



Ordinary Council

Hui a te Kaunihera

Thursday, 2 October 2025
Tāite, 2 October 2025

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



Chief Executive: Steven Perdia | Publication Date: 26 September 2025

whakatane.govt.nz



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.

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A Membership - *Mematanga*

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Mayor Dr Victor Luca

Deputy Mayor Lesley Immink

Councillor Toni Boynton

Councillor Gavin Dennis

Councillor Andrew Iles

Councillor Wilson James

Councillor Julie Jukes

Councillor Tu O'Brien

Councillor John Pullar

Councillor Ngapera Rangiaho

Councillor Nandor Tánczos

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

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 - *Te 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.

Welcome to members of the public who have joined online and to those within the public gallery.

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

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***5 Conflicts of Interest - *Ngākau kōnatunatu***

Members are reminded of the need 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. Elected Members are also reminded to update their register of interests when changes occur.

The [register of interest](#) can be viewed on the Council website.

1. Financial Conflict

- Members present must declare any direct or indirect financial interest that they hold in any matter being discussed at the meeting, other than an interest that they hold in common with the public.
- Members cannot take part in the discussion, nor can they vote on any matter in which they have a direct or indirect financial interest, unless with an approved exception.
- Members with a financial interest should physically withdraw themselves from the table. If the meeting is public excluded, members should leave the room.

2. Non-Financial Conflict

- If a member considers that they have a non-financial conflict of interest in a matter they must not take part in the discussions about that matter or any subsequent vote.
- Members with a non-financial interest must leave the table when the matter is considered but are not required to leave the room.

6 Public Participation - *Wānanga Tūmatanui***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***Confirmation of Council Meeting Minutes - 14 August 2025**

The minutes from the Council meeting held Thursday, 14 August 2025 can be viewed via the Council website. Click on the link below in order to view the 'unconfirmed minutes'.

- [Unconfirmed Council Meeting Minutes - 14 August 2025](#)

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

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

8.1 Recommendations – from the Infrastructure and Planning Committee



Title of Item: **BATTERY TOWN RALLY, CHRISTMAS PARADE AND ATEA BLOCK PARTY EVENT ROAD CLOSURES**

Committee: **INFRASTRUCTURE AND PLANNING COMMITTEE**

Meeting Date: **THURSDAY, 4 SEPTEMBER 2025**

Recommendation to Council meeting: **THURSDAY, 2 OCTOBER 2025**

8 REPORTS

8.4 Battery Town Rally, Christmas Parade and Atea Block Party Event Road Closures

Refer to pages 84-91 of the agenda.

The Technical Administrator Transportation presented the report and informed members that the event organisers had engaged with affected residents and businesses regarding proposed temporary road closures, which were recommended for approval.

It was acknowledged that closures would be time-limited to minimise disruption, and that costs for traffic management would be waived for not-for-profit organisations, excluding publication charges.

Administrative note from WDC Transportation Department:

Regarding Recommendation 3:

*The Roading Team has received a request from the Event Organiser of the annual Whakatāne Christmas Parade to amend the **date** to 13 December and the **start location** of the rolling road closure. Due to the unavailability of the number of Tracks staff required, and due to the original site on King Street being unavailable, the Parade will now begin at **Rex Morpeth Park**.*

Moved Councillor James / Seconded Councillor Boynton

RESOLVED:

1. THAT the Infrastructure and Planning Committee **receives** the Battery Town Rally, Christmas Parade and Atea Block Party Event Road Closures report; and
2. **THAT the Infrastructure and Planning Committee recommends that Council approve a temporary road closure on Rendall Road (full length), Manawahe Road (from WDC District Boundary to Rendall Road), Herepuru Road (from 400m prior to Gate 290 to gate 1096A), Cambell Road (from Pikowai Road to WDC District Boundary), on Saturday, 11 October 2025, between 05:40am to 6:00pm, to accommodate the Battery Town Rally event; and**

8.1 Recommendations – from the Infrastructure and Planning Committee(Cont.)

3. **Outdated** – Recommendation from Infrastructure and Planning Committee:
THAT the Infrastructure and Planning Committee recommends that Council approve a temporary road closure departing from St Joseph's School (Short Street through to Commerce Street RAB), Commerce Street through to Goulstone Road, Goulstone Road to King Street (St Joseph's School to Haig Street), (King Street to Russell Street), Russell Street (Haig Street to Domain Road), Domain Road (Russel Street to McGarvey Road), McGarvey Road (Domain Road to Peace Street), Peace Street (McGarvey Road to The Strand), The Strand (Peace Street to Kakahoroa Drive), on Saturday, 20 December 2025, between 11:00 am to 1:00 pm, to accommodate the Christmas Parade event; and;
3. **Updated** – Recommendation with Changes to date and start/end point of the Event.
THAT the Infrastructure and Planning Committee recommends that Council approve a temporary rolling road closure departing Rex Morpeth Park (from the Whakatāne Tennis Club entranceway onto Goulstone Road, Goulstone Road to King Street, King Street through to Haig Street (Haig Street to Russell Street), Russell Street (Haig Street to Domain Road), Domain Road (Russel Street to McGarvey Road), McGarvey Road (Domain Road to Peace Street), Peace Street (McGarvey Road to The Strand), The Strand (Peace Street to Kakahoroa Drive), on Saturday, 13 December 2025, between 11:00 am to 1:00 pm, to accommodate the Christmas Parade event; and;
4. **THAT the Infrastructure and Planning Committee recommends that Council approve a temporary road closure on The Strand Service Lane (halfway between The Strand and Bracken Street), on Friday 19 to Sunday 21 December 2025, between 12pm (Friday) to 5pm (Sunday), to accommodate the Atea Block Party.**

