



Ordinary Council

Hui a te Kaunihera

Thursday, 5 March 2026
Tāite, 5 Poutūterangi 2026

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



Chief Executive: Steven Perdia | Publication Date: 27 February 2026

whakatane.govt.nz



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

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A Membership - *Mematanga*

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Mayor Nandor Tánczos

Deputy Mayor Julie Jukes

Councillor Toni Boynton

Councillor Gavin Dennis

Councillor Carolyn Hamill

Councillor Andrew Iles

Councillor Lesley Immink

Councillor Wilson James

Councillor Jesse Morgan-Ranui

Councillor Tu O'Brien

Councillor Malcolm Whitaker

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

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1. Purpose

- To broadly monitor wellbeing of the Whakatāne District and set the vision and strategic direction for the Council.
- To consider matters of strategic significance.
- To monitor and participate in relationships of strategic significance.
- To otherwise undertake functions, and consider matters, required of the governing body, and that have not been delegated.

2. Delegations

The Council meet 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 may be called when required.

The powers that cannot be delegated by the Council are:

- a. the power to make a rate; or
- b. the power to make a bylaw; or
- c. the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
- d. the power to adopt a Long-term plan, Annual plan or Annual report; or
- e. the power to appoint a Chief executive; or
- 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; or
- g. the power to adopt a remuneration and employment policy.

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

- a. Develop the Long Term Plan and determine the form and extent of public consultation methods to be employed.
- b. Hearing of submissions on the Long-Term Plan and, if required, the Annual Plan;
- c. 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;
- d. Approve the Local Governance Statement (called "A Guide to the Whakatāne District Council") produced following the triennial election of members;
- e. Resolve those decisions required to be made by a local authority under the Local Electoral Act 2001 including the appointment of electoral officer;
- f. Determine whether or how to fill any extraordinary Council vacancies within 12 months of an election;

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

- g. Review and make decisions on Council membership and the basis for elections through representation reviews;
- h. Appoint and discharge trustees, directors or office holders to Council's Council-Controlled Organisations and to other external bodies;
- i. Except to the extent set out [in section 2.1] of the staff delegations register 2023, approve the purchase, sale and disposal of Council property;
- j. Approve a proposed plan or a change to a District Plan under Clause 17 of the First Schedule of Resource Management Act 1991 (RMA);
- k. Approve changes to the status or revoke the status of a reserve in accordance with the Reserves Act 1977;
- l. Authority to name or rename a reserve in accordance with the Reserves Management Plan;
- m. Authorise any unbudgeted expenditure that exceeds the delegation levels provided to officers, Committees or other subordinate decision-making bodies of Council;
- n. 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, Special Committees, Sub-Committees, Joint Committees and Joint Forums
 - Iwi Chairs Forum
 - 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 Apologies - *Te hunga kāore i tae*

Councillor Boynton extended her apologies for early departure on other council business.

4 Acknowledgements / Tributes - *Ngā mihimihi*

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 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*

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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 - 4 December 2025

The minutes from the Council meeting held 4 December 2025 can be viewed via the Council website.

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

- Unconfirmed Council Meeting Minutes - [4 December 2025](#)

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

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

8.1 Standing Committee Meeting Minutes

The minutes from the Whakatāne 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**:

[Strategy & Policy Committee | 19 February 2026 | Whakatāne District Council](#)

8.2 Recommendation to Council - Eastern Bay of Plenty Joint Committee

8.2 Recommendation to Council - Eastern Bay of Plenty Joint Committee

Recommendation from the Eastern Bay of Plenty Joint Committee

THAT the Council **endorse** the updated Terms of Reference for the Eastern Bay of Plenty Joint Committee, including its membership, for the 2025–2028 triennium, as agreed by the Committee at its meeting on 19 December 2025.

8.3 Recommendation to Council - Event Road Closures

8.3 Recommendation to Council - Event Road Closures

Event Road Closures: Matatā Bike Week, HMNZS Matataua Charter Parade and Light-up Whakatāne

Refer to pages 23-29 of the agenda.

The Technical Administration Officer – Transport and the Manager of Transportation presented the report. Requests for temporary road closures were presented for Matata Bike Week, the HMNZS Matata Toa Charter Parade, and the Light Up Whakatāne event. Members discussed matters including community consultation, traffic management, alternative parking arrangements, public notification and submissions, and the involvement of NZTA. It was confirmed that local businesses were consulted and supportive, and that appropriate traffic management plans and contingency measures would be implemented.

Moved Councillor O’Brien / Seconded Councillor Hamill

RESOLVED:

1. THAT the Projects and Services Committee receives the report titled Event Road Closures: Bike Week Event, HMNZS Matataua Charter Parade and Light-up Whakatāne; and
2. **THAT the Projects and Services Committee recommend to the Whakatāne District Council to approve the temporary road closures for the events detailed below:**

CARRIED

Event number 1:	Matatā Bike Week
Road Closure Location:	Arawa Street (east of Warbrick Terrace to west of Division Street)
Date:	Thursday, 9 April 2026 to Sunday, 12 April 2026 (3-day Temporary Road Closure)
Time:	6:00am, Thursday 9 April to 6:00am, Sunday 12 April 2026
Event number 2:	HMNZS Matataua Charter Parade
Ceremonial Parade Route for rolling road closure:	Departing from Mataatua Reserve at 10am, onto Muriwai Drive, Muriwai Drive through to The Strand, The Strand through to Boon Street, Boon Street, finishing at Margaret Mahy Court.
Date:	Thursday 23 April 2026
Time:	10:00am to 10:45am
Event number 3:	Trust Horizon Light-up Whakatāne

Rolling Road Closure Route for opening night:	Kakahoroa Drive and The Strand (from Kakahoroa Drive Service Lane through to Commerce Street roundabout)
Date:	Saturday, 11 July 2026 (Postponement date – Sunday, 12 July 2026)
Time:	To be confirmed

8.4 Recommendation to Council - Request for Easements

8.4 Recommendation to Council - Request for Easements

Request for Easement - Horizon Network Cabling Works, Konini Place Reserve, Edgecumbe

Refer to pages 30-54 of the Projects and Services Committee Meeting dated 19 February 2026 agenda.

The Reserves Planner and Manager Open Spaces Operations presented the report and discussion highlighted the following points:

The easement was proposed for underground electrical cables intended to supply Fonterra with electricity and support climate change initiatives. The design followed existing cabling routes and was subject to technical constraints.

Members queried the initial one-off payment of \$4,500. It was noted that no formal policy existed regarding easement payments, but a similar approach had been adopted for previous easements. Following further discussion, the Members agreed to amend the recommendation to request a one-off payment of \$9,000.

It was confirmed that public notification was not required under the Reserves Act; however, neighbouring residents would be notified of the works via a letter drop.

Moved Councillor James / Seconded Councillor Immink

RESOLVED:

1. THAT the Projects and Services Committee **receive** the report; Request for Easement – Horizon Network Cabling Works, Konini Place Reserve, Edgecumbe; and
2. **THAT the Projects and Services Committee recommend the Council approve the registration of an easement on the Record of Title for this activity in accordance with Section 48(1) of the Reserves Act 1977, subject to conditions; and**
3. THAT the Projects and Services Committee note that in accordance with Section 48(2) of the Reserves Act 1977, this activity does not require public notification; and
4. THAT the Projects and Services Committee recommend the Council delegate authority to the General Manager Community Experience to sign all documents related to this approval process; and
5. **THAT the Projects and Services Committee recommend the Council agree to a one-off payment of \$9,000.00 to be made by the applicant for the easement.**

CARRIED

9 Mayoral Reports - *Ngā Pūrongo a te Koromatua*

9 Mayoral Reports - *Ngā Pūrongo a te Koromatua*

9.1 First Mayoral Report to Council – 2025-2028 Triennium - March 2026



To: **Whakatāne District Council**

Meeting Date: **Thursday, 5 March 2026**

Author: **Nándor Tánczos, Mayor - Koromatua**

Reference: **A3072646**

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

This report is to provide high level commentary from the Mayor on matters of significance to our district and this Council. It also acts as a record of meetings between the Mayor and external parties to ensure transparency, and it provides an opportunity for the Council to make resolutions and address miscellaneous administrative matters.

2. Recommendations - *Tohutohu akiaki*

1. THAT the Mayoral Report March 2026 be **received**; and
2. THAT the Whakatāne District Council **approves** amendments to the Governance Delegations Register 2025–2028 to ensure it accurately reflects current governance arrangements and statutory roles under the Local Government Act 2002, including:
 - i. updating the Eastern Bay of Plenty Joint Committee delegation to reflect the appointment of two representatives from the Whakatāne District Council and provision for one alternate representative; and
 - ii. adding the Bay of Plenty Mayoral Forum to the Governance Delegations Register, together with its details and Terms of Reference, noting that participation is by virtue of office under the Triennial Agreement (section 15 of the Local Government Act 2002), with the Mayor and Chief Executive as members and the Deputy Mayor (Julie Jukes) as the alternate representative; and
 - iii. amending the Public Transport Committee delegation to include provision for an alternate representative to ensure continuity of representation when the primary representative is unavailable; and
 - iv. noting the identification of minor wording refinements within the Community Board delegations in relation to the Local Government Act 2002, and agreeing that the proposed wording changes to be shared with the Community Boards for consideration at their next meeting, with the Delegations Register to be updated following that engagement; and
 - v. removing the delegation to approve the Local Governance Statement, as section 40 of the Local Government Act 2002 requires only that the Local Governance Statement be published and does not require formal Council approval or adoption.

9.1 First Mayoral Report to Council – 2025-2028 Triennium - March 2026(Cont.)

3. Subjects – *Kaupapa*

3.1. Establishing a new Council

Following the declaration of results in the October 2025 local election, a pōwhiri for incoming Councillors was hosted by Ngāti Awa at Te Mānuka Tūtahi Marae on 6 November 2025. Representatives from a number of iwi across the District attended, as well as Mayors / Chairs and elected members from other Councils, various individual supporters and representatives of community organisations. Following the pōwhiri, Councillors were sworn in at the Whakatāne Civic Centre. Myself and a number of Whakatāne District Councillors also attended the swearing in of the Bay of Plenty Regional Council, and Ōpōtiki and Kawerau Councils.

Standing committees were established at the first business meeting of Council on 19 November, with delegations, the Deputy Mayor, Chairs, Deputy Chairs and Council representatives to various external and working committees agreed at that meeting. The move to largely reinstate the committee structure that was in place before 2022 was strongly supported and this allowed those committees to be established swiftly. As Mayor I have enormous confidence in my Deputy Mayor, all our new Chairs, working group / committee representatives and all of our Councillors. We have already demonstrated that while we may hold very different views on some things and come from very different life experiences, we are able to work together effectively as a team for the good of our communities.

Immediately on being elected Mayor I had the honour to sign or be present for a number of agreements that our Council was either party to or had significant influence over. These included signing a Mana Whakahono a Rohe agreement with Ngāti Manawa, speaking at the signing of the Interline agreement between Air Chathams and Air New Zealand, and signing the Heads of Agreement to establish a Water Working Group comprising the Eastern Bay Councils plus Rotorua Lakes Council.

Since being elected Mayor a great deal of my attention had been at a regional level. The onslaught of reform coming from central government at local government has meant that councils across the Bay of Plenty need to work together to ensure we maintain a voice. The new Chair of the Regional Council and some fresh energy in the Regional Council has been vital in supporting those conversations. Existing bodies such as the Mayoral Forum, which includes the Chair of the Bay of Plenty Regional Council and Mayors from across the Bay of Plenty Region, including Rotorua and Taupō, has taken on a new importance. The Eastern Bay Joint Committee, which comprises Mayors, Deputy Mayors or other council representatives and Regional Councillors has also been an important forum for discussion. There has been some focus on how we can develop more shared services where this will deliver cost or performance benefits, as well as how to respond to this government's reform agenda.

Other regional committees, such as the Regional Land Transport Committee, are also places where we need to play a much more proactive and assertive role than we have in the past. Aligning our spatial plan, our growth strategies, our Long-Term Plan and documents like the Regional Land Transport Plan is the best opportunity we have to unlock Crown funds to build infrastructure to support our aspirations for housing and economic development.

3.2. Climate Change

According to NASA, atmospheric carbon dioxide has reached 427 parts per million and global temperatures are up 1.19 degrees Celsius since preindustrial times. We have long blown past the global target of keeping atmospheric carbon to below 350 parts per million, which is widely recognised as the safe upper limit to avoid catastrophic and long term environmental breakdown.

9.1 First Mayoral Report to Council – 2025-2028 Triennium - March 2026(Cont.)

The impacts of climatic change resulting from this are already being felt in Aotearoa New Zealand. Increasing frequency and intensity of weather events (from droughts to storms), incursion of new pest species who find our climatic conditions more favourable than they did in the past, and an increased threat of wildfire are just some of the risks we face.

Recent weather events have reminded us of our vulnerability. While we avoided the worse of the impacts, through pure luck, the tragic deaths in Tauranga and Western Bay of Plenty, and the massive disruption to life around the East Cape, in the Waikato and other places is a sobering reminder of what we might have faced here in Whakatāne District.

As a Council we have two imperatives in the face of climate disruption, in my opinion. The first is to do what we can to reduce our greenhouse gas emissions. While Aotearoa New Zealand's emissions are small compared to much larger countries such as the USA, our per capita emissions are among the highest in the world.

The second is to do what we can to ensure that our communities and our infrastructure are robust (able to withstand shocks) and resilient (about to spring back when disrupted). This Council has been working on Climate Change principles, strategies, targets and action plans since 2016 and we have come a long way, but we need to keep improving.

Our capacity to respond to emergencies is highly developed and I have great faith in the abilities of our skilled and committed people at all levels, from the Bay of Plenty Civil Defence Emergency Management Group to our local controllers, emergency management trained staff, ground crew and contractors, to local first responders. I look forward to further briefings for elected members in this area.

3.3. Amendments to the Governance Delegations Register 2025-28

A number of minor and administrative updates to the Delegations Register 2025–2028 are required to ensure it accurately reflects current governance arrangements, improves clarity, and aligns with statutory roles under the Local Government Act 2002. The proposed updates are outlined below.

3.3.1. Eastern Bay of Plenty Joint Committee (EBOPJC)

The Eastern Bay of Plenty Joint Committee membership arrangements provide for two appointed representatives from the Whakatāne District Council, along with one alternate.

