting \$10,000 to resurface the tennis courts. They are awaiting a formal quote to be sent to them. It is intended that the whole project will be implemented in stages, and they are currently exploring other sources to secure additional funding. The committee has engaged with capable whānau willing to support the initiative. The tennis courts are also utilised by kapa haka groups; plans include adding a seating area for spectators.

Hamiora Waititi spoke to the financials and advised that the whole project will cost up to 100K potentially more. They will be seeking the additional funding from other significant funders to support the kaupapa. The Board thanked them both for taking the time to speak their application.

1. MINUTES – COAST COMMUNITY BOARD MEETING 5 NOVEMBER 2024 **p3**

RESOLVED

- (1) That the minutes of the Coast Community Board meeting held on 5 November are confirmed as a true and correct record.**

Kemara/Parata

Carried

2. ŌPŌTIKI WORKFORCE DEVELOPMENT UPDATE **p7**

The report was taken as read.

The Workforce Development Co-Ordinator provided an update since the report had been written which included the following:

- 23 placements into employment in various roles, with six of these being sustainable employment outcomes (employed for over 91 days).
- In February, an additional 10 placements will commence at the Muscle Factory.
- New agreement has been established with Te Tāwharau o Whakatōhea for 20 licencing outcomes.

The Board thanked the Workforce Development Co-Ordinator for her efforts over the past year and the ongoing updates to keep the Board informed regarding the workforce development programme.

RESOLVED

- (1) That the report titled "Ōpōtiki Workforce Development Update" be received.**

Kemara/Steel

Carried

3. GROUP MANAGERS' REPORT UPDATE

p14

The report was taken as read.

Board member Linda Steel raised a query regarding Local Waters Done Well and an update on the status. His Worship the Mayor advised that advice had been given, they are currently looking at options and wanting Councils to join up with others. Vaughan Payne is assisting the Council through this process, and it is progressing, however the arrangements they are investigating are not ideal and there are views that this will cause amalgamation of Councils.

Board member Linda Steel also raised the Treaty Principles Bill and whether Council would be submitting. His Worship the Mayor noted he was unable to get full consensus from Council to do one, however if The Board would like to submit, he would be happy to support. The Group Manager Strategy and Development advised there are resources at Council that could assist The Board establishing a submission on the proposed bill. The Board were all in favour of submitting the bill.

Board member Jack Parata raised the compliance monitoring with reference to previous discussions from the last meeting. The Group Manager Strategy and Development noted Council has employed a fixed term Compliance Officer to assist over the busy period and are still looking to work with the local community to assist with the restricted sites in the Coast Ward.

RESOLVED

- (1) That the report titled "Group Managers' Report Update" be received.**

Collier/Parata

Carried

4. COAST INITIATIVES FUND UPDATE

p18

The report was taken as read.

RESOLVED

- (1) That the report titled "Coast Initiative Fund Update" be received.**

Waenga/Steel

Carried

**5. COAST INITIATIVES FUND: FUNDING APPLICATION TIHIRAU VICTORY CLUB
TVC FISHING COMPETITION**

p25

A discussion ensued regarding the application and that no numbers were stated for estimated participants. Board member Allen Waenga advised that there is usually good attendance and people

often stay overnight. He then acknowledged the group for bringing their club into a charitable status to ensure they can secure more future funding.

RESOLVED

- (1) That the board receives the application or funding from Tihirau Victory Club.**
- (2) That the Board agrees to grant funding to Tihirau Victory Club in the amount of \$4,180.00 to assist with the costs stated in the application.**

Parata/Collier

Carried

6. COAST INITIATIVES FUND: FUNDING APPLICATION WAIRŪRŪ MARAE KOMITI – TŪ TE IHI **p31**

A discussion ensued regarding the application and noted that this was a great initiative that the board would support, however as this is a staged project board members would like to see a full project plan with more detail and encourage the applicant to re-apply once they have a plan for the project.

RESOLVED

- (1) That the Board receives the application or funding from the Wairūrū Marae Komiti.**
- (2) That the Board declines the funding application from the Wairūrū Marae Komiti.**

Waenga/Steel

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 10.35AM WITH A KARAKIA.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING
A TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE COAST COMMUNITY BOARD HELD
ON TUESDAY, 25 FEBRUARY 2025.**

MAXIE KEMARA

CHAIRPERSON

COAST COMMUNITY BOARD

MINUTES OF A CHIEF EXECUTIVE'S PERFORMANCE COMMITTEE MEETING DATED, THURSDAY, 16 JANUARY 2025 IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 1.32PM

PRESENT:

Deputy Mayor Shona Browne (Chairperson)
Mayor David Moore
Councillors:
Tom Brooks
Dean Petersen

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Mercedes Neems (Executive Support Officer)

The Chairperson opened the meeting, and a warm welcome was extended to everyone.

APOLOGIES

Nil.

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

- 1. CONFIRMATION OF MINUTES – CHIEF EXECUTIVE'S PERFORMANCE COMMITTEE MEETING 30 MAY 2024** p3

RESOLVED

- (1) That the minutes of the Chief Executive's Performance Committee meeting held on 30 May 2024 be confirmed as a true and correct record.**

HWTM/Petersen

Carried

2. RESOLUTION TO EXCLUDE THE PUBLIC

p6

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

- 3. Confirmation of In-Committee Minutes – Chief Executive’s Performance Committee Meeting 30 May 2024.**
- 4. Chief Executive Officer’s Twelve-Month Performance Review.**
- 5. Chief Executive Officer’s KPIs 01/2025 – 12/2025 (Full Year)**

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:

Item No	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
3.	Confirmation of In-Committee Minutes – Chief Executive’s Performance Committee Meeting 30 May 2024.	That the public conduct of 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.	Section 48(1)(a)
4.	Chief Executive Officer’s Twelve-Month Performance Review.	That the public conduct of 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.	Section 48(1)(a)
5.	Chief Executive Officer’s KPIs – 01/2025 – 12/2025 (Full Year)	That the public conduct of 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.	Section 48(1)(a)

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:

3.	Protect the privacy of natural persons Prevent disclosure or use of official information	Section 7(2)(a) Section 7(2)(j)
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4.	Protect the privacy of natural persons	Section 7(2)(a)
5.	Protect the privacy of natural persons	Section 7(2)(a)

HWTM/Petersen

Carried

RESOLVED

- (1) That the resolutions made while the public was excluded, be confirmed be confirmed in open meeting.**
- (2) That the public be readmitted to the meeting.**

HWTM/Petersen

Carried

RESOLVED

- (1) That the In-Committee minutes of the Chief Executive’s Performance Committee meeting held on 30 May 2024 be confirmed as a true and correct record.**

HWTM/Petersen

Carried

RESOLVED

- (1) That the report titled “Chief Executive’s Twelve-Month Performance Review” be received.**
- (2) That the Committee hear and consider the self-assessment of the Chief Executive officer on his review.**

Petersen/HWTM

Carried

RESOLVED

- (1) That the report titled “Chief Executive Officer’s KPIs 01/2025 – 12/2025 (Full Year)” be received.**
- (2) That the Committee reviews the Chief Executive Officer’s Draft Key Performance Indicators (KPIs) 01/2025 – 12/2025 (Full Year) and suggests any modifications where necessary.**
- (3) That the Committee approves the Chief Executive Officer’s Key Performance Indicators (KPIs) 01/2025 – 12/2025 (Full Year), as attached to the agenda report with any agreed modifications.**
- (4) That the Committee notes the Chief Executive Officer’s KPIs 01/2025 – 12/2025 (Full Year) may change with time, with changes being made through the Committee.**
- (5) That the Committee meets every three months to track performance.**

HWTM/Petersen

Carried

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 2.25PM.

