



Ordinary Council

Hui a te Kaunihera

Thursday, 14 March 2024
Rāpare, 14 Poutūterangi 2024

Totara Room, Whakatāne District Council
14 Commerce Street, Whakatāne
Commencing at: 9:00 am

Chief Executive: Steph O'Sullivan

Publication Date: 11 March 2024

Live Streaming the Meeting - *Ka whakapāho mataora te hui*

Live Streaming the Meeting - *Ka whakapāho mataora te hui*

PLEASE NOTE

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The live stream link will be available via Council's website.

All care will be taken to maintain your privacy however, as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is understood your consent is given if your image is inadvertently broadcast.

The opinions or statements expressed during a meeting by individuals are their own, and they do not necessarily reflect the views of the Whakatāne District Council. Council thus disclaims any liability with regard to said opinions or statements.

A Membership - *Mematanga*

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Mayor Dr V Luca

Deputy Mayor L N Immink

Councillor T Boynton

Councillor G L Dennis

Councillor A V Iles

Councillor W B James

Councillor J C Jukes

Councillor T O'Brien

Councillor J W Pullar

Councillor N Rangiaho

Councillor N S Tánczos

B Powers of the Council - *Ngā mana o te Kaunihera*

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The Council will meet Eight weekly to make decisions on all matters that cannot be delegated, that it has not delegated or that it has had referred to it by staff or a committee. Extraordinary Council meetings will be called when required in between the Eight weekly cycle for specific purposes such as hearing the Annual Plan submissions.

The powers that cannot be delegated by the Council are:

- a. the power to make a rate
- b. the power to make a bylaw
- c. the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
- d. the power to adopt a Long-term plan, Annual plan or Annual report
- e. the power to appoint a Chief executive
- f. the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the Local Governance Statement
- g. the power to adopt a remuneration and employment policy

The powers that can be delegated but which the Council retains:

- a. Approve the Council's recommendation to the Remuneration Authority for the remuneration of additional positions of responsibility for elected members and elected members expenses rules
- b. Approve the Local Governance Statement (called "A Guide to the Whakatāne District Council") produced following the triennial election of members
- c. Resolve those decisions required to be made by a local authority under the Local Electoral Act 2001 including the appointment of electoral officer.
- d. Determine whether or how to fill any extraordinary Council vacancies within 12 months of an election
- e. Review and make decisions on Council membership and the basis for elections through representation reviews
- f. Set the direction for the Long-Term Plan
- g. Hearing of submissions on the Long-Term Plan and, if required, the Annual Plan
- h. Appoint and discharge trustees, directors or office holders to Council's Council-Controlled organisations and to other external bodies
- i. Agree the final Statement of Intent for Council's Council-Controlled organisations
- j. Adopt the Half Yearly and Full Year Annual Report of the Whakatāne Airport
- k. Approve the purchase, sale and disposal of Council property
- l. Approve a proposed plan or a change to a District Plan under Clause 17 of the First Schedule of Resource Management Act 1991 (RMA); A1827586 April 2021 Page 14 of 37.
- m. Approve changes to the status or revoke the status of a reserve as defined in the Reserves Act 1977
- n. Authority to name or rename a reserve in accordance with the Reserves Management Plan;

B Powers of the Council - *Ngā mana o te Kaunihera* (Cont.)

- o. Authorise any unbudgeted expenditure that exceeds the delegation levels provided to officers, committees or other subordinate decision-making bodies of Council
- p. Approve recommendations from relevant Committees for new fees and charges for services provided, outside of the Annual Plan or Long Term Plan process.

Procedural matters exercised by Council:

- a. Receive minutes and recommendations, and make decisions on any recommendations from:
 - Standing Committees, Joint Committees and Joint Forums
 - Iwi Chairs Forum
 - Commercial Advisory Board
 - Toi Economic Development Agency
 - Any other Council appointed advisory board or forum with Council as the parent committee
- b. Consider any matters referred to it from any of the Committees, the Mayor, or Chief Executive.

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1 Prayer - *Karakia*

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2 Meeting Notices - *Ngā Pānui o te hui*

1. Live Streaming

The Whakatāne District Council livestreams Council and Standing Committee meetings held in Tōtara Room, within the Council building. The webcast will live stream directly to Council's YouTube channel in real time. The purpose of streaming meetings live is to encourage transparency of Council meetings.

By remaining in the public gallery, it is understood your consent has been given if your presence is inadvertently broadcast.

Please be aware the microphones in Totara Room are sensitive to noise, so please remain quiet throughout the meeting unless asked to speak.

2. Health and Safety

In case of an emergency, please follow the building wardens or make your way to the nearest exit. The meeting point is located at Peace Park on Boon Street.

Bathroom facilities are located opposite the Chambers Foyer entrance (the entrance off Margaret Mahy Court).

3. Other

Any required changes to the order of business will be advised at this point.

3 Apologies - *Te hunga kāore i tae*

No apologies were recorded at the time of compiling the agenda.

4 Acknowledgements / Tributes - *Ngā mihi mihi*

An opportunity for members to recognise achievements, to notify of events, or to pay tribute to an occasion of importance.

5 Conflicts of Interest - *Ngākau kōnatunatu*

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Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected member and any private or other external interests they might have.

The Elected Member Register of Interest is available on the Whakatāne District Council website. If you wish to view the information, please click this [Register link](#).

6 Public Participation - *Wānanga Tūmatanui*

6.1 Public Forum - *Wānanga Tūmatanui*

The Council has set aside time for members of the public to speak in the public forum at the commencement of each meeting. Each speaker during the forum may speak for five minutes. Permission of the Chairperson is required for any person wishing to speak during the public forum.

With the permission of the Chairperson, Elected members may ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by a speaker.

6.2 Deputations - *Ngā Whakapuaki Whaitake*

A deputation enables a person, group or organisation to make a presentation to Community Board on a matter or matters covered by their terms of reference. Deputations should be approved by the Chairperson, or an official with delegated authority, five working days before the meeting. Deputations may be heard at the commencement of the meeting or at the time that the relevant agenda item is being considered. No more than two speakers can speak on behalf of an organisation's deputation. Speakers can speak for up to 5 minutes, or with the permission of the Chairperson, a longer timeframe may be allocated.

With the permission of the Chairperson, Elected members may ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by the deputation.

7 Confirmation of Minutes - *Te whakaaetanga o ngā meneti o te hui*

7 Confirmation of Minutes - *Te whakaaetanga o ngā meneti o te hui*

Confirmation of Council Meeting Minutes - 29 December 2023

The minutes from the Council meeting meeting held on Thursday, 29 December 2023 can be viewed via the Council website.

Click on the link below in order to view the 'unconfirmed minutes'.

- [Unconfirmed Council Meeting Minutes - 29 December 2023](#)

8 Standing and Joint Committee Recommendations to Council - *Te tohutohu a te Komiti*

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8.1 Recommendation - RAC Credit Rating Proposal



Title of Item: **TREASURY – PROPOSAL TO SEEK CREDIT RATING**

Committee: **RISK AND ASSURANCE COMMITTEE**

Meeting Date: **FRIDAY, 1 MARCH 2024**

Recommendation to Council Meeting: **THURSDAY, 14 MARCH 2024**

7. REPORTS

7.3 Treasury – Proposal to seek Credit Rating

Refer page 70 of agenda and pages 6-30 of the supplementary agenda.

Attendance: The Chief Executive left the meeting at 10.28 am.

Moved Councillor Pullar / Seconded Councillor James

RESOLVED:

1. **THAT** the Proposal to seek Credit Rating report, and the supporting information in the PWC 'Whakatāne District Council - Credit rating assessment report [Draft]' be **received**; and
2. **THAT that it be recommended to the Council to approve the Proposal to seek Credit Rating.**

CARRIED

Attached to this Recommendation:

- [Link to the Risk and Assurance Committee Supplementary agenda](#) - containing the proposal paper.

8.2 Standing Committee Minutes to Receive

8.2 Standing Committee Minutes to Receive

The minutes from the Whakatane District Council 'Standing Committee' meetings can be viewed via the Council website.

Click on the appropriate link below in order to view the 'unconfirmed minutes'.

Recommendation

THAT the minutes from the following Whakatane District Council Standing Committees be received:

- [Chief Executive Performance and Support Committee meeting - 10 October 2023](#)
- [Living Together Committee meeting - 7 December 2023](#)
- [Infrastructure and Planning Committee meeting - 15 February 2024](#)
- [Environment, Energy and Resilience Committee meeting - 22 February 2024](#)
- [Finance and Performance Committee meeting - 29 February 2024](#)

9 Mayoral and Chief Executive Reports - *Ngā Pūrongo a te Manukura me te Toihautū*

9 Mayoral and Chief Executive Reports - *Ngā Pūrongo a te Manukura me te Toihautū*

9.1 Mayor's Report – March 2024



To: **Whakatāne District Council**

Date: **Thursday, 14 March 2024**

Author: **Mayor Dr Victor Luca**

Reference: **A2629758**

1. Reason for the report - *Te Take mō tēnei rīpoata*

The purpose of the report is to provide updated information on the Mayor's activities together with any advice and strategic insights thought to be relevant to Council matters. The report covers the period 14 December 2023 to 14 March 2024. The period has been relatively quiet since it covers the summer recess from Friday, 22 December 2023 to Wednesday, 24 January 2024.

2. Executive summary – *Whakarāpopototanga*

This reporting period has very much been a story of the LTP 2024-34 development. The process started in about May of 2023 and we have since had more than 24 briefing in what has at times seemed like a bit of a marathon. At the Wednesday, 6 March 2024 meeting of the Environment, Energy and Resilience (EE&R) Committee, Council approved the draft LTP to go out to consultation.

This LTP is being developed in the context of very turbulent economic/macroeconomic conditions which appear to be set to deteriorate before they improve. Whether we like it or not the macro-economy affects us all. Folk need to be cognisant of that fact that even if annual inflation (as measured through the Consumer Price Index - CPI) has dropped from 7% to 5.5% over the past year or so, the latter value still means that prices increased by 5.5% up to that quarter of the previous year. If that level of inflation were to occur every year, then that would represent a doubling of the index in 12.5 years.

In response to inflation the Reserve Bank of New Zealand (RBNZ) has ratcheted up interest rates (Official Cash Rate). Although the OCR has decreased somewhat over the past few quarters and the CPI has decreased, the consensus view is that it will take time for inflation to return to the target range. At the latest RBNZ meeting the monetary policy committee decided to leave the OCR on hold. Prior to that meeting highly respected ANZ economist, Sharon Zollner, was tipping that the [next move](#) in interest rate by the RBNZ would have been up. Although she was proven wrong on this occasion, she may well not be wrong next time. Watch this space. Most economists note that there is significant lag between changing monetary settings and seeing the results in the real economy.

Persistent inflation means that the cost-of-living crisis that affects all of our community does not seem to be abating. One of the consequences is an uptick in child poverty.

Politicians decide who gets what, when and how and this system is clearly failing many people. On top of a cost-of-living crisis we have a crumbling health system, increasing child poverty, unaffordable housing and rents, and an infrastructure deficit.

9.1 Mayor’s Report – March 2024(Cont.)

If we believe predictions coming from Corelogic and others, the housing crisis is set to worsen due to increased demand from net migration flows. Increases will be somewhat tempered by a tight credit conditions and more stringent commercial bank lending.

All of this is likely to make the job of closing the infrastructure deficit harder.

Councils up and down the motu seem unable to get even the basic stuff done and have no immediate solution to the funding crisis.

Eight months after staff moved back into the refurbished Civic Centre, we live-streamed our first standing committee meeting on 15 February 2024. The first of several meetings appear to have been well received by the public. Although acoustics in the chamber can be variable for those who are hard of hearing, the sound quality on our YouTube broadcast is excellent. Once a live stream has finished, the recording is archived so people can watch later on our YouTube channel. All the details are on our Council [website](#) .

3. Recommendation - *Tohutohu akiaki*

THAT the Council receives the Mayoral Report – March 2024.

4. Background - *He tirohanga whakamuri*

4.1. Economic Backdrop

As Council consults on the Long Term Plan 2024-34, it is worth carefully considering the economic backdrop against which the LTP will sit.

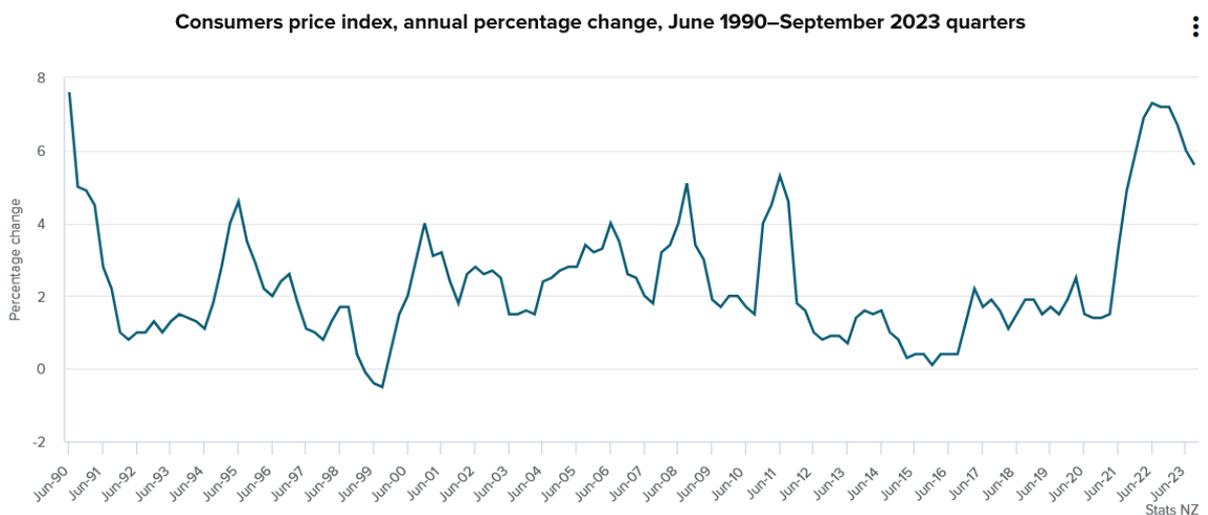


Figure 1. CPI annual percentage change in CPI for the period June 1990 to September 2023. Source: <https://www.stats.govt.nz/news/annual-inflation-at-5-6-percent/>

9.1 Mayor's Report – March 2024(Cont.)

As a result of the RBNZ's post Global Financial Crisis (GFC) and then COVID-19 stimulus programme, an unprecedented amount of new money was created by the RBNZ and Commercial Banks. This together with other factors such as supply chain shocks due to Covid and the conflict in the Ukraine have resulted in a dramatic increase in CPI through 2021 and 2022, reaching [a 32-year high annual rate of 7.3%](#) for the June 2022 quarter and we all felt it (Figure 1).