The Delegations Register will be updated to:

- reflect the current number of representatives; and
- include provision for an alternate representative to attend when required.

3.3.2. Bay of Plenty Mayoral Forum

Participation in the Bay of Plenty Mayoral Forum is by virtue of office under the Triennial Agreement (section 15, Local Government Act 2002), with the Mayor and Chief Executive being members automatically.

The Delegations Register will be updated to clearly reflect:

- participation by virtue of office; and
- any agreed arrangements for alternates, where applicable.

9.1 First Mayoral Report to Council – 2025-2028 Triennium - March 2026(Cont.)

3.3.3. Public Transport Committee

Council's current delegation provides for a primary representative only on the Public Transport Committee.

The Delegations Register will be updated to include:

- provision for an alternate representative, to ensure continuity of representation when the primary member is unavailable.

3.3.4. Community Boards Delegations

Council is asked to note proposed amendments to the Community Board delegations that are intended to better align with the statutory role of Community Boards under the Local Government Act 2002. The proposed changes will be shared with the Community Boards for their consideration and endorsement prior to any amendments being made to the Delegations Register.

3.3.5. Local Governance Statement – Delegation Removal

The Delegations Register currently includes a delegation to:

- Approve the Local Governance Statement (referred to as "*A Guide to the Whakatāne District Council*") following the triennial election of members.

This delegation will be removed, as the Local Government Act 2002 (section 40) requires only that the Local Governance Statement be published, not approved or adopted by Council.

3.4. Update to the adopted Triennial Agreement 2025-2028

Council approved the Bay of Plenty Councils Triennial Agreement 2025–2028 at its meeting on 4 December 2025. The Triennial Agreement provides the statutory framework under section 15 of the Local Government Act 2002 for collaboration between councils in the Bay of Plenty region and underpins the operation of the Bay of Plenty Mayoral Forum.

At the time the Triennial Agreement was considered by Council, the supporting documents – being the Bay of Plenty Mayoral Forum Terms of Reference and the associated protocols – were not available for inclusion with the Council report. These documents have since been provided by Bay of Plenty Regional Council and are now appended for visibility and transparency.

The Terms of Reference and protocols give effect to the Triennial Agreement by setting out membership, roles, operating arrangements, and agreed ways of working for the Mayoral Forum over the 2025–2028 triennium. They do not alter Council's previous decision to adopt the Triennial Agreement.

The Mayor has now signed the Triennial Agreement on behalf of Whakatāne District Council, with signing being coordinated regionally by Bay of Plenty Regional Council as Secretariat to the Mayoral Forum.

This update is provided to ensure Council has visibility of the full governance framework supporting the Triennial Agreement, noting that formal adoption of the Agreement itself has already occurred.

Refer to attachments.

9.1 First Mayoral Report to Council – 2025-2028 Triennium - March 2026(Cont.)**3.5. Meetings Attended by Mayor**

Start Date	Subject	Location
14/10/2025	Meeting with Hon. James Meager, Assoc. Minister of Transport	Whakatāne Airport
14/10/2025	Air New Zealand & Air Chathams Interline Launch Event	Whakatāne Airport
15/10/2025	Media interview - Pukaea	Whakatāne
15/10/2025	Media interview - RNZ with Mark Leishman	Phone
20/10/2025-21/10/25	LGNZ Mayoral Induction	Wellington
23/10/2025	Nationwide public sector strike rally	Whakatāne
28/10/2025	Inaugural meeting of Ōpōtiki District Council	Ōpōtiki
28/10/2025	Media interview - Waatea News with Dale Husband	Phone
28/10/2025	Interview Radio 1XX	Whakatāne
29/10/2025	Pōwhiri and Inauguration of Kawerau District Council Mayor and Councillors	Rautahi Marae, Kawerau
30/10/2025	Bay of Plenty Regional Council Toi Moana Inaugural Meeting	BOPRC Chambers, Whakatāne
31/10/2025	Media interview The Spin-off - with Hayden Donnell	Whakatāne
3/11/2025	LGNZ Elected Member Induction	Rotorua
4/11/2025	Rotary Club Farewell for former Councillor John Pullar	Whakatāne
6/11/2025	Living Streets conference	Online
6/11/2025	Pōwhiri for Whakatāne District Council newly Elected Members	Te Mānuka Tūtahi Marae, Whakatāne
6/11/2025	Inaugural Whakatāne District Council Meeting	WDC
7/11/2025	Mayor and Deputy catch up	WDC
7/11/2025	Eastern Bay Community Foundation dinner	Whakatāne Golf Club

9.1 First Mayoral Report to Council – 2025-2028 Triennium - March 2026(Cont.)

Start Date	Subject	Location
10/11/2025	Pou Whakaaro - New CE Pohiri	Whakatāne
11/11/2025	Armistice Day Commemoration	RSA / Mitchell Park, Whakatāne
11/11/2025	Introduction meeting with Brent Chalmers - Kanoa	WDC
11/11/2025	EPIC members forum re: "homeless issue in Whakatāne"	Te Kōputu a te whanga a Toi/ Whakatāne Library and Exhibition Centre
12/11/2025	LGNZ networking event	Wellington
13/11/2025	LGNZ Combined Sector meeting	Wellington
13/11/2025	Rural & Provincial Sector meeting	Wellington
15/11/2025	Diane Yalden Dedication	Tāneatua Community Orchard & Garden
15/11/2025	FENZ Honours	Whakatāne Fire Station
17/11/2025	Signing of Te Mana Whakahono ā Rohe between Te Rūnanga o Ngāti Manawa and Whakatāne District Council	Te Runanga O Ngati Manawa, Murupara
17/11/2025	Meeting with Monika Higgins	Murupara Service Centre & Library
18/11/2025	Meeting with residents	Putiki Road, Whakatāne
18/11/2025	Whakatāne-Ōhope Community Board get together	Ōhope
20/11/2025	BA5 at 1XX	1XX, Whakatāne
25/11/2025	IOD He Ara Rangatira: Building Strong Governance in Eastern Bay of Plenty	WDC
25/11/2025	Dinner with BOPRC Councillors and Whakatāne District Councillors and Kawerau District Councillors	Whakatāne
26/11/2025	Meeting with BOPRC Chair McDonald	Whakatāne
26/11/2025	Bev Grammer Awards for Respect	Knox Presbyterian Church, Whakatāne
27/11/2025	Bioeconomy Science Institute event	WDC
28/11/2025	Koanga: Climate Change Summit	Online via zoom

9.1 First Mayoral Report to Council – 2025-2028 Triennium - March 2026(Cont.)

Start Date	Subject	Location
1/12/2025	Combined Community Board Inaugural Meeting	WDC
2/12/2025	Whakatāne District Seniors Morning Tea	Whakatāne War Memorial Hall, Whakatāne
2/12/2025	Kōtuituinga Ora / Social Sector Network hui	WDC
5/12/2025	Meeting - Tourism BoP General Manager, Oscar Nathan	WDC
5/12/2025	Meeting with Corrections Senior Advisor – Community Engagement and Reintegration Sonya Black	WDC
6/12/2025	Meeting with MP Dana Kirkpatrick	Whakatāne
8/12/2025	Civil Defence Emergency Management Induction Seminar for Bay of Plenty Local Government Elected Members	The Orchard, Te Puke
9/12/2025	Dawn Karakia - Whakaari Anniversary	Whakatāne
9/12/2025	Meeting with Tauranga Mayor Mahe Drysdale	Rotorua
9/12/2025	Water Services Multi-Council CCO Working group – pōhiri and inaugural meeting	Rotorua Lakes Council Offices, Rotorua
10/12/2025	Meeting with Philippa Fourie Fonterra	WDC
11/12/2025	Rukuhia Te Mahi: Pre-Trades Korowaitanga	Te Whare Wānanga O Awanuiārangī, Whakatāne
11/12/2025	Genesis Edgecumbe Solar Project update	WDC
11/12/2025	Matatā Residents Association	Matatā
12/12/2025	Media interview - Dale Husband, Watea News	Phone
12/12/2025	Inaugural Civil Defence Emergency Management Group Joint Committee	BOPRC Council Chambers, Tauranga
13/12/2025	Carols by Candlelight	Riverbank Ampitheatre, Whakatāne
15/12/2025	Audit NZ Meet and Greet	WDC
15/12/2025	Whakatāne Intermediate School 2025 Awards Assembly	Whakatāne

9.1 First Mayoral Report to Council – 2025-2028 Triennium - March 2026(Cont.)

Start Date	Subject	Location
16/12/2025	Media interview - Radio 1XX	Radio 1XX station, Whakatāne
16/12/2025	Mayoral check in with Sonny @ Tumeke/SunFM	Sun FM station, Whakatāne
16/12/2025	LGNZ National Council hui	Via Zoom
17/12/2025	Meeting with tourism operators	Ōhope
17/12/2025	Meeting with residents	Hogg Road, Whakatāne
17/12/2025	Town Hall meeting Ōhope re: West End track	Ōhope Hall
18/12/2025	Meeting with Lee Colquhoun – Te Puna Ora o Mataatua	Whakatāne
19/12/2025	BOPRC Public Transport Committee Chair meet and greet	WDC
19/12/2025	Eastern Bay of Plenty Joint Committee Meeting	Ōpōtiki District Council Chambers, Ōpōtiki
23/01/2026	Visit to Arts Collective pop-up exhibition	Whakatāne
26/01/2026	Media interview re: regional infrastructure resilience - Three News	Online via zoom
28/01/2026	Meeting with Ahu Whenua Trust, Mayor and Maori Ward Councillors	WDC
28/01/2026	Art in the park	
29/01/2026	Councillor Away Days	Tauranga
29/01/2026	He Rau Aroha (Mauao landslide community gathering)	Coronation Park, Tauranga
31/01/2026	Ōhope Beach Festival	Mahy Reserve, Ōhope
2/02/2026	Water Services Group Workshop	WDC
2/02/2026	EBOP Mayoral Catch-Up	WDC
2/02/2026	Constituent meeting re: former Plunket building	Whakatāne
2/02/2026	Whakatāne-Ōhope Community Board	Ōhope Fire Station
3/02/2026	Media interview - Radio 1xx	Radio 1XX station, Whakatāne

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026

Start Date	Subject	Location
9/02/2026	Bay of Plenty Mayors and Chair only session	Rotorua
12/02/2026	Media interview - re; Waste Minimisation Act	Online
12/02/2026	Meeting with ToiEDA	WDC
13/02/2026	Meeting with Kainga Ora Regional Director	WDC
13/02/2026	Meeting with Bay Trust Chief Executive	WDC
16/02/2026	Council visits to Whakatāne amenities/facilities	Whakatāne

Attached to this report:

- Appendix 1 - Delegations Register 2025-2028 March 2026
- Appendix 2 -Terms of Reference - Bay of Plenty Mayoral Forum 2025-2028
- Appendix 3 - Bay of Plenty Policy and Plan Protocol

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)



Delegations Register - Governance
Rēhita Tuku Mahi – Mana Whakahaere

VERSION – March 2025

whakatane.govt.nz



9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

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Version Control

Date updated	Description
October 2017	RMA Amendments
March 2018	Audit and Risk Committee – Second independent member. Cover layout
March 2018	RMA Commissioners
May 2018	Executive and staff title changes, Executive structure, RMA and Building delegation changes, Audit and Risk Committee membership
September 2020	2019-2022 triennium governance structure updates
November 2020	Risk and Assurance Committee and Organisational Performance Committee updates
April 2021	Affixing the Common Seal update
March 2023	Delegation updates resulting from 2022-2025 triennium Committee structure
May 2023	Updates regarding membership for Community Funding Committee and Commercial Advisory Board
March 2025	Removal and disestablishment of the Commercial Advisory Board following resolution by Council on 20 March 2025
July 2025	Council delegation to the CE to approve urgent property purchases using the Acquisitions Fund. Refer Page 14, Section 1.2.1 (k)
November 2025	Delegation updates resulting from 2025-2028 triennium Committee Structure
March 2026	Delegations updates resulting from minor corrections following the adoption of the 2025-2028 structure, including: <ul style="list-style-type: none"> • Alternate WDC representative to the public transport committee • Mayoral Forum delegations and Terms of Reference • Eastern Bay of Plenty Joint Committee appointments

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

PART 1- GENERAL

1 The Local Government Act 2002

The Local Government Act 2002 (LGA 2002) spells out local government's purpose, its general powers, its specific by-law making powers and the principles and processes that councils must abide by when making decisions.

The LGA 2002 is based on the principle of general competence, which enables a council to do whatever is necessary to fulfil its role. Within this framework, there is a considerable degree of flexibility in deciding what activities are undertaken and how they are carried out.

2 Purpose of Local Government

A local authority is a body corporate with perpetual succession.

All councils must operate within the roles and functions identified within the legislative framework, and exercise their responsibilities, duties, or powers accordingly. The LGA 2002 defines the overall direction and strategy for local government. Section 10 of the Act defines the reason local authorities exist:

The purpose of local government is—

- (a) To enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

3 Role of a Local Authority

The role of a local authority as set out in section 11 of the LGA 2002 is to:

- (a) Give effect, in relation to its district or region, to the purpose of local government stated in section 10; and
- (b) Perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

4 General Principles

- (a) It is impossible for the elected Council to deal directly with everything itself. Decisions should be made at a level commensurate with efficiency and effectiveness. Generally, the legislation, which the Council uses on a day-to-day basis, provides for delegations.
- (b) Delegations do not remove ultimate accountability of Elected members, the Chief Executive and the Executive team for the affairs of Council.
- (c) Unless expressly provided otherwise in the Local Government Act 2002, or any other Act, a local authority may delegate to a Committee, Sub-Committee or other subordinate decision-making body, community board, member or officer of the local authority any of its responsibilities, duties, or powers.
- (d) When an Act or Regulation empowers the "Council" to carry out a decision-making function, that decision must be made by way of a resolution of the full Council unless the Act or Regulation, permits delegation to a Committee, Sub-Committee or other subordinate decision-making body, community board, member or officer.
- (e) Delegation to officers is necessary for the operation of the Council and its administration to be efficient, effective, and timely in delivering services. The business to be transacted by the Council and its administration is large and wide-ranging, dealing with the details of many Acts and Regulations, the Council's Plans, Bylaws, and a range of Council functions and activities.
- (f) The terms of reference and delegations are intended to allow the Council to delegate its powers and functions to the most efficient and effective levels.
- (g) Delegations are made to positions not people.
- (h) The body or person to whom powers are delegated, will usually exercise the delegated power, but is not obliged to do so. The most common circumstances where the body or person with the delegation might choose not to exercise it are when the matter has become a matter of public notoriety, or the issues are contentious and finely balanced.
- (i) Part 3 section 1.2 sets out those matters which cannot be legally delegated by the Governing Body under the Local Government Act 2002.
- (j) All delegations are recorded in this Delegations Register, which is made available to all elected members, to staff and to the public through the Council's website.
- (k) The delegation of authority does not prevent another authorised party from exercising the function, power or duty. For example, the Chief Executive may refer a matter to the Council or a Committee for decision.
- (l) The Schedules list only those functions, powers, and duties, which involve discretionary decision-making. All staff have authority to perform non-discretionary duties (those not listed) on behalf of the Council, within the general scope of their role.