**THE FOREGOING MINUTES ARE CERTIFIED AS BEING A
TRUE AND CORRECT RECORD AT A SUBSEQUENT
MEETING OF THE CHIEF EXECUTIVE'S PERFORMANCE
COMMITTEE HELD IN 2025.**

**DEPUTY MAYOR SHONA BROWNE
CHAIR**

DRAFT

Bay of Plenty Civil Defence Emergency Management Group Joint Committee

Open Minutes

- Commencing:** Friday 13 December 2024, 10:00am
- Venue:** Western Bay of Plenty District Council Chambers, 1484 Cameron Road, Greerton, Tauranga and via Zoom (Audio Visual Meeting)
- Chairperson:** Mayor Faylene Tunui – Kawerau District Council (KDC)
- Deputy Chairperson:** Mayor James Denyer – Western Bay of Plenty District Council (WBOPDC)
- Members:**
- Ōpōtiki District Council (ODC):** Mayor David Moore
 - Tauranga City Council (TCC):** Mayor Mahé Drysdale (via Zoom), Deputy Mayor Jen Scouler – Alternate, Cr Kevin Schuler – Alternate (via Zoom – from 10.08 am)
 - Whakatāne District Council (WDC):** Mayor Victor Luca, Deputy Mayor Lesley Immink – Alternate (via Zoom)
 - Rotorua Lakes Council (RLC):** Deputy Mayor Sandra Kai Fong - Alternate
 - National Emergency Management Agency (NEMA):** Observer Lily Foulds - Regional Emergency Management Advisor
- In Attendance:**
- Emergency Management Bay of Plenty (EMBOP):** Mark Crowe - Director; Chris Brewer - Manager, Planning; Theo Ursum - Advisor, Planning (via Zoom), Shell Brandt – Advisor, Planning, Samme Moore – Advisor Communications
 - NEMA:** Paul Renshaw - Team Leader, Planning and Programme Manager for the Catastrophic Planning Programme and Space Weather (via Zoom), Louisa Prattley – Senior Advisor, Planning (via Zoom)
 - TCC:** Marty Grenfell – Chief Executive (via Zoom), Paula Naude – Manager, Community Development and Emergency Management (via Zoom)
 - Toi Moana Bay of Plenty Regional Council (BOPRC):** Fiona McTavish – Chief Executive; Reuben Fraser - General Manager, Hayley Sheridan - Legal Counsel, Amanda Namana - Committee Advisor
- Apologies:** Mayor Tania Tapsell – Rotorua Lakes Council, Cr Malcolm Campbell – BOPRC, Cr Ron Scott – Alternate, BOPRC

Declaration of Public Recording

Committee members were reminded that the meeting was being recorded and that the recording would be made available on the BOPRC website and archived for a period of three years: [Civil Defence Emergency Management Group Meeting - 13 December 2024](#)

Opening Karakia

Provided by: Chris Brewer – Manager, Planning.

10.08 am – Cr Kevin Schuler (via Zoom) **entered** the meeting.

1. Apologies

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Accepts the apologies from Mayor Tapsell, Cr Campbell and Cr Scott tendered at the meeting.**

**Kai Fong/Tunui
CARRIED**

2. Declaration of Conflicts of Interest

None declared.

3. Minutes

Minutes to be Confirmed

3.1 Bay of Plenty Civil Defence Emergency Management Group Joint Committee Minutes - 27 September 2024

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Confirms the Bay of Plenty Civil Defence Emergency Management Group Joint Committee Minutes - 27 September 2024 as a true and correct record.**

**Denyer/Moore
CARRIED**

4. Presentations

4.1 NEMA's Space Weather Programme

Presentation: Space Weather: Why Now?: Objective ID A4849903

Presented by: Paul Renshaw – Team Leader, Planning and Programme Manager for the Catastrophic Planning Programme and Space Weather, and Louisa Prattley – Senior Advisor, Planning

Key Points:

- Described space weather as a range of phenomena originating from the sun which occurred continuously, similar to terrestrial weather on earth
- Extreme space weather events could damage or disrupt critical infrastructure/technology on earth and severely impact the general population. It would not however, pose a direct health risk to humans or animals, although lengthy power outages were likely
- The risk was elevated with increased solar activity from October 2024 until approximately 2027
- A space weather event had potential to cause catastrophic consequences in New Zealand and globally, which could cost the country billions of dollars. As a global scale hazard, international partners were unlikely to be able to assist swiftly with electronic replacement parts, primarily due to competitive larger markets
- Actions to be taken included undertaking planning and readiness activities to manage the exposure and vulnerability, and building resilience for New Zealand. NEMA had established a space weather programme in June 2024 to coordinate related activities across NEMA and drive their national response arrangements
- NEMA was the lead agency for managing space weather events and had produced the national response plan. This included working with like-minded countries in readiness and response, key partner agencies, stakeholders and the science community
- The Catastrophic Planning Handbook would improve system readiness, provide a framework for national coordinated response and encourage emergency management partners to address any readiness gaps
- A catastrophic level event would disrupt the complex inter-connected system of lifeline utilities and significantly decrease quality of life for an extended period of time. The devastation and potential outcomes of an event such as this were difficult to foresee
- Assisting community readiness for a space weather event included:
 - Ensuring regional and local council Business Continuity Plans were updated to reflect the management of this hazard (if lengthy power outages were already included then this would already address the majority of the risk)
 - Informing communities and businesses of the risk and to be prepared.

In Response to Questions:

- Transpower had been aware of space weather as a hazard for some time, and had been trying to build resilience into the centralised network. NEMA had been working with them toward future resilience and what this may look like for vulnerable line networks
- The sun was currently in a solar maximum period which caused a heightened period of solar activity
- Although space weather events were very complex to explain, a geomagnetic storm that impacted earth's communication capabilities was a reasonable interpretation for the public. NEMA had work underway to provide consistent messaging to the public so they could be informed ahead of a potential event

- An extreme space weather event (potentially causing turning off the national grid) had an approximately 30% likelihood of occurring in the next 50 years. There was a 99.5% likelihood that a lesser version may occur in next 50 years, with varying potential impacts
- Although increased satellite and communications e.g. the use of Starlink etc, did not increase the risk of a space weather event, it did increase exposure and vulnerability due to the use and reliance of these heightening any potential impacts
- RocketLab had higher intelligence in the space weather field due to their operations and strong connection with international partners
- If other significant crisis events were underway when a space weather event occurred, it could seriously affect communications and response capability for emergencies
- As the world was now in an electrically dependent environment, the outcome of a space weather event was more significant than it would have been in the past
- Monitoring of field intensity was not occurring within New Zealand, but would be internationally.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the Presentation, NEMA's Space Weather Programme.**

**Luca/Kai Fong
CARRIED**

5. Reports

Decisions Required

5.1 Bay of Plenty CDEM Group Statutory Appointments

Presented by: Mark Crowe - Director, Emergency Management Bay of Plenty.

Key Points:

- Outlined the proposed seven changes, detailing each appointment and rescindment.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty CDEM Group Statutory Appointments;**
- 2 Approves the appointment of Antoinette Campbell, Group Manager Strategy and Development, Ōpōtiki District Council as Local Controller for the Bay of Plenty Civil Defence Emergency Management Group, as defined under s27 (1) of the CDEM Act 2002;**
- 3 Approves the appointment of Paul Warbrick, Te Arawa Partnership, Manuhautu Te Arawa Hourua, Rotorua Lakes Council as Local Controller for**

the Bay of Plenty Civil Defence Emergency Management Group, as defined under s27 (1) of the CDEM Act 2002;

- 4 Approves the appointment of Sara Ellis, Senior Strategic Policy Analyst, Whakatane District Council as Local Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group, as defined under s30 (1) of the CDEM Act 2002;**
- 5 Approves the rescindment of the Rod Barnett, Local Recovery Manager, Western Bay of Plenty District Council;**
- 6 Approves the rescindment of Steven Perdia, Local Recovery Manager, Whakatane District Council;**
- 7 Approves the rescindment of Gerard McCormack, Local Controller, Ōpōtiki District Council;**
- 8 Approves the rescindment of Cara Gordon, Alternative Group Controller, Emergency Management Bay of Plenty.**

**Kai Fong/Tunui
CARRIED**

5.2 Bay of Plenty CDEM Group Office Quarterly Performance Monitoring Report 2024 - 2025 (Q1)

Presented by: Chris Brewer – Manager, Planning, Emergency Management Bay of Plenty

Key Points:

- Confirmed that the report contained real time data, accurate to 28 November 2024
- Space weather was included in the catastrophic planning work, with a further phase proposed for approval in the 2025- 2026 annual plan activities.

Key Points - Staff:

- Any project identified to not be on track would be outlined in the executive summary of the report and highlighted in the graphs contained within
- The development programme for elected members scheduled in 2025 was intended as a future focused development programme.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty CDEM Group Office Quarterly Performance Monitoring Report 2024 - 2025 (Q1);**
- 2 Endorses the proposed approach to reporting for the remainder of the 2024 - 2025 financial year and moving forward.**

**Moore/Kai Fong
CARRIED**

5.3 Bay of Plenty CDEM Group Training KPI Measurement

Presented by: Mark Crowe - Director, Emergency Management Bay of Plenty

Key Points:

- Highlighted key changes to the report structure including:
 - Specific leadership statistics and tracking of controllers and recovery managers' appointments and progression through the development pathway
 - Providing financial tracking against budgets. Noted that the budget from the Tertiary Education Commission Allocation was an annual apportionment from NEMA and followed a calendar year, as opposed to a financial year.