CARRIED

8.2 Standing Committee Minutes to be Received

8.2 Standing Committee Minutes to be Received

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:

- [Environment, Energy and Resilience Committee - 7 August 2025](#)
- [Living Together Committee - 21 August 2025](#)
- [Infrastructure and Planning Committee - 4 September 2025](#)

9 Update from the Chief Executive - *Ngā karere o te Toihautū*

9 Update from the Chief Executive - *Ngā karere o te Toihautū*

9.1 Chief Executive Report to Council



To: **Whakatāne District Council**

Date: **Thursday, 2 October 2025**

Author: **S Perdia / Chief Executive**

Reference: **A2971259**

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

The purpose of The Chief Executive's Report is to provide updated information to the Council and the community as required.

2. Recommendation – *Tohutohu akiaki*

THAT the Whakatāne District Council **receive** the Chief Executive Report - October 2025.

3. Discussion – *Kaupapa*

3.1. Annual Report 2024/25

This year we have committed to improving our management of AuditNZ requests, reducing outstanding requests and undertaking an independent Quality Assurance process to ensure that our Annual Report process is completed within statutory timeframes. This approach reduces the likelihood of additional unbudgeted charges. It also better prepares us for future Annual Report processes.

The Council approved the draft Annual Report at the Finance and Performance Committee on 28 August 2025. Staff have since submitted the draft to AuditNZ and are optimistic that we will be able to publish an AuditNZ approved Annual Report within the statutory timeframe.

3.2. Annual Plan 2026/27

The Annual Plan process for the 2026-2027 year (i.e. Year 3 of the Long Term Plan 2024-34) has commenced.

The Executive's approach follows last year's Council direction on fiscal prudence; a zero increase to LTP forecast rates given the unexpected and unbudgeted costs that will be identified.

The process starts with staff putting forward potential areas for savings and the cost risks for 2026/27, with a draft budget being prepared for the 4 December 2025 Council meeting.

9.1 Chief Executive Report to Council(Cont.)

From the draft budget Council will give staff directions on changes required ahead of a second budget being presented to Council in February 2026. If there are changes to Council's Levels of Service being proposed, then Council will need to make a decision on whether they are substantive changes to the Long Term Plan and therefore require a consultation process before making a final decision.

3.3. Post Election Planning

Staff are preparing an induction programme and training calendar for the new Council following the Election on 11 October 2025, and the official declaration of results which will be publicly notified by 17 October 2025. This will be presented to Council at its inaugural meeting on 6 November 2025.

The induction programme covers topics such as legislative obligations, governance training, protocols and procedures for Elected Members, key projects and visits to facilities and the wider district. The induction occurs from mid-October until March 2026.

At the inaugural Council meeting on 6 November 2025 the Mayor and Councillors will be sworn in, a Deputy Mayor appointed, and the Council will fix the date and time of the first Council meeting which is proposed for 4 December 2025.

3.4. Te Rāhui Herenga Waka Whakatāne Boat Harbour

The Boat Harbour wind-down process has commenced. The Limited Partners Te Rāhui Lands Trust, Kānoa (the Crown through the Provincial Growth Fund) and Whakatāne District Council are currently working through the legal entitlements and obligations of each party under the contracts and agreements.

Once this is agreed, the Council will receive a forecast budget which will detail distributions, and the Boat Harbour Board will complete the process.

3.5. Local Water Done Well

All but one New Zealand council submitted their Water Services Plan by the deadline date of 3 September 2025. The one exception received an extension due to a severe weather event.

We have been advised by the Department of Internal Affairs (DIA) that councils in our region should have a response before the end of October 2025.

Given that we submitted a draft to DIA early for feedback, and the feedback was straightforward to respond to, we are expecting that the Plan will get the green light and allow us to begin implementation immediately.

The Water Services Plan highlighted the need for a dedicated implementation focus. I am very pleased to advise that we have secured Nic Johansson as Transition Director. Mr Johansson is the former Tauranga City Council General Manager of Infrastructure. He commences on 3 November 2025 and will lead the Waters Team, manage the internal ringfencing and separation from our business systems, and manage our participation in the Multi-Council CCO Working Group which will comprise Elected Officials from each Council.

3.6. Final Comment

I would like to recognise the commitment and energy required to stand for public office and wish all of the candidates in the local election a successful 11 October, recognising that not everyone can achieve the desired outcome.

9.1 Chief Executive Report to Council(Cont.)**4. Significance and Engagement Assessment - *Aromatawai Pāhekoheko*****4.1. 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.

4.2. Engagement and Community Views

Engagement on this matter is not being undertaken in accordance with Section 6.0 of the Council's Significance and Engagement Policy. This states that the Council will not consult when the matter is not of a nature or significance that requires public engagement (low significance).

5. Considerations - *Whai Whakaaro***5.1. Strategic Alignment**

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

5.2. Financial/Budget Considerations

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

5.3. Climate Change Assessment

There are no significant or notable climate change impacts associated with the matters of this report.