5 Ambiguity and Conflict

In the event of ambiguity or conflict between any of the provisions contained in these Delegations, with the result that there is uncertainty or dispute as to which Committee or Sub-Committee has the delegated authority to act, then the Mayor will decide in consultation with the Deputy Mayor and having received advice from the Chief Executive. The decision of the Mayor will be final and binding.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

6 Amendments to the Register

This Register shall be maintained by the Governance Services Team who shall amend it in accordance with:

- Any instructions to that effect given by Council;
- Any need for typographical, grammatical or other minor corrections and amendments, provided they do not alter the intent of Council in relation to delegation;
- Any updates to reflect changes in membership of Committees, Sub-Committees, subordinate decision-making bodies, groups, or organisations.
- Any amendments required to reflect legislative or regulatory changes, excluding the powers and responsibilities that remain with Council, must be approved by council resolution.
- Any amendments to capture any changes of membership of Committees, Sub-Committees, subordinate decision-making bodies, groups or organisations.
- All amendments shall be recorded with the date of change, nature of amendment, and authorising parties to ensure transparency and accountability.
- Significant amendments shall be communicated to elected members and relevant staff to ensure awareness and operational alignment.
- In addition to the triennial review, the Register may be reviewed earlier if significant legislative changes or governance restructuring occur.

Changes to the governance structure delegations may only be made by resolution of the Council. The Delegations Register will be fully reviewed in line with triennial elections.

7 Governance Framework Updates

With the Local Government (System Improvements) Amendment Bill (the Bill) currently under review, councils are preparing for several key changes to governance practices:

- It is expected that standardised Standing Orders and Code of Conduct will likely be issued by the Secretary for Local Government in Q2 2026. Until then, the most recently adopted versions by each council will remain in effect.
- The Bill introduces new governance principles under section 39 of the Local Government Act, which councils must reflect in their governance statements within six months of enactment.

Council will continue to monitor the progress of the Bill and related reforms. Updates will be provided to elected members as further information becomes available from central government and sector bodies.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

PART 2 – GOVERNANCE DELEGATIONS

1 General

1.1 Authority and Instruction Forms

Authority and Instruction Forms will be executed under the hands of two Councillors (one of which may be the Mayor).

1.2 Affixing the Common Seal

The Common Seal of the Council shall be:

- Held by the Chief Executive who shall be responsible for the use of same;
- Affixed to any document where it is required by law or by Council resolution;
- The Common Seal shall be signed under the hand of the Mayor or a Councillor on one part, and by the Chief Executive or authorised officer on the other part.
- Deeds and transactions falling within the Property Law Act 2007 shall comply with Section 9 (3) (a) (ii) of that Act and shall be executed by the signatures of two Councillors (one of which may be the Mayor).
- Where any resolution of Council, or decision of a Committee or Officer in exercise of delegated powers requires as a consequence that the Common Seal be affixed to documents relevant thereto, then such resolution or decision shall be deemed to include authorisation to affix the Common Seal.
- All instances of the Common Seal being affixed shall be recorded in the Council's Seal Register, including the date, purpose, and authorising resolution or delegation

This process is governed by Clause 32 of Schedule 7 of the Local Government Act 2002 and Section 9 of the Property Law Act 2007.

2 Mayor

The Mayor is elected by the District as a whole and, as such, shares the same responsibilities as other members of the Council.

Section 41A of the Local Government Act 2002 states that the role of a Mayor is:

- To provide leadership to other members of the Council and to the people in the Whakatāne District.
- To lead the development of the Council's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the Council.

Section 41A (3) of the Local Government Act 2002 provides for the Mayor:

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

1. To appoint the Deputy Mayor;
2. To establish Committees of the Council;
3. To appoint the chairperson of each Committee established. The Mayor may make the appointment before the other members of the Committee are determined and may appoint himself or herself.

The Mayor may also decline to exercise the powers outlined in section 41A(3) as above. The Mayor acts as the head of the Council and is also responsible for:

- Chairing Council meetings and ensuring the conduct of meetings is in accordance with Standing Orders;
- Keeping the Council informed of matters brought to his/her attention and formally presenting to Council those matters which need to be considered;
- Advocacy on behalf of the community. This role involves promoting the community and representing its interests; such advocacy will be most effective where it is carried out with the knowledge and support of the Council;
- Providing leadership and feedback to other elected members on teamwork, information sharing and chairpersonship.

The Mayor is a member of each Committee of the Council and must not delegate his/her powers under the LGA 2002. The Mayor is also a Justice of the Peace for the duration of the elected term.

2.1 Authorisation of Councillors' professional development and expenses

The Mayor can approve the attendance of Councillors at:

- Conferences, training sessions, seminars and other like functions where expenses are to be met by Council;
- Meetings on behalf of the Council. Such approval must be recorded in the Mayor's regular report to the Ordinary meeting of the Council;
- Any Standing Committee, Sub-Committee, or Community Board meeting, that they are not appointed members of, where mileage expenses are to be met by the Council.

3 Deputy Mayor

The Deputy Mayor is appointed by the Mayor or, if the Mayor declines to use the powers to appoint, the Deputy Mayor shall then be elected by the Members of Council. This must occur at the first meeting of the Council.

The Deputy Mayor exercises the same role as any other member. If the Mayor is on leave of absence or incapacitated, the Deputy Mayor must perform all of the responsibilities and duties of the Mayor and may exercise the powers of the Mayor (Schedule 7, Clause 17 of the LGA 2002).

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

4 Councillors

- Councillors, acting as the governing body of Council, are responsible for:
- The development and adoption of Council policy and strategy;
- Monitoring the performance of the Council against its stated objectives and policies;
- Prudent stewardship of Council resources;
- Employment and appraisal of the Chief Executive's performance and monitoring the implementation of policy by him/her;
- Representing the interests of the residents and ratepayers of the entire Whakatāne District Council;
- Ensuring overall compliance by the Council with its obligations and responsibilities under the Local Government Act 2002 and all other legislation which prescribe statutory duties for territorial authorities; and
- Promoting good relationships with neighbouring local authorities.

5 Committees

5.1 Definition of "Committee"

The term "Committee" is defined in section 5(1) of the LGA 2002. "Committee includes, in relation to a local authority,

- (a) A Committee comprising all the members of that local authority; and
- (b) A standing Committee or special Committee appointed by that local authority; and
- (c) A joint Committee appointed under clause 30 of Schedule 7; and
- (d) Any Sub-Committee of a Committee described in paragraph (a) or paragraph (b) or paragraph (c)."

5.2 Appointing Committees

Section 41A(3) of the Local Government Act 2002 provides for the Mayor;

- (a) To establish Committees of the territorial authority;
- (b) To appoint the chairperson of each Committee established. The Mayor may appoint the chairperson of a Committee before the other members of the Committee are determined and may appoint himself or herself as the chairperson.

However, nothing in section 41A (3) limits or prevents a Council from discharging or reconstituting Committees or chairpersons of those Committees established by the Mayor by way of Council resolution at a later date. The Mayor can decline to exercise the powers outlined above.

The Council can appoint Committees in accordance with clause 30 of Schedule 7 of the LGA 2002, which states that a local authority may appoint the Committees, Sub-Committees, and other subordinate decision-making bodies that it considers appropriate as well as appointing a joint Committee with another local authority.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

5.3 Committee and Sub-Committee membership

Clause 31 of Schedule 7 of the LGA 2002 defines who can make up Committee and Sub-Committee membership.

- (a) The minimum number of members of a Committee is three and the minimum number of a Sub-Committee is two.
- (b) Every Committee must have at least one elected member on it.
- (c) Members of Committees and Sub-Committees are usually elected members, but a Council or a Committee may also appoint a person who is not a member of the Council to a Committee or Sub-Committee. This will normally occur if a person has specific skills, attributes, or knowledge that will assist the work of the Committee or Sub-Committee.
- (d) The Council can at any time discharge or reconstitute a Committee or Sub-Committee. All Committees are discharged after local body elections unless the Council has resolved otherwise before the elections. The Council can at any time appoint or discharge any member of a Committee or a Sub-Committee. A Committee can appoint or discharge any member of a Sub-Committee it has created unless directed otherwise by the Council.
- (e) The membership and delegated authority of joint Committees will be agreed by the participating Councils or public bodies.
- (f) No Council officer can act as a member of a Committee, but they can attend meetings as advisors. Council officers can act as members of a Sub-Committee.

5.4 Delegations to Committees

The Council has broad powers of delegation. These are described under Clause 32 of Schedule 7. The Council has the discretion as to whether it delegates powers to a Committee. There are certain powers that the Council cannot delegate and there are some it chooses to retain for itself.

Clause 32 (4) of Schedule 7 states that once delegated, a power can be exercised or performed in the like manner and with the same effect as the local authority could itself have exercised or performed them. The Council cannot rescind or amend a decision made by a Committee to which the Council has delegated the decision-making power.

The purpose of delegations is to promote the efficiency and effectiveness in the conduct of the Council's business. Although delegations allow a Council to devolve certain decision-making roles, it will ultimately retain legal responsibility for the exercise of any powers it has delegated. A Committee can further delegate functions, duties and powers to Sub-Committees unless prohibited by the Council.

Local Government New Zealand (LGNZ) in their 'Guide for Establishing Governance Structures 2025' comments:

"Delegations to committees of the whole reduces risk of matters being re-litigated and being subject to double handling."

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

5.5 Committee Chairpersons

A Committee Chairperson exercises the same role as any other member of a Committee but has additional responsibilities and abilities. These include to:

- Preside over all meetings of the relevant Committee;
- Ensure that the Committee acts within the powers delegated to it by the Council (as set out in the Council's Delegations Register);
- Ensure that agreed Standing Orders of meetings are adhered to;
- Ensure that technology is available and suitable if required;
- Decide all procedural questions if these are not provided for in Standing Orders;
- Determine speaking order and points of order at meetings;
- Give permission for any person wishing to speak at the Public Forum;
- Make recommendations regarding any item on the agenda;
- Convene additional meetings if required.

6 "Other" Groups - *Non-Statutory Decision Groups*

6.1 Advisory groups, reference groups, steering or any other governance groups:

- Are not classified as a committee or sub-committee under the LGA2002 or Council's Delegations Register.
- Are not subject to the meeting procedures set out in LGOIMA and Standing Orders.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

PART 3- COUNCIL AND COMMITTEE DELEGATIONS 2025-28 TRIENNIUM

1 Governing Body - Council

1.1 Overview

<i>Title</i>	Whakatāne District Council
<i>Chair</i>	Mayor Nándor Tánczos
<i>Deputy Chair</i>	Deputy Mayor Julie Jukes
<i>Membership</i>	Full Council (Mayor and ten Councillors)
<i>Quorum</i>	6
<i>Meeting frequency</i>	<ul style="list-style-type: none">• 8 Weekly• Extraordinary meetings as required
<i>Purpose</i>	<ul style="list-style-type: none">• To broadly monitor wellbeing of the Whakatāne District and set the vision and strategic direction for the Council.• To consider matters of strategic significance.• To monitor and participate in relationships of strategic significance.• To otherwise undertake functions, and consider matters, required of the governing body, and that have not been delegated.

1.2 Specific functions and delegations

1.2.1 Specific exceptions to the power of Council to delegate:

In accordance with the Local Government Act 2002, Schedule 7, Part 1, Section 32, Council may not delegate the following:

- (a) the power to make a rate; or
- (b) the power to make a bylaw; or
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
- (d) the power to adopt a Long-Term Plan, Annual Plan or Annual Report; or
- (e) the power to appoint a Chief Executive; or
- (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; and
- (g) the power to adopt a remuneration and employment policy.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)**1.2.2 Powers that can be delegated but which the Council retains:**

- (a) Develop the Long Term Plan and determine the form and extent of public consultation methods to be employed.
- (b) Hearing of submissions on the Long-Term Plan and, if required, the Annual Plan;
- (c) 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;
- (d) Resolve those decisions required to be made by a local authority under the Local Electoral Act 2001 including the appointment of electoral officer;
- (e) Determine whether or how to fill any extraordinary Council vacancies within 12 months of an election;
- (f) Review and make decisions on Council membership and the basis for elections through representation reviews;
- (g) Appoint and discharge trustees, directors or office holders to Council's Council-Controlled Organisations and to other external bodies;
- (h) Except to the extent set out [in section 2.1] of the staff delegations register 2023, approve the purchase, sale and disposal of Council property;
- (i) Approve a proposed plan or a change to a District Plan under Clause 17 of the First Schedule of Resource Management Act 1991 (RMA);
- (j) Approve changes to the status or revoke the status of a reserve in accordance with the Reserves Act 1977
- (k) Authority to name or rename a reserve in accordance with the Reserves Management Plan;
- (l) Authorise any unbudgeted expenditure that exceeds the delegation levels provided to officers, Committees or other subordinate decision-making bodies of Council;
- (m) Approve recommendations from relevant Committees for new fees and charges for services provided, outside of the Annual Plan or Long Term Plan process.

1.2.3 Procedural Matters exercised by Council:

- (a) Receive minutes and recommendations, and make decisions on any recommendations from:
 - Standing Committees, Special Committees, Sub-Committees, Joint Committees and Joint Forums
 - Iwi Chairs Forum
 - 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.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

2 Standing Committees

2.1 General Delegations to all Standing Committees

All Committees have the delegated power to:

1. Approve the transfer of expenditure to other estimates within the same activity;
2. Receive correspondence and reports;
3. Make decisions that have the effect of furthering investigations or obtaining information that will assist or enable the Committee to decide on a substantive course of action at a later date;
4. Appoint a sub-committee.