Since the peak, the CPI has eased back and for the December quarter of 2023 reached 4.7%. However, inflation has been outside of the 1 - 3% range targeted by the Reserve Bank for over two-and-a-half years now. The RBNZ has recently paused its ramping of the OCR which is now 5.5% ([Reserve Bank holds Official Cash Rate at 5.5 percent](#) . RNZ, 28-Feb-24).

Up until 1989 the RBNZ had three stated objectives including financial stability (inflation targeting), full employment and a social objective. To quote from the act; *"It shall be an objective of the Bank to exhibit a sense of social responsibility in exercising its powers under this Act"*.

In 2017 the social objective was dropped. Recently, full employment has also been dropped as an objective leaving the RBNZ with a single mandate; inflation targeting. I question why this is.

In the quarter ending September 2023, NZ GDP came in at -0.3 rather than the predicted 0.3%. Another quarter in the negatives and we will officially be back in recession as we were between December of 2022 and March of 2023. The [announcement](#) came as something of a shock to most economists.

Annual spending growth (rolling three-month averages)

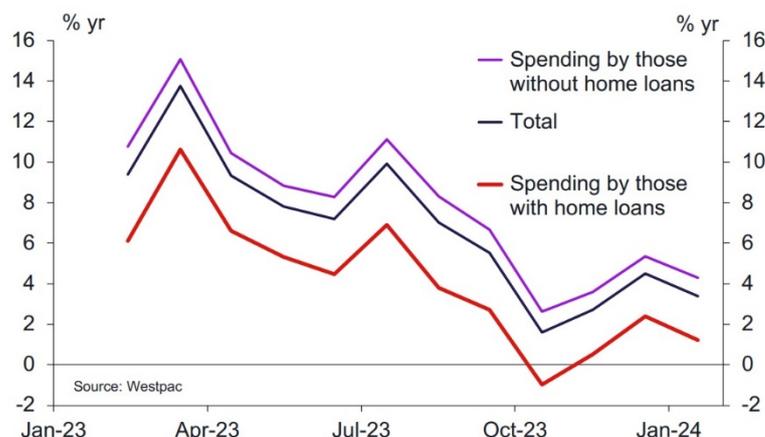


Figure 2. Reduction in annual spending growth.

Consumer spending is considered another indicator of economic health (Figure 2). Westpac says its customers are spending just 3.4% more than a year ago, while the population has grown 2.8% and retail prices have increased about 4%; in particular customers with mortgages particularly spending less (see [here](#)).

From July 2019 to the present Government debt has increased from about \$55B to about \$85B (Figure 3). Private debt accounted for 138.97 % of its nominal GDP in September 2023 compared with a ratio of 140.08 % in the previous quarter (see [here](#)). This is substantially higher than in most European countries with an average of 83.13% of nominal GDP.

We would do well to remember that almost every financial crisis in history has been driven by debt. Currently US Government Debt is at an all-time high having now topped \$34T.

9.1 Mayor's Report – March 2024(Cont.)



Figure 3. Growth of NZ Government debt from July 2018 to. Source: [ceicdata](http://ceicdata.com) .

Last year witnessed the return of the spectre of banking crises, especially in the US. The state-supported acquisition of Credit Suisse by a reluctant UBS on 19 March 2023 averted a severe banking crisis in Europe (see [here](#)).

Richard Vague concludes that every financial crisis in history has common elements and follows a similar pattern '*widespread over lending leads to widespread overcapacity that leads to widespread bad loans and bank (and other lender) failures*'. This is the essence of a financial crisis'. (see Vague, R. A Brief History of Doom - Two Hundred Years of Financial Crises. University of Pennsylvania Press, 2019)

It is therefore safe to conclude that economic conditions are soft and deteriorating.

Although it is hard to believe that there is poverty in a country like NZ the data on this one are clear. NZ is becoming a country of greater wealth disparity and this impacts children the most. Recent data indicates that more children have been pushed into poverty (see [here](#)).

The RBNZ recently surveyed 1000 NZ residents in the first two months of this year to monitor expectations around rent and mortgage serviceability, as well as employment security. People were asked how likely it was that they would miss a mortgage payment in the next three months. The average percentage increased from 12.4 to 17.3 while for the average renter the percentage rose from 16.2 to 18. Average mortgage payments increased by 27.5% in the year to June, making property ownership expensive for landlords, who often pass on the cost to renters. [The survey also revealed a sharp rise](#) in how likely people thought it was they could lose their job in the next 12 months.

4.2. Geopolitical Tensions

Geopolitical tensions continue to escalate with up to 500,000 dead in the Ukraine and over 30,000 mostly innocent Palestinians dead in Gaza which has been almost completely destroyed. Children are over-represented in the Gaza death toll.

So far, the Suez Canal remains open and the oil keeps flowing out of the canal and the Strait of Hormuz which is the Worlds' most important oil chokepoint. Since energy makes the world go around and the energy we mostly use is fossil fuel-based, problems in the Suez Canal and the Strait of Hormuz can mean serious increases in oil price and as a consequence more inflation. For a live map of shipping movements in the region see [here](#) . It is astounding to put the energy content of one gallon of gasoline in context. One gallon of gasoline contains 400 h of labour by a healthy adult.

9.1 Mayor's Report – March 2024(Cont.)

4.3. Climate Change

According to James Hansen's latest published work there has been an acceleration of the global warming rate. Hansen *et al.*, Global warming in the pipeline. *Oxford Open Climate Change* **2023**, 31(1), kgad008.

Hansen suggests that the target of limiting warming to 1.5 °C is 'deader than a doornail'. We are also going to pass 2°C unless we take action to reduce the planets energy balance.

Temperature rises pass 1.5C for full year

Average global air temperature compared with pre-industrial levels, running average of 365 days

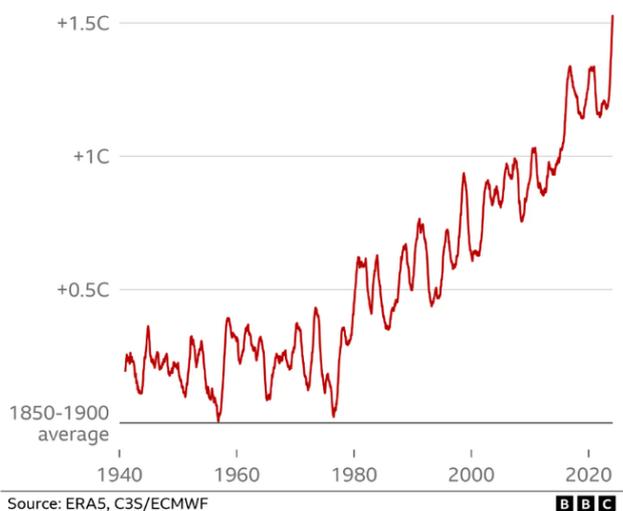


Figure 4.

The late Dr Michael King OBE stated that 'Climate is - in the long term - one of the most existential risks to humans and other large complex life on Earth'.

I have once again requested LGNZ to conduct a survey of the attitudes of its members to climate change. If they fail to do this, then I will seriously be questioning the seriousness of our membership.

As regards legal action on climate change, in the past few months there have been a couple of notable new developments.

The city of Chicago on Tuesday joined the growing list of US cities and states suing fossil fuel companies for allegedly deceiving the public about the climate crisis. In their sites are BP, Chevron, ConocoPhillips, Exxon Mobil, Phillips 66 and Shell (see [here](#)).

Meanwhile back at the ranch in what is claimed as a world first, a class-action suit has been filed with NZ's top court. Seven companies including Fonterra, Z Energy, Genesis, Dairy Holdings, NZ Steel, Channel Infrastructure and BT Mining are being taken to the High Court by Northland leader Mike Smith, of Ngāpuhi and Ngāti Kahu, over their greenhouse gas emissions (see [here](#)). Smith claims that companies have a legal duty to him and others in the community to rein in their GHGs (greenhouse gases).

9.1 Mayor's Report – March 2024(Cont.)**4.4. Infrastructure**

This month the Infrastructure Commission released the report entitled '[Build or maintain? New Zealand's infrastructure asset value, investment, and depreciation, 1990-2022](#)'.

Major takeaways of the report include:

- Between 2003 and 2022 infrastructure investment averaged 5.8% of Gross Domestic Product (GDP). Of that, 3.4% was invested in horizontal infrastructure and 2.4% on vertical infrastructure. For comparison health made up about 9% of GDP.
- For every \$10 the country spent on new infrastructure, almost \$6 of existing infrastructure wore out.
- We are unlikely to be spending enough to even replace our existing infrastructure.

In my opinion, the real villain in all this is that growth is outstripping our capacity to build infrastructure. Our infrastructure deficit is due to the fact that politicians do not understand exponential growth. I would suppose that the commission is aware of this but say nothing for political reasons. i.e. it is inconvenient to debunk the fallacy that growth is a saviour.

If the population grows at 2% y-o-y (as it is) then that corresponds to a population doubling time of 35 years. That would require us to double the infrastructure we build per person in the same time else we fall behind. That is what has happened. In pursuit of economic growth we have pushed the growth peddle on net migration which government has significant control over. I can confidently predict that our infrastructure woes will worsen before they improve.

5. Major Activities**5.1. Regional Transport Committee (RTC) Meetings (Friday, 15 December 2023 and 9 February 2024)**

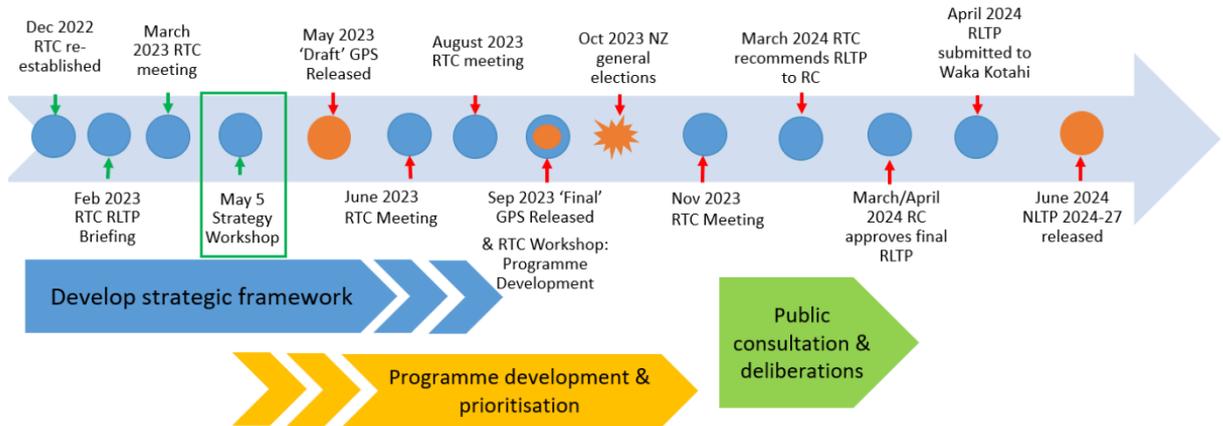
The Regional Land Transport Plan (RLTP) sets out the strategic direction for the Bay of Plenty's land transport over the next 30 years and is supported by a 10-year programme of work.

The RTC started developing the Regional Land Transport Plan (RLTP) in May of 2023 and it is due for release by June 2024.

At the 31 August 2023 meeting of the RTC the process was approved for prioritisation of projects as recommended by the Regional Advisory Group (RAG).

Due to the change of Government in October of last year, the RTC has been operating with the previous Government Policy Statement (GPS) on land transport. Nevertheless, Waka Kotahi advisors to the RTC do not expect the new GPS to drastically alter the RLTP. This Government's draft GPS has just been published at the time of writing of this report.

9.1 Mayor’s Report – March 2024(Cont.)



The RTC meeting of 15 December 2023 came to something of an abrupt end at the stage of addressing the RLTP prioritized list of projects which has to be proffered to Waka Kotahi. These priorities were developed by the RAG according to a set of criteria that the RTC had previously established. The criteria included (i) Healthy & Safe People, (ii) Environmental Sustainability, (iii) Inclusive Access, (iv) Economic Prosperity, (v) Resilience & Security and (vi) Enabling Housing Supply.

Of the 71 or so projects on the list only about 25 are expected to be funded.

WDC had submitted 8 projects in total. The following scores were given by the RAG to the 8 WDC projects.