10 Reports - Ngā Pūrongo**10 Reports - Ngā Pūrongo****10.1 End of Triennium 2022/25 Report**To: **Whakatāne District Council**Date: **Thursday, 2 October 2025**Author: **C Viljoen / Manager Governance Services**Authoriser: **E Hatch / GM People and Partnerships**Reference: **A2969607****1. Reason for the report - *Te Take mō tēnei rīpoata***

The purpose of this End of Triennium 2022/25 Report is to provide Council with a summary of statutory requirements and key considerations as the 2022–2025 triennium concludes. This includes confirmation of statutory committees that remain in place by legislation, an overview of elected member remuneration arrangements, and a summary of key post-election dates and processes. The report also outlines the delegation of authority to the Chief Executive during the interregnum period, ensuring continuity of governance and compliance with legislative obligations.

2. Recommendations - *Tohutohu akiaki*

1. THAT the Whakatāne District Council receive the End of Triennium 2022-25 Report; and
2. THAT the Whakatāne District Council **note** that Standing Order 6.7 authorises the Chief Executive with delegated authority to act on any urgent matters arising during the interregnum period, until the new Council is sworn in and able to act; and
3. THAT the Whakatāne District Council **note** that the Annual Report 2024/25 may require adoption during the interregnum period, and that the Chief Executive may exercise delegated authority to meet statutory timeframes; and
4. THAT the Whakatāne District Council **note** that, unless resolved otherwise, all committees, subcommittees, and subordinate decision-making bodies are discharged upon the coming into office of the new Council, except for statutory committees deemed permanent by legislation; and
5. THAT the Whakatāne District Council **note** the following statutory joint committees remain in place for the 2025–2028 triennium:
 - Bay of Plenty Civil Defence Emergency Management Group
 - Eastern Bay District Licensing Committee
 - Tarawera Awa Restoration Strategy Group
 - Rangitāiki River Forum; and
6. THAT the Whakatāne District Council **note** the elected member remuneration arrangements that will apply during the transition and for the incoming Council; and

10.1 End of Triennium 2022/25 Report(Cont.)

7. THAT the Whakatāne District Council **note** the key post-election dates and processes as outlined in this report; and
8. THAT the Whakatāne District Council Chief Executive **reports** any such matters to the incoming Council at the first appropriate opportunity.

3. Background - *He tirohanga whakamuri*

Following each triennial local election, there is a statutory interregnum period. This is the period between the declaration of election results and the swearing-in of newly elected members. During this time, elected members are unable to act, and all committees, subcommittees, and subordinate decision-making bodies are deemed discharged unless resolved otherwise by Council.

To ensure continuity of governance and operational decision-making, Standing Order 6.7—adopted by Council in March 2025—formalises the delegation of authority to the Chief Executive during this interim period. This delegation enables the Chief Executive, in consultation with the new Mayor-elect, to respond to emergencies, progress time-sensitive matters, and meet statutory obligations such as the adoption of the Annual Report, which may fall within the interregnum period.

In addition, certain statutory committees—such as the Bay of Plenty Civil Defence Emergency Management Group, Eastern Bay District Licensing Committee, Tarawera Awa Restoration Strategy Group and Rangitāiki River Forum—remain in place by virtue of their legislative foundations and are not discharged at the end of the triennium.

The report also outlines the remuneration arrangements for elected members during the transition and provides key post-election dates to support effective planning and compliance.

4. Discussion – Kōrerorero**4.1. Delegations During the Interregnum Period**

To ensure continuity during the interregnum period, Standing Order 6.7 (adopted March 2025) delegates authority to the Chief Executive to make urgent or emergency decisions, in consultation with the new Mayor-elect.

These decisions are limited to matters that do not require political direction and will be reported to the incoming Council at the earliest opportunity.

Emergency decisions are those that require immediate action to protect Council operations, public safety, or to meet statutory obligations, and cannot reasonably be delayed.

Extraordinary Council meetings may be called if an urgent matter arises that requires political input or a formal Council decision. In such cases, an extraordinary meeting can be convened at 24 hours' notice, allowing members to be sworn in and the Council to consider the matter.

This approach ensures that urgent operational matters are addressed promptly, while still providing a mechanism for elected member oversight where required.

An urgent meeting of the Whakatāne District Council may be called by the Chief Executive if an event arises that, in their opinion, requires immediate Council attention and cannot reasonably be deferred. This includes situations where a recount has been requested following a triennial general election,

10.1 End of Triennium 2022/25 Report(Cont.)

but is not limited to that context, as the Council retains interregnum delegations. The Chief Executive must notify all elected members (excluding affected candidates) at least 24 hours in advance, using any reasonable means, and include the time, place, and purpose of the meeting. If standard public notice requirements cannot be met, the Council must still publicly notify the meeting as soon as practicable—either via newspaper or the Council's website and other reasonable channels.

4.2. Discharge of Committees

Unless Council resolves otherwise, all committees, subcommittees, and subordinate decision-making bodies are deemed discharged upon the coming into office of the new Council, in accordance with clause 30(7), Schedule 7 of the Local Government Act 2002. Statutory committees, however, continue by virtue of their legislative foundation. For Whakatāne District Council, these include:

- Bay of Plenty Civil Defence Emergency Management Group (CDEMG)
- Rangitāiki River Forum (Regional Council)
- Tarawera Awa Restoration Strategy Group (Regional Council)
- Eastern Bay District Licensing Committee

These committees do not require a Council resolution to continue after the election. The District Licensing Committee, for example, is a shared committee under the Sale and Supply of Alcohol Act 2012, and the CDEMG continues under the Civil Defence Emergency Management Act 2002.

4.3. Remuneration Arrangements

Elected member remuneration is set by the Remuneration Authority and continues until the new Council is sworn in. The remuneration pool for the incoming triennium will be confirmed post-election, and any changes will be communicated to members as part of the induction process.