2.2 Strategy and Policy Standing Committee

2.2.1 Overview

<i>Title</i>	Strategy and Policy Committee
<i>Chair</i>	Councillor Toni Boynton
<i>Deputy Chair</i>	Councillor Lesley Immink
<i>Membership</i>	Committee of the whole (Mayor and ten Councillors)
<i>Quorum</i>	6
<i>Meeting frequency</i>	<ul style="list-style-type: none">• 8 weekly• Extraordinary meetings as required
<i>Purpose</i>	<ul style="list-style-type: none">• To oversee development of strategies and plans that reflect and implement the Council's vision.• To monitor and advise on the strategy, policies, bylaws and direction of the District.

2.2.2 Specific functions and delegations

- (a) Monitor the development of associated Central Government Reform programmes including the transition programme for Three Waters reform.
- (b) Develop and review associated policies and bylaws (only Council has the power to make a bylaw).
- (c) To develop and recommend to the Council the adoption of the Annual Plan.
- (d) Develop, review and approve Council strategies, policies and plans (noting only Council has the power to adopt policies associated with the LTP).
- (e) Approve Council submissions to Central Government, Councils and other organisations including submissions to any plan changes or policy statements.
- (f) Consider and approve changes to service delivery arrangements arising from the service delivery reviews required under section 17A LGA 2002 that are referred to the Committee by the Chief Executive.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

- (g) Progress the sale of properties as approved in the Long-term Plan and Annual Plan.
- (h) Approve all new road names in accordance with the Road Naming and Property Addressing Policy.
- (i) Develop a proposed plan or a change to a district plan under the Resource Management Act 1991.
- (j) Receive minutes of the Whakatāne District Youth Council and, Community Boards.
- (k) Monitor the implementation of Te Toi Waka Whakareī – Council’s Māori Relationship Strategy.
- (l) To foster and promote strengthening civic engagement.
- (m) The authority to provide instructions on appeals lodged to the Environment Court or a Judicial Review relating to a decision made under the RMA to the High Court or any other Court.
- (n) The authority to settle an appeal or part of an appeal to any Plan Change to the Whakatāne District Plan, but not to approve the Proposed Plan under Clause 17 of Schedule 1 to the RMA.
- (o) The authority to delegate, pursuant to Section 32 of Schedule 7 of the Local Government Act 2002, to the Chairperson of the Hearings Panel, the General Manager Infrastructure, or the Manager Resource Consents to enable these tasks to be completed expeditiously and within statutory timeframes, the following:
 - the power to provide instructions on appeals lodged to the Environment Court,
 - the power to lodge submissions on applications made under the RMA, including to other planning documents (such as Regional Plans) or to relevant legislative changes due to time constraints.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

2.3 Projects and Services Committee

2.3.1 Overview

<i>Title</i>	Projects and Services Committee
<i>Chair</i>	Councillor Andrew Iles
<i>Deputy Chair</i>	Councillor Wilson James
<i>Membership</i>	Committee of the whole (Mayor and ten Councillors)
<i>Quorum</i>	6
<i>Meeting frequency</i>	<ul style="list-style-type: none">• 8 Weekly• Extraordinary meetings as required
<i>Purpose</i>	<ul style="list-style-type: none">• To oversee the implementation of Council's Infrastructure Strategy, capital works programme and operational service delivery.• To oversee the implementation of Council's community wellbeing strategies, policies and services, and facilities and programmes that enhance and support community health and wellbeing.

2.3.2 Specific functions and delegations

- To oversee the implementation of projects in Council's capital works programme and operational service delivery.
- Recommend to Council budget requirements for the implementation of capital works and operational delivery.
- Oversee and review the development of proposals and options related to implementation of associated capital and operational activities.
- Approval of tenders and contracts that exceed the level of staff delegations.
- Approve Council submissions to Central Government, Councils and other organisations including submissions to any plan changes or policy statements.
- Develop and review bylaws (Note: the Council cannot delegate to a Committee to "make" (adopt) a bylaw).
- Consideration of proposals to change the status or revoke the status of a reserve as defined in the Reserves Act 1977 (including the hearing of submissions and recommendations to Council).

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

2.4 Finance, Performance, and Risk Standing Committee

2.4.1 Overview

<i>Title</i>	Finance, Performance and Risk Committee
<i>Chair</i>	Councillor Lesley Immink
<i>Deputy Chair</i>	Deputy Mayor Julie Jukes
<i>Membership</i>	Committee of the whole (Mayor and ten Councillors) External appointees (maximum of two): <ul style="list-style-type: none"> • Petra Luciola
<i>Quorum</i>	6
<i>Meeting frequency</i>	<ul style="list-style-type: none"> • Quarterly • Extraordinary meetings as required
<i>Purpose</i>	<ul style="list-style-type: none"> • To oversee the effectiveness of Council’s financial performance, risk management, health & safety, internal control environment, legal responsibilities, statutory compliance, and external auditing process. • The Committee has the authority to appoint up to two independent persons who are not elected members, who can assist the Committee to meet its obligations and responsibilities.

2.4.2 Specific functions and delegations

- (a) To monitor Council’s organisational performance framework.
- (b) To monitor and review the organisational risk framework.
- (c) To monitor financial and non-financial performance of Council’s LTP and Annual Plan against agreed levels of service.
- (d) To monitor the performance of the Council’s treasury function.
- (e) To monitor the financial and non-financial performance of Council’s Council-Controlled Organisations.
- (f) To develop and recommend to the Council the adoption of the Annual Report.
- (g) To monitor the performance of the Whakatāne airport and recommend to Council the adoption of the Full Year Annual Report.
- (h) Agree the final Statement of Intent for Council’s Council-Controlled Organisations;
- (i) Adopt the Half Yearly and Full Year Annual Report of the Whakatāne Airport;
- (j) To monitor the implementation of Council’s Financial Strategy.
- (k) Oversee Council’s relationship with the external auditor.
- (l) Review, and monitor progress against, the external auditors’ recommendations.
- (m) To monitor organisational capacity and capability of underlying systems and resources required to deliver on Council’s LTP and Annual Plan obligations.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

- (n) Review the effectiveness of health and safety policies and processes to ensure a healthy and safe workplace for representatives, staff, contractors, visitors and the public.
- (o) Assist elected representatives and the Chief Executive to discharge their statutory roles as 'officers' in terms of the Health and Safety at Work Act 2015.
- (p) Review and monitor current and potential litigation and other legal risks.
- (q) To provide governance oversight and monitoring of Council's external funding and financing sources.
- (r) Approve Council submissions to Central Government, Councils and other organisations including submissions to any plan changes or policy statements.
- (s) Provide independent assurance to the Council that risk management processes are robust, integrated into decision-making, and aligned with Council's risk appetite.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

3 Hearings Panel – *to be constituted as required*

3.1 Overview

<i>Meeting frequency</i>	A Hearings Panel will be formed in relation to specific matters defined below as and when required.
<i>Purpose</i>	<ul style="list-style-type: none"> • To hear and decide resource consent applications when a hearing is required; • To consider and resolve changes to the Whakatāne District Plan and all other issues associated with or arising from the implementation of the District Plan, except that only Council can approve a proposed plan change or a change to the District Plan under clause 17 of the first schedule of the Resource Management Act 1991; and • To consider and resolve all issues arising from or related to the Council’s regulatory functions, except for the sale and supply of alcohol which is dealt with by the District Licensing Committee.

3.1.1 Selection of the Hearings Panel

The Chief Executive will appoint Commissioners to sit as a Hearings Panel, as appropriate to the duties involved.

For RMA hearings requiring Commissioners, appointments will be made exclusively from the Ministry for the Environment (MfE) accredited list.

The decision to use internal commissioners or independent commissioners (or a combination) will involve the following considerations:

- (a) Whether there are perceived or actual conflicts of interest or perceptions of bias;
- (b) The need for specialist expertise not available within the council in cases where issues surrounding an application are complex or of a highly technical nature;
- (c) Whether the application has substantive implications for the policy of a council such that elected representative input may be considered necessary or desirable;
- (d) The likely expense of using independent commissioners compared to the scale of the issue (particularly where an independent commissioner would have to be brought in from outside the district or region);
- (e) The availability of independent commissioners at the time a hearing is required;
- (f) The efficiency of appointing shared Commissioners for Joint hearings with the BOPRC.

Where (c) applies, the Chief Executive will appoint Councillor Hamill as the elected representative on the Panel and may appoint further elected members to hear and decide on matters brought to it.

For matters to be heard and decided under the RMA:

- i) Elected members must be qualified Commissioners holding a current certificate under the *Making Good Decisions* Programme.
- ii) In addition, the Chair of a Hearings Panel will hold a current Chair Endorsement. Specific functions and delegations

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

The Hearings Panel has the following delegations:

- (a) All Council's functions, powers, and duties under the RMA in respect of resource consent applications and objections to Council's decisions which require a hearing or are referred to it by the Chief Executive under their delegations. For clarity, this does not include the approval of a Proposed Plan.
- (b) To conduct hearings of submissions and further submissions to the Whakatāne District Plan under Clause 8B of Schedule 1 to the RMA.
- (c) To consider submissions where no person indicates they wish to be heard, under Clause 8C of Schedule 1 to the RMA.
- (d) To deliberate and make decisions on submissions and further submissions as provided for in Clauses 9 and 10 of Schedule 1 to the RMA.
- (e) To hear and decide objections to the charging of a development contribution under s199A of the Local Government Act 2002
- (f) To hear, consider and determine objections under the Dog Control Act 1996 in respect to the:
 - i) Classification of an owner as a probationary owner (s22)
 - ii) Classification of an owner as a disqualified owner
 - iii) Classification of a dog as a dangerous dog (s31)
 - iv) Classification of a dog as a menacing dog (s33b and 33d)
- (g) To hear, consider and determine an appeal under a Bylaw of the Council where this is provided for in the Bylaw.
- (h) To consider and grant consent (with or without conditions) or not grant under Section 100 of the Gambling Act 2003, together with those functions associated with or ancillary to it.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

4 Special Committees

4.1 Community Grants and Funding Committee

4.1.1 Overview

The Special Committee is delegated authority to oversee and make decisions regarding specific funding streams and targeted initiatives. The committee’s scope is focused on operational matters that fall outside the broader strategic workstreams and Long-Term Plan (LTP) activities of Council.

The composition of the Special Committee is flexible and may vary according to the needs of the initiative or funding stream under consideration. Membership typically includes Council elected members and as required, community representatives or subject matter experts. There is no fixed panel; appointments are made to ensure relevant expertise and community input.

4.1.2 Appointment of Community Representatives or Subject Matter Experts

The appointment process for these members is determined by the criteria of each individual fund and must be open and transparent. Typically, this process will involve:

- Publicly notified expressions of interest
- Shortlisting of candidates
- Staff recommendation
- Approval by the Community Grants and Funding Committee

Appointments are made as required, in alignment with the fund’s objectives and governance standards.

The committee is empowered to make decisions within the scope defined under Council’s Community Grants and Funding Policy, specifically relating to the initiatives or funding streams assigned.

<i>Title</i>	Community Funding & Grants Committee
<i>Chair</i>	Councillor Gavin Dennis
<i>Deputy Chair</i>	Councillor Tu O’Brien
<i>Membership</i>	Councillors (minimum 3): Councillor Gavin Dennis Councillor Tu O’Brien Councillor Wilson James
<i>Quorum</i>	No fewer than 2 members of the Committee which must include at least 1 member of the local authority.
<i>Meeting frequency</i>	Quarterly or as required
<i>Purpose</i>	<ul style="list-style-type: none"> • 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.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

- 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.
- To proactively identify and explore additional funding opportunities that align with Council priorities, including external grants, philanthropic sources, and partnership-based funding.

4.1.3 Specific functions and delegations

- (a) 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.
- (b) To provide advice to Council and applicants on funding application requirements, strategic alignment, and best practice approaches.
- (c) To maintain awareness of the broader grants and funding environment, including trends, opportunities, and risks, and share relevant insights with Council and community stakeholders.
- (d) To provide oversight and monitoring of Council's external funding and financing sources.

4.1.4 Reporting

The minutes of this Committee are to be forwarded to Council.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

4.2 Chief Executive Performance and Support Committee

<i>Title</i>	Chief Executive Performance and Support Committee
<i>Chair</i>	Mayor Nándor Tánczos
<i>Deputy Chair</i>	Deputy Mayor Julie Jukes
<i>Membership</i>	Membership of the Committee is the Mayor, Deputy Mayor, and only the chairs of the Standing, and the special Grants and Funding, Committees.
<i>Quorum</i>	4
<i>Meeting frequency</i>	Quarterly
<i>Purpose</i>	<p>The purpose of this sub-committee is:</p> <ul style="list-style-type: none"> • To provide guidance and support to the Chief Executive to deliver on their role. • To consider and prepare correspondence and address other matters relating to performance and remuneration associated with the Chief Executive. • To be responsible for addressing performance issues as they arise as well as making recommendations to the Council for wider consideration. • The committee is further established to exercise the powers delegated under clauses 33, 34, and 35 of Schedule 7 of the Local Government Act 2002. Its purpose is to oversee the appointment, terms of employment, and performance review of the Chief Executive. This includes ensuring compliance with statutory requirements for appointment terms, entering into a performance agreement, and conducting a comprehensive review of performance and future capability prior to the expiry of the first term of employment.