In Response to Questions:

- Considered that it would be helpful for members to see risks included in future reports and highlighted in the Executive Summary.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 **Receives the report, Bay of Plenty CDEM Group Training KPI Measurement.**

**Denyer/Kai Fong
CARRIED**

Information Only

5.4 Verbal Update: Director, Emergency Management Bay of Plenty

Presented by: Mark Crowe - Director, Emergency Management Bay of Plenty

Key Points:

- Provided an update on key appointments within the EMBOP Group office:
 - Esmay Wharerewa had been appointed to the Kaiarahi Māori role - Senior Advisor, Māori Engagement, which commenced on 2 December 2024
 - James Jefferson had been appointed to the Principal Advisor position and would commence this role on 15 January 2025
- Modelling undertaken for the Tsunami Project highlighted some inconsistencies which required a variation in the contract, solely to provide more time to work through the variables. An update would be provided to the next meeting
- Lisa Glass - Communications and Engagement for Emergency Management Bay of Plenty was one of three selected from New Zealand to present at a conference on risk emergency and business continuity in Riyadh, Saudi Arabia
- The CDEM resilience fund was currently open for applications, which closed on 31 January 2025, noting the current focus for NEMA was flood and tsunami resilience

- Workstreams and timeframes were still being worked through in regard to the Emergency Management System Improvement Programme (EMSIP). A further update would be provided in 2025 once the timelines were more clearly defined through regional partnerships
- NEMA were proactively working with GNS Science to ensure that their budgetary constraints did not impact the current level of service being provided, or create potential risk around tsunami monitoring and warnings. Emergency Management Bay of Plenty were also involved and considering residual risk should anything change.

Key Points - Members:

- In October 2024, Chair Tunui and Director Crowe hosted the Minister for Emergency Management and Recovery, Hon Mark Mitchell and MP Andy Foster in Tauranga, with a visit to the CDEM team and the training programme.

In Response to Questions:

- The newly filled role of Principal Advisor for Emergency Management Bay of Plenty was also an Alternate Group Controller, and the staff roster was currently full (no vacancies), subject to any other movements that may occur.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Verbal Update: Director, Emergency Management Bay of Plenty.**

**Kai Fong/Tunui
CARRIED**

**5.5 National Emergency Management (NEMA) Update Bay of Plenty
CDEM Joint Committee - 13 December 2024**

Presented by: Lily Foulds - Regional Emergency Management Advisor, NEMA

Key Points:

- Cabinet expected a roadmap to outline the implementation programme of EMSIP, which was due in 2025.

Resolved

That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, National Emergency Management (NEMA) Update Bay of Plenty CDEM Joint Committee - 13 December 2024.**

**Moore/Kai Fong
CARRIED**

6. Public Excluded Section

Resolved

Resolution to exclude the public

- 1 Excludes the public from the following parts of the proceedings of this meeting as set out below:

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:

Item No.	Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution	When the item can be released into the public
6.1	Public Excluded Bay of Plenty Civil Defence Emergency Management Group Joint Committee Minutes - 27 September 2024	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
6.2	Bay of Plenty CDEM Whakaari/White Island Coronial Inquiry December Update	Withholding the information is necessary to maintain legal professional privilege.	48(1)(a)(i) Section 7 (2)(g).	On CDEMG Chair and the Director EMBOP's approval.

**Moore/Luca
 CARRIED**

11.06 am - the meeting closed.

CONFIRMED

 Mayor Faylene Tunui
 Chairperson, Bay of Plenty Civil Defence
 Emergency Management Group Joint Committee

Regional Transport Committee

Open Minutes

- Commencing:** Friday 13 December 2024, 12.00pm
- Venue:** Western Bay of Plenty District Council Chambers, 1484 Cameron Road, Greerton, Tauranga and via Zoom (Audio Visual Meeting)
- Chairperson:** Cr Lyall Thurston - Toi Moana Bay of Plenty Regional Council (BOPRC)
- Deputy Chairperson:** Cr Ken Shirley - BOPRC
- Members:** Mayor Faylene Tunui - Kawerau District Council, Mayor David Moore - Ōpōtiki District Council, Mayor Mahé Drysdale - Tauranga City Council (via Zoom), Deputy Mayor Jen Scoular - Alternate, Tauranga City Council, Andrew Corkill - Waka Kotahi NZ Transport Agency (NZTA), Cr Andrew von Dadelszen - Alternate, BOPRC, Cr Conan O'Brien - Alternate, Rotorua Lakes Council, Mayor James Denyer - Western Bay of Plenty District Council (WBOPDC), Mayor Victor Luca - Whakatāne District Council, Deputy Mayor Lesley Immink - Alternate, Whakatāne District Council (via Zoom), Angus Hodgson - KiwiRail (via Zoom)
- In Attendance:** External: Greg Pert - Freight Advisor, Philip King - Alternate, NZ Automobile Association (NZAA) Advisor
- BOPRC: Oliver Haycock - Director, Public Transport, Andrew Williams - Manager, Transport Planning, Amanda Namana - Committee Advisor
- Apologies:** Mayor Tania Tapsell - Rotorua Lakes Council, Chairman Doug Leeder - BOPRC, Inspector Logan Marsh - NZ Police Road Safety Advisor, Dan Kneebone Port of Tauranga Advisor, Stacey Spall - NZAA Advisor

1. Apologies

Resolved

That the Regional Transport Committee:

- 1 Accepts the apologies from Mayor Tapsell, Chairman Leeder, Inspector Marsh, Dan Kneebone and Stacey Spall tendered at the meeting.**

**Thurston/Drysdale
CARRIED**

2. Chair's Statement

The Chair reminded all present that the meeting was being livestreamed and recorded and would be made available on the Bay of Plenty Regional Council website following the meeting: [Regional Transport Committee - 13 December 2024](#)

3. Declaration of Conflicts of Interest

None declared.

4. Minutes

Minutes to be Confirmed

4.1 Regional Transport Committee Minutes - 13 September 2024

Resolved

That the Regional Transport Committee:

- 1 Confirms the Regional Transport Committee Minutes - 13 September 2024 as a true and correct record.

Thurston/Shirley
CARRIED

5. Presentations

5.1 Te Manatū Waka, Ministry of Transport - Road User Charges

This item was deferred to a future meeting due to the unavailability of presenters.

6. Reports

6.1 Chairperson's Report

Presented by: Oliver Haycock – Director, Public Transport

Key Points:

- The Land Transport Rule: Setting of Speed Limits 2024 had now been finalised. As a result, regional transport committees and regional councils no longer played a role in the setting of speed limits, with the responsibility now being solely with road controlling authorities (RCA's)
- The updated Regional Advisory Group (RAG) Terms of Reference set clear expectations of representatives, including the communication they undertook with their Regional Transport Committee members
- Workshops had been held with Territorial Local Authorities (TLA's) to reflect upon the last Regional Land Transport Plan (RLTP) process and lessons learnt to optimise future support and advice.

Key Points - Members:

- WBOPDC expressed frustration due to having adopted their speed management plan in April 2024, with it still not having NZTA endorsement – NZTA to look into this and respond directly so that implementation could proceed
- There was NZTA funding available for mandated speed reversals and relevant council staff would receive information from investment advisors regarding how to access this
- Found the RLTP workshops useful and supported these being held at the start of each triennium to expose members to the process, decision-making outcomes and potential risks in RLTP development
- NZTA introduced newly released information from the Minister of Transport, Hon. Simeon Brown around road tolling, including the following key information:
 - Three new North Island roads would incur a toll for road users: Ōtaki to north of Levin, Penlink Road north of Auckland and Takitimu North Link Stage 1 – Tauranga (TNL)
 - The Mānawatu-Tararua Highway would not be tolled due to late consultation and timing constraints making it not cost-effective to implement until after completion, placing it outside central government’s expectations for new road tolling
 - Revenue collected from the TNL tolls would contribute toward construction, safety and maintenance of the road. This revenue could not be used to directly fund other regional projects, but would release the allocated funding in the National Land Transport Fund (NLTF) to invest in other nationwide and regional infrastructure projects
 - 2,317 submissions had been received from public consultation in relation to the proposed tolling
- Expressed strong disappointment in the inequity of the decision to not toll the Mānawatu-Tararua Highway
- Highlighted that three of the country’s six toll roads would now be in the Bay of Plenty region.