The current Councillors remain in office until the official election results are declared. This means that all current Councillors will continue to receive current rates of pay till midnight on the day that the official results are declared; expected to be between 16 – 19 October 2025. This applies to returning members, whether they were elected unopposed or as part of the election process, and to members who are defeated or did not contest the election. At this point, payment will cease for any retiring Councillors and for those who are not re-elected.

On the day after the day the official election results are declared, all Councillors will be paid the minimum rate \$44,521.00 per annum, and the Mayor-elect \$160,725.00 per annum, being the amounts prescribed in the current determination. [Local Government Elected Members \(2025/26\) Determination 2025 \(as at 31 July 2025\) Schedule 3 Remuneration from 2025 election of members – New Zealand Legislation](#)

The new council will need to make decisions regarding the allocation of the 2025/2026 remuneration pool of \$578,779.00. Such decisions will be based on the governance structure to be established post-election, recognising positions of responsibility and consequent remuneration, while including the base remuneration for Councillors with no positions of responsibility. It is likely that any governance structure decisions made by Council will be included in the Remuneration Authority Determination expected to be issued sometime early in 2026.

All remuneration rates for positions decided by Council will be backdated to take effect from the day following the day that the Council makes a formal decision on those roles at its meeting on 4 December 2025.

10.1 End of Triennium 2022/25 Report(Cont.)**4.4. Key Post-Election Dates**

Key dates for the 2025 post-election period are as follows:

Date	Event
Saturday, 11 October 2025	Voting closes at 12 noon
Sunday, 12 October 2025	Preliminary results published
Thursday, 16 October 2025	Final election results declared
Friday, 17 October 2025	Councillors come into office but cannot act until sworn in
Friday, 17 October to Thursday, 6 November 2025	Interregnum period, Council is unable to act except through delegated authority to the Chief Executive
Thursday, 6 November 2025	Inaugural Council meeting: newly elected members are sworn in
Thursday 4 December 2025	Proposed First Council meeting

4.5. Annual Report and Statutory Obligations

Legislation requires that the Annual Report be adopted by Council resolution within four months following the end of the financial year—meaning by 31 October 2025 for the 2024/25 year.

In recent years, various amendments to the Local Government Act 2002 extended this timeframe to 31 December for the 2020/21 to 2023/24 financial years. However, no extension applies this year, so we are operating under the original timeframe.

Despite the extended deadlines in prior years, Whakatāne District Council has not met the statutory adoption date, and prolonged audits have resulted in increased audit fees. Staff are working with Audit NZ to complete the audit as efficiently as possible, aiming to meet our statutory obligations and minimise audit-related costs.

The Annual Report 2024/25 may require adoption during the interregnum period. If so, the Chief Executive, in consultation with the new Mayor elect, may exercise delegated authority to adopt to ensure statutory timeframes are met, with any such actions reported to the incoming Council.

5. Options Analysis - *Ngā Kōwhiringa*

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

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.

10.1 End of Triennium 2022/25 Report(Cont.)

6.2. Engagement and Community Views

Engagement and community views are not required on this matter.

7. Considerations - *Whai Whakaaro*

7.1. Strategic Alignment

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

7.2. Legal

Schedule 7 of the Local Government Act 2002 - clause 30(7).

Local Government Elected Members (2025/26) Determination 2025 (as at 31 July 2025) Schedule 3.

Remuneration from 2025 election of members – New Zealand Legislation.

Whakatāne District Council Standing Orders adopted in March 2025.

7.3. Financial/Budget Considerations

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

7.4. Climate Change Assessment

There are no significant or notable impacts associated with the matters of this report.

7.5. Risks

There are no significant or notable risks associated with the matters of this report.

8. Next Steps – E whai ake nei

- Governance Staff will action as necessary.
- Payroll staff will be advised of the appropriate remuneration updates.
- The Chief Executive will be given regular updates regarding the Annual Report process.

10.2 Matatā Cemetery Trustee Appointment**10.2 Matatā Cemetery Trustee Appointment**To: **Whakatāne District Council**Date: **Thursday, 2 October 2025**Author: **V Fergusson / Strategic Property Manager**Authoriser: **A Pickles / General Manager Community Experiences**Reference: **A2849565****1. Reason for the report - *Te Take mō tēnei rīpoata***

The purpose of this report is to request that Council approve the appointment of new trustees of the Matatā Cemetery located at Awakaponga, pursuant to the Burial and Cremations Act 1964.

2. Recommendations - *Tohutohu akiaki*

1. THAT the Council **receive** the Matatā Cemetery Trustee Appointment report; and
2. THAT the Council **approve** the appointment of Tracey Raureti as a new trustee of the Matatā Cemetery at Awakaponga, pursuant to the Burial and Cremations Act 1964; and
3. THAT the Council **direct** staff to publicly notify the appointment of Tracey Raureti as a new trustee of the Matatā Cemetery via gazette notice.

3. Background - *He tirohanga whakamuri*

The Crown through the Department of Conservation is the underlying owner of the Matatā Cemetery at Awakaponga. The land is vested in trust in the “Trustees” under the Reserves Act.

In 1933, the Governor General, under Gazette Notice, delegated to the Whakatāne District Council the power to appoint trustees for the Matatā (Awakaponga) Cemetery. Section 24 of the Burial and Cremation Act 1964 sets out how this delegation is to be exercised by Council and provides that an appointment of trustee must be publicly notified.