	Significant Improvement Activity (>\$2M)	Description	Total Score	Indicative Start Year	Indicative NLTTP Cost (2024/25 - 2026/27)	Indicative total cost
1	Spatial Plan - Additional River Crossing IBC / DBC	Design of more specific investments required for additional Whakatāne access to support growth components of the Spatial Plan and improve network resilience	20	2024/25	500,000	150,000,000
2	Spatial Plan - Transport System Programme	A transport programme and new investment pathways will be needed to support delivery of the Whakatāne spatial plan (linked to Spatial Plan - Urban Transport Model)	20	2024/25	400,000	50,000,000
3	Whakatāne West integrated growth and resilience improvements	Improvements to form and function of Keepa Rd (SH30 to Kope Canal) to support strong residential and industrial growth on the back of substantial PGF investment, address safety deficiencies, ensure multi modal access, and improve resilience and route security from flooding / climate change	19	2024/25	4,617,056	12,391,382
4	Spatial Plan - Urban Transport Model	Development of network demand modelling tool(s) to assist with the Transport System Programme	17	2024/25	250,000	Contributes to Transport
5	Pokairoa/Ngamotu - Rerewhakaitu Resilience (SH5 Alternative)	Shortest viable alternative freight route to SH30 (SH30 is rated as a moderate resilience risk by NZTA, prone to closure at Rotomā Bluff). Sealing of Pokairoa and Ngamotu Roads will reduce maintenance burden and improve resilience of this alternate route	14	2024/25	500,000	15,000,000
6	Thornton Road - Blueberry Curves - Safety Improvements	Identified as a priority safety project (speed management treatments) under the Road to Zero safe speeds and infrastructure programme	14	2027/28	0	6,500,000
7	Network-wide Resilience - Whakatāne DC	A network improvement programme is needed to protect assets from failure caused by unplanned events, keep more of the network open when they happen and save on significant future road reinstatement costs	14	2024/25	500,000	10,000,000
8	Shaw Road - Mill Road RAB Connection	The Mill Road/Shaw Road intersection has safety deficiencies which will be compounded by planned growth between Shaw Road and Huna Road	13	2025/26	500,000	7,500,000
				Totals	7,267,056	251,391,382

Our top two projects are ranked 11 and 12 on the list.

What are classified as low cost, low risk improvement programmes (local road, state highway, regional or public transport improvements) activity classes (<\$1 million total) are not included in the list.

Most of the major projects on the prioritised list belong to Tauranga City and Western Bay District Council.

9.1 Mayor's Report – March 2024(Cont.)

Indicative NLTP costs total about \$902M (what we are asking for) and the indicative total cost of projects is about \$4.18B. Of the total \$902M, WDC's request account for only \$7.267M or in other words 0.8% of the total request.

At the meeting some on-the-fly re-prioritisation was undertaken with Tauranga City Commissioner Stephen Sellwood leading the charge advocating for the patch he currently presides over.

I expressed the view at the meeting that the RTC should apply a consistent methodology and stick to it rather than descending into arbitrariness.

I have expressed my concerns over the process in an email to Michael Seabourne BOPRC Director Public Transport and Niki Carling BOPRC Senior Transport Planner.

5.2. Poukai - Kokohinau Marae (Sunday, 14 January 2024)

This was an all-day event under the auspices of the *Kīngitanga*. A major point of discussion seemed to be a rally of iwi to an event that was to be held on 20 February in order respond to the new Government's perceived negative statements on Māori relations.

That event was to take place at the Tūrangawaewae Marae in Ngāruawāhia. The marae is the headquarters for the [Māori King Movement](#) (*Te Kīngitanga*) and the official residence and reception centre of the head of the *Kīngitanga*, the current [Māori King](#), [Tūheitia Paki](#).

I was one of the invited speakers. Another invited speaker was Te Whare Wānanga o Awanuiārangi Professor Taiarahia Black who gave a lengthy discourse in which he shone a spotlight on legislative redress and historical context.

Professor Black tabled a document entitled 'I waiho ai au hai maungarongo' that is generating interest in academic circles and among iwi entities. The publication provides a comprehensive overview of the legislative journey towards acknowledging the injustices suffered during the police raid and invasion of Maungapohatu on April 2, 1916, which resulted in the arrest of visionary Tūhoe Leader, Rua Kēnana and tragic murders of his son Toko Rua and nephew, Te Maipi Te Whiu.

5.3. Waterwheel Historic Trust (Sunday, 27 January 2024)

I was invited by the Waterwheel Historic Trust to attend the opening celebration to thank those who helped to achieve a new home and buildings. It was good to see that the Trust was able to advance with their facility. It was a great event that was enjoyed by all.

5.4. BOP Mayoral Forum (Friday, 2 February 2024)

The main item on the agenda at the February meeting of the Mayoral forum was a workshop on Water Infrastructure and an update on a Three Waters Business Case. This item was taken in Public Excluded.

The public section of the meeting was recorded and uploaded to the BOPRC website.

5.5. Citizenship Ceremony (Friday, 9 February 2024)

The most recent Citizenship Ceremony for the year was presided over by Deputy Mayor Immink and Cr Wilson James as I was unable to preside due to a conflict with the RTC meeting. The ceremony went without a hitch.

9.1 Mayor's Report – March 2024(Cont.)**5.6. Meeting with Kainga Ora (Monday, 12 February 2024)**

I participated in a meeting with Darren Toy (Regional Director Bay of Plenty) and Sarah Jones of Kainga Ora, WDC CE Steph O'Sullivan and WDC Principal Advisor to CE and Mayor, Kay Boreham.

An interesting revelation from this meeting was that the most pressing issue regarding property development in town for Kāinga Ora is that of power. More specifically the power distribution network. I am maintaining a conversation with Mr Toy to better understand the issue and the extent and location of their significant housing/land stock in Whakatāne and the District.

5.7. Inauguration of Braemar Springs Water Treatment plant (Tuesday, 13 February 2024)

The Braemar Springs Water Treatment plant has now gone live. The \$6.3M project has taken just over a year complete and was carried out with assistance from central government's Three Waters stimulus funding (\$1.35M).

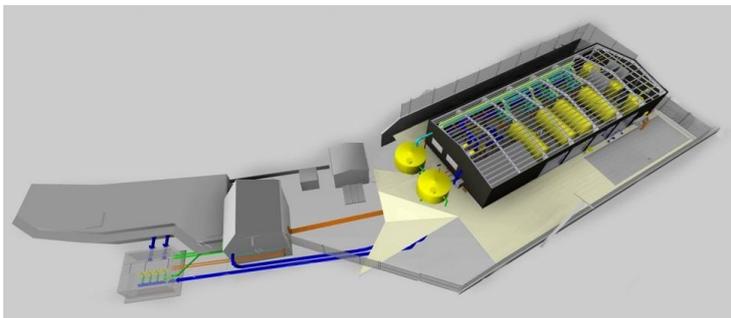
Arsenic is serious contaminant in water in many countries where concentrations of arsenic far exceed those of Braemar Springs water.

Country	Estimated exposed population (millions)	Arsenic concentration in drinking water (mg/L)
Argentina	2	<1 to 7,550
Chile	35 to 77	<10 to > 2,500
China	0.4	600 to 800
Ghana	0.5 to 2.0	<50 to 4,400
India	>1.0	<10 to >800
Mexico	0.4	5 to 43
Taiwan	N/A	<1 to >3,000
United States	>3.0	<1 to >3,100
Vietnam	>3.0	<0.1 to 810

It is worth noting that the arsenic content of many foods is quite high. For instance the arsenic content of rice is about 100 µg/kg or five times that of Braemar Springs water on a mass basis before treatment.

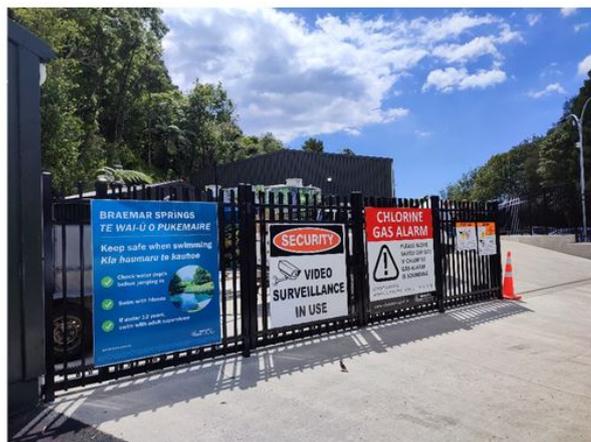
The Braemar plant lowers the arsenic level in water from the springs from about 20 ppb (20 µg/kg) to below about 10 ppb by passing the water through beds of an adsorbent that selectively extracts the arsenic. The adsorbent is contained in a series of four large tanks.

9.1 Mayor's Report – March 2024(Cont.)



Schematic of the Braemar Springs arsenic removal plant.

The adsorbent is essentially a granular form of iron oxide-hydroxide similar to rust. It has a very similar appearance to granulated coffee. Eventually, the adsorbent will become saturated in arsenic and will need to be replaced at a cost of several hundred thousand dollars.



I wish to congratulate all those involved in this successful project.

5.8. Tarawera Awa Restoration Strategy Group. (Friday 16 February 2024)

The Tarawera Awa Restoration Strategy Group (TARSG) is a permanent co-governance partnership established under [the Ngāti Rangitīhi Claims Settlement Act 2022 \(Subpart 9 – Tarawera River\)](#).

9.1 Mayor's Report – March 2024(Cont.)

The purpose of the Strategy Group is to support, coordinate, and promote the integrated restoration of the mauri of the catchment.

This was the fifth meeting of the Tarawera Restoration Strategy Group forum and progress has been made. At its 7 November 2023 meeting the forum resolved to adopt the Tarawera Awa Aspirations document which has now been made public and reported on in the 13 December 2023 Whakatāne Beacon. The next step is to develop a strategy document that provides a roadmap toward those aspirations.

<https://www.boprc.govt.nz/your-council/council-and-region/committees/tarawera-awa-restoration-strategy-group/>

The 16 February meeting addressed the issue of Golden Clams (*Corbicula fluminea*) that flourish in freshwater and are already in many of our waterways. They are likely to have first established themselves in the Waikato River more than three years ago.

Originally these clams derive from Asia and are now established in N. America, S. America and Europe. The clams can reach very high densities of 1000/m². Frantic efforts are underway to prevent further propagation since the clams have never been successfully eradicated overseas.

The clams are self-fertile and a single individual is capable of releasing 70,000 juveniles and they can survive for 10 days out of water. These features are going to make their eradication a serious challenge.

5.9. Molly Morpeth-Canaday Arts Awards. (Saturday, 17 February 2024)

This is the second year I have attended the opening of the Molly Morpeth Canaday Art Award which is a collaboration between Arts Whakatāne and Te Kōputu a te whanga a Toi – Whakatāne Library and Exhibition Centre. This year I got to present the inaugural 'Mayor's Prize, having agreed to sponsor this award from the Mayoral Fund to the tune of \$1500. It is for the artwork judged the best from within finalists who have a connection to the Whakatāne District. The winner of the 2024 Mayor's Award was former Whakatāne High School student, and now Wellington resident, Llyr Williams for his sculptural work *The Belisha Beacon*. I encourage everyone to get along to visit the exhibition which is on until early April.

5.10. Jiangxi Visit.

WDC has two Sister City relationships, one with Kamagaya in Japan and the other with Warwick in Australia. It also has a friendship agreement with Shibukawa City in Japan.

The Bay of Plenty also have a sister province relationship with Jiangxi province in China that was formalised through the Mayoral Forum in 2019. That relationship is facilitated through Eastern Bridge Education in New Zealand for which there is now a website (<https://easternbridge.co.nz/>).

The purpose of Eastern Bridge Group is to foster meaningful connections and promote understanding and relationships between the EBOP and Jiangxi that are mutually beneficial.

On the 21 December 2023 two representatives from Jiangxi visited the Bay of Plenty and I had the opportunity to discuss objectives and areas of mutual interest. General Manager Strategy and Transformation Steven Perdia also attended the meeting.

The Jiangxi-BOP relationship is to promote friendship, understanding and exchanges between the two regions (www.jiangxi.hongi.co.nz). The relationship has three main focus areas: Community - supporting community groups to connect with like-minded organisations in Jiangxi and sharing our

9.1 Mayor's Report – March 2024(Cont.)

unique cultures; Youth - providing opportunities for our young people to travel and learn, while building aspiration and capability; Economic - supporting organisations to leverage business opportunities from the closer relationship between the Bay of Plenty and Jiangxi.

Some of the potential areas of interest include the following:

Solar:

Xinyu, the partner city of Ōpōtiki is China's largest manufacture of Solar Panels. During the Jiangxi visit, Linda, the Deputy-Director of the Xinyu Foreign Affairs office met with Generation Eastland, to discuss a solar project in Ōpōtiki. A visit to the Ōpōtiki Aerodrome also occurred a proposed solar farm project was discussed. Jiangxi has asked for more information about the land, topography, and required generation. Once information has been gathered the Jiangxi side will connect with solar panel and battery storage companies and come back with proposals. The project will be advanced under the official relationship and a very competitive offer is expected.

Volunteer Programme:

Eastern Bridge is looking for 10 participants in the first cohort. If this is successful there are plans to expand the number of applicants in future intakes. The goal of the programme is to provide BOP locals, who may not otherwise have the chance, an opportunity to visit Jiangxi and learn about a new culture. The programme is free to the participants. All expenses are covered including pre-departure training visas, airfares, local transport in China, accommodation and meals, the participants will also receive a small monthly stipend.

Participants do not need to have any formal tertiary education but should have completed High School (year 13). They need to be 18 years or over. They cannot have any criminal convictions and must be of 'good character', with letters of support from people within the community.

The Urban Art Exchange and Jiangxi Exhibition in Whakatāne:

The Urban Art Exchange will involve artists from the Bay of Plenty having their art showcased on digital screens in Jiangxi, and Jiangxi artists having their art shown in the BOP on digital screens. Artworks will be showcased on www.hongi.co.nz and jiangxi.hongi.co.nz. Eastern Bridge is working with contacts within the Ōpōtiki, Whakatāne and Kawerau arts communities. Planning is also underway for Jiangxi Exhibition in Whakatāne later this year.

Bay of Plenty Centre in Jiangxi:

Eastern Bridge is currently in a holding pattern on this issue at the moment pending a license to operate. A building has been identified and final approval from the Nanchang Municipal Government is required. This will be a giant step from the current promotion centre based at the Jiangxi Normal University. The centre will become a showcase of the Bay of Plenty in Jiangxi and aims to present a NZ style cafe, a shop to promote BOP products, a library and spaces for running exhibitions and workshops. It will also become the home base for the volunteer programme participants.

