


Minutes Whakatāne District Ordinary Council Meeting – 8 May 2025

 <p>WHAKATĀNE District Council <i>Kia Whakatāne au i ahau</i></p>	Details of Meeting:	WHAKATĀNE DISTRICT ORDINARY COUNCIL MEETING HELD IN ROOM TŌTARA, COMMERCE STREET, WHAKATĀNE, ON THURSDAY, 8 MAY 2025, COMMENCING AT 9:00 AM.
	Present:	His Worship the Mayor Dr V Luca, Deputy Mayor L Immink, Councillors T Boynton, G Dennis, A Iles, W James, J Jukes, T O’Brien, N Rangiaho and N Tánczos <i>Via Teams:</i> Councillor J Pullar
	In Attendance:	S Perdia (Chief Executive), D Bewley (GM Planning, Regulatory and Infrastructure), E Hatch (GM People and Partnerships), B Gray (GM Finance and Commercial Services), A Pickles (GM Community Experience), L Woolsey (GM Strategy and Growth), H Patrick (Kaihautu Strategic Māori Partnerships), H Keravel (Senior Strategic Policy Analyst), E Fenton (Senior Strategic Policy Analyst), S Ellis (Team Leader Strategy), H Madden (Strategic Policy Analyst), Z Eleftheriadis (Policy Planner), N Woodley (Manager Policy Planning and Consents), V Fergusson (Manager Strategic Property), N Burgess (Manager Tourism and Economic Development), I McNiven (Procurement and Risk Manager), L Hunt (Climate Change and Resilience Manager), G Mischefski-Gray (Strategic Policy Analyst), C Viljoen (Manager Governance Services) and S Duffy (Senior Governance Support Advisor)
	Visitors:	Mr Duane Emeny and Mr Craig Emeny (Air Chathams)
	Apologies:	

1 KARAKIA

Mayor Luca welcomed all to the meeting at 9:00 am, and Councillor O’Brien opened with a Karakia.

Attendance: Chief Executive entered the meeting at 9:01 am.

2 MEETING NOTICES

Mayor Luca shared meeting notices on health and safety and live streaming.

3 APOLOGIES

Nil.

4 ACKNOWLEDGEMENTS / TRIBUTES

The meeting wished ex-Mayoress Judy Turner a full and speedy recovery.

5 CONFLICTS OF INTEREST

Nil.

6 PUBLIC PARTICIPATION

Nil.

7 CONFIRMATION OF MINUTES

Refer to page 12 of the agenda.

Moved Councillor Iles / Seconded Councillor Jukes

RESOLVED:

THAT the minutes of the Whakatāne District Council meeting held on 20 March 2025 be **confirmed** as a true and correct record.

CARRIED

8 STANDING AND JOINT COMMITTEE RECOMMENDATIONS AND MINUTES

8.1 Minutes of Standing Committees

Refer to page 13 of the agenda.

Moved Deputy Mayor Immink / Seconded Councillor Rangiaho

RESOLVED:

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

- Infrastructure and Planning Committee –20 February 2025
- Risk and Assurance Committee – 27 March 2025

CARRIED

9 MAYORAL REPORTS

9.1 Mayoral Report – May 2025

Refer to pages 14-24 of the agenda and page 24a of tabled items.

Moved Councillor Iles / Seconded Councillor Jukes

RESOLVED:

THAT the Whakatāne District Council **receives** the Mayoral Report – May 2025.

CARRIED

9.2 Whakatāne Heath Advocacy Group – May 2025

Refer to pages 25-32 of the agenda.

Attendance: GM People & Partnerships entered the meeting at 9:14 am and left at 9:16 am.
Air Chatham representatives Mr Duane Emeny and Mr Craig Emeny entered the meeting at 9:15 am.

Some concerns were raised that the investigation was not fully complete, and that it was important to actively invite all stakeholders to participate, including Iwi Health Alliance and Te Puna Ora o Mataatua.