4.2.1 Reporting

The minutes of this Committee are to be forwarded to Council.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

5 Joint Committees

5.1 Bay of Plenty Civil Defence Emergency Management Group

<i>Title</i>	Bay of Plenty Civil Defence Emergency Management Group
<i>Administering Entity</i>	Bay of Plenty Regional Council
<i>Membership</i>	<p>The Membership of this Joint Committee is one representative from each of the following:</p> <ul style="list-style-type: none"> • Bay of Plenty Regional Council • Kawerau District Council • Ōpōtiki District Council • Rotorua District Council • Tauranga City Council • Western Bay of Plenty District Council • Whakatāne District Council <p>The Whakatāne District Council representative is:</p> <ul style="list-style-type: none"> • Mayor Nándor Tánczos • Deputy Mayor Julie Jukes as alternate member
<i>Meeting frequency</i>	The Joint Committee meets quarterly.
<i>Purpose</i>	<p>The purposes of this Committee are to oversee the identification, assessment and management of relevant hazards and risks in accordance with the 4R's (reduction, readiness, response, and recovery).</p> <p>The Emergency Management Group Constitution is available from the Bay of Plenty Regional Council.</p>

5.1.1 Delegations

The Council appointed representative on the Bay of Plenty Civil Defence and Emergency Management Group has full delegated authority from the Whakatāne District Council to exercise the functions, powers and duties of Council as a member of the Bay of Plenty Civil Defense Emergency Management Group under the Civil Defence Emergency Management Act 2002.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

5.2 Regional Land Transport Committee

<i>Title</i>	Regional Land Transport Committee
<i>Administering Entity</i>	Bay of Plenty Regional Council
<i>Membership</i>	<p>The membership of this Committee is as follows:</p> <ul style="list-style-type: none"> • Bay of Plenty Regional Council (2 persons) • Kawerau District Council (1 person) • Ōpōtiki District Council (1 person) • Rotorua District Council (1 person) • Tauranga City Council (1 person) • Western Bay of Plenty District Council (1 person) • Whakatāne District Council (1 person) • New Zealand Transport Agency (1 person) <p>The Whakatāne District Council representative is:</p> <ul style="list-style-type: none"> • Mayor Nándor Tánczos • Deputy Mayor Julie Jukes as alternate member
<i>Meeting frequency</i>	The Joint Committee meets quarterly.
<i>Purpose</i>	<p>The primary purpose of this Committee is to oversee preparation of the regional Land Transport plan or any significant variation to it.</p> <p>The Regional Land Transport Committee Terms of Reference are available from the Bay of Plenty Regional Council.</p>

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

5.3 Eastern Bay of Plenty Joint Committee

<i>Title</i>	Eastern Bay of Plenty joint Committee (EBOPJC)
<i>Administering Entity</i>	Determined annually in keeping with the selection of the chair
<i>Chair</i>	Determined annually – shared between member entities
<i>Membership</i>	<p>This is a joint committee of the Bay of Plenty Regional Council, Kawerau District Council, Ōpōtiki District Council and the Whakatāne District Council. Membership comprises of two elected members appointed by, and representing, each participating Council, with the provision for the appointment of an alternate.</p> <p>The Whakatāne District Council representatives are:</p> <ul style="list-style-type: none"> • Mayor Nándor Tánczos • Deputy Mayor Julie Jukes • (alternate)
<i>Meeting frequency</i>	By agreement of members
<i>Purpose</i>	<p>To form, explore and make recommendations for strategic collaborative initiatives between the partner councils.</p> <p>The EBOPJC Terms of Reference are available from the Whakatāne District Council.</p>

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

5.4 Public Transport Committee

<i>Title</i>	Public Transport Committee
<i>Administering Entity</i>	Bay of Plenty Regional Council
<i>Membership</i>	<p>The membership of this Committee is as follows:</p> <ul style="list-style-type: none"> • Bay of Plenty Regional Council (6 members) • Tauranga City Council (2 representatives) • Rotorua Lakes Council (1 representative) • Western Bay of Plenty District Council (1 representative) • Whakatāne District Council (1 representative) • New Zealand Transport Agency/Waka Kotahi (1 non-voting representative) <p>The Whakatāne District Council representative is:</p> <ul style="list-style-type: none"> • Councillor Andrew Iles • (alternate)
<i>Quorum</i>	Six members, consisting of more than half the number of voting members of which four must be BOPRC members.
<i>Meeting frequency</i>	The Joint Committee meets quarterly.
<i>Purpose</i>	Set the strategic and operational direction for approved Regional Council Public Transport Policy and Strategy, and monitor how it is implemented.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

5.5 Eastern Bay District Licensing Committee

<i>Title</i>	Eastern Bay District Licensing Committee (EBDLC)
<i>Administering Entity</i>	Whakatāne District Council
<i>Membership</i>	<p>There are two Shared Eastern Bay of Plenty District Licensing Committees known as Committee A' and 'Committee B'. Matters are referred to Committee A by default, or to Committee B with Alan Scascia as Commissioner if Russell Orr is absent or unavailable.</p> <p>Committee A: • Commissioner Russell Orr List Members: • Jenny Mahoney • Alan Scascia • Aaron Rangihika • Tony Gardiner • Duane Taiapa</p> <p>Committee B: • Alan Scascia List Members: • Jenny Mahoney • Alan Scascia • Aaron Rangihika • Tony Gardiner • Duane Taiapa</p>
<i>Meeting frequency</i>	Subject to application or at the Commissioner's discretion.
<i>Purpose</i>	<p>The Eastern Bay District Licensing Committee (EBDLC) is a Shared Committee of the Kawerau, Ōpōtiki and Whakatāne District Councils set up under the Sale and Supply of Alcohol Act 2012 to make decisions on all licences and managers certificates.</p> <p>The Terms of Reference for this Committee are included in the schedules to this Delegations Register.</p>

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

5.6 Eastern Bay of Plenty Road Safety Operations Group

<i>Title</i>	Eastern Bay of Road Safety Operations Group
<i>Administering Entity</i>	Whakatāne District Council
<i>Membership</i>	<p>The Eastern Bay of Plenty Operational Road Safety Group ('the Group') is a collaborative and inter-organisational forum that monitors and responds to the coordinated delivery of road safety in the area. The Group shall comprise of at least the following member organisations:</p> <ul style="list-style-type: none"> • ACC • NZ Police • NZ Transport Agency (Waka Kotahi) Whakatāne District Council (staff) • Ōpōtiki District Council (staff) • Kawerau District Council (staff) • Bay of Plenty Regional Council (staff) <p>Elected-member representation:</p> <ul style="list-style-type: none"> • One elected member from each of Bay of Plenty Regional Council, Kawerau District Council, Ōpōtiki District Council, Whakatāne District Council. • Eastern Bay of Plenty Road Safety Co-ordinator. <p>The Whakatāne District Council representative is:</p> <ul style="list-style-type: none"> • Councillor Gavin Dennis
<i>Quorum</i>	<ul style="list-style-type: none"> • Four member organisations – in person or on video call • Two of these must be Council organisations.
<i>Meeting frequency</i>	Quarterly or as required
<i>Purpose</i>	<ul style="list-style-type: none"> • To provide oversight, strategic leadership and pragmatic solutions to ensure that Eastern Bay of Plenty roads are increasingly free of death and serious injury. • Focus on safer drivers, safer roads, safer speeds and safer vehicles.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

6 Joint Forums

6.1 BOP Mayoral Forum

<i>Title</i>	BOP Mayoral Forum.
<i>Administering Entity</i>	The Administering Authority for the Bay of Plenty Mayoral Forum is the Bay of Plenty Regional Council.
<i>Membership</i>	<p>Chairperson(s) To be appointed</p> <p>Deputy Chairperson To be appointed</p> <p>Members Noting alternates (Deputy Mayors & Chairs) are also appointed)</p> <p>Bay of Plenty Regional Council (x1)</p> <ul style="list-style-type: none"> • Chair Matemoana McDonald <p>Kawerau District Council (x1)</p> <ul style="list-style-type: none"> • Mayor Faylene Tunui <p>Ōpōtiki District Council (x1)</p> <ul style="list-style-type: none"> • Mayor David Moore <p>Rotorua Lakes Council (x1)</p> <ul style="list-style-type: none"> • Mayor Tania Tapsell <p>Taupō District Council (x1)</p> <ul style="list-style-type: none"> • Mayor John Funnell <p>Tauranga City Council (x1)</p> <ul style="list-style-type: none"> • Mayor Mahé Drysdale <p>Western Bay of Plenty District Council (x1)</p> <ul style="list-style-type: none"> • Mayor James Denyer <p>Whakatāne District Council (x1)</p> <ul style="list-style-type: none"> • Mayor Nándor Tánczos • Deputy Mayor Julie Jukes (alternate)
<i>Quorum</i>	The Chair and 4 voting members. It is strongly encouraged that all members attend in-person.
<i>Meeting frequency</i>	Quarterly or as required by the need for decision
<i>Purpose</i>	For member councils to work together on agreed strategic matters to shape a stronger, more connected Bay of Plenty region, for the benefit of our communities.
	Terms of Reference to be linked

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

6.2 Iwi Chairs Forum

<i>Title</i>	Whakatāne District Iwi Chairs Forum.
<i>Administering Entity</i>	Hosting of meetings is shared between member entities. Whakatāne District Council provides governance meeting advisory support to the Forum.
<i>Membership</i>	The Chairpersons of the Rūnanga and post settlement governance entities in the Whakatāne District. The Whakatāne District Council representatives are: <ul style="list-style-type: none"> • Mayor Nándor Tánczos • Deputy Mayor Julie Jukes (alternate) The Chief Executive of the Whakatāne District Council, the Rūnanga and post settlement governance entities in the Whakatāne District are also invited to attend.
<i>Meeting frequency</i>	Quarterly or as required
<i>Purpose</i>	To raise awareness and consider matters of mutual interest to the Council and Iwi.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

6.3 Ōhiwa Harbour Implementation Forum

<i>Title</i>	Ōhiwa Harbour Implementation Forum
<i>Administering Entity</i>	Bay of Plenty Regional Council
<i>Chair</i>	Elected by the Committee at its first meeting each Triennium
<i>Deputy Chair</i>	n/a
<i>Membership</i>	<p>The OHIF is made up of politicians or elected representatives from each of the partner organisations. The OHIF specifically invite attendance by organisations/groups which they believe will be interested such as the Department of Conservation, Ministry of Fisheries, Nukuhou Salt Marsh Care Group.</p> <p>The partnership includes:</p> <ul style="list-style-type: none"> • Ōpōtiki District Council (1 member) • Whakatāne District Council (1 member) • Bay of Plenty Regional Council (1 member) • Four appointees (Tangata Whenua) representing Te Whakatōhea, Te Ūpokorehe, Ngāti Awa and Ngāi Tūhoe <p>The Whakatāne District Council representatives are:</p> <ul style="list-style-type: none"> • Councillor Andrew Iles • Councillor Malcolm Whitaker (alternate)
<i>Quorum</i>	4
<i>Meeting frequency</i>	Every six months or as required
<i>Purpose</i>	<p>To oversee implementation of the Ōhiwa Harbour Strategy by the Ōhiwa Harbour Strategy Coordination Group (OHSCG) - an operational group made up of staff representatives from the OHS partner organisations.</p> <p>The Ōhiwa Harbour Implementation Forum Terms of Reference are available from the Bay of Plenty Regional Council who administers this group.</p>

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

6.4 Rangitāiki River Forum

<i>Title</i>	Rangitāiki River Forum
<i>Administering Entity</i>	Bay of Plenty Regional Council
<i>Chair</i>	In accordance with Rangitāiki River Forum Model Standing Orders In accordance with Rangitāiki River Forum Model Standing Orders
<i>Membership</i>	<p>The Forum is a joint committee of the Bay of Plenty Regional Council, Whakatāne District Council and Taupō District Council. Membership includes representatives from:</p> <ul style="list-style-type: none"> • Te Rūnanga o Ngāti Whare (1 member) • Te Rūnanga o Ngāti Manawa (1 member) • Te Rūnanga o Ngāti Awa (1 member) • Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust (1 member) • Ngāti Hineuru (1 member) • Tūhoe Te Uru Taumatua (1 member) • Bay of Plenty Regional Council (5 members) • Whakatāne District Council (1 member) • Taupō District Council (1 member) <p>The Whakatāne District Council representatives are:</p> <ul style="list-style-type: none"> • Councillor Tu O'Brien • Councillor Wilson James (as alternate)
<i>Quorum</i>	6 members - including three members appointed by the iwi appointers; and three members appointed by the local authority appointers; and must include a member appointed by Ngāti Whare and a member appointed by Ngāti Manawa.
<i>Meeting frequency</i>	In accordance with Rangitāiki River Forum Model Standing Orders
<i>Purpose</i>	<p>The Rangitāiki River Forum (the Forum) is a statutory joint committee set up under the Ngāti Whare Claims Settlement Act 2012 and the Ngāti Manawa Claims Settlement Act 2012. The Forum has been established to protect and enhance the environmental, cultural, and spiritual health and wellbeing of the Rangitāiki River and its catchments, for the benefit of present and future generations.</p> <p>The Rangitāiki River Forum Terms of reference are available from the Bay of Plenty Regional Council who administers this group.</p> <p>The Tarawera Awa Restoration Group terms of reference is being developed.</p>

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

7 Community Boards of the Whakatāne District

<i>Title</i>	<p>Whakatāne District Council has four Community Boards covering the entire District. In addition to the elected members of each Community Board the following councillors are appointed pursuant to section 50 (b) of the Local Government Act 2002:</p> <ul style="list-style-type: none"> • Murupara Community Board Councillor Jesse Morgan-Ranui Councillor Andrew Iles (as alternate) • Rangitāiki Community Board Councillor Gavin Dennis Councillor Wilson James (as alternate) • Tāneatua Community Board Councillor Andrew Iles Councillor Jesse Morgan-Ranui (as alternate) • Whakatāne-Ōhope Community Board Councillor Carolyn Hamill Councillor Malcom Whitaker (as alternate)
<i>Chair</i>	Selected by each Community Board at their inaugural meeting of the triennium.
<i>Deputy Chair</i>	As above
<i>Membership</i>	<p>Membership includes:</p> <ul style="list-style-type: none"> • Those elected to each Community Board, plus • One Council elected member appointed to each Community Board (as outlined above)
<i>Meeting frequency</i>	<ul style="list-style-type: none"> • 8 Weekly • Extraordinary meetings as required
<i>Purpose</i>	<p>To receive applications for funding and issue funding grants from the respective Community Board funds.</p> <p>To support Council engagement and consultation processes where required, and act as an advocate for the interests of Council.</p> <p>To engage with their constituent communities and provide information to Council on matters of importance to those communities as they arise.</p>

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

7.1 Specific function and delegations

- (a) Receive applications for funding from their constituent communities, deliberate and make funding grant decisions that are funded from the respective Community Board funding allocations.
- (b) Consider and report on all matters referred to by the Council, or any matter of interest or concern to the Community Board.
- (c) Receive correspondence and reports.
- (d) To engage with the community, community organisations and special interest groups to both represent the interest of Council and gather community feedback and themes.
- (e) To prepare an annual submission to the Council for expenditure within the community for projects that are specifically funded by the community
- (f) To make submissions to the Council's Long-Term Plan and other consultation processes on behalf of the Communities it represents
- (g) To authorise, within approved budgets, Board Members attendance at relevant conferences and/or training courses
- (h) To make presentations verbally to the Council at the Board's discretion on matters of importance to the community or Board (Note: the ability to make presentations verbally to the Council or any Committee of Council is subject to the approval of the Mayor or chairperson presiding at that meeting).
- (i) Community Boards are delegated the responsibility to develop and adopt a Strategic Plan as a Board. The Strategic Plan must articulate the collective aspirations, priorities, and objectives of the Board, serving as a guiding document for decision-making and advocacy. The plan may be developed in consultation with the community to ensure it reflects the community's needs, values, and future vision. Where an approved Community Plan exists, the Strategic Plan should reference and align with that document to maintain consistency and strengthen the connection between Board priorities and broader community objectives.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

8 Whakatāne District Youth Council

<i>Title</i>	Whakatāne District Youth Council (WDYC)
<i>Chair</i>	Determined annually at the inaugural meeting of the group
<i>Deputy Chair</i>	As above
<i>Membership</i>	<p>Membership is by application with appointments made for a one-year (calendar year) term. Membership includes:</p> <ul style="list-style-type: none"> • Between 12-20 young people aged between 14-24 representing various geographic areas, ethnicities, age, gender, and experience. • One elected member representative. <p>The Whakatāne District Council representative is:</p> <ul style="list-style-type: none"> • Councillor Toni Boynton
<i>Quorum</i>	Greater than 50% of membership
<i>Meeting frequency</i>	Two-weekly Additional meetings as required
<i>Purpose</i>	The WDYC provides a youth perspective to what Council does, advocates more broadly on behalf of youth priorities and provides opportunities to learn about local government. It also allows members to gain valuable skills, leadership opportunities and to deliver the Whakatāne Youth Strategy. The WDYC is supported by Council's Community Development Advisor.