On 19 February 2024, in Tōtara chambers, we welcomed 70 students from Jiangxi Province who were spending a short time in Whakatāne during a visit primarily based in Auckland. I thank staff who supported this occasion, including economic development, events, Toi Kōtuia, and our waiata group. The students had come prepared with a waiata of their own.

9.1 Mayor's Report – March 2024(Cont.)

I spoke to the group, largely about education and their future plans, and after they departed, a board-style meeting took place involving myself, Deputy Mayor Immink, Councillor Iles, (supporting staff Danielle Caudwell, Heather Murphy and Kay Boreham), Simon Appleton, and Jiangxi officials, Weicheng Fan - Division Director of the Foreign Affairs Office of the Jiangxi Provincial Government; Wei Wang - Section Chief of the Jiangxi Association for Friendship with Foreign Countries; Hua Chang - Deputy Director of the Jiangxi Education Bureau; Chujun Wang - Teacher for the Jiangxi Education Bureau; and two teachers who has accompanied the students. We spoke of the importance of the Sister Province arrangement and welcomed the opportunity to refocus on the reciprocal relationship now that the world had 're-opened' post-pandemic.

5.11. Local Wild Food Festival (Saturday, 24 February 2024)

The Wild Food Festival, held at Mahy Reserve, Ōhope was a very well attended event and a credit to the organisers who were ably assisted by Councils Events and Marketing team. I entered the cooking challenge section with my son but unfortunately was unsuccessful taking out a prize. Better luck next year, I guess.

6. Conclusion - *Kupu whakamutunga*

It has been a short but intense reporting period.

The development of the LTP has required a substantial dedication of time by Elected Members and WDC staff for which I am most appreciative. I am sure we will all be glad when the job is done and dusted and we can all return to normality.

By all accounts, the economic backdrop in which we have had to prepare the draft LTP is one of the most challenging that anyone can remember.

Without doubt circumstances are difficult, prices have escalated for everyone. There is considerable financial pain out there in the community which is foremost in my mind. WDC's costs have certainly gone up more than for the average consumer. Some will understand the need for significant rates increases, some will not and some will be challenged to make payments. Trade-offs of all kinds have had to be made and we have arrived where we arrived and the time has come for the community to have its say.

Through a collaborative effort we have produced a draft LTP that is about to go out to consultation so that the community can have its say. The rates increases that are being proposed are not to anyone's liking, and least of all mine. They do not meet the expectations I have widely publicised.

Nevertheless, I am extremely glad that we managed to get to this point in the spirit of good faith. Although we may not all see eye-to-eye, I am grateful that matters have been conducted in a respectful and professional manner.

Formal consultation opens for a month from 12 March 2024 where we will get our feedback from the community and hear from those who want to present their submissions in public hearings, and based on that I expect we will make adjustments to the draft LTP while targeting the 30 June deadline for adoption. I strongly encourage all those interested to have their say.

9.2 Chief Executive's Report – March 2024

9.2 Chief Executive's Report – March 2024



To: **Whakatāne District Council**
Date: **Thursday, 14 March 2024**
Author: **S O'Sullivan / Chief Executive**
Reference: **A2629123**

1. Reason for the report – Te Take mō tēnei rīpoata

The purpose of the report is to provide updated information and advice on relevant Council related matters.

2. Recommendation – *Tohutohu akiaki*

THAT the Chief Executive's Report – March 2024 report be received.

3. Issue/subject – *Kaupapa*

3.1. Kawerau District Council farewell to Russell George

On 23 January I attended the Kawerau District Council farewell for outgoing Chief Executive Russell George. Having worked for the Council for 25 years, and 18 as the CE, it was a sad occasion to see Russell give his farewell speech, but it was also heartwarming to hear staff and other stakeholders and Council partners congratulate him on his service and for being such a wonderful advocate for the Eastern Bay of Plenty and the Kawerau District.

Russell has been a key leader in terms of chairing the CEG (Coordinating Executive Group to Emergency Management Bay of Plenty) for a number of years, has played a key role in BOPLASS and was a strong supporter of the economic development projects across the Eastern Bay. These are just some of the shining examples of Russell's collaborative leadership.

We are looking forward to working with the new Kawerau District Council Chief Executive Morgan Godfrey and ensuring that we continue to align as the four territorial authorities across the Eastern Bay and forge a positive working relationship to achieve positive outcomes for our communities.

3.2. Important Relationships

Ngāti Manawa

The Executive team and I continue to work in a really constructive relationship with Ngāti Manawa and during this period we had a great meeting with Te Rūnanga o Ngāti Manawa Chair Kani Edwards and Chief Executive Maramena Vercoe, as well as specialists who are supporting them in the housing and economic development space. We look forward to continuing to collaborate with them on these key catalysing projects for Murupara.

9.2 Chief Executive's Report – March 2024(Cont.)Tourism Bay of Plenty

A new year meeting took place on 25 February with two Chief Executives - Oscar Nathan of Tourism Bay of Plenty and Reuben Araroa of Te Rūnanga o Ngāti Awa to talk at a high level about the future of tourism and the importance of destination management plans and to understand Tourism Bay of Plenty's focus areas.

Tourism is an activity that is going to require us all to be aligned together, with an understanding of each other's roles and responsibilities. I look forward to working with both of these organisations this year and supporting our tourism and events team to do the same.

3.3. Whakatāne Futures

On 9 February I attended the first Whakatāne Futures Steering Group meeting of 2024, alongside Regional Council Chief Executive Fiona McTavish, Kānoa Bay of Plenty Principal Regional Advisor Christina Diamond, the recently appointed new Chief Executive of Ngāti Awa Group Holdings Tyrone Newson and senior staff from both Councils.

This group meets every eight weeks to work in partnership with our colleagues on critical projects of common interest in the Whakatāne CBD and it was a delight to welcome Tyrone Newson to the group.

Of note is the commencement of the flood defence strengthening project and the strong communications strategy being wrapped around the purpose, timing and temporary impacts on walkway users and motorists during the current stage one works.

3.4. Kāinga Ora

On 12 February Mayor Luca and I met with Regional Director Bay of Plenty for Kāinga Ora Darren Toy, and Principal Advisor Development Strategy Sarah Jones. It was fantastic to sit and reflect on the last four or five years and the changes that have taken place with Kāinga Ora investment into our region.

We talked at length about the 500 homes that Kāinga Ora has, or will be building, across the Whakatāne District and the significant investment and multipliers that brings into our District. A key issue Darren identified was linked to thinking about the future of areas where the agency owns large amounts of land/housing and how together we can take a strategic approach to revitalising these neighbourhoods and ensuring that people are living in warm, dry, modern homes that are fit for purpose. We were very interested as well in hearing about the critical issues such as power supply to Kāinga Ora homes and I know Mayor Luca will report more on that conversation and watch developments in that space with interest.

I cannot help but reflect on how four or five years ago we had very little direct contact with these Central Government agencies and how pleasing it is to now see the fruits of very strong advocacy playing out in consistent contact. We now work collectively on a number of projects bringing investment into our towns in critical areas such as the provision of housing.

9.2 Chief Executive's Report – March 2024(Cont.)**3.5. Braemar Water Treatment Plant Opening**

On 13 February I was delighted to attend the grand opening of the Braemar water treatment plant. This upgrade delivered the critical outcome of using innovative technology to lower the naturally occurring levels of arsenic in this key water supply to communities across the Rangitāiki Plains and to just outside Whakatāne township.

I was delighted to see the successful outcome delivered by a true working partnership of the WDC Three Waters team, utilising Central Government stimulus funding made available through the COVID-19 period, and all of our contractors and suppliers who leaned in to make this project such a success.

Not only have we met drinking water quality standards for this supply but we have also enhanced the amenity of the beautiful spring and paid tribute to the history and the importance of the area to mana whenua and to all of those who benefit from the precious water we are blessed with from the Braemar Springs.

The support and guidance that Iwi and Hapū provided to this transformational project was also pivotal and I again acknowledge this.

Thank you to Mayor Luca and the Councillors who attended the opening. We all enjoyed the tour of the facility and gaining some understanding of the processes involved.

3.6. Women in Business Network

General Manager Georgina Fletcher and I, together with a number of staff made a very pink 'splash' at the 14 February 'Galentine's' event held by the Eastern Bay of Plenty Women in Business Network, which is facilitated by the Eastbay Chamber of Commerce.

I was delighted that we were able to host the event in our Tōtara chamber at WDC, which enabled networking and connection between women who are in businesses large and small across all fields of enterprise. It was a positive, fun, vibrant event where we got to meet new people and reconnect with established friends. These events are really special for women in business who face unique challenges and having strong support networks and relationships can make the difference for so many of us.

It was great to hear individual stories from both sole ownership operators, and from women running significant scale businesses across the region.

3.7. BOPLASS

On 16 February I attended a BOPLASS Directors meeting. BOPLASS is a company owned by the Bay of Plenty Regional Council, Rotorua District Council, Western Bay of Plenty District Council, Kawerau District Council, Tauranga City Council, Ōpōtiki District Council, Whakatāne District Council, Taupō District Council and Gisborne District Council and has been established to promote shared services between local authorities in the Bay of Plenty/Gisborne Regions and elsewhere.

The purpose of the company is to provide benefit to Councils and their stakeholders through improved levels of service, reduced costs, improved efficiency and/or increased value through innovation. The company reports to the nine Chief Executives who make up the Board of Directors along with an independent chair.

9.2 Chief Executive's Report – March 2024(Cont.)

The standout of the meeting for me was the briefing by the AON insurers who attended from both NZ and London offices. This presentation truly gave us real insight into the changing face of the global insurance industry, the impact of climate change on provision of insurance and the challenges we will need to face and be prepared for in the near future. Climate change has usurped traditional insurance focus areas such as earthquake, tsunami and fire and is now the number one focus on the industry globally. Of course, this is highly relevant for us as we have a wide range of assets to insure and are certainly in a coastal position of Aotearoa, we will face increasing challenges as climate change effects magnify in coming years.

BOPLASS has been a fantastic vehicle, through which over the past eight to nine year we have undertaken a strategy to build strong relationships into the London insurance markets. This has placed us in the strong position to look to the future, and as we have in the past, ensure that we are well prepared to be able to protect our communities, as best as we can, whilst also being able to secure the most affordable forms of insurance.

The value of the BOPLASS joint procurement relationship was reported to the February Finance and Performance Committee. BOPLASS Savings and Benefits 2008—2023 for our Council was \$3,057,142. The total saving across all the partners Councils was close to \$31m. The WDC total savings in 2022/23 financial year was \$287,474.

3.8. Eastern Bay of Plenty Civil Construction Forum

On the 21 February, WDC hosted the quarterly Eastern Bay of Plenty Civil Construction Forum, which is facilitated by TOI EDA. It was great to welcome these people back together again for 2024 and for all four councils to present their forthcoming work programmes.

It was however concerning to hear reports that the work supply is much tighter for this time of year, which given stable weather, traditionally tends to be the high season for construction.

Some Forum members shared that they are starting to see larger contractors looking for and securing work in Tauranga and Rotorua from outside the region, which indicates the pressure across the sector nationally.

We need to keep the forum as an essential vehicle to connect with our civil construction sector members so we can continue to understand the pressure on their businesses. As the deliverers of our major capex programmes they are a vital part of our Council business and we value these firms and want to ensure that they are sustainable and successful.

3.9. Long Term Plan (LTP) 2024-34

I would like to acknowledge both the Elected members and the internal team who are working on a very challenging and complex LTP process that is ongoing.

In adopting the draft plan to go out for consultation, we understand the challenges that the Councillors have faced in trying to reconcile both community need, aspiration, and affordability limitations.

It is very clear to us all that a cost of living crisis coincides with infrastructure legacy issues and growing population, married with an increasing inequity across our communities. This is not an easy time for local government but I feel we have gone through a very robust LTP process assessing all the issues and challenges and developing all the associated policies in a very constructive way.

9.2 Chief Executive's Report – March 2024(Cont.)

I look forward to the coming weeks as we actively seek strong engagement with our communities to gain feedback, analyse that material and undertake hearings as we work towards meeting the end of June deadline to adopt our LTP and strike the rates.

4. Conclusion – Kupu whakamutunga

As I conclude my report, the Government has reached the end of the timeframe of its 100-day action plan. It remains an uncertain time for Local Government as we come to terms with policy announcements and respond to requests for information.

A key action of the plan, the repeal of the Three Waters enabling legislation, has had the greatest immediate impact on us and we have seen those effects play out through the need to include planning and budget for continued water service delivery within our LTP.

I commend staff for anticipating the direction of Government and running two sets of financial data at the beginning of the LTP process, this put us in a good position to keep on track for a 30 June adoption target.

I also applaud the direction of the Mayor and Elected Members to maintain that target when they were presented with the opportunity to extend the deadline. Thank you for recognising and appreciating the sheer scale of work that the dedicated LTP team, Executive team and staff across the organisation have delivered so diligently to allow you to adopt the 2024-34 Draft Consultation document.

10 Reports - *Ngā Pūrongo*

10 Reports - *Ngā Pūrongo*

10.1 Draft Elected Members Remuneration Related Policy Report



To: **Whakatāne District Council**

Date: **Thursday, 14 March 2024**

Author: **C Viljoen / Manager Governance Services**

Authoriser: **E Hatch / GM People and Engagement**

1. Reason for the report - *Te Take mō tēnei rīpoata*

The purpose of this report is to present a draft policy for adoption that outlines eligible expenditure that may be reimbursed to elected members of Whakatāne District Council in performing their duties.

2. Executive summary - *Whakarāpopototanga*

Under clause 6 of Schedule 7 of the Local Government Act 2002 it specifies the Remuneration Authority must determine the remuneration, allowance and expenses payable to members of local authorities.

The current policy was last reviewed in 2015 and adopted by Council in 2016 for the period October 2013 to October 2016. A review in 2024 of the policy for the current 2022-2025 triennium was considered prudent.