It was reiterated that the group would 'run itself', using no council resources and that the Terms of Reference was based on Kapiti however it could still be reviewed and modified.

Moved Councillor Rangiaho / Seconded Deputy Mayor Immink

RESOLVED:

1. THAT the Council **receives** the report Whakatāne Health Advocacy Group – May 2025; and
2. THAT the Council supports the **establishment** of a Whakatāne Health Advocacy Group, which will be provided initial administrative **support** via the Office of the Mayor; and
3. THAT Council will **provide**, gratis, a meeting space to the Whakatāne Health Advocacy Group, as required.

CARRIED

10 REPORTS

10.1 Air Chathams Request for Financial Support

Refer to pages 33-56 of the agenda.

The Chairperson invited Mr Duane Emeny (Chief Operating Officer) and Mr Craig Emeny to join the Council table, to answer questions only.

The GM Finance and Commercial Services reported that two Councillors had been provided with an alternative proposal from Air Chathams however this was not formally provided to Council, and it was then received by Council staff after the publication of the agenda. He reiterated that the purpose of the paper today and the required decisions was based on the formal request received from Air Chathams. He added that if the proposal was declined there could be the opportunity to run an 'Expression of Interest' in the aviation sector.

Attendance:

Manager Tourism and Economic Development and the Procurement and Risk Manager entered the meeting at 9:44 am.

Questions of Clarification were asked and answered, and the following points were noted:

- Mr Craig Emeny referenced the individual, and collective, importance of their flight services to Whakatāne, Kapiti and Whanganui.
- The airline retired the ageing Metroliner aircraft dedicated to the Whakatāne route and introduced the Saab340 aircraft. The Saab also services the Kapiti Coast route, and this then impacted the flight schedule for Whakatāne.
- Air Chathams were grateful for support previously received from the three Councils, and without this support neither Whakatāne, Kapiti and Whanganui areas could have been provided with the flight services.

Attendance:

The Team Leader Strategy, Senior Strategic Policy Analyst (E Fenton) and Strategic Policy Analyst (H Madden) entered the meeting at 9:58 am.

- Air Chathams was not in a position to purchase an additional Saab aircraft to dedicate to the Auckland-Whakatane service.
- Mr Duane Emeny noted that there was no offer for a Council representative to be on the Air Chathams Board, however this could be a discussion for a future date.
- Mr Duane Emeny noted that Central Government are currently looking at regional aviation connectivity. Air Chathams were meeting with Ministry of Transport the following week, and also noted a potential interline service with Air NZ would benefit the EBOP.
- Mr Duane Emeny added that Air Chathams would keep the Saab340 currently leased to a Tongan airline and once that contract finished, the Saab could potentially be used to restore Whakatāne's business flights. Mr Duane Emeny said for this reason the request for the loan outlined in their initial request for financial support had been withdrawn.
- Mr Duane Emeny said that when the initial Covid loan of \$350,000 was provided the likelihood of repayment was "really low", and he believed it was not the intention of the Council of the time for it to be repaid. He said Kapiti had impaired but not written off the loan they had made with Air Chathams, and they were also talking with Whanganui about what options they could provide Air Chathams.
- Mr Duane Emeny mentioned that a bank or financial institution loan was available but had higher interest costs when compared to what Council could provide.
- Mr Duane Emeny said he was confident that Air Chathams could make the Auckland-Whakatane route work if Council partnered with them and took a longer-term view. There had been great feedback on the Saab340 as he believed a lot of passengers did not like to travel on the smaller Metroliner plane. He concluded that the economic growth drivers the airline service brings are substantial and impacted the whole community.

Attendance:

Kaihautu Strategic Māori Partnerships left the meeting at 10:43 am.

Councillor Rangiaho left the meeting at 10:46 am.

Kaihautu Strategic Māori Partnerships re-entered the meeting at 10:46 am.

Councillor Rangiaho re-entered the meeting at 10:51 am.