Resolved**That the Regional Transport Committee:**

- 1 Receives the report, Chairperson’s Report;**
 - 2 Confirms the removal of Bullet Point 7 under ‘Role’ in the Terms of Reference and notes that no other amendments were made;**
 - 3 Agrees to follow the process of appointing an external advisor for environmental sustainability in the new triennium**
- Thurston/Luca
CARRIED**
- 4 Writes a letter to the Minister of Transport (copying the NZTA Board Chair) expressing concern, recognising inconsistencies and requesting further explanation regarding the implementation of central government’s road tolling policy released on 13 December 2024, circulates it to members by email and delegates authority to the Chair to review and sign of behalf of the Committee.**

**Shirley/Denyer
CARRIED**

Decisions Required

6.2 Appointment of External Advisor for Tourism and Economic Development

Presented by: Chair Cr Thurston, Oliver Haycock – Director, Public Transport and Cr Conan O’Brien – Alternate, Rotorua Lakes Council

Key Points:

- Supported narrowing the focus to an advisor with sole tourism focus, rather than combined with economic development, as this broader scope would diminish the tourism factor
- Emphasised the intention of a regional focus for this advisory role e.g. when cruise ships disembarked in Tauranga the infrastructure, facilities and accessibility using regional transport links were in place. Tourism was a growing and significant concern of each subregion in the Bay of Plenty.

Key Points – Members and Advisors:

- Highlighted the financial implications for the proposed appointment process, particularly the cost of newspaper advertising
- Supported Rotorua having a stronger outcome for the next RLTP, however considered this advisory role may be deviating too far from transport issues and the purpose of the Committee when other options were available to address this
- The omission of the tourism sector during the development of the last RLTP was a valid concern for all subregions, however there were more appropriate ways to include this representation in future RLTP’s.

Resolved

That the Regional Transport Committee:

- 1 **Receives the report, Appointment of External Advisor for Tourism and Economic Development;**

**Thurston/O’Brien
CARRIED**

- 2 **Agrees to appoint a regional External Advisor for Tourism and Economic Development;**

**O’Brien/Thurston
The motion was LOST**

- 3 **Approves the appointment process as outlined in the report, including delegating initial candidate consideration to a panel comprising the RTC Chair and the Regional Council’s Director, Public Transport;**

**O’Brien/Thurston
The motion was LOST**

- 4 **Encourages tourism representatives from each subregion to speak to the Committee on the value of tourism early in the development stages of the next RLTP.**

**Thurston/O’Brien
CARRIED**

6.3 NZ Transport Agency Waka Kotahi Quarterly Update

Presentation: NZTA Waka Kotahi Update December 2024: Objective ID A4850591

Presented by: Andrew Corkill – NZTA Director Regional Relationships

Key Points:

- A difference in driver behaviour had been observed at the new safety camera sites
- Three additional average speed location cameras were being considered across the Bay of Plenty
- All seven Roads of National Significance (RoNS) had been listed in Schedule 2 of the Fast-Track Approvals Bill
- Work on the Ōmanawa Bridge replacement would be staged
- Takitimu North Link Stage 2 was intended to use Fast-Track legislation for the consents
- Outlined features of the new NZTA App which enabled users to manage all things related to their vehicle/s in one place including driver's license, WOF/registration and toll payments
- The Tauriko enabling works project was tracking overall to programme
- Noted that the new Government Policy Statement on land transport 2024 (GPS) changed how NZTA invested in safety
- The majority of the SH maintenance programme would be completed by the end of March 2025
- SH36 Hauraki Stream Culvert Bridge renewal was expected to commence construction by mid-2025.

Key Points - Members:

- Local residents were still dissatisfied regarding the ongoing median barrier issues (SH2 Waihi to Ōmōkoroa), and continued to seek a better balance of safety and access
- There continued to be strong community opinion that Wright Road needed right turn access.

In Response to Questions:

- General feedback received from the trucking industry was positive regarding road closures, as this was a short term inconvenience for long term resilience gains
- Pothole repair work had been prioritised due to the increasing numbers.

Items for NZTA Follow Up:

- Advise which RCA's on the Committee had completed the process of transitioning to the Asset Management Data Standard (AMDS)
- Check completion date was in 2028 for Takitimu North Link Stage 1 and confirm to members
- Clarify/confirm statistics for the cost of temporary traffic management in roading projects
- Provide comparative slides to the next meeting to highlight the number of potholes being fixed over time for the 24-hour pothole initiative
- Provide details of the new formula being used in potholes which provided further longevity.

Resolved**That the Regional Transport Committee:**

- 1 Receives the report, NZ Transport Agency Waka Kotahi Quarterly Update.**

**Corkill/Luca
CARRIED**

6. Verbal Update opportunity for Committee Members and Advisors**Angus Hodgson - KiwiRail:**

- KiwiRail would have 96 days of closures over the next 14 months. Closures from Christmas 2024 until the end of January 2025 meant that freight would travel by truck from Auckland to Hamilton, then on to container transfer sites before travelling on to Tauranga and other parts of the country. Cautioned to expect a significantly higher volume of trucks on the road over the summer period
- 66% toward completion of the City Rail Link.

Greg Pert - Freight Advisor:

- Road transport was current struggling economically, however expected this to improve as people started to purchase more product
- The industry was performing well in safety measures.

Philip King - Alternate, NZAA Advisor:

- NZAA had a number of initiatives underway at present
- Would support the 30km speed limit around schools, however was disappointed that current information indicated there would be static variable signs as opposed to the more visible electronic signs. Uncertain of the price difference between these but considered the safety of children would be greatly enhanced by using electronic signs
- Concerned over the lack of urgency in rolling out revised speed limits across the country
- NZAA members often received inaccurate information regarding road closures and detours, including distance and estimated time added to the trip, refuelling and electric vehicle charging point information.

1.39 pm - the meeting closed.

CONFIRMED

Cr Lyall Thurston
Chairperson, Regional Transport Committee

COUNCIL REPORT

Date : 24 January 2025
To : Ordinary Council Meeting, 4 February 2025
From : His Worship the Mayor, David Moore
Subject : **MAYORAL REPORT 30 NOVEMBER 2024–24 JANUARY 2025**
File ID : A1281887

EXECUTIVE SUMMARY

- This report provides an update to Council on meetings and events attended by His Worship the Mayor for the period 30 November 2024 to 24 January 2025.

RECOMMENDATION

- 1) **That the report titled “Mayoral Report 30 November 2024–24 January 2025” be received.**

PURPOSE

1. To provide an update to Council on meetings and events attended by His Worship the Mayor.

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Opōtiki District Council's Long-Term Plan 2024-2034:
 - Community Priority One: Strong relationships and partners
 - Community Priority Two: Investment in our district
 - Community Priority Three: Wellbeing is valued
 - Community Priority Four: Our communities are resilient
 - Community Priority Five: Growth is sustained over time

DISCUSSION

3. Since 30 November 2024 I have attended or met with the following:

2 December 2024

Eastern Bay of Plenty Spatial Plan hearing of submissions, Whakatāne

6 December 2024

Eastern Bay of Plenty Joint Committee Chair's agenda meeting, via Zoom

9 December 2024

Performance and Delivery Committee meeting

10 December 2024

Ordinary Council meeting

12 December 2024

ODC Tenders Sub-Committee meeting

Bay of Plenty Mayoral Forum meeting, via Zoom

13 December 2024

Tauranga

Bay of Plenty Civil Defence Emergency Management Group Joint Committee meeting

Regional Transport Committee meeting

16 December 2024

OCG catchment meeting with Bay of Plenty Regional Council

ODC Risk and Assurance Committee meeting

17 December 2024

Coast Community Board meeting, via Teams

Eastern Bay of Plenty Joint Committee meeting, Kawerau

18 December 2024

Ōpōtiki Marine Advisory Group (OMAG) meeting

Department of Internal Affairs Local Government (Water Services) Bill webinar

Eastern Bay of Plenty Spatial Plan Project Governance Group meeting, via Teams

8 November 2024

LGNZ Te Maruata Piki te Ora Session – online meeting

19 December 2024

Council workshop

Eastern Bay of Plenty Mayors - meeting with Dana Kirkpatrick MP re Whakatane Hospital, via Teams

Interview with 1XX re LG legislation (Wellbeings)

20 December 2024

Eastern Bay of Plenty Mayors – meeting with Dana Kirpatrick MP and BOP District Health Board representative, via Teams

23 December 2024

Councillor/CEO catch up meeting

Extra Ordinary Council meeting

End of year pot luck lunch – Elected Members and Council’s Executive Leadership Team

16 January 2025

Chief Executive’s Performance Committee meeting

21 January 2024

Mayors Taskforce for Jobs three-month visit – Anaru and Riot Lake (Sybton Horticulture)

22 January 2024

Councillor/CEO catch up meeting

Financial/budget considerations

4. There are no financial/budget considerations associated with this report.

Risks

5. There are no risks associated with this report.

Community wellbeing considerations

6. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future (‘the 4 wellbeings’).

7. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.

8. There are no known social, economic, environmental, or cultural considerations associated with this matter.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

9. On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be. Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.
10. The level of significance related to the decision in this report is considered to be **low**. Because the decision is determined to have **low** significance in accordance with the policy, the corresponding level of engagement required is **Inform**.