3. Recommendations - *Tohutohu akiaki*

1. THAT the report 'Elected Members – Remuneration Related Policy' be **received**.
2. THAT the Council **adopts** the draft policy; and
3. THAT Council **notes** the policy will be released to the Remuneration Authority for their record keeping.

4. Background - *He tirohanga whakamuri*

The Remuneration Authority (RA) sets remuneration for elected positions in local authorities, and also sets the rules for reimbursement of costs incurred by elected members while engaged on local authority business. Allowance limits are reviewed annually by the RA.

5. Issue/subject – *Kaupapa*

The proposed policy (refer appendix 1) outlines rules to recover actual and reasonable expenses and allowances as prescribed in the most recent 'Local Government Members (2023/24) Determination 2023'. It is intended that this policy covers all elected members of Whakatāne District Council (Councillors and Community Board members).

10.1 Draft Elected Members Remuneration Related Policy Report(Cont.)

The reviewed policy includes:

- key principles, where expenses must have justifiable council-related business purpose and be within approved budgets;
- the approval and payment process;
- amounts for mileage and travel time and communication allowances as per the 2023/24 determination;
- expense limits for claiming meals when away on Council business;
- a new funding approach to support Councillors professional development; and
- includes a section on a proposed 'parental leave of absence policy'.

6. Options analysis - *Ngā Kōwhiringa*

No options have been identified relating to the matters of this report.

7. Significance and Engagement Assessment - *Aromatawai Pāhekoheko*

7.1. Assessment of Significance

The decisions and matters of this report are assessed to be of low significance, in accordance with the Council's Significance and Engagement Policy.

7.2. Engagement and community views

Not applicable.

8. Considerations - *Whai Whakaaro*

8.1. Financial/budget considerations

Elected Member remuneration, expenses and allowances are budgeted for in the Governance Services budget.

8.2. Strategic alignment

No inconsistencies with any of the Council's policies or plans have been identified in relation to this report.

8.3. Climate change assessment

Based on this climate change assessment, the decisions and matters of this report are assessed to have low climate change implications and considerations, in accordance with the Council's Climate Change Principles.

8.4. Risks

There are no known risks associated with the matters of this report.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy

9. Next steps - *Ahu whakamua*

Subject to Council adoption, the policy be sent to the Remuneration Authority for their record keeping, will be released to Elected Members, and published to Whakatāne District Council's website.

Attached to this report:

- Appendix 1 - Draft Elected Members Remuneration Related Policy.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)

POLICIES

Elected Members

Remuneration Related Policy

Adopted: [Date]

Effective: [Date]

Review date: February 2027

whakatane.govt.nz



10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)



Policy Approval

Effective Date	<i>Date approved by the remuneration authority</i>
Review and monitoring	Governance Services Manager – continuous with a full review every 3 years
Policy owner	General Manager People and Engagement

Version Control

Date updated	Description
31 July 2023	Draft Policy Review Conducted – Tompkins Wake
7 February 2024	Draft Policy Reviewed and Updated - Governance Services Manager

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)

Elected Members Remuneration Related Policy

1 Policy statement

The remuneration, expenses, and allowances payable to elected members (Councillors and Community Board members) of Whakatāne District Council are set out in the Local Government Members (2023/24) Determination 2023. Actual and reasonable expenses outlined in this policy must be formally approved by the Remuneration Authority (but subject to the provisions in the Determination).

Clause 6 of Schedule 7 of the Local Government Act 2002 specifies the Remuneration Authority must determine the remuneration, allowance, and expenses payable to members of local authorities. It also states that the Remuneration Authority may prescribe the rules under which remuneration or expenses are applied or reimbursed.

Remuneration, allowances, and expense reimbursements not determined by the Remuneration Authority cannot be paid.

In all these situations Whakatāne District Council is mindful of the requirement to use public funds responsibly and to maintain public confidence in the organisation.

Actual and reasonable expenses may be incurred in relation to legitimate business events or legitimate business needs and travel.

2 Purpose

This policy outlines the eligible expenditure that may be reimbursed to elected members of Whakatāne District Council in performing their duties as prescribed in the Local Government Act 2002.

From time-to-time members incur expenses on the Council's behalf, for which they can be reimbursed. Reimbursement and use of council supplied resources apply only to elected members personally, and only while they are acting in their official capacity as Councillors and Community Board Members for Whakatāne District Council.

3 Applies to

All Elected Members (Councillors and Community Board Members) of Whakatāne District Council.

4 Responsibilities

4.1 Mayor

Primary signatory to approve elected members' expense claims and expenditure.

4.2 Independent Chairperson of Risk and Assurance Committee

Primary signatory to approve Mayor's expenditure.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)

Elected Members Remuneration Related Policy

4.3 General Manager People and Engagement

Second signatory to approve Mayor, and elected members' expense claims and expenditure.

4.4 Governance Services

Ensuring elected members are aware of the policy and accompanying guidelines.

Preparing and checking compliance for all elected member expense claims to submit to the Mayor and General Manager People and Engagement for approval to process.

Responsible for the review of the Remuneration Related Policy to ensure that it is up to date and in line with current legislation through the provisions of the Local Government Members Determination.

4.5 Members

Understanding and abiding by the policy.

4.6 Finance Section

To process expenditure that complies with this policy.

5 Policy principles

To be reimbursable, expenses must:

- (a) Have a justifiable council-related business purpose; council-related business includes attendance at formal Council meetings, committee meetings, workshops, seminars, statutory hearings, training courses, site visits, meetings with staff, meetings with community groups, meetings with members of the public, Civic ceremonies where invited by the Mayor to attend, formal deputations to a Minister or Parliamentary Select Committee.
- (b) It does not include events where the primary focus is on social activity, political meetings, or electioneering.
- (c) Be moderate and reasonable having regard to the circumstances, i.e. able to pass the test of being prudent use of ratepayers' money under public scrutiny.
- (d) Be actual and evidenced by an original receipt.
- (e) Be approved by the second signatory.
- (f) Be within relevant budget provisions.
- (g) Be presented on the approved Whakatāne District Council Claim Form.
- (h) Be signed as true and correct by the claimant.
- (i) Be consistent with the provisions of the Local Government Members Determination 2023, as set by the Remuneration Authority Act 1977 outlined in (cl6) and (cl7) of Schedule 7 of the Local Government Act 2002.
- (j) Costs for reimbursement will be via Whakatāne District Council payroll system.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)



Elected Members Remuneration Related Policy

- (k) In the case of one-off expenditure such as travel to conferences, the process and prior approvals required are detailed further in this policy.
- (l) In the case of vehicle mileage, travel time and communications allowances – all limits set in this policy do not exceed the Remuneration Authority Determination.
- (m) Some costs of “networking” will be considered for reimbursement where there is justifiable council-related business purpose, or a clear community benefit. Prior approval is required before any costs are incurred.

6 Related information

- (a) Guidelines to this Policy
- (b) Members’ Code of Conduct
- (c) Whakatāne District Council Fraud Policy
- (d) Whakatāne District Council Sensitive Expenditure Policy
- (e) Clause 6 of Schedule 7, Local Government Act 2002
- (f) Remuneration Authority Act 1977
- (g) Local Government Members (2023/24) Determination 2023.

7 Monitoring and review

Monitoring of this policy is the responsibility of the Manager Governance Services and will occur every three years or earlier in response to changes to legislation or to good practice. Any proposed amendments to this policy will be reviewed by the policy owner and presented to Council for recommendation to submit to the Remuneration Authority for approval.

8 Policy authorisations

The Policy must be approved by the Remuneration Authority.

9 Council process for payment

Payment of expense reimbursements require a claim form to be signed and submitted for approval. Elected Members’ claims are processed and paid monthly and must meet the following requirements:

- (a) All claims are to be accompanied with an original detailed receipted GST invoice. It is not sufficient for payments made by credit card or EFTPOS to be supported by only the credit card/EFTPOS docket. Receipts must be itemised and dated; for example, a hotel receipt must specify accommodation and meal costs separately.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)

Elected Members Remuneration Related Policy

- (b) Claims will be refused if no receipts are provided. An exception to this is for minor expenditure (under \$20 – incl. GST), when receipts are not available, in which case the claimant must document the date, amount, description, and purpose of the expense.
- (c) Meal and accommodation claims for multiple people must list the names of those people.
- (d) Detailed description of business reasons for the expense must be supplied.
- (e) Members must seek approval first before incurring expenses and submit an expense claim in the same month (where possible) as the expense is incurred.
- (f) The primary and secondary signatories must review and approve members' expense claim and pre-approved overnight stays, travel, accommodation, and conference attendance.
- (g) Claim forms are to be submitted to the Governance Services team who will vet, arrange for the primary and secondary signatories to approve, and will arrange payment via the payroll system.
- (h) Claim forms for each month are to be received within five working days following the end of the month. Members must submit their expense claims in the financial year expenses were incurred.
- (i) Receipts/claims submitted after three months will not be reimbursed except in extraordinary circumstances.
- (j) Once approved submitted claims will be reimbursed in the next available payment run.

10 Air Travel

10.1 Airline clubs / air points / loyalty rewards

Air points or loyalty rewards accumulated on travel or accommodation while on Council business can be used for personal benefit.

Council does not provide for airline clubs (e.g. Koru membership).

10.2 Domestic

Members are entitled to use domestic air travel for Council related travel where air travel is the most cost-effective travel option. All approved travel bookings are made through the Executive Assistant to the Mayor and/or the Executive Administration Team.

10.3 International

The prior approval of the Council is required for any international air travel, where costs or partial costs are paid for by council funds. As a general policy all international air travel by members is economy class, where Council funds all or part of the fares. Council approval is required for exceptions e.g., where Premium Economy or the equivalent air travel is desirable for health or other compelling reasons.

All approved bookings are to be made by the Executive Assistant to the Mayor and/or the Executive Administration Team.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)

Elected Members Remuneration Related Policy

10.4 Spouse/partner travel

The Council will not pay for spouse/partner travel except when the Mayor's spouse/partner is accompanying the Mayor on official business. This will be assessed and approved by the Chief Executive on a case-by-case basis.

11 Travel**11.1 Rental cars**

Rental cars may be used when attending meetings or conferences in other centres, where this is the most cost-effective travel option.

Approved rental car bookings are to be made by the Executive Assistant to the Mayor and/or the Executive Administration team using Whakatāne District Council's preferred rental car agency.

11.2 Taxis and other transport

Other than for agreed conference/meeting attendance, there may be occasions when an elected member requires a taxi service. Taxi fares can be booked in advance through the Executive Assistant to Mayor and/or the Executive Administration Team. Such taxi fare bookings will be paid directly by Council and there is no need for councillors to pay for the taxi fare individually. Where Uber services are the preferred and most convenient option of transport, the individual will be reimbursed for this service on presentation of actual receipts.

It is recommended, where possible Councillors should carpool.

Taxi costs paid for by the individual for unanticipated taxi travel within New Zealand or for international travel will be reimbursed on presentation of actual receipts.

11.3 Car parking

Parking fees incurred while on Whakatāne District Council business will be reimbursed on production of an original detailed and dated GST receipt.

12 Accommodation**12.1 Accommodation for approved professional development (discretionary and non-discretionary)**

The Executive Assistant to the Mayor and/or the Executive Administration Team may arrange accommodation for elected members in line with approved professional development requirements.

Whakatāne District Council has negotiated corporate rates with hotels/motels and unless extraordinary circumstances arise members are to use these venues where appropriate. Bookings are to be made in consultation with the Executive Assistant to Mayor and/or the Executive Administration Team.

Accommodation should be cost effective considering the location relative to where members are working, the standard of accommodation and safety and security issues.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)



Elected Members Remuneration Related Policy

Purchases from hotel mini-bars and charges for in-room video or cable movies are to be paid for by the elected member.

If elected members choose to stay with friends or relatives the member is entitled to a special allowance of \$50 (incl. GST) per overnight stay. In this instance the elected member cannot claim other expenses such as meals and incidentals.

12.2 Accommodation in exceptional circumstances for Council related meetings

The Executive Assistant to the Mayor and/or the Executive Administration Team may arrange accommodation for elected members when travel or business requirements make it unreasonable for a member to return on the same day e.g., travelling after a late meeting, travelling in excess of 100km one-way, or in exceptional circumstances.

Prior approval is required by the Mayor and General Manager People and Engagement.

The same accommodation criteria apply in this instance, as set out in section 11.1 of this policy.

13 Meals

Breakfast is not claimable on day one of travel, although in some exceptional circumstances approval may be given by the Mayor for this expense up to a maximum of \$35 (incl. GST) per head (e.g. if travel time commences pre breakfast).

When staying away overnight a reasonable cost for breakfast may be claimed for day two onwards, or where possible breakfast may be charged back to accommodation.

Lunch **is not claimable** on day one of travel within the Whakatāne District Council boundaries.

Lunch **is claimable** on day one of travel outside the Whakatāne District Council boundaries up to a maximum of \$35 (incl. GST) per head. No alcohol can be claimed.

Dinner **is claimable** when staying away overnight and will be reimbursed to a maximum of \$75 (incl. GST) per night, including alcohol (NB: limited to one beer or one wine).

Morning and afternoon tea **is not claimable**, including takeaway coffees and bottled water.

Reimbursements will only be paid when elected members are on official Council business.

Meals cannot be claimed if:

- (a) A complimentary meal is provided.
- (b) A meal is prepaid through an accommodation package (e.g. hotel breakfast).
- (c) The cost of the meal is included in the cost of a seminar or conference.
- (d) Elected members are entertained by their hosts.

Mini-bar bills and liquor charges will be the elected member's responsibility and, if charged to Council through the room tab, will be invoiced back to the elected member.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)



Elected Members Remuneration Related Policy

14 Vehicles

14.1 Mayor's vehicle

The Mayor of the Council may be provided with a vehicle. The value of the vehicle shall be reasonable for the purpose intended and appropriate for public service use (as per OAG guidelines). If the Chair elects to have the vehicle available for private use, a deduction will be made from their salary as determined by the Remuneration Authority. The Mayor will not be able to claim for vehicle mileage.