9.1.1 Appendix 1 Draft Delegations Register 2025-28 March 2026(Cont.)

9 Council Appointments to Outside Associations

9.1 Types of groups

During the triennium Councillors may be appointed, or endorsed to join, project groups, steering groups, working groups, Boards, community initiatives, government groups and/or a range of operational decision-making groups, Boards, and associations external to the Whakatāne District Council.

These groups are often established to support the efficient and effective delivery of Council services, projects, and initiatives. They operate outside the formal committee structure defined by the Local Government Act 2002 and the Council's delegations register.

Councillors appointed to these groups are subject to Council policies, Code of Conduct and any specific limitations set out in the terms of reference. All decisions and actions by these groups should be documented and reported to Council or executive as appropriate.

Where elected member involvement is appropriate, the Mayor will appoint Council elected members to these groups and associations during the triennium.

The table below contains a list of existing project groups, steering groups, working groups, Boards, community initiatives and associations that are currently active and their appointed Member. Note, that groups may be formed, and existing groups may conclude, during the triennium.

If composed solely of staff or external stakeholders, the Mayor is not involved.

Organisation	Appointee
Keep New Zealand Beautiful National Board	Councillor Andrew Iles
Arts Whakatāne	Councillor Toni Boynton
Rangitāiki-Tarawera Rivers Scheme Advisory Group	Councillor Tu O'Brien Councillor Wilson James
Whakatāne-Tauranga Rivers Scheme Advisory Group	Councillor Malcolm Whitaker
Tarawera Awa Restoration Strategy Group (TARSG)	Mayor Nandor Tanczos Councillor Lesley Immink (Alternate)
Rex Morpeth Redevelopment Steering Group	Councillor Wilson James (Chair) Councillor Carolyn Hamill
Global Cities	Councillor Andrew Iles Deputy Mayor Julie Jukes
ERP Project	Deputy Mayor Julie Jukes
Rotorua Lakes and Eastern Bay of Plenty (REBoP) Waters Council Controlled Organisation (CCO) Working Group	Mayor Nándor Tanczos Councillor Tu O'Brien Councillor Wilson James
Matatā Wastewater Project Group	Councillor Gavin Dennis Councillor Wilson James

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

Protocol

Bay of Plenty RMA Policy and Plans

between

Bay of Plenty Regional Council
Ōpōtiki District Council
Whakatāne District Council
Kawerau District Council
Rotorua Lakes Council
Tauranga City Council
Taupō District Council
Western Bay of Plenty District Council
Minister of Local Government



This document may be obtained from:

Bay of Plenty Regional Council's website:

[Council Protocol for Bay of Plenty RMA Policy and Plans | Bay of Plenty Regional Council | Toi Moana \(boprc.govt.nz\)](#) Telephone: 0800 884880

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

Protocol for Bay of Plenty RMA Policy and Plans

The following local authorities¹ are parties to this Protocol:

- Bay of Plenty Regional Council
- Kawerau District Council
- Ōpōtiki District Council
- Rotorua Lakes Council
- Minister of Local Government² as Territorial Authority for off-shore islands.
- Tauranga City Council
- Western Bay of Plenty District Council
- Whakatāne District Council
- Taupō District Council

Introduction

The Protocol describes how and when local authorities in the Bay of Plenty region consult each other in relation to their Resource Management Act 1991 (RMA) policy and plans. It applies to the regional policy statement, regional plans, and city/district plans during scoping, drafting, submissions and hearings, and appeals.

The RMA reform will be a period of transition for local authorities and as such will require another review of this protocol. The second review may be scheduled after the select committee process to help align coordination between local authorities on the proposed changes.

This Protocol provides detail to support the commitment entered into in the Bay of Plenty Triennial Agreement.

Purpose

The Protocol aims to:

- ensure local authorities consult each other early and follow best practice during policy statement and plan preparation and changes;
- avoid misunderstandings of roles and statutory obligations;
- define when comments or submissions are appropriate;
- establish an agreed process:
 - including expectations and timeframes;

¹ Local authority means a regional council or territorial authority—S5, Local Government Act 2002

² The Minister of Local Government is the territorial authority for Motiti Island and Tuhua Island S22, Local Government Act 2002

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

- that is consistent across local authorities; and
- that is efficient and avoids duplication of role.

Principles

The protocol will be delivered by local authorities based on the following principles:

- **Partnership – Mana Paparua:** local authorities agree to work together to establish and commit to a mutually beneficial relationship.
- **Mutual respect – Whai i te Tika:** local authorities agree to foster a relationship based on mutual respect, acknowledging each other’s responsibilities, interests, views, capabilities, and constraints.
- **Honesty of purpose – Whakapono:** local authorities agree to work together within an environment of trust and respect for each other and to conduct their relationship with integrity and good will.
- **Open communication – Whakawhitiwhitinga Kōrero Pono:** local authorities agree that their relationship will involve open, timely communication and transparent consultation processes.
- **Active engagement – Hononga Rata:** local authorities to engage in a proactive and positive manner, based on a commitment to be responsive to each other, and agree to address any conflict or tension openly and constructively.

We, the chief executives of the local authorities in the Bay of Plenty region, agree to this Protocol for Bay of Plenty RMA Policy and Plans:

Bay of Plenty Regional Council

Chief Executive

Kawerau District Council

Chief Executive Officer

Ōpōtiki District Council

Chief Executive Officer

Rotorua Lakes Council

Chief Executive

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

Tauranga City Council



Chief Executive

Western Bay of Plenty District Council



Chief Executive Officer

Whakatāne District Council



Chief Executive

Taupō District Council



Chief Executive Officer

Minister of Local Government



Hon Kieran McAnulty

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

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9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)**Protocol for Bay of Plenty RMA Policy and Plans****1 Scope**

This Protocol sets out how Bay of Plenty local authorities are to interrelate with each other in respect to the regional policy statement (RPS), and regional and district plans, under the RMA. The chief executives (rather than the mayors, chairman and Minister) agree to this Protocol to reflect that it addresses operational process (not substantive policy³). The Protocol promotes earliest consultation and integration of policy through collaboration in the submission process. The essence of the Protocol is to generate efficiencies, meet resource management outcomes and enhance the relationships between local authorities.

The Protocol forms part of the Bay of Plenty Triennial Agreement and meets the requirements of the RMA. The Local Government Act 2002 requires that the region's local authorities enter into a triennial agreement after each election⁴ to co-ordinate the responsibilities of local authorities. The chief executives are to review this Protocol every three years as part of the Triennial Agreement or by agreement.

The Protocol applies during the stages of scoping, preparing, varying, or changing a policy statement⁵ or plan.

2 Initiation

The local authority responsible for the policy statement or plan initiates and co-ordinates protocol actions. The following staff are responsible for managing this Protocol:

Bay of Plenty Regional Council	Policy and Planning Manager	RPS, regional plans, and input to district plans
Western Bay of Plenty District Council	Manager Resource Management	District plan, input to RPS, regional plans and adjacent territorial authorities' district plans
Tauranga City Council	Manager: City Planning and Growth	
Rotorua Lakes Council	Manager Planning Services	
Whakatane District Council	Manager Policy, Planning & Consents Compliance.	
Kawerau District Council	Manager Regulatory and Planning	
Opotiki District Council	Planning and Regulatory Group Manager	
Taupō District Council	Policy Manager	
Minister of Local Government	Manager Local Government Operations, The Department of Internal Affairs Te Tari Taiwhenua	

³ Taupō District Council jurisdictional boundaries are wider than the Bay of Plenty Region and accordingly when undertaking a plan change that does not impact this Region then this protocol does not apply.

⁴ [Local Government Act 2002 No 84 \(as at 20 November 2022\), Public Act 15 Triennial agreements – New Zealand Legislation](#)

⁵ RMA Schedule 1 3A: Consultation in relation to policy statements.

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

3 Protocol application

This Protocol describes four stages of interaction:

- scoping
- drafting and consulting
- notifying and submitting
- appeals to the Environment Court.

For the Protocol to be effective, the initiating local authority should:

- allocate sufficient time and resources to the first two stages of this process;
- give sufficient notice of meetings;
- distribute an agenda with detail and time allocation reflecting the significance of the issues;
- allow time for responding parties to respond;
- provide a note taker to record attendance, matters discussed, agreements reached, who is to undertake further work, points of difference;
- distribute the meeting record.

Table 1: Relationship between stages of interaction

Informal	Interaction		Formal
1 Scoping	2 Drafting and consulting	3 Notifying and submitting	4 Appeals to the Environment Court
<ul style="list-style-type: none"> ▪ Informal ▪ Without prejudice ▪ Frank, open and honest ▪ Wide ranging and inclusive ▪ Broad resource management focus ▪ Fully explore issues and methods and their implications ▪ Documented outcome ▪ Joint research initiatives 	<ul style="list-style-type: none"> ▪ Semi-formal ▪ Focus on policy justification ▪ Case management approach ▪ Narrow matters to those of material concern ▪ Negotiate ▪ Documented outcome ▪ Expert information 	<ul style="list-style-type: none"> ▪ Formal ▪ Strong policy justification ▪ Focus on matters of significance ▪ Case management approach ▪ Peer review by management ▪ Negotiate ▪ Documented outcome ▪ Council submission 	<ul style="list-style-type: none"> ▪ Formal ▪ Strong policy or plan justification ▪ Negotiation at senior level

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)**4 Scoping—Stage 1**

Scoping is to identify common issues and objectives, queries regarding policy interpretation, including any points of difference and the reasons for those and set out a process to resolve these. Further information may be necessary to resolve differences.

Discussion prior to policy statement and plan preparation will allow:

- a wide range of issues and options to be identified
- free, open, and frank discussion without prejudice
- best use of professional resources to evaluate techniques and options

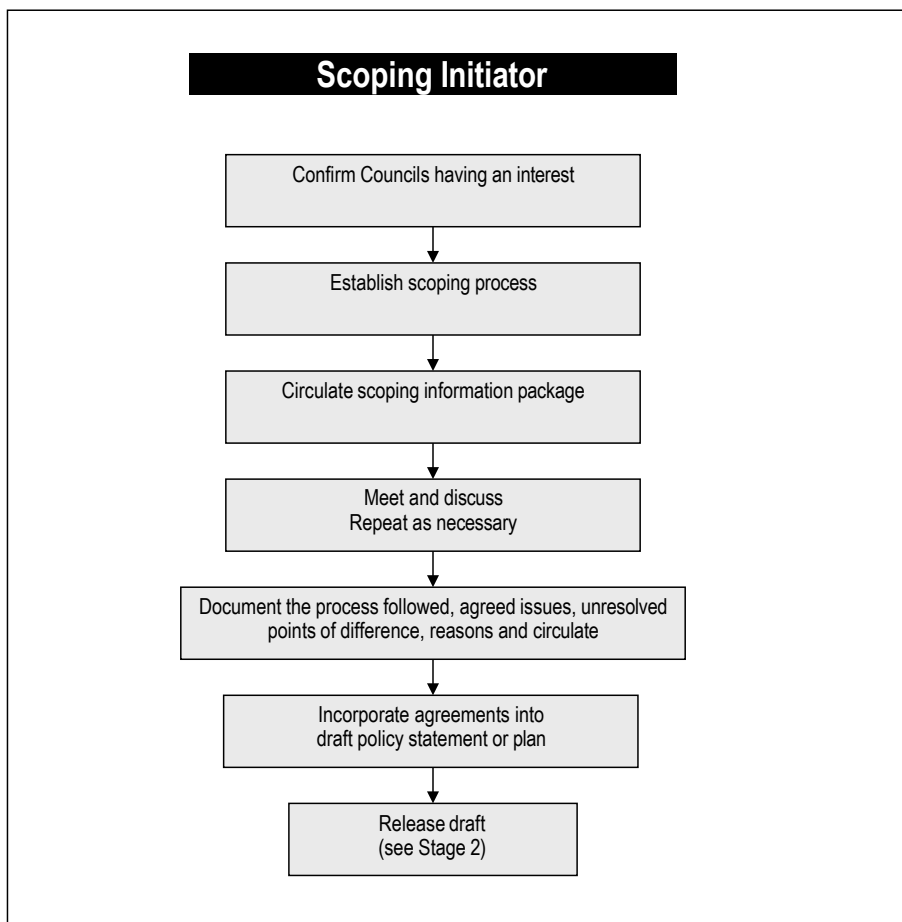
As required, the initiating local authority may consider:

- the right people are identified and involved, such as staff/consultants responsible for policy statement or plan preparation and assessment, technical advisors, and managers responsible for the political interface.
- timely and sufficient information is available to enable meaningful interaction, including a summary of issues, options, risks, and resource management outcomes sought that corresponds to the complexity of the issue.
- research projects or reports commissioned on relevant issues should be included.
- reports to the initiating local authority setting the scene are included.