Assessment of engagement

11. As the level of significance has been determined to be **low**, the level of engagement required is **Inform** according to the Engagement Framework of the Significance and Engagement Policy:

INFORM

To provide balanced and objective information to assist understanding about something that is going to happen.

12. The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

David Moore

HIS WORSHIP THE MAYOR

COUNCIL REPORT

Date : 22 January 2025
To : Ordinary Council Meeting, 4 February 2025
From : Councillor Barry Howe, Chair Ōpōtik Marine Advisory Group
Subject : **ŌPŌTIKI MARINE ADVISORY GROUP (OMAG) UPDATE**
File ID : A1281869

EXECUTIVE SUMMARY

- This report provides an update to Council on progress of the Ōpōtiki Marine Advisory Group (OMAG), since the previous update received on 17 September 2024.

RECOMMENDATION

- 1) That the report titled “Ōpōtiki Marine Advisory Group (OMAG) Update” be received.**

PURPOSE

1. To inform Council on progress achieved through the Ōpōtiki Marine Advisory Group Meetings.

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council’s Long-Term Plan 2024-2034.
 - Community Priority One: Strong relationships and partners
 - Community Priority Two: Investment in our district
 - Community Priority Three: Wellbeing is valued
 - Community Priority Four: Our communities are resilient
 - Community Priority Five: Growth is sustained over time

BACKGROUND

3. The Ōpōtiki Marine Advisory Group (OMAG) was established in 2009 as a technical advisory group to Council in support of the Ōpōtiki Harbour Development Project. This arrangement harnesses the expertise of an important cross-sectoral group of stakeholders to provide advice and address issues in a confidential and efficient manner. OMAG focuses on all matters relevant to the long-term goal of creating the infrastructure required to enable a thriving aquaculture industry centred in Ōpōtiki.

4. OMAG meets every two months. Members include representatives from the Ōpōtiki community, Ōpōtiki District Council (ODC), Whakatōhea Māori Trust Board, Eastern Sea Farms Limited, Whakatōhea Mussels (Ōpōtiki) Limited, Harbour construction contractors, Coastguard, Marine Industrial Zone (OMAI), Toi-EDA. Council has been regularly briefed about the Ōpōtiki Harbour Development Project, OMAG, and activities that are underway.
5. OMAG had a meeting scheduled for October, however, this was re-scheduled to 18 December 2024 due to lack of attendance.

DISCUSSION

HARBOUR DEVELOPMENT PROJECT PROGRESS

6. Cabinet approved additional funding for dredging operations, with HEB working under this arrangement since October 1, 2024.
7. Project completion is on track for March 2025.
8. Current dredging focuses on the “sticky patch,” a challenging area with compacted material. Progress remains weather dependent, especially for dredging in front of the harbour entrance.
9. Channel developments: **J Channel** still to be widened to 30 metres. **Channel outside marina:** still to be widened to 60 meters.
10. Additional temporary navigational aids were discussed but deemed unnecessary.
11. The western beach remains closed during dredging to protect dotterel habitats. A successful breeding season was noted.
12. Sheet pile and wire rope barrier will remain in place beyond the construction period but will be removed at the appropriate time by the Harbour Project.

HARBOUR INDUSTRIAL ZONE (OMAI) DEVELOPMENT

13. Additional funding for the industrial zone will not go to Cabinet until mid-2025 due to current economic constraints.
14. Stakeholders, including Petersens, WMOL, and Whakatōhea, agreed to further discussions to explore options moving forward.

COUNCIL UPDATE

15. Wharf construction is nearly complete but remains closed for health and safety reasons.
16. The overflow boat trailer car park is nearing completion.
17. Consent application preparation for the wharf jetty extension is underway and will consider options to incorporate shallow swimming areas as an alternative to swimming on the boat ramp.
18. Staff are addressing riverbank erosion and preparing funding applications under Deluge Tranche 2.

19. Proposal for implementing controlled vehicle and pedestrian access on the western side was discussed and no concerns were raised by the group.

AQUACULTURE INDUSTRY DEVELOPMENTS

20. Whakatōhea Mussels employed 37 new staff and installed additional equipment.

21. Spat Lab research is ongoing in Nelson.

COASTGUARD UPDATE

22. Progress on the Coastguard building is stalled due to unresolved boundary issues and lease arrangements.

MARINE SAFETY AND HARBOUR OPERATIONS

23. Updated safety signage will be installed in January 2025.

24. The updated "Boating in the Bay" handbook is ready for distribution.

25. New bar cameras are operational, providing real-time conditions for \$12/month.

26. Harbourmaster is acquiring new surveying equipment

27. Harbourmaster is addressing buoy installation issues with HEB.

28. This summer there will be a focus on educating local boaters about boating rules, including the 5-knot speed rule, with a heavier focus on enforcement planned for the next season.

29. A potential supplier arrangement between WMOL and BOPRC was proposed for cost-effective buoy maintenance.

GOVERNANCE STRUCTURE

30. The preferred governance structure for harbour operations is a Committee of Council.

31. A separate user forum will be established to enhance stakeholder engagement.

32. Further discussions are planned for the next meeting.

Financial/budget considerations

33. There are no financial considerations associated with the recommendation in this report.

Policy and planning implications

34. There are no policy and planning implications associated with the recommendation in this report.

Impact on mana whenua

35. The recommendation of this report has no specific impact on mana whenua.

Climate impact considerations

36. The recommendation of this report has no specific climate impact considerations.

Risks

37. There are no risks associated with this report.

Community wellbeing considerations

38. Receiving a progress report has a significant impact on community well-being considerations by promoting transparency, trust, and inclusivity in decision-making processes.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

39. On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be. Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

40. The level of significance related to the decision in this report is considered to be **low**. Because the decision is determined to have **low** significance in accordance with the policy, the corresponding level of engagement required is **Inform**.

Assessment of engagement

41. As the level of significance has been determined to be **low**, the level of engagement required is **Inform**.

INFORM	To provide balanced and objective information to assist understanding about something that is going to happen.
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42. The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

CONCLUSION

43. This report provides an update to Council on progress of the Ōpōtiki Marine Advisory Group (OMAG), since the previous update on 17 September 2024.

Councillor Barry Howe

CHAIR, ŌPŌTIKI MARINE ADVISORY GROUP

COUNCIL REPORT

Date : 13 February 2025
To : Ordinary Council Meeting, 4 February 2025
From : Group Manager Strategy and Development, Antoinette Campbell
Subject : **REGIONAL ECONOMIC DEVELOPMENT AGENCY TRUST EXEMPTION AS A COUNCIL CONTROLLED ORGANISATION**
File ID : A1278894

EXECUTIVE SUMMARY

- The Eastern Bay of Plenty Economic Development Trust (Toi EDA) is currently exempt from being a Council Controlled Organisation to operate efficiently as a small organisation.
- Legislation requires a decision of Council to continue to exempt a small organisation from being a Council Controlled Organisation.

RECOMMENDATIONS

- 1) **That the report titled " Regional Economic Development Agency Trust Exemption as a Council Controlled Organisation" be received.**
- 2) **That Council exempts the Eastern Bay of Plenty Regional Economic Development Trust (Toi EDA) from the provisions related to Council Controlled Organisations as provided under section 7 of the Local Government Act 2002, for a period of three years.**

PURPOSE

1. The purpose of this report is to request that Council continues to exempt the Eastern Bay of Plenty Regional Economic Development Trust (Toi EDA), from the provisions relating to Council Controlled Organisations (CCOs) as provided by section 7 of the Local Government Act 2002:
A local authority must review an exemption it has granted –
 - a) *Within 3 years after it is granted; and*
 - b) *After the first review, at intervals of not less than 3 years.*
2. Whakatāne District Council granted a continued exemption on 12 December 2024.
3. The other partner councils will consider a recommendation to exempt Toi EDA from the CCO requirements:

- a) Kawerau District Council before 22 February 2025.
- b) Bay of Plenty Regional Council before 31 March 2025.