14.2 Vehicle provision

The Council does not provide Council vehicles for elected members, except for the Mayor of the Council.

15 Carparks

Parking permits are assigned to the Mayor and Councillors for the duration of the triennium and applicable within central Whakatāne town for the purpose of conducting Council business. No allowance is made for parking fees incurred where parking permits have not been displayed adequately.

16 Mileage and travel time allowances

In accordance with the *Local Government (2023/24) Determination 2023* the following rules apply:

Vehicle mileage and travel time allowances will be paid for all travel on council business when travel is in a private vehicle and is by the most direct route that is reasonable in the circumstances.

The vehicle allowance payable is:

- (a) for a petrol or diesel vehicle —
 - (a) 95 cents per kilometre for the first 14,000 kilometres; and
 - (b) 34cents per kilometre after the first 14,000 kilometres:
- (b) for a petrol hybrid vehicle —
 - (a) 95 cents per kilometre for the first 14,000 kilometres; and
 - (b) 20 cents per kilometre after the first 14,000 kilometres:
- (c) for an electric vehicle—
 - (a) 95 cents per kilometre for the first 14,000 kilometres; and
 - (b) 11 cents per kilometre after the first 14,000 kilometres.

The **travel-time allowance** is \$40/hr (incl. GST) for each hour of eligible travel time after the first hour of eligible travel time travelled in a day. The driver and passengers can claim for a travel time allowance.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)

Elected Members Remuneration Related Policy

If an elected member travels from a place where they permanently or temporarily reside that is outside the local authority area, to the local authority area on local authority business, the elected member is only eligible for a travel-time allowance for eligible travel after the elected member crosses the boundary of the local authority area and after the first hour of eligible travel time within the local authority area.

If Council is providing transport, and an elected member chooses, for personal reasons, to travel independently, they may not be entitled to a vehicle allowance.

Where an elected member chooses, for personal reasons, to travel by private vehicle to a conference or seminar outside of the Whakatāne District they will be entitled to reimbursement of the mileage travelled, only up to the value of equivalent airfare if travel by air is available and is the less expensive option.

Any speeding fines and any other traffic infringement notices incurred by councillors when on council business will not be reimbursed.

For the sake of clarity, the elected member is not required to be a member of the committee or subcommittee they are attending in order to claim mileage attendance, but where that is the case are encouraged to attend on-line.

It is required that you complete your claim forms monthly. Any claim forms submitted outside of this period will be considered for approval at the discretion of the Governance Services Manager. Claim requests that fall outside of the current financial year will not be approved.

As required by Audit NZ, please ensure you attach receipts and invoices to any expense claims. All expense claim forms are checked and verified by the Governance Team and a final check and approval is completed by the General Manager People and Engagement, before the claim is processed.

17 Catering, hospitality and entertainment

17.1 Annual Councillor Function

The Council will make budgetary provision for one Councillor function per year.

The purpose of this function is to provide:

- (a) A forum for building relationships between elected members and senior staff, and
- (b) An opportunity to give recognition to the supporting role that spouses/ partners give to elected members and senior staff.

Attendance is generally limited to elected members accompanied by their spouses/partners, and senior management staff accompanied by their spouses/partners, and covers the cost of food, wine and beer.

If appropriate, costs of accommodation and associated meals will be paid for elected members and partners attending the annual function.

The Chief Executive or Mayor, when deemed appropriate for the function, may invite special guests.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)



17.2 Hospitality and networking

Pre-approval for supply of food and beverages (including beer or wine) for hospitality and networking must be given by the Chief Executive and/or the General Manager People and Engagement. Description of the event must be provided and there must be justifiable council-related business or a clear community benefit.

It does not include events where the primary focus is on political meetings or electioneering.

17.3 Refreshments and catering

Catering and refreshments will be provided to Councillors attending formal council and committee meetings/briefings and be served in the Councillors retiring area. Similarly, catering and refreshments can also be provided to Community Board Members when attending formal community board meetings. Catering and refreshments are arranged via the Governance Team.

No approval will be given for expenditure on refreshments at an external café for routine elected member catchups, team meetings or work breaks. These are encouraged to be held in council facilities. However, approval *may* be given if the expenditure is for an external party and there is a justifiable council-related business purpose.

A lunch *may* be provided for members attending meetings when the meeting or meetings extend past the recognised lunch period.

18 Communication allowance

In accordance with the Local Government (2023/24) Determination 2023 the following communications allowances are payable.

18.1 Councillors

When councillors use their own mobile phone device and have chosen to use a council owned laptop/device, the following ICT allowances apply:

Elected Member uses own equipment and consumables;

for use of a multi-functional or other printer	\$ 50 per annum
for use of a personal mobile phone	\$200 per annum
For ICT consumables	Up to \$200 per annum

Elected Member uses own services;

for internet service	Up to \$800 per annum
for mobile telephone service	Up to \$500 per annum

Note: allowances are inclusive of GST.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)

Elected Members Remuneration Related Policy

Any council-owned device supplied to members remains the property of Whakatāne District Council and must be returned when the elected member leaves office.

ICT equipment that may be supplied by Council includes: a laptop, keyboard, mouse, an additional monitor and headphones (for home use). If an elected member experiences any problems with their council supplied equipment, repair and/or replacement of the item can be made by contacting the Governance Services Manager. ICT allowances will be pro-rated and paid via Whakatāne District Council payroll system.

Requests for additional devices, whereby this will assist an elected member to effectively participate in council or committee meetings, will be at the discretion of the General Manager of People and Engagement.

18.2 Community Board Members

A communication allowance of up to \$800 (incl. GST) per year is paid to each community board member to cover internet usage. This will occur automatically, so members are not required to apply for this allowance. The allowance will be pro-rated and paid via Whakatāne District Council payroll system.

Community board members are also entitled to an allowance of up to \$200 (incl. GST) for the use of personal devices (ICT consumables) when attending formal community board meetings. Community board members will be required to complete an expense claim form for this payment to be recognised.

18.3 Mobile phone

The Council will provide a mobile phone to the Mayor and Deputy Mayor and will cover all expenses associated with the use of that phone. The phone remains the property of Whakatāne District Council. The Mayor and Deputy Mayor will not receive a mobile phone allowance if they have opted in for Council to provide them with a mobile phone.

19 Leave of Absence

A person who has a leave of absence for a length of time may continue to receive remuneration for up to three months during the leave of absence as an Elected Member. Remuneration allowance for leave of absence beyond three months is at the discretion of the Mayor/Chief Executive and the purpose of the extended leave of absence would generally meet the following criteria:

- Seconded to Civil Defence or other Council related duties; or
- Health issues, such as serious illness, injury, surgery, or disability; or
- Family or personal matters, such as childbirth, adoption, bereavement, or caring for a sick relative.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)

Elected Members Remuneration Related Policy

20 Childcare allowance

A local authority may pay a childcare allowance to an eligible elected member in accordance with Clause 14 of the Determination set by the Authority and the Council's Elected Members' Childcare Policy as a contribution towards expenses incurred by the elected member for childcare provided while the elected member is engaged on local authority business.

An elected member is eligible to be paid a childcare allowance for childcare provided for a child only if;

- (a) the elected member is a parent or guardian of the child or is a person who usually has responsibility for the day-to-day care of the child (other than on a temporary basis); and
- (b) the child is under 14 years of age; and
- (c) the childcare is provided by a person who;
 - (a) is not a parent of the child or a spouse, civil union partner, or de facto partner of the elected member; and
 - (b) does not ordinarily reside with the elected member; and
- (d) the elected member provides evidence satisfactory to the Manager of Governance Services of the amount paid for childcare.

A local authority must not pay childcare allowances to an elected member that total more than \$6,000 (incl. GST) per child during the determination term.

21 Parental leave of absence policy

The Parental Leave of Absence policy assumes a parental leave of absence will be a total leave of absence, where no usual duties or functions are performed.

- (a) When an Elected member gives birth or adopts a baby under 6 years of age, the Council may approve a leave of absence under Standing Order 13.3 (leave of absence).
- (b) A parental leave of absence may be approved for up to six months on request.
- (c) Approval of a parental leave of absence will mean that the Elected member is encouraged to not carry out any duties, either formal or informal. This includes attendance of Council, Community Board, Local Board, or Committee meetings, meetings with external parties or constituent work.
- (d) An Elected member will not be paid any remuneration or allowances while on an approved parental leave of absence.
- (e) If an Elected member continues in their role in a more limited (partial) capacity, such as attending to constituent enquiries (e.g., phone calls and engagements where possible), and reading etc, but not attending council meetings or workshops, their remuneration should revert to the remuneration received by a councillor with minimum allowable remuneration for their council, as set out in its determination.
- (f) The Council will offer elected members returning from parental leave a programme to assist them to transition back into their former role, this may involve a briefing from the chief executive officer on matters of importance that occurred during the elected member's absence.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)



Elected Members Remuneration Related Policy

22 Councillor professional development

Professional development does not include Whakatāne District Council induction and training.

22.1 Professional Development - Discretionary (Optional training)

Councillors will be allocated \$3,000.00 (incl. GST) each per year for discretionary professional development. Councillors must submit a course proposal that outlines the name, course provider, location, purpose, and cost of registration to attend (template appx A). Proposals for discretionary professional development must be submitted to the Manager Governance Services and attendance must be pre-approved by the Mayor and General Manager People and Engagement prior to any bookings being made. All bookings and registrations are to be coordinated via the Manager Governance Services and relevant Executive Assistant staff

Councillors can utilise future budget so long as the total expenditure allocated does not exceed \$9,000.00 (incl. GST) within the Councillors 3-year term of office.

Travel, accommodation, and related expenses do not form part of the allocated amount for discretionary professional development and will be managed in line with these related expenses as set out in section 11-13 of this policy.

22.2 Professional Development - Non-discretionary (Required training)

During a Councillors term of office requisite training and development may be required and may include but is not limited to the following:

- (g) Emergency Management
- (h) Health and Safety
- (i) Good Governance principles and practice
- (j) Governor roles and responsibilities
- (k) Community Leadership
- (l) Media and Communications
- (m) Finance
- (n) Chair Training
- (o) Standing Orders Training
- (p) LGNZ (Akona) Training
- (q) Institute of Directors Training and;
- (r) Completing the MfE Making Good Decisions Course.

Proposals for non-discretionary professional development must be approved by the Mayor and General Manager People and Engagement, and registration and attendance must be coordinated via the Manager Governance Services and relevant Executive Assistant staff.

Attendance at the annual LGNZ Conference will be considered and decided by the Mayor.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)

Elected Members Remuneration Related Policy

Travel, accommodation, and related expenses as part of non-discretionary professional development will be managed in line with these related expenses as set out in section 11-13 of this policy.

22.3 Expenses of Discretionary (Optional) and Non-discretionary (Required) events

Councillors are entitled to payment of actual and reasonable costs to attend discretionary and non-discretionary professional development such as: registration, travel, accommodation, meals and related incidental expenses (including travel insurance) incurred to attend conferences, courses, seminars or training events for the purpose of their professional development subject to:

- (a) The event must have justifiable and dominant Council business purpose and contribute to the Councillor's ability to carry out council business;
- (b) Attendance at such events when held overseas must be approved by a resolution of the Council.

Councillors, after attendance at an approved discretionary and non-discretionary conference, course or seminar, should report to an appropriate meeting on relevant matters including course content, matters of interest to other councillors and staff and an assessment of the value of the attendance.

The Council will not meet costs of partners/spouses attending discretionary and non-discretionary conferences/courses/ seminars.

23 Community Board Training

Council will provide an induction for community board members that may include some of the following;

- (a) Emergency Management
- (b) Good Governance principles and practice
- (c) Community Board roles and responsibilities
- (d) Community Leadership
- (e) Media and Communications
- (f) Chair Training
- (g) Standing Orders Training
- (h) LGNZ (Akona) Training
- (i) Institute of Directors Training; and
- (j) Completing the MfE Making Good Decisions Course

An annual training programme will be scheduled in discussion with the Chairs of the Community Boards, convened by the Manager Governance Services.

In discussion with the Manager Governance Services the Chairs of the Community Boards will decide attendance to the bi-annual Community Board Conference.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)



Elected Members Remuneration Related Policy

24 Travelling overseas

Whakatāne District Council may support the costs of elected members travelling overseas on fact-finding visits after consideration of the following factors:

- (a) The information to be gained is necessary to the achievement of the performance measures of a relevant Council project in the Annual Plan/Long Term Plan.
- (b) A personal visit is required, and the nature of the visit is such that an elected member is appropriate for the task.
- (c) The visit is an effective means of obtaining information.
- (d) The elected member applying for support is an appropriate member to undertake the proposed visit.
- (e) Any special circumstances which are seen to justify support.

All applications for support shall be in writing and will require a recommendation from the Committee to which the benefit of the travel is more relevant prior to consideration by the Council.

When an elected member is travelling overseas on a personal visit and is asked by the Council to undertake some work which can be conveniently included in their itinerary, then the Council may approve any extra expense incurred as it sees fit.

25 Taxation of allowances

Taxation on allowances shall be deducted at the prevailing taxation rates as determined by the Inland Revenue Department.

26 Hearing fees

A member who acts as the chairperson of a hearing is entitled to be paid a fee of up to \$116 (incl. GST) per hour of time related to the hearing.

A member who is not the chairperson of a hearing is entitled to be paid a fee of up to \$93 (incl. GST) per hour of time related to the hearing.

For any period of hearing time that is less than one hour, the fee must be apportioned accordingly.

The Mayor is not entitled to a hearing fee.

27 Internal Control

The Procurement and Risk Manager will carry out random checks on reimbursement claim forms.

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)



Elected Members Remuneration Related Policy

28 Breach of expense and reimbursement rules

Instances where this policy has not been followed may lead to an investigation pursuant to the Members' Code of Conduct.