The initiating local authority should distribute a summary of the position reached through scoping before releasing a draft policy statement or plan for comment.

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

The following flow diagram is a **guide** to scoping. Changes to the process should be agreed by the interested parties.



5 Drafting and consulting—Stage 2

Local authorities usually release a **draft** for consultation before notifying a proposed policy statement or plan. This stage may be formal or informal. When a policy statement or plan reaches a draft stage and before it has been released for wider consultation, send it to local authorities with an interest for their comment.

A presentation to interested local authorities may be beneficial to generate efficiencies later in the more formal stages. Remind elected representatives of this and advise against consultation being truncated.

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

Effective consultation can help parties understand each other's position and to identify, discuss and resolve points of difference. Matters not resolved are likely to be the subject of formal submissions.

Once the policy statement/plan is formally notified, no new issues would be expected unless material changes introduce new matters. Signal any change in political direction to other local authorities as soon as possible.

5.1 Commenting on proposed RPS/plans and RPS/plan changes

Comments on a draft policy statement or plan are semi-formal, represent the organisational view and would generally be discussed with the initiating local authority. Include a summary of the position reached through the scoping stage.

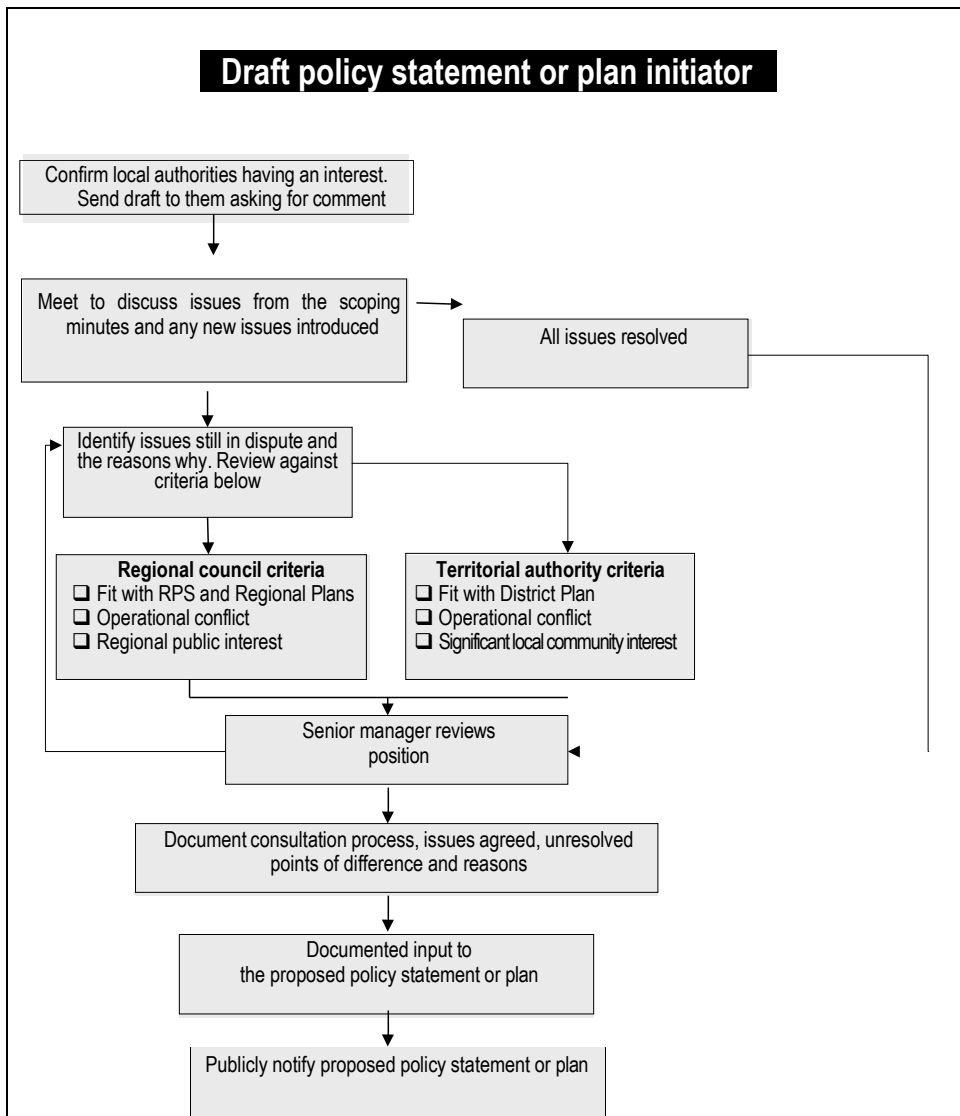
Comments should:

- emphasise the resource management purposes that the initiating local authority is seeking.
- Focus on policy and plan implications⁶ with an emphasis on matters of difference already identified.
- Reference the relevant policy statement or plan objective, policy, method and/or rule (see Appendix).
- Distinguish between matters of significance to the local authority and those of more general concern.
- Refer to relevant operational or strategic plans to validate the comment, including the long-term plan, asset management plans, pest strategies, reserve management plans, corporate action plans and growth strategies and models.
- Explain the impacts on the local authority in terms of practicality and reasonableness, and any cost implications (if known), in sufficient detail to be credible and stand scrutiny.
- It is good practice for parties to discuss comments before lodging them. Explore opportunities to reach agreement. An example of good practice is inviting regional council staff to district plan project teams and vice versa.

⁶ Constructively comment on style or grammar in informal exchanges between peers, e.g. by email.

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

Draft policy statement or plan key steps



9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)**6 Notifying and submitting—Stage 3****6.1 Submissions**

Given the consultation undertaken at the scoping and draft stages and the efforts to resolve matters of difference, issues still outstanding should relate to matters of substance. By the time a policy statement or plan has been publicly notified, matters in contention between the parties should be clearly identified and understood. Communicate any **new** matters introduced into the proposed policy statement or plan likely to be of interest to the recipient and the reasons for inclusion.

To reduce the risk of other parties' submissions against sought-after provisions being accepted, local authorities are encouraged to make supportive submissions. By submitting, a local authority gains rights to appeal. Section 274 of the RMA may provide additional opportunities to join appeal proceedings.

Any submission relying on relevant policy documents should reference that objective, policy, method and/or rule.

Submissions on a notified policy statement or plan are formal and must be supported by policy including:

For regional council submissions on district plans:

- the operative and proposed regional policy statement
- operative and proposed regional plans
- other statutory documents, including the regional council long-term plan, regional land transport strategy, pest management strategy, civil defence emergency management group plan, National Policy Statements
- relevant operational requirements and corporate activities.

Submissions should relate to matters impacting implementation of regional policy and plans, regional council operations or issues of regional public interest.

For territorial authority submissions on the regional policy statement, regional plans and adjacent territorial authorities' district plans:

- district plans and other statutory documents including long-term plan, asset management plans, growth management plans, strategies and
- relevant operational requirements, National Policy Statements and corporate activities.

Submissions should relate to matters impacting the territorial authority's district plan, its operations including cost, reasonableness and practicability, or issues of local community interest.

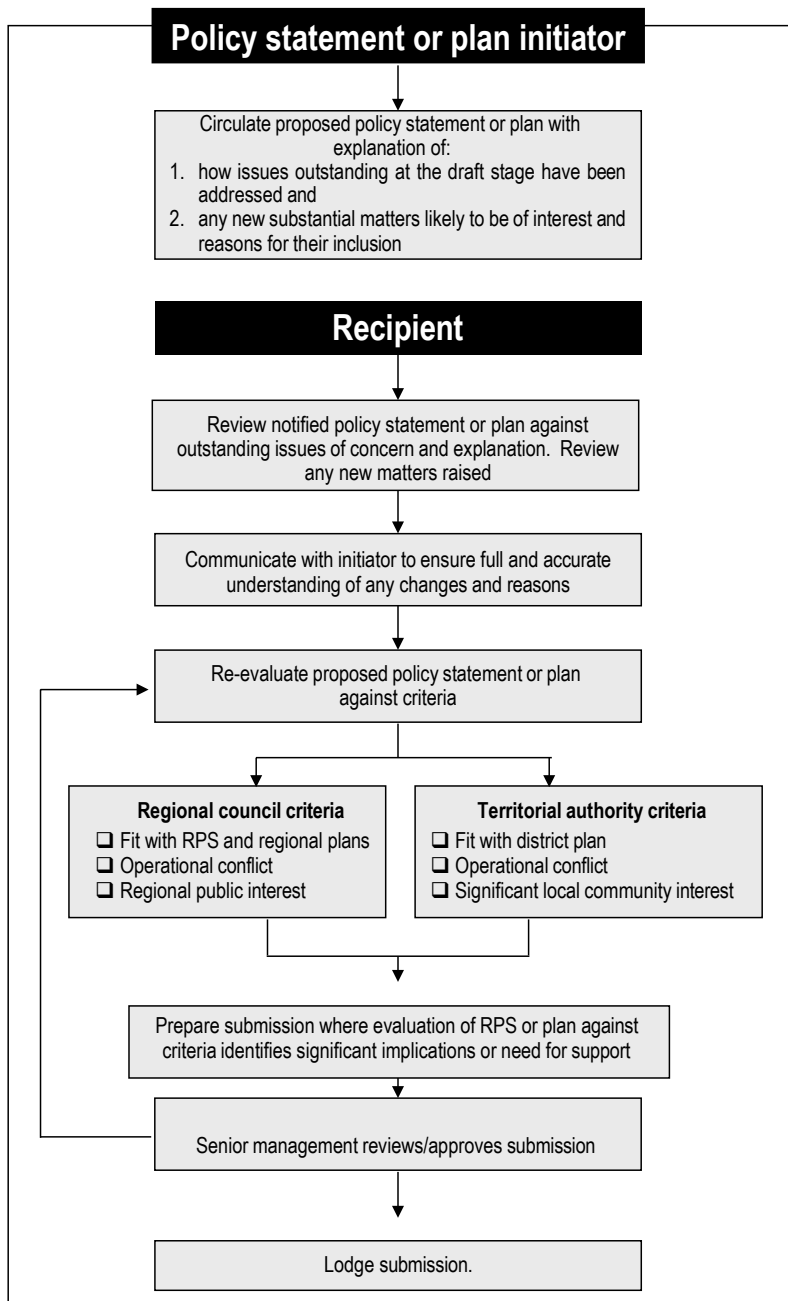
A senior manager will review the submission to ensure:

- it is **well founded** in terms of policy or other relevant criteria
- it is a **significant matter** on its own or gives rise to significant implications for the local authority in carrying out its responsibilities or implementing its policy
- it specifies an appropriate **means of relief**.

Before confirming the submission, the senior manager **may** refer it to their counterpart to ensure the submission is accurate, policy driven and appropriate. This is an optional good practice step in light of the purpose of the Protocol.

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

Notifying and submitting steps



9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)**6.2 Further submissions**

Further submissions have a 10-working day timeframe; the initiating party should provide an advance copy of the summary of submissions if possible. Apply the criteria under 6.1 of this protocol when making a further submission.

6.3 Local authority hearings**Pre-hearing meetings**

Local authorities should discuss the need for pre-hearing meetings while preparing officer reports on submissions and jointly agree on a case-by-case basis. These discussions could identify areas of common interest and points of difference and how to address them in the hearing.

Hearings

Ten working days' notice is required for a hearing on a proposed policy statement or plan (Schedule 1, clause 8B of the RMA). It is good practice to provide more time than the minimum required⁷.

Allow adequate time for an officer's report to be considered in the preparation of technical evidence. The officer's report must be received by a submitter at least 5 working days before the hearing (section 42A(3) of the RMA), but aim to send it at least 10 working days before a hearing for complex plan matters. This allows time for technical evidence to be circulated before the hearings. An authority conducting a hearing may require a submitter to provide briefs of evidence (section 41B of the RMA), in which case additional notice of hearing is essential.

Relevant staff are expected to appear at the hearing. The initiating local authority is recommended to appoint a "case manager" to co-ordinate the hearing process and be responsible for running the hearing, co-ordinating appearances and facilitating and supporting the process. The local authority submitter should also have one point of contact. The case manager should present the local authority's concerns effectively, including ensuring technical experts are available if necessary. The hearing process is to assist the hearing panel make a good decision, which includes providing the hearing panel with expert opinion.

6.4 Decisions

The initiating local authority should send its decisions and the amended proposed policy statement or plan to the local authorities that submitted.

7 Appeals to the Environment Court - Stage 4 (RMA Schedule 1 process only)

Given the significant cost, resource and relationship impacts of appeals, every effort should have been made to reach agreement on matters of significant difference before this stage. If a local authority is lodging or joining an appeal, it is good practice to give prior notice to the initiating local authority. Mediation may be appropriate where parties are keen to find common ground⁸.

⁷ The statutory obligations applying to hearings are set out in the RMA. Sections 39, 39A, 39B, 39C, 40, 41, 41A, 41B, 41C, 42, and 42A, and Schedule 1, clauses 8AA, 8B, 8C, 8D, 9, 10 and 11, may apply.

⁸ When considering appealing, note that declaration provisions under s 310 RMA and section 82, Disputes, may also be useful where clarity is sought from the Court.