STRATEGIC ALIGNMENT

4. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council's Long-Term Plan 2024-2034:
- Community Priority One: Strong relationships and partners
 - Community Priority Two: Investment in our district
 - Community Priority Three: Wellbeing is valued
 - Community Priority Four: Our communities are resilient
 - Community Priority Five: Growth is sustained over time

BACKGROUND

5. The Eastern Bay of Plenty Regional Economic Development Trust (Toi EDA) was established to support regional economic development. Kawerau, Ōpōtiki and Whakatāne district councils and Bay of Plenty Regional Council (the partner councils) and Te Rūnanga of Ngāti Awa are Settlers of the Trust, which has the primary purpose of being the economic development agency for the Eastern Bay of Plenty.
6. Toi EDA falls within the definition of a council-controlled organisation (CCO) in section 6 of the Local Government Act 2002 as:
- “(b) an organisation in respect of which one or more local authorities have, whether or not jointly with other local authorities or persons, -*
- (i) control, directly or indirectly, of 50% or more of the votes at any meeting of the members or controlling body of the organisation; or*
 - (ii) the right, directly or indirectly, to appoint 50% or more of the trustees, directors or managers (however described) of the organisation”.*

Reasoning for the exemption

7. At the time of authorising the Eastern Bay of Plenty Regional Economic Development Trust Deed in 2004, Council considered that the requirements of the Local Government Act 2002 relating to CCOs were onerous in relation to the direct financial costs and benefits for the EDA. In accordance with section 7 of the Act, Council resolved to exempt Toi EDA as a CCO.
8. The requirements of a CCO can be onerous and expensive for small organisations, for example the requirement to have an annual report audited. Exemption from being a CCO allows Toi EDA to focus its limited resources on economic development activities without the administrative and reporting requirements of the Act. The requirements can be also expensive and resource intensive for local authorities.

9. Since the exemption was first granted, the partner councils have reviewed the exemption at the end of each three-year period and resolved to grant a further exemption due to the costs outweighing any perceived benefits.
10. For these reasons, this report recommends that Council exempts Toi EDA from the provisions related to Council Controlled Organisations, as provided for under section 7 of the Act, for a period of not more than three years.

OPTIONS

11. The options available to Council are to continue to exempt the Eastern Bay of Plenty Regional Economic Development Trust from being a CCO, or to progress the establishment of a CCO with the development of a Statement of Intent.

OPTION 1: Exempt Toi EDA from being a CCO	
Description	<i>Grant Toi EDA exemption from being a CCO.</i>
Advantages	<i>Does not incur onerous and expensive requirements to establish a CCO.</i>
Disadvantages	<i>N/A</i>
Impact on mana whenua	<i>N/A</i>
Strategic alignment	<i>Aligns with Community Priorities One, Two and Five.</i>
Associated risks	<i>None identified.</i>

OPTION 2: Require Toi EDA to become a CCO	
Description	<i>Prepare a Statement of Intent in accordance with timeframes and process set out in the LGA 2002 and consult on the establishment of a CCO.</i>
Advantages	<i>Stricter monitoring and reporting requirements.</i>
Disadvantages	<i>Costs of establishment and ongoing requirements outweigh perceived benefits.</i>
Impact on mana whenua	<i>N/A</i>
Strategic alignment	<i>Does not align with Community Priorities.</i>
Associated risks	<i>None identified.</i>

DISCUSSION

Granting an exemption – matters for consideration

Relevant legislation

12. As outlined in the Background of this report, Toi EDA falls within the definition of a CCO in section 6 of the Local Government Act 2002 (the Act).

13. Section 6(4)(i) of the Act provides for organisations to be exempt from CCO status:

"(4) The following entities are not council-controlled organisations:

(i) an organisation exempted under section 7."

14. Section 7 of the Local Government Act 2002 provides:

"(3) A local authority may, after having taken account of the matters specified in subsection (5), exempt a small organisation that is not a council-controlled trading organisation, for the purposes of section 6(4)(i).

(4) An exemption must be granted by resolution of the local authority.

(5) The matters are—

(a) the nature and scope of the activities provided by the organisation; and

(b) the costs and benefits, if an exemption is granted, to the local authority, the council-controlled organisation, and the community.

(6) A local authority must review an exemption it has granted—

(a) within 3 years after it is granted; and

(b) after the first review, not more than 3 years following the last review under this section.

(7) A local authority may, at any time, revoke an exemption it has granted"

CCO Requirements

15. The requirements of a CCO under the Local Government Act 2002 include:

- Preparation of a Statement of Intent (in accordance with timeframes and process set out in the Act)
- Preparation of half-yearly reports and Annual Reports
- Consultation on establishment
- Having a policy on the appointment and remuneration of directors
- monitoring performance.

Financial/budget considerations

16. Granting an exemption has no financial implications.

17. Additional audit fees that would be required if the exemption was not approved.

Policy and planning implications

18. Toi EDA is included as a CCO in Council's Long Term Plan with disclosure that it is an exempt CCO.

No change is required to the Long Term Plan

Impact on mana whenua

19. N/A

Climate impact considerations

20. N/A

Risks

21. Granting an exemption carries no significant risks and this is a continuation of current arrangements.
22. Allowing the exemption to lapse would require the partner councils to either:
 - a) establish a council-controlled organisation, at great expense and commitment of staff time from all four partner councils, or
 - b) seek the agreement of all Settlers (including Te Rūnanga of Ngāti Awa) to disestablish the Eastern Bay of Plenty Regional Economic Development Trust.
23. A decision to establish a council-controlled organisation requires consultation in accordance with section 82 of the Local Government Act.
24. A decision to disestablish the Trust requires a resolution from each of the partner councils. The Settlers would need to advise the Toi EDA Board that this process is being initiated, and set out a timeline for disestablishment. A communication and engagement plan and activities would need to be developed to mitigate adverse community perceptions or reactions.

Community wellbeing considerations

25. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the four well-beings').
26. The subject matter of this report has been evaluated in terms of the four well-beings during the process of developing this report as outlined below.

Economic

27. Toi EDA can continue to support regional economic development initiatives without incurring additional expenses and legal requirements.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

28. On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be. Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

29. The level of significance related to the decision in this report is considered to be **low**. Because the decision is determined to have **low** significance in accordance with the policy, the corresponding level of engagement required is **Inform**.

Assessment of engagement

30. As the level of significance has been determined to be **low**, the level of engagement required is **Inform**– delete rows as applicable) according to the Engagement Framework of the Significance and Engagement Policy:

INFORM

To provide balanced and objective information to assist understanding about something that is going to happen.

31. The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

CONCLUSION

32. After considering all issues, options and the known views of those affected, as well as giving consideration to the level of significance and the legal and financial implications, the recommendation of this report is to continue to exempt the Regional Economic Development Agency Trust from the provisions related to Council Controlled Organisations as provided under section 7 of the Local Government Act 2002.

Antoinette Campbell

GROUP MANAGER STRATEGY AND DEVELOPMENT

COUNCIL REPORT

Date : 14 January 2025

To : Ordinary Council Meeting, 4 February 2025

From : Laura Swan, Consultant Planner and Group Manager Strategy & Development, Antoinette Campbell

Subject : **APPOINTMENT OF COMMISSIONERS TO HEAR AND DECIDE ON RESOURCE CONSENT APPLICATIONS**

File ID : A1280159

EXECUTIVE SUMMARY

- The Council is required at times to hold hearings for resource consent applications and or for decisions to be made by certified Commissioners. There are strict timeframes to process consent applications.
- To help with the efficient processing of these consents, Council has a list of appointed Commissioners that can be utilised and engaged under delegated authority to hear and decide specific resource consent applications.
- It is recommended that additional Commissioners be appointed to enable efficient and robust decision making.

RECOMMENDATIONS

- 1) **That the report titled "Appointment of Commissioners to Hear and Decide on resource consents" be received.**
- 2) **That the following accredited Commissioners be appointed to hear and decide resource consent applications.**
 - i. **Belinda Messenger**
 - ii. **Brad Coombs**
 - iii. **Cam Twigley**
 - iv. **David Hill**
 - v. **David McMahan**
 - vi. **Elva Conroy**
 - vii. **Gina Sweetman**
 - viii. **Linda Te Aho**
 - ix. **Mark St Clair**
 - x. **Rauru Kirikiri**
 - xi. **Rebecca Skidmore**

- xii. Reginald Proffit
- xiii. Robert van Voorthuysen
- xiv. Shannon McGarry
- xv. Vanessa Hamm

- 3) **That Todd Whittaker be removed from the list of appointed Commissioners as he is not currently accredited.**

PURPOSE

1. The purpose of this report is to appoint additional Commissioners that may be engaged by staff under delegated authority to hear and decide resource consents.

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council's Long-Term Plan 2024-2034:
- Community Priority One: Strong relationships and partners
 - Community Priority Two: Investment in our district
 - Community Priority Three: Wellbeing is valued
 - Community Priority Four: Our communities are resilient
 - Community Priority Five: Growth is sustained over time

BACKGROUND

3. Section 34A of the RMA states that:

"A local authority may delegate to an employee, or hearings commissioner appointed by the local authority (who may or may not be a member of the local authority), any functions, powers, or duties under this Act except the following:

- (a) the approval of a proposed policy statement or plan under [clause 17](#) of Schedule 1:*
- (b) this power of delegation."*

4. On 20 December 2022, the Council resolved to appoint six Commissioners to hear and decide resource consent applications (Table 1). The decision reflected that some resource consent applications require hearings to be held or decisions to be made by independent Commissioner(s). A Commissioner(s) may also be required to decide an application if there is an actual or perceived conflict of interest.