The Chief Executive clarified the timeline of when he and the GM Finance and Commercial Services had received and responded to the email regarding a different proposal from Air Chathams; he reiterated that the email was received after the agenda had been published.

ADJOURNMENT: The meeting adjourned at 10:58 am and reconvened at 11:20 am.

The GM Finance and Commercial Services acknowledged Air Chathams representatives and summarised the information that surfaced from the questions.

Attendance: Councillor Boynton left the meeting at 11:29 am.

Mr Duane Emeny acknowledged the current flight schedule did not meet the market need and Air Chathams would need to look at scheduling, flight frequency and a dedicated plane.

Attendance: Councillor Boynton re-entered the meeting at 11:33 am.

Moved Councillor Iles / Seconded Deputy Mayor Immink

RESOLVED:

THAT the Whakatāne District Council **receive** the Air Chathams Request for Financial Support report.

CARRIED

The Council noted that Air Chathams initial proposal contained four requests in total as a package however the Chairperson put each of these requests separately as motions:

Moved Deputy Mayor Immink / Seconder Councillor Jukes

- i) THAT the Whakatāne District Council write off the \$350,000.00 loan.

During debate each Elected member presented their view and it was noted there were potentially other options. The motion was then put.

The motion was **LOST**.

The loan would NOT be written off.

THAT the Whakatāne District Council provide 12 months relief from landing fees and charges with the option to extend if route viability is still poor after 12 months.

An amendment was proposed:

Moved Councillor Tánczos / Seconded Councillor Boynton

THAT the Council provide 6 months relief from landing fees and charges with the option to extend if route viability is still poor after 6 months.

CARRIED (6 votes to 5)

Councillors G Dennis, T O'Brien, A Iles, N Rangiaho and Deputy Mayor Immink requested their vote against the amendment be recorded.

This then became the substantive motion:

Moved Councillor Tánczos / Seconded Councillor Boynton

RESOLVED:

- ii) THAT the Council **provide** 6 months relief from landing fees and charges with the option to extend if route viability is still poor after 6 months.

CARRIED

Moved Deputy Mayor Immink / Seconded Councillor Iles

- iii) THAT the Whakatāne District Council enter into a 50/50 profit and loss share agreement after direct and apportioned costs on the Auckland to Whakatāne route.

During debate each Elected member presented their view and then the motion was put.

The motion was **LOST** (10 votes, 1 abstention).

The Council would not enter into the proposed 50/50 agreement.

Moved Councillor Iles / Seconded Deputy Mayor Immink

- iv) THAT the Whakatāne District Council provide additional loan funding to secure a dedicated SAAB 340 aircraft with an estimated value of between \$2.6m NZD - \$3.2m NZD.

During debate each Elected member presented their view and then the motion was put.

The motion was **LOST** (11 votes to 0).

There would be no additional loan provided.

It was requested it be minuted that the request for this loan had been withdrawn by Air Chathams.

Moved Councillor James / Councillor Iles

RESOLVED:

THAT Whakatāne District Council **note** that previous Council papers and workshop discussions have been in public excluded due to commercial sensitivity and the Chief Executive has approved that those papers and discussions now be moved into the public forum, excluding the financial information under non-disclosure agreements (NDAs) with Air Chathams. This is because Air Chathams proactive public release of information.

CARRIED

Attendance: Strategic Policy Analyst (G Mischefski-Gray) entered the meeting at 11:40 am.

Recommendation

A new recommendation was proposed regarding an Expression of Interest.

Moved Councillor Dennis / Seconded Councillor O'Brien

RESOLVED:

THAT the Council direct staff to **prepare** an Expression of Interest to the market for ~~an~~ a Whakatāne-Auckland ~~to~~ and Whakatāne-Wellington business schedule service offering for consideration.

CARRIED (6 votes to 5)

Councillors A Iles, J Jukes, T Boynton, W James and J Pullar requested their votes against the motion be recorded.

There was support from Elected Members that Air Chathams were given time to digest the decision, there was appetite for discussions to continue with Air Chathams, and they be given first consideration.