Draft Policy

10.1.1 Appendix 1 - Draft Elected Members Remuneration Related Policy(Cont.)



29 Appendix A – Template for professional development proposal:

The required information outlined and/or table below should be sent in an email to governance@whakatane.govt.nz to be processed for approval. Please attach any relevant information to support the proposal.

Proposal for Professional Development – Elected Member <i>[name]</i>	
Name of Event	
Location of event and venue	
Event purpose	<i>[can also attach brochure or link to event info]</i>
Date(s)	
Estimated Cost	
Registration	
Airfares	
Accommodation	
Taxi	
Incidentals	
Total Estimated Cost	

10.2 Community Funding Committee Delegations Report

10.2 Community Funding Committee Delegations Report



To: **Whakatāne District Council**

Date: **Thursday, 14 March 2024**

Author: **F Begley / Community Partnership Manager**

Authoriser: **E Hatch / GM People and Engagement**

Reference: **A2621690**

1. Reason for the report - *Te Take mō tēnei rīpoata*

To seek changes to the delegations for the Community Funding Committee to accommodate upcoming and future funding rounds. The paper tables a recommended option to progress (option 1).

2. Recommendations - *Tohutohu akiaki*

1. **THAT** the Community Funding Committee Delegations Report be **received**; and
2. **THAT** Council **approves** changing the meeting frequency to quarterly or as required; and
3. **THAT** Council **approves** changing the purpose of the Community Funding Committee meeting delegations to read as follows:

To administer and allocate funds that Council manages as part of its Grants and Funding Portfolio in accordance with the Community Grants and Funding Policy 2023, and to incorporate additional funding streams as they arise. This includes external funds that Council manages, such as the Creative Communities Scheme and Sport NZ Rural Travel Fund.; and

4. **THAT** Council **approves** the following change to section 4.1.2 to the Community Funding Committee meeting delegations:

Current

To consider applications for the Annual Grants Scheme and make allocations under this scheme within approved budgets, and in accordance with Council's Community Funding Policy.

Update to Read

"To consider applications for grants and funds that are part of Council's Grants and Funding Portfolio and to make allocations within approved budgets in accordance with the Community Grants and Funding Policy 2023."

3. Background - *He tirohanga whakamuri*

Council can delegate most of its duties, powers and responsibilities to a committee, community board, member or officer of the Council, to ensure Council business is carried out as effectively and efficiently as possible.

10.2 Community Funding Committee Delegations Report(Cont.)

The Delegations Register sets out the delegations to the Council's committees, community boards and staff.

Delegations are designed to be in place for the Council triennium, but sometimes amendments are required to facilitate Council's business taking place in an efficient and effective manner.

4. Issue/subject - *Kaupapa*

The existing delegations have served the Community Funding Committee well but will not be fit-for-purpose for upcoming and future funding activity.

One key observation is that current delegations will not accommodate new funds that are known to be coming on stream this year, or funds that may be included in future, as Council seeks additional funding for its community and rohe.

Also, the limitation to four meetings per year will not satisfy funding deadlines – specifically the new collaborative Reo Rua fund. Two funding rounds are being planned to align with Matariki celebrations in June/July 2024 and Māori Language Month/Mahuru Maori activities in September 2024.

5. Options analysis - *Ngā Kōwhiringa*

5.1. Option 1 (recommended option)

Adopt the changes to delegations as recommended.

5.1.1. *Advantages*

- Allows for streamlining of administrative activities and reporting.
- Creates a more balanced calendar of funding rounds and Community Funding Committee meetings.
- Allows for potential addition of new funds when they come on stream.

5.1.2. *Disadvantages*

- None identified, although it should be noted that 1-2 extra committee meetings per year may be required.

5.2. Option 2

Keep the number of meetings for this Committee at four per year but allow new funds to be included in the portfolio, or vice versa.

5.2.1. *Advantages*

- There are no real advantages identified as the changes need to be made together to work well.

5.2.2. *Disadvantages*

- This option would create unnecessary inefficiencies and potentially put Council's reputation at risk with submitters and funding partners.

10.2 Community Funding Committee Delegations Report(Cont.)

5.3. Option 3

Leave the delegations unchanged.

5.3.1. Advantages

- No extra meeting dates required.

5.3.2. Disadvantages

- The Community Funding Committee would not have the delegation to consider the additional funding schemes.
- This option would create unnecessary inefficiencies and potentially put Council's reputation at risk with submitters and funding partners.
- It may also make it more difficult to fulfil the aspirations of 'best practice' expressed through the Community Grants and Funding Policy.
- Practically, funds coming on stream would need to be added to existing meeting dates.
- While this is technically possible, it would result in very long committee meetings and could create issues in terms of meeting funding deadlines. The most obvious example of this is the proposed Reo Rua Fund. Without an extra meeting in July (proposed above) the two rounds of funding would need to happen concurrently at the 7 May meeting, alongside the first round of the Creative Communities Scheme. Each fund includes a submitter presentation section meaning that the estimated run-time for the meeting could exceed six hours.
- Reo Rua round 2 applications for events during Māori Language Month in September would be due in April, creating additional workload for submitters, several months out from their proposed activities.
- This option would also create administrative issues in terms of the amount of work required to have three funding rounds ready to go for a single meeting. As such, it may be difficult to provide a good user experience for submitters.

6. Significance and Engagement Assessment - *Aromatawai Pāhekoheko*

6.1. Assessment of Significance

The decisions and matters of this report are assessed to be of low significance, in accordance with the Council's Significance and Engagement Policy.

The reason for this is that the changes are minor wording changes to an operational document.

Existing funding rounds can be accommodated without change. Any upcoming or new funding rounds will be publicly advertised well in advance of meeting deadlines and targeted information can be sent out through our community funding contact database.

This includes the upcoming Reo Rua Fund which has not yet been advertised.

10.2 Community Funding Committee Delegations Report(Cont.)

6.2. Engagement and community views

Engagement on this matter is not being undertaken in accordance with Section 4.2 of the Council's Significance and Engagement Policy. This states that the Council will not consult when there is already a sound understanding of the views and preferences of the persons likely to be affected or interested in the matter.

The proposed new meeting date (if approved) and deadlines for upcoming or new funding rounds will be publicly advertised well in advance of deadlines and targeted information can be sent to out through our community funding contact database.

7. Considerations - *Whai Whakaaro*

7.1. Financial/budget considerations

There are no budget considerations associated with the recommendations of this report.

7.2. Strategic alignment

No inconsistencies with any of the Council's policies or plans have been identified in relation to this report. The report aligns with the intentions of the Community Grants and Funding Policy.

7.3. Climate change assessment

Based on this climate change assessment, the decisions and matters of this report are assessed to have low climate change implications and considerations, in accordance with the Council's Climate Change Principles.

7.4. Risks

The main risks from not making changes to the committee delegations are:

- Operational and administrative risks, around potentially overloading the existing four meetings, e.g. trying to squeeze too much business into a single meeting due to lack of alternative suitable meeting dates.
- Reputational risks, from not providing a good user experience for fund applicants (e.g. having to apply for a fund several months in advance of when it is likely to be used / or having to manage the presentation sections of the meeting in a way that makes the applicants feel rushed).

Attached to this report:

- Appendix 1 – The current Community Funding Committee Delegations
- [Appendix 2 – Community Grants and Funding Policy 2023.](#)
(link to policy on Council website)

10.2.1 Appendix 1 - Current Community Funding Committee Delegations

10.2.1 Appendix 1 - Current Community Funding Committee Delegations

4.1 Community Funding Committee

4.1.1 Overview

<i>Title</i>	Community Funding Committee
<i>Chair</i>	Councillor Gavin Dennis
<i>Membership</i>	<ul style="list-style-type: none">- Councillor Ngapera Rangiaho- Councillor John Pullar• Two Councillors:• For the purpose of considering applications to the Creative Communities NZ Scheme (CCS), the Community Funding Committee will appoint up to four and no more than eight community members from the local arts sector to assist the allocation of CCS funding.
<i>Quorum</i>	Half of members present when membership is even; Majority of members present when membership is odd
<i>Meeting frequency</i>	4 times per year
<i>Purpose</i>	To administer and allocate funds associated with the Creative Communities NZ Scheme, Sport NZ Travel Fund and Council Annual Grants.

4.1.2 Specific functions and delegations

- To consider applications for the Annual Grants Scheme and make allocations under this scheme within approved budgets, and in accordance with Council's Community Funding Policy.
- To allocate rural travel funds for youth, provided by SportNZ, in accordance with the rules and guidelines provided by SportNZ.
- To consider and assess applications and allocate funding provided by Creative New Zealand according to the specific priorities set by Creative New Zealand.

The Committee's decisions do not need to be approved or confirmed by the Council.

4.1.3 Reporting

The minutes of this Committee are to be forwarded to the Living Together Committee.

10.3 Delegation to Hearings Panel - Application to vary Encumbrance

10.3 Delegation to Hearings Panel - Application to vary Encumbrance



To: **Whakatāne District Council**

Date: **Thursday, 14 March 2024**

Author: **M Avery / Manager Resource Consents**

Authoriser: **D Bewley / GM Development and Environment Services**

1. Reason for the report - *Te Take mō tēnei rīpoata*

The purpose of this report is to seek delegation from the Council to the Hearings Panel for the consideration of and decision on an application to vary an encumbrance affecting two properties at 14 and 36 Ōhiwa Parade, Ōhope. The report scopes out the type and level of assessment required to consider the applications.

A decision from Council is required in respect of the requested delegation to the Hearings Panel.

2. Recommendations - *Tohutohu akiaki*

1. **THAT** the Delegation to Hearings Panel - Application to vary Encumbrance report be received; and
2. **THAT** the Council **approve** the delegation to the Hearings Panel to consider and decide on an application to vary an encumbrance registered against the titles of two properties at 14 and 36 Ōhiwa Parade, Ōhope.

3. Background - *He tirohanga whakamuri*

An encumbrance was registered on each of the Certificates of Title as a part of the original subdivision process by the Munro Family Trust in April 1992 which created these lots. The same encumbrance is found on the Certificates of Title of 23 properties on Ōhiwa Parade. Although 21 Titles were originally involved, the owners of 34 and 36 Ōhiwa Parade had previously had the encumbrance varied to allow for two further Titles (34A and 36A Ōhiwa Parade) and requested that the encumbrance be reinstated on all resulting Titles.

Each of the two owners now wishes to subdivide to create an additional allotment at each property. They are prevented from doing so under the covenant within the Fourth Schedule of the encumbrance which states:

“That no more than one household unit shall be erected, constructed or placed on any one of those Lots numbered 1-21 inclusive of the Deposited Plans referred to in the Second Schedule and no further subdivision of the land subsequent to that shown in those Deposited Plans shall be requested by or on behalf of any owner of the land as a consequence of which a further household unit could be erected on the land.”

10.3 Delegation to Hearings Panel - Application to vary Encumbrance(Cont.)

Both owners have requested that the same process be followed which has occurred previously, i.e., this covenant would be removed to allow for subdivision, and then reinstated onto all Titles once the subdivisions were complete.

4. Issue/subject - *Kaupapa*

4.1. Status of Encumbrance

The encumbrance is a binding legal agreement between the individual landowners of each lot and the Council. It is a form of covenant. It is similar to a consent notice, which is the process now used under s221 of the Resource Management Act 1991 (RMA) to apply consent conditions. Consent notice conditions continue to apply following completion of a subdivision and thereby restrict or manage the future use of land. The encumbrance similarly contains several covenants relating to the protection of the vegetation and habitats, as well as the subject covenant.

The encumbrance is only enforceable by the Council. The other landowners, who also have the same encumbrance, cannot enforce it through the Court. Council acting in its statutory planning role under the RMA is also not able to enforce the encumbrance, and it is not a matter which could be considered as part of any subdivision application made under the RMA.

The original subdivision was considered by Council and the encumbrance imposed by Council. It is noted that under the current delegations, as a notified application, an equivalent subdivision would now be considered by either staff (if there were no submissions), the Hearings Panel or an independent Hearing Commissioner, who could also impose an encumbrance or, more typically now, a consent notice. Any subsequent request to vary such a consent notice would also be subject to notification and then consideration in the same way as the initial consent. Council would not be involved in either the subdivision or the variation application.

4.2. Previous History

The owner of 36 Ōhiwa Parade has made three previous applications to vary the encumbrance, in 2007, 2009 and 2013. The same applicant, as owner of 34 Ōhiwa Parade, also made an application to vary the encumbrance in 2015. There has been no previous application in regard to 14 Ōhiwa Parade.

In 2007 the owner sought to remove the covenant to allow for a six lot subdivision in conjunction with the neighbouring property at 34 Ōhiwa Parade. The Council declined to uplift the encumbrance.

In 2009 the owner again sought to remove the covenant; this time to allow for a two lot subdivision proposal. Although the matter was discussed informally at a Council level, the request did not progress to a Council or Council Committee Meeting and was withdrawn in 2010 by the owner after reviewing the Reporting Officers report.

In regard to the 2013 application, Council found that the covenant was obsolete and/or unnecessary, noting that a more appropriate consent notice covenant should be imposed as a result of further subdivision. As it was, the subsequent subdivision resulted in the existing covenant dropping down in its original form onto both resulting Titles and therefore not in keeping with the reasoning for the decision.

10.3 Delegation to Hearings Panel - Application to vary Encumbrance(Cont.)

The 2015 application was heard by Council in 2016 when Council agreed to the requested variation. The reason for this was that the related subdivision application was effectively a boundary adjustment which led to the creation of a smaller allotment and the amalgamation of the balance area with 36 Ōhiwa Parade.

Each of these applications were considered by Council.

4.3. Assessment required for requested variation to Encumbrance

The variation of a covenant on a Title, not being a consent notice under the RMA, can only be done where the requirements of the Property Law Act 2007, and any within the covenant itself are met, depending on whether the application is before the Court or Council respectively. The Hearings Panel (if the preferred option is adopted) will need to consider the merits of the argument to uplift the encumbrance before considering the merits of the subdivision application.