Table 1. Current Council Appointed Commissioners

Commissioners:	Experience/Expertise Description	Chair Endorsement	Location
Dayle Hunia	Te Ao Māori. Resource Management	No	Whakatāne
Amanda de Jong	Planning, Resource management, Compliance	No	Auckland - Ōpōtiki
Lilian Harley	Resource management, Water quantity, Water quality, Nutrient Management.	No	Ōpōtiki

Greg Hill	Planning, Resource Management	Yes	Auckland
Rachel Dimery	Planning, Resource management	Yes	Taupo
Todd Whittaker	Planning, land use and subdivision	Not accredited presently	Tauranga

5. Council has tight legal timeframes to meet when processing Resource Consent applications. There are cost implications for Council if these timeframes cannot be met, including due to any delay in appointment of a Commissioner(s).
6. Staff delegations, as set out in the Delegations Register, enable two staff positions to engage the specific Commissioner(s) from the approved list, based on specific expertise and availability.
7. The planning team is currently processing two resource consent applications that require appointment of Commissioners that are not on the existing Council appointed list. This includes a joint application with Bay of Plenty Regional Council and Gisborne District Council that requires a panel of at least three Commissioners to be agreed and appointed by all three consent authorities. These applications have highlighted that the current list of appointees does not provide sufficient options to enable efficient and robust decision-making processes to occur.
8. Under S39B of the RMA, all Commissioner appointees must have accreditation under the 'Making Good Decisions Programme'. The chairperson (sitting alone or chairing a panel) must also hold a Chair endorsement. A list of accredited Commissioners is available on the Ministry for the Environment's website.
9. It is recommended that an additional fifteen (15) people be appointed and added to the Council's approved Commissioner list. This will provide more options and greater flexibility to ensure a Commissioner or Commissioner panel with all the required expertise and experience can be convened for a hearing. It will also mitigate the challenges faced with the availability and scheduling of most experienced Commissioners. Finally, it reflects that in some cases joint decision making and appointment of Commissioners with other consent authorities is required.
10. It is also recommended that Todd Whittaker be removed from the current list of appointments as he is no longer listed as an accredited Commissioner on MfE's website.

OPTIONS

OPTION 1: Council appoints additional accredited Commissioners to the approved list	
Description	<i>An additional fifteen people, as detailed in Table 2, be appointed by the Council as Commissioners.</i>
Advantages	<i>It will be easier to engage a Commissioner or Commissioner panel for a specific resource consent application and ensure that they have the required expertise. This includes Te Ao Māori and tikanga, legal, planning, landscaping or engineering.</i>
Disadvantages	<i>None. Staff can then utilise their delegation to engage an appropriate Commissioner(s) based on the specifics of the consent application.</i>

OPTION 1: Council appoints additional accredited Commissioners to the approved list

Impact on mana whenua	<i>Positive. An applicant may request, or the nature of the application may require, appointment of a Commissioner with Te Ao Māori and tikanga expertise. Appointing additional Commissioners to the list with these expertise enables better decision making.</i>
Strategic alignment	<i>The proposal aligns with Council's policies.</i>
Associated risks	<i>None. All Commissioners proposed to be appointed are accredited.</i>

Table 2. Recommended additional Council-appointed Commissioners

Commissioners:	Experience/Expertise Description	Chair Endorsement	Location
Belinda Messenger	Te Ao Māori. Planning, Resource Management	No	Tauranga
Brad Coombs	Landscape Architecture	No	Tauranga
Cam Twigley	Planning, Resource Management, Te Ao Māori	Yes	Taranaki
David Hill	Planning, Resource Management	Yes	Auckland
David McMahon	Planning, Resource Management,	No	Wellington
Elva Conroy	Te Ao Māori. Planning, Resource Management,	No	Tauranga
Gina Sweetman	Planning, resource management	Yes	Wellington
Linda Te Aho	Legal, Te Ao Māori.	Yes	Waikato
Mark St Clair	Te Ao Māori. Planning, Resource Management	Yes	Wellington
Rauru Kirikiri	Te Ao Māori.	No	Wellington
Rebecca Skidmore	Landscape Architecture	No	Auckland
Reginald Proffit	Te Ao Māori. Resource Management	Yes	Gisborne
Robert van Voorthuysen	Engineering, Resource Management	Yes	Napier
Shannon McGarry	Resource management, freshwater and marine biology	Yes	Christchurch
Vanessa Hamm	Legal	Yes	Tauranga

OPTION 2: Status Quo

Description	<i>Only the existing five accredited Commissioners previously appointed by Council and currently on the approved list may be engaged by staff to decide resource consent applications.</i>
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OPTION 2: Status Quo

Advantages	<i>Council staff have worked with some of the Commissioners on the current list.</i>
Disadvantages	<i>It is difficult to schedule hearings due to availability of Commissioners with the required expertise, experience and Chair endorsement. A report to full Council is required to appoint any other Commissioners for a specific consent application. This could result in additional delay in processing a consent and have cost implications for Council and the applicant.</i>
Impact on mana whenua	<i>Negative. The current list of appointees only contains one Commissioner with Te Ao Māori and tikanga expertise.</i>
Strategic alignment	<i>There could be reduced level of service and financial implications for Council which is contrary to some of Council's policies.</i>
Associated risks	<i>Delay in processing a resource consent results in a subsequent requirement to refund a portion of the application costs.</i>

OPTION 3: Fewer Commissioners are appointed to the approved list

Description	<i>Only Commissioners who are available to hear and decide the two current applications that require hearings are appointed to the list now (Table 3).</i>
Advantages	<i>The Council has greater certainty as to who will hear and decide specific consent applications.</i>
Disadvantages	<i>There is less flexibility if the availability of certain Commissioners changes, or submissions dictate that different expertise are required, or other consent authorities wish to appoint other Commissioners to here and decide joint applications. The additional Commissioners may not be available or have the required expertise to hear and decide future resource consent applications. A report to full Council may be required to appoint any other Commissioners needed for future consent applications. This could result in additional delay in processing a consent and have cost implications for Council and the applicant.</i>
Impact on mana whenua	<i>Neutral. Commissioners with appropriate experience would still always need to be appointed.</i>
Strategic alignment	<i>There could be reduced level of service and financial implications for Council which is contrary to some of Council's policies.</i>
Associated risks	<i>Delay in processing future resource consent results in a subsequent requirement to refund a portion of the application costs.</i>

Table 3. Recommended Commissioners for specific resource consent applications as per Option 3.

Commissioners:	Experience/Expertise Description	Chair Endorsement	Resource consent application
David McMahan	Planning, Resource Management,	No	RC2024-04 Te Ara Tipuna Charitable Trust
Elva Conroy	Te Ao Māori. Planning, Resource Management,	No	RC2024-04 Te Ara Tipuna Charitable Trust
Vanessa Hamm	Legal	Yes	RC2024-04 Te Ara Tipuna Charitable Trust
Reginald Proffit	Te Ao Māori. Resource Management	Yes	RC2024-31- Pou Oranga Whai Ora Charitable Trust

DISCUSSION

11. Option 1 is the preferred and recommended option. It will provide the greatest degree of flexibility for Council staff to engage experienced Commissioners, and ensure timeframes can be met, and decision making is robust.
12. Options 2 and 3 would not necessarily enable efficient processing of resource consents.
13. Regardless of the option chosen, it is also recommended that Todd Whittaker be removed from the current list of appointments as he is no longer listed as an accredited Commissioner on MfE's website.

Financial/budget considerations

14. The cost of any Commissioner is met by the applicant as part of the resource consent processing costs. Provided processing timeframes are met, there are no financial implications for Council. Option 1 provides the greatest flexibility and reduces the risk that timeframes will not be achieved. There is no unbudgeted funding required.

Policy and planning implications

15. The Resource Management Act applies and governs decisions on resource consents. None of the options require changes to other Council policies or plans. Option 1 aligns best with the policies in the Long-term Plan.

Impact on mana whenua

16. Option 1 has the greatest benefit in terms of mana whenua interests as six of the additional Commissioners have expertise in Te Ao Māori and tikanga.
17. Options 2 and 3 do not preclude appointment of Commissioner(s) with specific expertise when required, but an additional report to Council would be required and this could result in processing delays. This could result in an additional cost to Council and the applicant.

Climate impact considerations

18. There are no climate change considerations.

Risks

19. All recommended Commissioner appointments are for people who are accredited under the 'Good Decision Making' program. They have the necessary qualifications and experience to hear and consider resource consent applications.
20. Option 1 reduces the risk that the RMA timeframes will not be met.