It was acknowledged Air Chathams had supported the community, Mr D Emeny and Mr C Emeny were thanked for their attendance, and it was reiterated that conversations were to continue.

10.2 Council Policies and Bylaws: Work Programme Update Report for 2025-26

Refer to pages 57-65 of the agenda.

Strategic Policy Analyst, Hawaiki Madden, was introduced to the meeting, and Sarah Ellis was congratulated for her new role as the Team Leader Strategy.

Attendance: D McCarthy (Media) left the meeting at 12:21 pm.

Manager Strategic Property entered the meeting at 12:23 pm.

In response to a query about the timeframe for the review of Council's existing Property Policy it was clarified that this work had been deferred due to property work underway, and this would involve conversations with iwi on matters covered by the policy, however the review would commence shortly.

Moved Councillor James / Seconded Councillor Iles

RESOLVED:

1. THAT the Council Policies and Bylaws: Work Programme Update Report be **received**; and
2. THAT the Council **notes** that a schedule of the policy and bylaw review timetable will be published on the Council website.

CARRIED

Attendance: Councillor Rangiaho and GM Community Experience left the meeting at 12:29 pm.

ADJOURNMENT: The meeting adjourned at 12:29 pm and reconvened at 1:00 pm.

Mayor Luca advised a change to the agenda reporting order and informed the meeting that the Order of Candidate Names 2025 Report would be brought forward for discussion.

Attendance:

The following Council staff entered the meeting at 1:02 pm: Manager Policy Planning and Consents, Policy Planner, Team Leader Animal Control, and Acting Manager Community Regulation.

10.3 Order of Candidates Names Report 2025

Refer to pages 241-258 of the agenda.

Moved Councillor Iles / Seconded Councillor James

RESOLVED:

1. THAT the Whakatāne District Council **receive** the Order of Candidate Names Report 2025; and
2. THAT, as permitted under regulation 31 of the Local Electoral Regulations 2001, the Whakatāne District Council **adopts** the random order of candidate names for the 2025 triennial election.

CARRIED

Attendance: Manager Governance Services left the meeting at 1:05 pm.

10.4 Dog Control Fees and Charges Report

Refer to pages 66-71 of the agenda.

Attendance: GM People and Partnerships left the meeting at 1:07 pm and Kaihautu Strategic Māori Partnerships re-entered the meeting at 1:07 pm.

A discussion occurred about the role of the pig dog solely for hunting purposes. The next review of the Dog Policy would consider a discount for 'pig dogs'.

Moved Councillor Iles / Seconded Deputy Mayor Immink

RESOLVED:

1. THAT the Dog Control Fees and Charges (2025/2026) report be **received**; and
2. THAT the Whakatāne District Council **adopts** the following Dog Control and Registration Fees for the 2025/26 financial year:

Dog (per dog)	Fee if paid before or on Tuesday, 1 August 2025	Fee if paid after Tuesday, 1 August 2025
Neutered dog (de-sexed)	\$67	\$97
Entire dog	\$97	\$144
Working dog:		
Purpose of herding or driving stock	\$67	\$97
Other as defined in Section 2 of the Dog Control Act, including disability assist dogs	Free	Free
Dogs owned by an incorporated hunt club	\$67	\$97

Dangerous dog (de-sexed)	\$93	\$142
Dangerous dog (entire dog)	\$138	\$211
Dogs less than 12 months of age Note: Dogs less than three months of age do not need to be registered	Pro-rata the annual applicable rate (July to June)	
Replacement of registration tag	\$3	

Impounding Fees (per dog)

First impoundment	\$69
Second impoundment	\$103
Third and subsequent impoundment	\$138
Sustenance cost	\$9
Additional fees for dogs impounded between 5pm and 8am and on weekends and public holidays	Charged at cost
Re-homing fee	\$29

Other fees

Destruction of Dog	\$94
Microchip Transponder implant fee	\$18

CARRIED

Councillor O'Brien requested his vote against the motion be recorded.