The encumbrance can be reconsidered if the covenant has become obsolete, unnecessary, or no longer enforceable. If an application is made to the Court, then the criteria broaden under s317 of the Property Law Act 2007. While the Council (Hearings Panel) need only assess the three criteria stated within the encumbrance, it will be prudent for the Panel to also consider all the criteria in making its decision. Any of the criteria within S317 will substantially inform at least the obsolescence and necessity criteria within the encumbrance.

Should the application meet any one of the criteria listed above then the requested variation can be granted, and the subdivision application can then be processed.

5. Options analysis - *Ngā Kōwhiringa*

Although there is an option for the two applicants to take the matter directly to Court, both have opted to have their applications heard before Council or its delegate.

5.1. Option 1 [Delegation to Hearings Panel] – preferred option

The Hearings Panel is delegated to hear and decide on resource consent applications, which under the RMA includes any application to vary a consent notice. As noted by Council in its 2013 decision, a consent notice is functionally equivalent to an Encumbrance. Both bind the signatories by way of an instrument registered on the Record of Title to an ongoing set of conditions on the use of land following subdivision.

If, instead of an Encumbrance, the applicants had used a consent notice as anticipated by Council in 2013, then the current applications would be considered as a resource consent process under delegation by Council Officers in the first instance, or by the Hearings Panel if there were any objections to be considered. There is no equivalent delegation in respect of an encumbrance.

The current delegation to the Hearings Panel specifies Councillor Nándor Tanczos as Chair with further members to be appointed by and at the discretion of the Chief Executive and Chair.

10.3 Delegation to Hearings Panel - Application to vary Encumbrance(Cont.)

5.1.1. **Advantages**

- The delegation fits within the stated purposes and expertise of the Hearings Panel.
- A Hearing before the Hearings Panel would be an efficient process in regard to Council processes.
- The delegation would confirm Council's determination of the policy environment (setting the District Plan) and the Hearing Panel's procedural function.

5.1.2. **Disadvantages**

- The applicants may feel that they have not been given the opportunity to present their cases to Council as a whole.

5.2. **Option 2 [Council to hear and decide on the applications]**

Council may decide to hear and decide on the matter itself.

5.2.1. **Advantages**

- In regard to the 2013 application, Council had declined to delegate the consideration of the application, wishing to retain a greater level of control over the decision and process.

5.2.2. **Disadvantages**

- A relatively inefficient use of Council resources.
- Council would in effect be involved at an operational level in regard to the implementation of the District Plan and subdivision consents.

6. Significance and Engagement Assessment - *Aromatawai Pāhekoheko*

6.1. **Assessment of Significance**

A decision in regard to delegation is not in itself of any significance with regard to the Significance and Engagement Policy. It is, however, acknowledged that the substantive decision will also require assessment against this policy, and comment on this is made below.

- Level of Community interest**
Low – although it is acknowledged that there is a high level of community interest in the actual decision on the variation request.
- Level of impact on current and future wellbeing**
Low – there will also be a low level of impact in regard to the substantive decision as these would be considered in any subsequent subdivision assessment.
- Rating Impact**
Low – there is also no rating impact concerning the substantive decision.
- Financial Impact**
Low – there is also no financial impact concerning the substantive decision.
- Consistency**
Low – in regard to the decisions on both the delegation and the substantive matter, although there are previous decisions, each one must be made on its own merits.
- Reversibility**

10.3 Delegation to Hearings Panel - Application to vary Encumbrance(Cont.)

Low – a decision for either the delegation or the substantive matter could be reversed, either in response to a further application or the use of an equivalent mechanism as a part of a subdivision consent.

g. **Impact on Māori**

Low – in regard to the substantive decision any subdivision application would require written approval of Iwi due to a Statutory Acknowledgement for the Ōhiwa Harbour.

h. **Impact on levels of service**

Low – there is no impact on Council’s level of service from either the delegation or the substantive decision.

i. **Impact on strategic assets**

Low – there is no impact on Council’s strategic assets. Any consequential effects from further subdivision are managed through that process.

6.2. **Engagement and community views**

No engagement is required in respect of the delegation decision.

The matter for substantive decision is restricted legally to being between Council as Encumbrance and the two landowners as Encumbrancers and does not allow for wider consultation. Engagement has been carried out with other landowners in the Ōhiwa Parade subdivision area, but the scope of that engagement was restricted to assisting in the assessment of the ongoing relevance of the encumbrance. The level of feedback has informed the significance assessment above in terms of the substantive decision to be made.

7. Considerations - *Whai Whakaaro*

7.1. **Financial/budget considerations**

There are no financial or budget considerations resulting from this decision.

7.2. **Strategic alignment**

This decision is solely a result of Council’s legislated role as an encumbrance.

7.3. **Climate change assessment**

This decision is solely regarding the delegation. Any climate change implications from the substantive decision would be required to be assessed as a part of any subdivision application if the decision is to grant the variation.

Based on this climate change assessment, the decisions and matters of this report are assessed to have low climate change implications and considerations, in accordance with the Council’s Climate Change Principles.

7.4. **Risks**

The prime risk to Council is reputational. If the variation is agreed to then there will be a risk of negative feedback from the other landowners in the subdivision. If the variation is declined there will be a risk of negative feedback from those landowners (three identified) who wish to subdivide.

10.3 Delegation to Hearings Panel - Application to vary Encumbrance(Cont.)

There is also a risk that the applicants will take the matter to the Court under the Property Law Act 2007. However, in that case Council is only involved as an interested party, i.e., as encumbrance and would have to provide the Court with its stated position.

10.4 Appointment of Controller and Recovery Manager

10.4 Appointment of Controller and Recovery Manager



To: **Whakatāne District Council**

Date: **Thursday, 14 March 2024**

Author: **D Bewley / GM Development and Environment Services**

Authoriser: **S O'Sullivan / Chief Executive**

Reference: **A2626310**

1. Reason for the report - *Te Take mō tēnei rīpoata*

The Council is asked to recommend the appointment of Paul Warbrick as a Local Controller and Dr Leny Woolsey as Local Recovery Manager to meet our responsibilities under the Civil Defence and Emergency Management Act 2002 and commitments through the Civil Defence Emergency Management Group.

2. Recommendations - *Tohutohu akiaki*

1. **THAT** the Appointment of Recovery Manager be received; and
2. **THAT** the Whakatāne District Council recommends to the Civil Defence Emergency Management Group the appointment of:
 - Paul Warbrick as Local Controller for the Whakatāne District Council; and
 - Dr Leny Woolsey as Local Recovery Manager for the Whakatāne District Council.

3. Background - *He tirohanga whakamuri*

The Whakatāne District Council is required to lead the response during and immediately after a natural hazard emergency and to lead the recovery phase, as outlined in the Civil Defence and Emergency Management Act 2002.

Through the Civil Defence Emergency Management Group, the agreed expectation is that our Council will appoint three Local Controllers to allow our Emergency Operations Centre (EOC) to operate three (3) x 8-hour shifts over a 24 hour period. We currently have two appointed Local Controllers.

In addition, each Council is required to appoint a minimum of two Recovery Managers. We currently have one appointment.

4. Issue/subject – *Kaupapa*

In appointing appropriate people to these roles, it is noted that both the Local Controller and Local Recovery Manager are senior roles with legislative responsibility and accountability. There are ongoing training commitments and exercises, and an expectation that the incumbents will actively engage

10.4 Appointment of Controller and Recovery Manager(Cont.)

with EOC staff and with other key emergency management personnel. On this basis the appointments need to be carefully considered for their leadership qualities, relationship management skills, and relevant experience.

4.1. Local Controller

A Local Controller leads the Emergency Operation Centre during or immediately after an emergency event, coordinating the response amongst multiple parties. Those parties often include the Police, FENZ and St. Johns, and a number of welfare agencies. The critical skill for a Local Controller is maintaining a strategic approach to the response and ensuring the direction and outcomes are clearly articulated and delivered. A Local Controller needs to be able to maintain critical relationships at a senior level with the Group Controller and with the other agencies. They must also show leadership traits of remaining calm during high stress situations.

Paul Warbrick is our Kaihautu Strategic Māori Partnerships. He has had 17 years' service in the NZ Navy. He is a qualified NBCDI (Nuclear, Biological and Chemical Defence) Trainer and Assessor. He is trained to a CIMS 4 level with experience in CIMs planning and operations in an operational war zone. He is also trained as a confined space fire-fighting supervisor. Paul is from the Eastern Bay and affiliates to Ngāti Rangitahi, Ngāti Awa and Tuwharetoa ki Kawerau. In his role with Council, he fosters relationships with iwi, hapū and whānau.

4.2. Local Recovery Manager

A Local Recovery Manager manages the complex recovery process after a major natural hazard event, with key priorities being:

- Planning, prioritisation, and management functions.
- Effective reporting mechanisms is in place.
- The Government (and others) is informed of local and regional issues.
- Recovery resources are identified and obtained.
- Information is provided on the impact of the event on the affected area; and
- Emerging issues are identified, and solutions are sought.

The Recovery Manager role is a significant appointment, due to the fact that the role potentially coordinates work streams across all four well beings.

A Local Recovery Manager must follow the direction of the Group Recovery Manager, but otherwise has autonomy to lead what often is a long term economic recovery (business support, farming recovery, tourism support) with social (such as housing repair and psycho-social support), cultural (such as iwi/hapu led initiatives) and environmental recovery (restoration of natural environments or adaptation of practices to respond to modified environments). The role can involve complex consultation and negotiation, and often take several months following a major event, as was experienced following the Edgumbe floods.

Dr Leny Woolsey has a background in major event management and, prior to joining Whakatane District Council, was in the senior management team at the University of Auckland Business School. She holds an Executive MBA and a PhD in Leadership and Governance. She has extensive experience leading change projects and has worked with a number of hapū, particularly in Te Tai Tokerau, on community development initiatives. Leny is a strategic thinker able to make and communicate decisions effectively under pressure.

10.4 Appointment of Controller and Recovery Manager(Cont.)

5. Significance and Engagement Assessment - *Aromatawai Pāhekoheko*

5.1. Assessment of Significance

The decisions and matters of this report are assessed to be of low significance, in accordance with the Council's Significance and Engagement Policy.

5.2. Engagement and community views

The appointment of these roles is based on personal attributes matched with the necessary skills for the role, rather than a role or a position in the organisation. For these reasons, it is not considered necessary or appropriate to seek input from the community on a nominated person. The Council is therefore best placed to recommend an appointee, based on these attributes.

6. Considerations - *Whai Whakaaro*

6.1. Financial/budget considerations

There is limited budget implication in making this decision. There is training required of a Recovery Manager, and the cost of this training may be met by the District Council or potentially by the Group. There is a training budget within the overall Emergency Management budget. The role of Recovery Manager has a financial delegation within defined financial thresholds. There are reporting requirements to the Council.

6.2. Strategic alignment

No inconsistencies with any of the Council policies or plans have been identified in relation to this report.

6.3. Climate change assessment

The appointment of these roles does not in itself have climate change implications, but the increased frequency of storm events and their impacts support the need to appoint people into these roles.

The decisions and matters of this report are assessed to have low climate change implications and considerations, in accordance with the Council's Climate Change Principles.

6.4. Risks

The aim of these appointments is to reduce risk through resourcing the EOC and Recovery Office appropriately with skilled and ultimately well-trained staff. The main risk associated with these key roles is conflicting work priorities. This needs active management between the staff member and their General Manager or the Chief Executive.

7. Next steps - *Ahu whakamua*

If the Council approve the recommendations, then the appointments will be sent to the Coordinating Executive Group (CEG) made up of the Chief Executives of the Councils in the Group (Region), and then to the Civil Defence Emergency Group for approval. The Group is made up of the Mayors or Commissioner of each Territorial Authority and the appointment of a Councillor by the Regional Council.

11 Resolution to Exclude the Public - *Whakataunga kia awere te marea*

11 Resolution to Exclude the Public - *Whakataunga kia awere te marea*

11.1 Resolution to Exclude the Public

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

1. Chief Executive Committee Meeting Public Excluded Minutes 10 October 2023
2. Commercial Advisory Board Public Excluded Minutes 12 December 2023
3. Chief Executive Key Performance Indicators: End of December 2023
4. Boat Harbour Project Update - March 2024

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution	When item can be released into public
1.	Chief Executive Committee Meeting Public Excluded Minutes 10 October 2023	Good reason to withhold exists under Section 7.	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)	To be advised
2	Commercial Advisory Board Public Excluded Minutes 12 December 2023	Good reason to withhold exists under Section 7.	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)	To be advised
3	Chief Executive Key Performance Indicators: End of December 2023	Good reason to withhold exists under Section 7.	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)	To be advised

11.1 Resolution to Exclude the Public(Cont.)

4.	Boat Harbour Project Update - March 2024	Good reason to withhold exists under Section 7.	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)	On the Chief Executive’s approval once consenting processes are complete and construction on the Board Harbour has commenced
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This resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

Item No	Interest
2	Maintain legal professional privilege (Schedule 7(2)(g))
2, 4	To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
1, 3	Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))

11.1 Resolution to Exclude the Public(Cont.)

1 Confirmation of Minutes - *Te whakaaetanga o ngā meneti o te hui*

1 Confirmation of Minutes - *Te whakaaetanga o ngā meneti o te hui*

2 Standing and Joint Committee Recommendations and Minutes - *Ngā tuhinga hui a te Komiti Ngātahi*

2.1 Public Excluded Minutes Chief Executive Committee Meeting 10 October 2023

3 Advisory Board Minutes

3.1 Public Excluded Minutes Commercial Advisory Board – 12 December 2023

4 Reports - *Ngā Pūrongo*

4.1 Chief Executive Key Performance Indicators: End of December 2023

4.1.1 Appendix 1 - Chief Executive KPIs as of December 2023

4.2 Boat Harbour Update - March 2024 - Supplementary Agenda