Community wellbeing considerations

21. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the four well-beings'). These directly align with Section 5 and Part 2 of the RMA.
22. Efficient and robust decision making under the RMA aligns and gives effect to the purpose of the LGA as well. This is best achieved by Option 1.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

23. On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be. Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

Assessment of engagement

24. As the level of significance has been determined to be **low**, the level of engagement required is **Inform** according to the Engagement Framework of the Significance and Engagement Policy:

INFORM

To provide balanced and objective information to assist understanding about something that is going to happen.

25. The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting.

CONCLUSION

26. The Council is required at times to hold hearings for resource consent applications and / or for decisions to be made by certified Commissioners. It is important that the appointed Commissioner(s) has a range of expertise and experience, including understanding of Te Ao Māori when required.
27. There are tight timeframes that must be met under the RMA. With only five accredited Commissioners on Council's appointed list, it can be challenging for staff to engage a Commissioner who has the both the required expertise and also availability.
28. It is recommended that Option 1 be adopted and that the following additional Commissioners be appointed to enable more efficient and robust decision making under the RMA.
 - i. Belinda Messenger

- ii. Brad Coombs
- iii. Cam Twigley
- iv. David Hill
- v. David McMahon
- vi. Elva Conroy
- vii. Gina Sweetman
- viii. Linda Te Aho
- ix. Mark St Clair
- x. Rauru Kirikiri
- xi. Rebecca Skidmore
- xii. Reginald Proffit
- xiii. Robert van Voorthuysen
- xiv. Shannon McGarry
- xv. Vanessa Hamm

29. It is recommended that Todd Whittaker be removed from the list of appointed Commissioners as he does not hold a current accreditation.

Laura Swan

CONSULTANT PLANNER

Antoinette Campbell

GROUP MANAGER STRATEGY & DEVELOPMENT

COUNCIL REPORT

Date : 24 January 2025
To : Ordinary Council Meeting, 4 February 2025
From : Chief Executive Officer, Stace Lewer
Subject : **CHIEF EXECUTIVE OFFICER'S UPDATE**
File ID : A1281666

EXECUTIVE SUMMARY

- To provide an update to Council on LGOIMA requests and meetings attended by the Chief Executive Officer.

RECOMMENDATIONS

- 1) **That the report titled "Chief Executive Officer's Update" be received.**

PURPOSE

1. To provide an update to Council on LGOIMA requests and meetings attended by the Chief Executive Officer.

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Opotiki District Council's Long-Term Plan 2024-2034:
 - Community Priority One: Strong relationships and partners
 - Community Priority Two: Investment in our district
 - Community Priority Three: Wellbeing is valued
 - Community Priority Four: Our communities are resilient
 - Community Priority Five: Growth is sustained over time

DISCUSSION

3. LGOIMA Requests

LGOIMA Tracking (28/01/2024-29/01/2025)

Month	Submitter	Subject	Due
November 2024	Sam Vernon	Development GIS datasets	19/12/2024
January 2025	NZ Stats	Statistical Area 2 Population Projections	25/02/2025

Meetings / Events Attended by the Chief Executive Officer – 30 November 2024 – 24 January 2025

4 December 2024

Meeting with Eastern Bay of Plenty Chief Executives re Regional Deals, via Teams

9 December 2024

Performance and Delivery Committee meeting

10 December 2024

Ordinary Council meeting

End of year staff values event

16 December 2024

ODC Risk and Assurance Committee meeting

17 December 2024

Met with Warren Ulusele (Director, Local Government Branch DIA) and Jaron Shaw (Local Water Done Well team member DIA), Whakatane

Meeting with MBIE representative, via Teams

Eastern Bay of Plenty Joint Committee meeting, Kawerau

23 December 2024

Councillor/CEO catch up meeting

Extra Ordinary Council meeting

End of year pot luck lunch with Elected Members

9 January 2025

Visit to mussel farm

14 January 2025

Met with Jacqui Rolleston-Steed, Regional Public Service Commission Director Bay of Plenty-Wairiki and Ezra Schuster, Chief Advisor and Regional Public Service Commissioner Bay of Plenty-Wairiki

15 January 2025

Eastern Bay of Plenty Chief Executive's and Regional Deals Working Group meeting, via Teams

16 January 2025

Meeting with Audit New Zealand, via Teams

Chief Executive's Performance Committee meeting

20 January 2025

Met with Whakatōhea Mussels (Ōpōtiki) Ltd Chief Executive, Peter Vitasovich

22 January 2025

Eastern Bay of Plenty Chief Executive's and Regional Deals Working Group meeting, via Teams

Councillor/CEO catch up meeting

23 January 2025

Meeting with Audit New Zealand, via Teams

24 January 2025

Meeting re Ōpōtiki Harbour Development Project with MBIE representative, via Teams

Financial/budget considerations

4. There are no financial/budget considerations associated with this report.

Risks

5. There are no risks associated with this report.

Community wellbeing considerations

6. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').

7. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
8. There are no known social, economic, environmental, or cultural considerations associated with this matter.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

9. On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be. Council uses the Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.
10. The level of significance related to the decision in this report is considered to be **low**. Because the decision is determined to have **low** significance in accordance with the policy, the corresponding level of engagement required is **Inform**.

Assessment of engagement

11. As the level of significance has been determined to be **low**, the level of engagement required is **Inform** according to the Engagement Framework of the Significance and Engagement Policy:

INFORM

To provide balanced and objective information to assist understanding about something that is going to happen.

12. The tools that Council will use for the 'Inform' level of engagement include a report in the public agenda of the Council meeting and may include a combination of public notices in the newspaper and/or on Council's social media.

Stace Lewer

CHIEF EXECUTIVE OFFICER

REPORT

Date : 24 January 2025

To : Ordinary Council Meeting, 4 February 2025

From : Chief Executive Officer, Stace Lewer

Subject : **RESOLUTION TO EXCLUDE THE PUBLIC**

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

1. THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

- 15. Confirmation of In-Committee Minutes – Ordinary Council Meeting 10 February 2025.**
- 16. Confirmation of In-Committee Minutes – Extra Ordinary Council Meeting 23 December 2024.**
- 17. In-Committee Minutes – Risk and Assurance Committee Meeting 14 October 2025.**
- 18. Long Term Plan Management Letter and Audit Fee.**
- 19. Eastern Bay of Plenty Regional Deal Proposal.**
- 20. Chief Executive’s 12 Month Performance Review January 2024-December 2024.**
- 21. Notes of Council Workshop.**

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:

Item No	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
15.	Confirmation of In-Committee Minutes – Ordinary Council Meeting 10 December 2024.	That the public conduct of 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.	Section 48(1)(a)

16.	Confirmation of In-Committee Minutes – Extra Ordinary Council Meeting 23 December 2024.	That the public conduct of 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.	Section 48(1)(a)
17.	In-Committee Minutes – Risk and Assurance Committee Meeting 14 October 2024.	That the public conduct of 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.	Section 48(1)(a)
18.	Long Term Plan Management Letter and Audit Fee	That the public conduct of 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.	Section 48(1)(a)
19.	Eastern Bay of Plenty Regional Deal Proposal	That the public conduct of 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.	
20.	Chief Executive’s 12 Month Performance Review January 2024-December 2024	That the public conduct of 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.	
21.	Notes of Council Workshop.	That the public conduct of 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.	Section 48(1)(a)

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:

15.	Protect the privacy of natural persons Protect information Protection from improper pressure or harassment Prevent disclosure or use of official information Carry out negotiations Maintain legal professional privilege Carry out commercial activities	Section 7(2)(a) Section 7(2)(b)(i) & (ii); (d) & (e) and Section 7(2)(c)(i) & (ii) Section 7(2)(f)(ii) Section 7(2)(j) Section 7(2)(i) Section 7(2)(g) Section 7(2)(h)
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16.	Protect information (commercial sensitivity) Carry out commercial activities	Section 7(2)(b)(ii) Section 2(2)(h)
17.	Protect the privacy of natural persons Protect information (commercial sensitivity) Protection from improper pressure or harassment Carry out negotiations Prevent disclosure or use of official information Carry out commercial activities	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(ii) Section 7(2)(i) Section 7(2)(j) Section 7(2)(h)
18.	Carry out negotiations	Section 7(2)(i)
19.	Carry out negotiations	Section 7(2)(i)
20.	Protect the privacy of natural persons Prevent disclosure or use of official information	Section 7(2)(a) Section 7(2)(j)
21.	Protection from improper pressure or harassment Prevent disclosure or use of official information	Section 7(2)(a) Section 7(2)(j)