10.5 Proposed Plan Change 8 - Approval

Refer to pages 72-118 of the agenda.

Attendance:

The Procurement and Risk Manager entered the meeting at 1:24 pm.

Councillor Iles left the meeting at 1:26 pm and re-entered the meeting at 1:30 pm.

Attendance: GM Community Experience re-entered at 1:38 pm.

Moved Councillor James / Seconded Deputy Mayor Immink

RESOLVED:

1. THAT the Council **receive** the Proposed Plan Change 8 Approval report; and
2. THAT the Council **approve** Proposed Plan Change 8 to the Whakatāne District Plan pursuant to clause 17 of Schedule 1 of the Resource Management Act 1991 (RMA); and
3. THAT the Council **approves** an operative date of 26 May 2025 for Proposed Plan Change 8 pursuant to clause 20 of Schedule 1 of the RMA; and

4. THAT the Council **authorises** the General Manager Planning, Regulatory and Infrastructure to complete the remainder of the statutory process in Schedule 1 of the RMA required to make Proposed Plan Change 8 operative.

CARRIED

10.6 Proposed Plan Change 5 - Approval

Refer to pages 119-144 of the agenda.

Moved Councillor O'Brien / Seconded Councillor Jukes

RESOLVED:

1. THAT the Council **receive** the Proposed Plan Change 5 Approval report; and
2. THAT the Council **approve** Proposed Plan Change 5 to the Whakatāne District Plan pursuant to clause 17 of Schedule 1 of the Resource Management Act 1991 (RMA); and
3. THAT the Council **approves** an operative date of 26 May 2025 for Proposed Plan Change 5 pursuant to clause 20 of Schedule 1 of the RMA; and
4. THAT the Council **authorises** the General Manager Planning, Regulatory and Infrastructure to complete the remainder of the statutory process in Schedule 1 of the RMA required to make Proposed Plan Change 5 operative.

CARRIED

Attendance:

Manager Policy Planning and Consents, and the Policy Planner left the meeting at 1:42 pm.

10.7 Procurement Policy Review Report

Refer to pages 145-160 of the agenda.

Attendance: Manager Tourism & Economic Development entered the meeting at 1:44 pm.

Staff were acknowledged for the work completed.

Moved Councillor James / Seconded Councillor O'Brien

RESOLVED:

1. THAT the Council **receive** the Procurement Policy review report; and
2. THAT, subject to any changes identified at the meeting, the Council **adopt** the revised procurement Policy to replace the current procurement policy.

CARRIED

10.8 Adoption of the Eastern Bay of Plenty Economic Development Strategy Refresh

Refer to pages 161-196 of the agenda.

Attendance:

Team Leader Strategy and the Senior Policy Analyst (E Fenton) entered the meeting at 1:49 pm.

The Manager Tourism and Economic Development advised that Kawerau and Ōpōtiki District Councils have adopted the Strategy refresh.

It was raised that new-project costs would need to be detailed through business cases and presented to all three Councils.

Attendance: Strategic Policy Analyst (G Mischevski-Gray) entered at 1:53 pm.

Kaihautu Strategic Māori Partnerships left the meeting at 1:54 pm.

Moved Councillor Tánczos / Seconded Deputy Mayor Immink

RESOLVED:

1. THAT the Council **receive** the Adoption of the Eastern Bay of Plenty Economic Development Strategy Refresh report; and
2. THAT the Council **adopts** the Eastern Bay of Plenty Economic Development Strategy Refresh, as appended to this report; and
3. THAT the Council **notes** the Eastern Bay of Plenty Economic Development Strategy Refresh will be loaded on the council's website and used to form the basis for the development of future local economic development plans and strategies as appropriate.

CARRIED

10.9 Gambling Policy Review 2025

Refer to pages 197-240 of the agenda.

Attendance:

The Chief Executive left the meeting at 1:57 pm and returned at 2:00 pm.