In December 2003 Council formally appointed the following trustees and completed this process by publishing the Notice of Appointment in the New Zealand Gazette, 8/1/2004:

- Venus Paterson
- Andre Paterson
- David Potter
- Marvyn Hill
- Pouroto Ngaropo
- Allan Silvester

10.2 Matatā Cemetery Trustee Appointment(Cont.)

The Matatā/Awakaponga Cemetery Board advised Council during August 2022 that, due to the reduction in the number of appointed trustees from six to three (Venus Patterson, David Potter and Pouroto Ngaporo), they had elected the following as new trustees and requested that they be formally appointed by Council pursuant to the Burial and Cremation Act 1964:

- Dawn Amelia Lett
- Anne Paulette Jones
- Cletus Te Hoko Whitu Paterson
- Tracey Hyde

4. Discussion – Kōrerorero

There are currently only two remaining appointed trustees for the Matatā/Awakaponga Cemetery Board; Venus Patterson and Pouroto Ngaporo. Additional trustees are required to ensure the effective management of the cemetery. Decisions of the trustees require at least three trustees be present.

- Council staff have been in discussions with the Venus Patterson. She has requested on behalf the Cemetery Board that Tracey Raureti be formally appointed by Council as an additional trustee.
- Venus Patterson and Pouroto Ngaporo will remain as trustees bringing the total trustee numbers to three.

This paper seeks a decision from Council to appoint Tracey Raureti as trustee for the Matatā/Awakaponga Cemetery Board.

5. Options Analysis - *Ngā Kōwhiringa***5.1. Option 1: Appoint additional trustee – recommended option**

The option recommended in this report is for Council to proceed with formal approval, and public notification, of the nominated trustee that has been put forward on behalf the Cemetery Board.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Trustee has been nominated by an existing trustee of the Cemetery Board. • Further trustees are required to carry out management of the Cemetery. 	<ul style="list-style-type: none"> • Nil

5.2. Option 2 Do not appoint trustees

Under this option, the existing trustees will remain in place and no changes to the trustees will be made.

10.2 Matatā Cemetery Trustee Appointment(Cont.)

Advantages	Disadvantages
<ul style="list-style-type: none"> • Nil 	<ul style="list-style-type: none"> • Only two trustees remain. Further trustees are required to enable management of the cemetery. • Council will need to appoint new trustees in the future to enable the Cemetery Board to continue managing the cemetery.

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.

6.2. Engagement and Community Views

Due to the low significance of the matters of this report, public participation is not required to inform decision-making, as set out in Section 6.1(a) of the Council's Significance and Engagement Policy.

7. Considerations - *Whai Whakaaro***7.1. Strategic Alignment**

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

7.2. Legal

In 1933, the Governor General, under Gazette Notice, delegated to the Whakatāne District Council the power to appoint trustees for the Matatā (Awakaponga) Cemetery. The Whakatāne District Council retains powers under s 24 of the Burial and Cremation Act 1964 of appointing and removing trustees in respect of the Matatā (Awakaponga) Cemetery.

7.3. Financial/Budget Considerations

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

7.4. Climate Change Assessment

There are no significant or notable impacts associated with the matters of this report.

7.5. Risks

There are no significant or notable risks associated with the matters of this report.

10.2 Matatā Cemetery Trustee Appointment(Cont.)

8. Next Steps – E whai ake nei

If the recommendations of this report are adopted Council will publicly notify the appointment of the named new trustee.

10.3 Appointment of Alternate Controllers**10.3 Appointment of Alternate Controllers**To: **Whakatāne District Council**Date: **Thursday, 2 October 2025**Author: **L Hunt / Manager Climate Change and Resilience**Authoriser: **L Woolsey / GM Strategy and Growth**Reference: **A2968096****1. Reason for the report - *Te Take mō tēnei rīpoata***

The Council is asked to recommend the appointment of Hone Patrick and Paul Davidson as alternate Local Controllers 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 Alternate Controllers report be **received**; and
2. THAT the Whakatāne District Council **recommends** to the Civil Defence Emergency Management Group the appointment of Hone Patrick as Local Controller for the Whakatāne District Council; and
3. THAT the Whakatāne District Council **recommends** to the Civil Defence Emergency Management Group the appointment of Paul Davidson as Local Controller 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 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 enable 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, with one indicating his intent to step back from the role by December 2025. As part of succession planning, this recommendation will allow us to progress with ensuring we have three fully trained Local Controllers into next year.

4. Issue/subject – *Kaupapa*

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

10.3 Appointment of Alternate Controllers(Cont.)

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.

Hone Patrick is our Kaihautū Strategic Māori Partnerships and Acting GM, Commercial Services. Hone has been Response Manager for the Ministry of Foreign Affairs and Trade's (MFAT) Emergency Crisis Centre (ECC), coordinating an all-of-government Hostage Taskforce, and Cyclone Response. This included co-ordinating NZDF assets to evacuate New Zealanders from Fiji post-cyclone during COVID-19. He also made representation in the New Zealand Officials Committee for Domestic and External Security Coordination (ODESC) system. Hone is an uri of Ngāti Awa, Ngāti Pikiao and Ngāti Maniapoto. Hone is currently enrolled in the Response and Recovery ANZ Leadership Programme due to complete the course by the end of 2025.

Paul Davidson is our General Manager Finance. Over the past four years, Paul Davidson has demonstrated a strong commitment to emergency management through comprehensive training programs, including the Response and Recovery Leadership Programme (Tier 1, Parts 1 and 2), the EOC Intermediate Course, and the Coordinated Incident Management Systems Level 4 (CIMS4) Course. He has also completed the Public Information Management (PIM) Function Course and attended various emergency management conferences, seminars, and workshops. His extensive training and active participation in emergency management forums underscore his readiness and suitability for the role of Group Controller, making him a valuable asset to the Whakatāne District Council Emergency Management team.

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 Controller, and the cost of this training may be met by existing District Council Emergency Management budget or potentially by the Group. The Controller role receives a stipend of \$1,000 per month to cover the additional training and workload. Paul has completed the necessary training.

10.3 Appointment of Alternate Controllers(Cont.)**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 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.

10.4 Mana Whakahono ā Rohe Report**10.4 Mana Whakahono ā Rohe Report**

To: **Whakatāne District Council**

Date: **Thursday, 2 October 2025**

Author: **D Cowdery / Acting te Pou Harenga Rangapu**

Authoriser: **H Patrick / Kaihautu: Strategic Māori Partnerships**

Reference: **A2970227**

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

The purpose of this report is to inform Council about Mana Whakahono ā Rohe (MWaR) agreements and seek approval for Whakatāne District Council to enter a Mana Whakahono ā Rohe (MWaR) with Te Rūnanga o Ngāti Manawa.

2. Recommendations - Tohutohu akiaki

1. THAT the Whakatāne District Council **receive** the Mana Whakahono ā Rohe report; and
2. THAT the Whakatāne District Council **approve** entering a Mana Whakahono ā Rohe with Te Rūnanga o Ngāti Manawa; and
3. THAT the Whakatāne District Council **delegate** authority to the Chief Executive to finalise and sign the agreement with Te Rūnanga o Ngāti Manawa.

3. Background - He tirohanga whakamuri

Mana Whakahono ā Rohe agreements were introduced in 2017 through amendments to the Resource Management Act (RMA).

- Assist tangata whenua and local authorities discuss, agree and record ways in which tangata whenua may participate in resource management and decision-making processes under the Resource Management Act.
- Assist local authorities to comply with obligations under the Resource Management Act and were introduced in 2017 as a mechanism for iwi and hapū to invite councils into a structured relationship.

These agreements are intended to formalise “how we work together” arrangements between iwi/hapū and councils, enhancing Māori participation in decision-making and improving clarity around engagement processes.

Council first received a briefing on Mana Whakahono ā Rohe on 30 July 2025. That session provided councillors with education and awareness, and indicated support for progressing this work, with the understanding that a formal agreement would return for review and decision. Councillors also requested further information to provide clarity and comfort around the process and implications.

10.4 Mana Whakahono ā Rohe Report(Cont.)

To date:

- Ngāti Hōkōpū and Te Wharepaia initiated a joint Mana Whakahono ā Rohe with Bay of Plenty Regional Council and Whakatāne District Council in November 2023.
- Te Rūnanga o Ngāti Manawa initiated separate agreements with Bay of Plenty Regional Council and Whakatāne District Council in May 2025. Te Rūnanga o Ngāti Manawa have requested finalisation and signing of the agreement by October 2025.
- Whakatāne District Council has worked with iwi/hapū and Bay of Plenty Regional Council to build a shared understanding and develop a short-form agreement.
- Other iwi and hapū have expressed informal interest, indicating further requests are likely.
- This matter was brought to a Council briefing on 24 September 2025 to respond to previous questions and provide further context.

4. Discussion – Kōrerorero**4.1. Draft Mana Whakahono ā Rohe agreement**

MWaR does not change council's legislated relationship with iwi/hapū, nor the roles of iwi and hapū but simply sets out how processes between council and iwi can work best in this context.

The draft MWaR agreement formalises the collaboration between Te Runanga o Ngati Manawa and the Whakatane District Council under the Resource Management Act 1991, with a focus on joint resource management and legislative compliance amid ongoing reforms.

Key provisions of the agreement are as follows:

1. Council's Commitments: The Whakatane District Council formally recognizes Te Runanga o Ngati Manawa under both current and future legislation. The Council is committed to ensuring the meaningful participation of the Runanga in decision-making processes, adhering to specific sections of the RMA, and promoting open, transparent communication and resource focus.
2. Runanga's Commitments: Te Runanga o Ngati Manawa agrees to assist the Council in fulfilling its statutory duties under the RMA, comply with relevant sections of the RMA, and engage collaboratively to foster transparency and recognize diverse perspectives.
3. Agreement Flexibility and Review: The parties acknowledge that potential amendments to the RMA may necessitate reviewing and revising this agreement. The aim is to maintain collaborative decision-making and formalize the relationship under Part 5, Subpart 2 of the RMA.
4. Dispute Resolution and Future Considerations: The agreement outlines procedures for declaring conflicts of interest, resolving implementation differences, and potentially suspending actions during legislative reviews. It also anticipates future discussions on Council functions, consultation processes, and policy reviews consistent with the agreement, including the recognition of cultural values and planning documents.

The full agreement is attached as Appendix A.

4.2. Reasons for Chief Executive Delegation

The recommend option delegates authority to the Chief Executive to finalise and sign the agreement on Council's behalf. It provides flexibility to complete final drafting and ensures the agreement can be concluded within the timeframe requested by Te Rūnanga o Ngāti Manawa (October 2025).