GM People and Partnerships re-entered the meeting at 2:00 pm.

The Climate Change and Resilience Manager entered the meeting at 2:03 pm.

Manager Strategic Property entered the meeting at 2:04 pm

Councillor Jukes left the meeting at 2:05 pm.

During discussions the following points were noted:

- In response to a query regarding TAB venues, it was clarified that the Racing Industry Act stipulated this definition.
- Staff to clarify licenses (operators and venues) when gaming machine are transferred with purchase of venue.

Attendance: Councillor Jukes re-entered the meeting at 2:09 pm.

Moved Councillor Iles / Seconded Councillor Boynton

RESOLVED:

1. THAT the Council **receive** the Gambling Policy review report; and
2. THAT the Council **receive** the 2025 Social Impact Assessment (appendix 1); and
3. THAT the Council **agree** to retain the policy in its current form (staff recommended option).

CARRIED

Attendance: The two Senior Strategic Policy Analysts, GM Community Experience, and GM People and Partnerships left the meeting at 2:15 pm.

10.10 Solar Panel Project Recommendation Change – May 2025

Refer to pages 259-260 of the agenda.

Moved Councillor James / Seconded Councillor O'Brien

RESOLVED:

1. THAT the Whakatāne District Council **receive** the Solar Panel Project Recommendation Change – May 2025 report; and
2. THAT the Whakatāne District Council **revoke** the second (2) resolution made at the 20 March 2025 Council meeting; and

3. THAT the Whakatāne District Council **approve** the replacement resolution for an in-principle request to Trust Horizon for a loan of up to three hundred thousand dollars (\$300,000) on a 10-year repayment period at a fixed 3.5% interest rate for the first 5 years, when it shall be re-negotiated.

CARRIED

11 RESOLUTION TO EXCLUDE THE PUBLIC

Refer to pages 261-262 of the agenda.

Moved Councillor Iles / Seconded Deputy Mayor Immink

RESOLVED:

THAT the Whakatāne District Council agree to **exclude** the public from the following part(s) of the proceedings of this meeting, namely:

1. Public Excluded Minutes of the Council meeting held on 20 March 2025
2. Public Excluded Minutes of Risk and Assurance Committee meeting held on 27 March 2025
3. Disposals Project May 2025 Report

Item No.	General subject of the matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for excluding the public
1.	Public Excluded Minutes of the Council meeting held on 20 March 2025	<p>s7(2)(a) To protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(ii) Protect information made available that would likely be unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(g) To maintain legal professional privilege</p> <p>s7(2)(h) To enable the council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	s48(1)(a) 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 would exist under section 6 or section 7
2.	Public Excluded Minutes of Risk and Assurance Committee	<p>S7(2)(a) To protect the privacy of natural persons, including that of deceased natural persons</p>	s48(1)(a) The public conduct of the relevant part of the proceedings of the meeting

	meeting held on 27 March 2025	s7(2)(i) To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) s7(2)(g) To maintain legal professional privilege	would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
3.	Disposals Project May 2025 Report	s7(2)(i) To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) s7(2)(j) Prevent disclosure or use of official information for improper gain or improper advantage	s48(1)(a) 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 would exist under section 6 or section 7

This resolution is made in accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be).

CARRIED

The meeting moved into Public-Excluded session at 2:20 pm.

The meeting returned to the Public session at 2:34 pm.

Administrative note:

A technical issue caused the remaining public section of the meeting unable to be livestreamed.

Mayor Luca restated the following resolutions made within the Public Excluded session of the meeting:

1. THAT the Council **receive** the Property Update May 2025 report; and
2. THAT the Council **confirms** the report can be released to the public on the Chief Executive's approval once a final decision on the sale of property is made.

The meeting closed at 2:36 pm with a Karakia by Councillor O'Brien.

Confirmed at the meeting dated:
CHAIRPERSON

[You Tube link to Council meeting 8 May 2025](#)