10.4 Mana Whakahono ā Rohe Report(Cont.)

Delegation supports efficient governance by allowing Council to set the direction while enabling staff to manage the operational aspects of finalising the agreement. This option aligns with the purpose of local government by enabling effective and timely local decision-making and ensuring partnerships are implemented smoothly for the well-being of the community.

5. Options Analysis - Ngā Kōwhiringa**5.1. Option 1: Approve the Mana Whakahono ā Rohe agreement – Recommended option**

This option would see Council formally approve the agreement. It ensures Council meets its statutory obligation under the Resource Management Act to engage in good faith once an iwi authority initiates a Mana Whakahono ā Rohe.

By approving the agreement, Council signals its readiness to strengthen partnerships with iwi/hapū, provide certainty to the community in planning and consenting processes, and embed consistent and efficient practices for the future. This option strongly aligns with the purpose of local government by supporting democratic decision-making and promoting the social, cultural, environmental, and economic well-being of communities.

Advantages	Disadvantages
<ul style="list-style-type: none"> Meets Council's statutory obligations under the RMA. Demonstrates proactive leadership and commitment to Te Tiriti o Waitangi. Provides certainty for iwi/hapū, applicants, and the community. Strengthens relationships and creates a platform for joint advocacy. Aligns with the purpose of local government and builds community trust. 	<ul style="list-style-type: none"> Implementation may require some system changes within Council. Requires ongoing staff time to implement and maintain relationship commitments.

5.2. Option 2: Council does not approve the Mana Whakahono ā Rohe agreement

Advantages	Disadvantages
<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> Inconsistent engagement with iwi/hapū, leading to inefficiency and potential conflict. Loss of institutional knowledge when staff or iwi representatives change. Reduced ability to influence or respond to emerging legislation. Missed opportunities to co-develop solutions for shared challenges.

10.4 Mana Whakahono ā Rohe Report(Cont.)**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.

6.2. Engagement and Community Views

Engagement on this matter is not being undertaken in accordance with Section 6.0 of the Council's Significance and Engagement Policy. This states that the Council will not consult when the matter is not of a nature or significance that requires public engagement (low significance).

7. Considerations - Whai Whakaaro**7.1. Strategic Alignment**

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

Entering into these agreements aligns with:

- Council Long Term Plan Strategic Priority of "Strengthening relationships with iwi, hapū and whānau. Me matua whakawhanake i ngā kotuituinga, ā-iwi, a-hapū, a -whānau anō hoki."
- The overall intent and vision of Te Toi Waka Whakarei strategy of "Strengthening whānau, hapū and iwi partnerships."

7.2. Legal

The draft agreement has been reviewed by Council's internal legal team.

The agreement aligns with the requirements set out in Part 5, Subpart 2 of the Resource Management Act 1991.

Note: While the RMA is currently under review, entering into this agreement is considered low risk, as it is process-focused and includes review clauses to adapt to any future legislative changes.

7.3. Financial/Budget Considerations

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

7.4. Climate Change Assessment

There are no significant or notable impacts associated with the matters of this report.

7.5. Risks

Risk	Description and/or Mitigation
Change of legislation	Agreement includes review clauses to adapt to any future legislative changes.

10.4.1 Appendix A - DRAFT - MWaR TRONM and WDC 25 September 2025

8. Next Steps – E whai ake nei

The agreement will be finalised and signed by the delegated signatories, with a formal signing event, public announcement, and acknowledgement to mark this important milestone in our partnership.

Attached to this Report:

- Appendix A - DRAFT - MWaR TRONM and WDC 25 September 2025

10.4.1 Appendix A - DRAFT - MWaR TRONM and WDC 25 September 2025

10.4.1 Appendix A - DRAFT - MWaR TRONM and WDC 25 September 2025(Cont.)

Te Mana Whakahono ā Rohe a Te Runanga o Ngati Manawa

*An Agreement under Part 5 sub-part 2 of the Resource Management Act 1991 between
Te Runanga o Ngati Manawa and the Whakatane District Council*

Introduction

This is a Te Mana Whakahono ā Rohe Agreement between Whakatane District Council and Te Runanga o Ngati Manawa.

The parties acknowledge the Agreement is signed at a time of legislative uncertainty due to a programme of reform.

The parties are committed to working together constructively under current and future applicable legislation.

Contents

1 Whakatane District Council commitment

The Whakatane District Council will:

- 1.1 Recognise Te Runanga o Ngati Manawa under this Agreement and all relevant current and future legislation.
- 1.2 Seek to establish ways in which Te Runanga o Ngati Manawa may meaningfully participate in resource management decision making.
- 1.3 Ensure that RMA sections 6(e), 7(a), and 8 are complied with insofar as the matters set out under this arrangement.
- 1.4 Collaborate in a manner that enables parties to: foster open and transparent communication; recognise different perspectives; and identify where best to focus resources.

2 Te Runanga o Ngati Manawa commitment

Te Runanga o Ngati Manawa will:

- 2.1 Assist council to comply with their statutory duties under the Resource Management Act 1991 (RMA).
- 2.2 Ensure that RMA sections 6(e), 7(a), and 8 are complied with insofar as the matters set out under this arrangement.

10.4.1 Appendix A - DRAFT - MWaR TRONM and WDC 25 September 2025(Cont.)

- 2.3 Collaborate in a manner that enables parties to: foster open and transparent communication; recognise different perspectives; and identify where best to focus resources.

3 Conditions subject to amendments of the Resource Management Act 1991

- 3.1 This agreement between Te Runanga o Ngati Manawa and the Whakatane District Council does not preclude the participating parties to review some or all of the clauses in this document that may be subject any Act of Parliament that amends or repeals parts of the Resource Management Act 1991(RMA) relevant to this agreement.
- 3.2 Participating parties acknowledge and agree that should this agreement be altered that a detailed document is prepared that fully reflects that way in which collaborative decision-making is undertaken.
- 3.3 The parties also agree that this document is primarily to establish a formal relationship under Part 5 subpart 2 of the RMA.

4. Functions and duties of Council (section 58R(4))

- 4.1 This agreement acknowledges that there may be future opportunities to discuss matters in relation to the functions and powers of Council and how consultation on consent applications and limited notification may be undertaken with Te Runanga o Ngati Manawa.
- 4.2 Any future arrangements regarding section 58R(4) may be provided for following the enactment of the new legislation subject to the agreement of both parties.

5. Dispute Resolution (section 58R(1)(c)(v)(v1), section 58R(2) & section 58S

- 5.1 Where conflicts of interest arise these should be declared and reviewed against any personal financial gain or where sensitive information is subject to any conditions of access, dissemination or protection.
- 5.2 Where there are differences of opinion on how this MWaR is to be implemented a process for resolving issues should be prepared, noting subsection 58R(2) of the RMA (or the relevant sections under the new legislation)
- 5.3 Noting section 58S of the RMA, Te Runanga o Ngati Manawa and the Whakatane District Council may agree to suspend any action relating to the contents of this Mana Whakahono a Rohe where:
- 5.3.1 the contents presented in this document are subject to review following the enactment of new legislation; and,
- 5.3.2 where it is intended to undertake a process to prepare a replacement agreement that fully expresses the intent and expectations of both parties.

10.4.1 Appendix A - DRAFT - MWaR TRONM and WDC 25 September 2025(Cont.)**6. Miscellaneous**

- 6.1 Te Runanga o Ngati Manawa and the Whakatane District Council agree that any future alteration to this arrangement may also provide for:
- 6.1.1. the opportunity to review Council policies and processes to ensure that they are consistent with this Mana Whakahono a Rohe;
 - 6.1.2. reviewing the effectiveness of a replacement Mana Whakahono a Rohe;
 - 6.1.3. institution of effective reporting on the implementation of an amended Mana Whakahono a Rohe;
 - 6.1.4. the tikanga and kawa of Te Runanga o Ngati Manawa that includes: their taonga species; Te Reo; sites of significance including wāhi tapu; traditional practices; and mana rohe;
 - 6.1.5 any Iwi Planning document and its contents that are relevant to this agreement; and,
 - 6.1.6 current resource management arrangements with the Whakatane District Council.

Signed for and on behalf of Whakatane District Council by:
<hr/>
<i>Authorised signatory</i>
Name:
Position:
Date:

Signed for and on behalf of Te Runanga o Ngati Manawa by:
<hr/>
<i>Authorised signatory</i>
Name:
Position:
Date:

11 Resolution to Exclude the Public - *Whakataunga kia awere te marea***11 Resolution to Exclude the Public - *Whakataunga kia awere te marea*****Resolution to Exclude the Public - 2 October 2025****RECOMMENDATION**

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 Ordinary Council meeting 14 August 2025
2. Recommendation from CE Performance and Support Committee meeting 16 September 2025
3. Stage 2A Floodwall Integration
4. Council-Owned Land – Update and Next Steps

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).

Item number and General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for excluding the public	Plain English reason for passing this resolution
Item 1: Public Excluded Minutes of the Ordinary Council meeting 14 August 2025	Section 7(2)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. Section 7(2)(i) To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	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	A respondent has related commercial sensitive negotiations in relation to operational arrangements and information has been provided in confidence. Commercial sensitive information is also included.

11 Resolution to Exclude the Public - *Whakataunga kia awere te marea*(Cont.)

Item number and General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for excluding the public	Plain English reason for passing this resolution
Item 2: Public Excluded Minutes of the Chief Executive Support and Performance Committee 16 September 2025	As per reasons given in the public agenda for the 16 September 2025 Chief Executive Support and Performance Committee meeting: i.e. - Section 7(2)(a)	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	It is necessary to exclude the public to protect the Chief Executive's privacy.
Item 3: Stage 2A Floodwall Integration	Section 7(2)(h) Enable any Council holding the information to carry out, without prejudice or disadvantage, commercial activities. Section 7(2)(i) To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	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	The report contains information which if released would damage Council's ability to carry out the commercial activities that are part of its role. The confidential project information also includes details of contracts and estimated costings. The paper also includes information about agreements Council has with third parties which are currently confidential.
Item 4: Council-Owned Land – Update and Next Steps	Section 7(2)(h) Enable any Council holding the information to carry out, without prejudice or disadvantage, commercial activities.	s48(1)(a) The public conduct of the relevant part of the proceedings of the	The report contains details about Sales and Purchase agreement variations which are commercially sensitive. The report includes details of contract variations including estimate costings.

11 Resolution to Exclude the Public - *Whakataunga kia awere te marea*(Cont.)

Item number and General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for excluding the public	Plain English reason for passing this resolution
	Section 7(2)(i) To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	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	The paper includes information about modifying the Agreement that Council has with a third parties which are currently confidential

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

1.1 Public Excluded Minutes Ordinary Council Meeting 14 August 2025

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

2.1 Recommendation – Chief Executive Performance and Support Committee

3 Reports - *Ngā Pūrongo*

3.1 Stage 2A Floodwall Integration

3.2 Council-Owned Land - Update and Next Steps