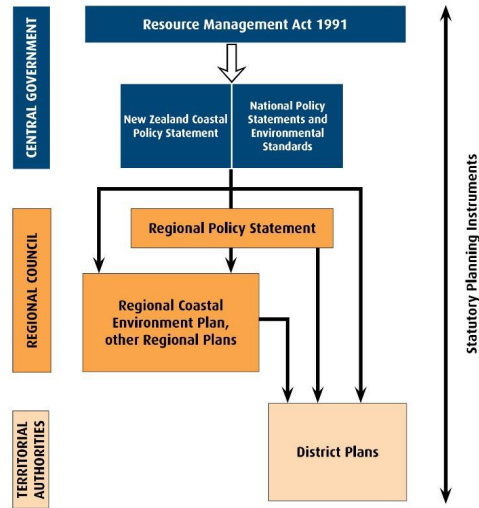
9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

9.1.2 Appendix 2 - Bay of Plenty Policy and Plan Protocol(Cont.)

Appendix: Relationship of Resource Management Act Policies and Plans

Some relevant sections of the RMA

- s62 Contents of regional policy statements
- s65 Preparation and change of other regional plans
- s66 Matters to be considered by regional councils
- s67 Contents of regional plans
- s73 Preparation and change of district plans
- s74 Matters to be considered by territorial authority
- s75 Contents of district plans



9.1.3 Appendix 3 -Terms of Reference - Bay of Plenty Mayoral Forum 2025-2028

9.1.3 Appendix 3 -Terms of Reference - Bay of Plenty Mayoral Forum 2025-2028

9.1.3 Appendix 3 -Terms of Reference - Bay of Plenty Mayoral Forum 2025-2028(Cont.)

Terms of Reference for Bay of Plenty Mayoral Forum

Membership

Chairperson(s)	<i>To be appointed</i>
Deputy Chairperson	<i>To be appointed</i>
Members	Noting alternates (Deputy Mayors & Chairs) are also appointed)
Bay of Plenty Regional Council (x1)	Chair Matemoana McDonald
Kawerau District Council (x1)	Mayor Faylene Tunui
Ōpōtiki District Council (x1)	Mayor David Moore
Rotorua Lakes Council (x1)	Mayor Tania Tapsell
Taupō District Council (x1)	Mayor John Funnell
Tauranga City Council (x1)	Mayor Mahé Drysdale
Western Bay of Plenty District Council (x1)	Mayor James Denyer
Whakatāne District Council (x1)	Mayor Nándor Tánczos
External Members with/without voting rights	TBC
Quorum	The Chair and 4 voting members. It is strongly encouraged that all members attend in-person.
Frequency	Quarterly or as required by the need for decisions.

The Bay of Plenty Mayoral Forum is a formal joint committee pursuant to the LGA (Clause 30 and 30A Schedule 7).

Purpose

For member councils to work together on agreed strategic matters to shape a stronger, more connected Bay of Plenty region, for the benefit of our communities.

9.1.3 Appendix 3 -Terms of Reference - Bay of Plenty Mayoral Forum 2025-2028(Cont.)**Administering Authority**

The Administering Authority for the Bay of Plenty Mayoral Forum is the Bay of Plenty Regional Council.

Role

The Bay of Plenty Mayoral Forum is a joint committee of all the local authorities in the Bay of Plenty. Functions within the scope of the Forum include, but are not limited to:

- Determining Regional Priorities, strategic issues and opportunities.
- Advocating for strategic investment in the region and promoting the strategic benefits and advantages of the Bay of Plenty.
- Preparing for a Regional Spatial Plan - linked with the Eastern Bay of Plenty Development Joint Committee, Rotorua Development Joint Committee and SmartGrowth Leadership Group.
- Implementing changes following amendments to the Climate Change Responses Act 2002, which will clarify requirements for adaptation plans in priority areas.
- Addressing and improving long-term economic development (e.g. lifting GDP for the BOP).
- Addressing any other strategic matters for the region, as agreed by member councils.
- Developing joint Mayoral Forum submissions and/or advocacy letters/actions particularly to Central Government.
- Developing Regional Deal(s).

For the avoidance of doubt, the Bay of Plenty Mayoral Forum's role does not include:

The Joint Committee does not have the authority to commit Councils to any course of action or expenditure. In accordance with the current legislative requirements, all Councils will retain their decision-making and other statutory responsibilities in relation to their functions and responsibilities under the LGA, RMA and the Land Transport Management Act 2003.

Committee Procedures

- Membership consists of one representative of each of the member councils. If a member is not available then the alternate would stand in their place.
- At its first meeting, the Bay of Plenty Mayoral Forum will appoint its Chairperson(s) and Deputy Chairperson.
- The Deputy Chairperson shall act in the absence of the Chairperson.
- The Chief Executives, or their respective representatives, of each member Council shall attend meetings and will act as advisors to the Bay of Plenty Mayoral Forum.
- Meetings may be attended by further staff support as considered appropriate by their Chief Executive.
- The Forum will conduct matters in a manner consistent to the responsibilities and provisions under the Bay of Plenty Triennial Agreement 2025-2028.
- In the case of equality of votes, the Chairperson or any person presiding the meeting, does not have a casting vote and the status quo is preserved.

9.1.3 Appendix 3 -Terms of Reference - Bay of Plenty Mayoral Forum 2025-2028(Cont.)

- If matters arise which aren't able to be resolved then a neutral mediator (e.g LGNZ member or lawyer) will be appointed to resolve the matter.
- Meetings will be administered by the Bay of Plenty Regional Council.
- Unless specified additional members have speaking rights only.

Power to Act

To make all decisions necessary to fulfil the role and scope of the Bay of Plenty Mayoral Forum; with relevant powers delegated from the respective Council committees.

Any recommendations that impose financial commitments to any party are to be referred to the respective councils for approval. Any variation to the Forum's terms of reference is by formal agreement by all member councils.

Power to Recommend

The Bay of Plenty Mayoral Forum recommends and reports directly to member councils - Bay of Plenty Regional Council, Kawerau, Opotiki, Taupo, Western Bay of Plenty and Whakatane District Councils, Rotorua Lakes Council and Tauranga City Council. The only exception relates to Regional Spatial Planning.

10 Reports - *Ngā Pūrongo*

10 Reports - *Ngā Pūrongo*

10.1 Long Term Plan 2027-37 Project Management Plan



To: **Whakatāne District Council**

Date: **Thursday, 05 March 2026**

Author: **S Ellis / Team Leader Strategy**

Authoriser: **L Woolsey / General Manager**

Reference: **A3067284**

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

The purpose of this report is for Council to approve the proposed Long Term Plan (LTP) 2027-37 Project Management Plan (PMP).

2. Recommendations - *Tohutohu akiaki*

1. THAT the Whakatāne District Council **receive** the Long Term Plan 2027-37 Project Management Plan report; and
2. THAT the Council **approves** the proposed LTP 2027-37 project management plan (Appendix 1).

3. Background - *He tirohanga whakamuri*

The Local Government Act 2002 (the 'Act') requires the adoption of a Long-Term Plan ("LTP") every three years and the next LTP will need to be adopted by June 2027. The LTP sets the Council's strategic direction, strategic priorities, work programme and budgets. It includes the Financial Strategy, Revenue and Financing Policy and the Infrastructure Strategy, along with other important services and activities that will guide the District for a minimum of the next ten years.

A briefing was held in February outlining the context for developing the next LTP, including the significance of ongoing local government reforms. It covered the purpose of both the Financial Strategy and Infrastructure Strategy and noted this will be the first time Waters is excluded from the LTP. A separate water services strategy is legislatively required to be developed alongside the LTP.

4. Discussion – *Kōrerorero*

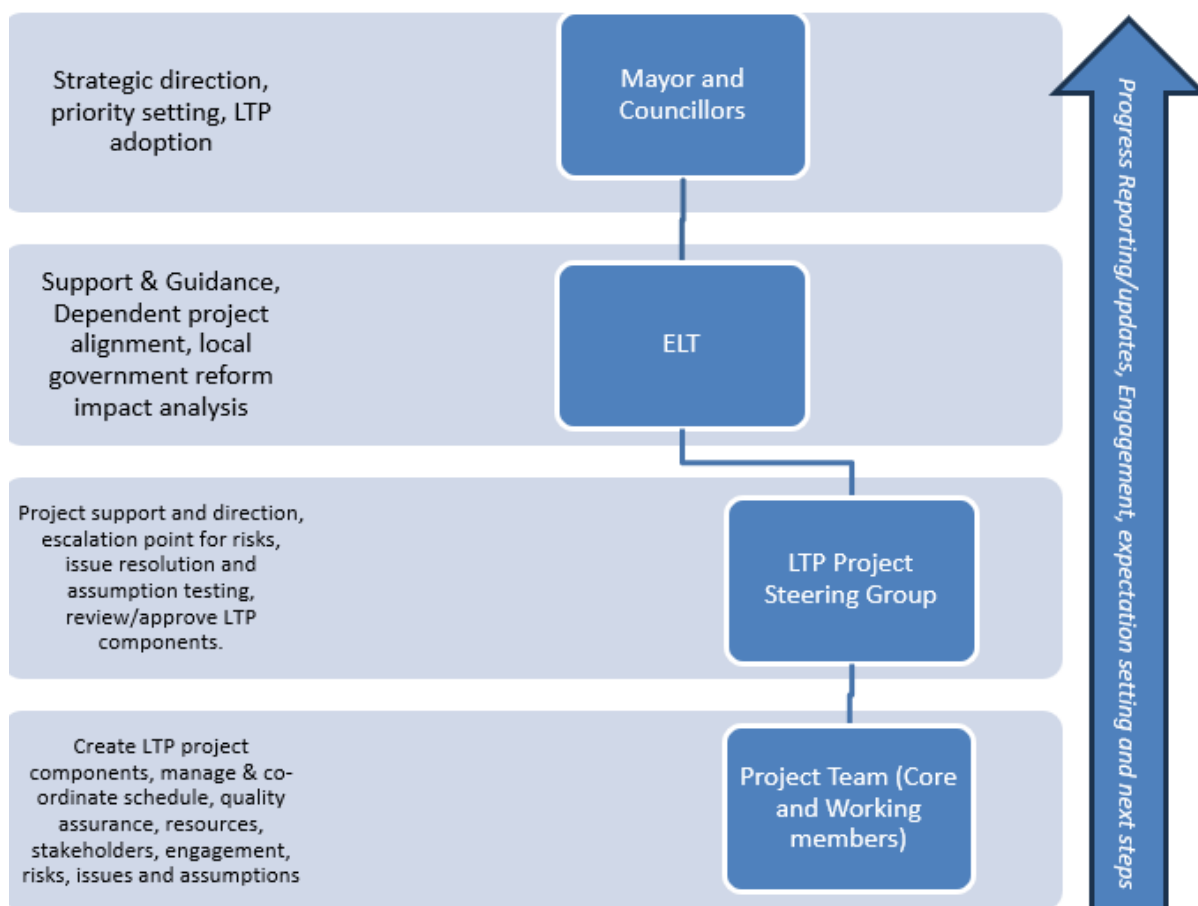
Many interdependent projects will be required to deliver the LTP. The project management plan attached as Appendix 1 outlines for Council the intended approach for managing the LTP project delivery. It has been prepared using the latest Taituarā guidance, uses our project management template from the Aratakina Enterprise Project Management Office (EPMO) suite, and reflects lessons learned from the LTP 24-34 project closure.

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)

Legislation sets out the information that must be included in the LTP, and it will be developed in accordance with these requirements. The LTP will be audited by Council’s auditors, on behalf of the Office of the Auditor-General, to ensure it meets all obligations under the Local Government Act 2002.

4.1. Project Structure

The following diagram outlines the overall project structure. Section 41A(2) of the Act establishes that the Mayor has a role in leading the development of the LTP. The Mayor and Elected Members, as owners of the Long Term Plan, will be engaged with throughout the development process to provide strategic direction, guidance, and decision making. Regular touchpoints will be built into project delivery through Council and Committee meetings, as well as briefings, to provide direction and advice to staff, ensuring the Long Term Plan is fit for purpose and completed by June 2027.



4.2. Project phasing

The LTP project has been broken down into seven phases as follows:

- Phase 1 – Project Initiation
- Phase 2 – Strategic context and direction setting
- Phase 3 – Reviewing key strategies, policies, and plans
- Phase 4 – Reviewing our activities, levels of service, budget, and non-financial performance

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)

- Phase 5 – Consultation
- Phase 6 – Deliberations, finalisation, adoption
- Phase 7 – Project close out

It should be noted that phases overlap and not all milestones will be completed before entering the next phase. For example, the Financial Strategy (phase 3) may not be completely finalised before the Levels of Service reviews begin (phase 4). For a more detailed view of what is included in each phase please refer to 5.0: Project Schedule in Appendix 1.

The following image depicts the key phasing of the project with indicative timeframes.



5. Options Analysis - Ngā Kōwhiringa

No options have been identified relating to the matters of this report. It is a legislative requirement to develop a Long Term Plan.

6. Significance and Engagement Assessment - Aromatawai Pāhekoheko

6.1. Assessment of Significance

The decisions and matters of this specific report are assessed to be of low significance in accordance with the Council’s Significance and Engagement Policy. However, this report is part of a broader process that is, or may be in future, assessed to be of moderate/high significance.

6.2. Engagement and Community Views

The Long Term Plan 2027-37 will be developed in consultation with our communities. A comprehensive communication and engagement strategy will be developed as part of the LTP project delivery.

Council will use the special consultative procedure to adopt the Long Term Plan (Section 93 A and C of the act). Council will also consult on the financial strategy, infrastructure strategy, revenue and finance policy and significance and engagement policy alongside the consultation document itself.

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)

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

Under the Local Government Act 2002, the Council is legally required to prepare and adopt a Long-Term Plan every three years, using the special consultative procedure, ensuring it covers a minimum 10-year period and includes all mandatory content prescribed in Part 1 of Schedule 10.

7.3. Financial/Budget Considerations

There are no budget considerations associated with the recommendations of this report. The budget for the Long Term Plan is outlined in the Project Management Plan, Appendix 1.

7.4. Climate Change Assessment

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

However, the development of the Long Term Plan 2027 – 37 will include the Whakatāne District Council's Climate Pathway, which is intended to shape sustainable, low-emission, climate resilient communities and includes specific targets and actions to work towards.

7.5. Risks

The LTP project management plan (Appendix 1) identifies high-level risks to the project. A more detailed risk register will be developed and monitored by the Project Steering Group (PSG). Any new and/or critical risks will be raised at these monthly meetings.

8. Next Steps – E whai ake nei

- Finalise the Project Management Plan based on any feedback received.
- Complete the communications and engagement strategy
- Develop a detailed project schedule
- Appoint the project team and project steering group
- Establish progress reporting and internal engagement activities

Attached to this Report:

- Appendix 1 -Long-Term Plan 2027-37 Project Management Plan

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



Project Management Plan

Project Name:	Long Term Plan (LTP) 2027-37
Project ID:	TBC by ePMO

Version control

Date	Version	Status	Changes	Author
16/12/2025	1.0	Draft	First draft to ELT	Sarah Ellis
19/02/2026	2.0	Draft	Revised for feedback from ELT, update risks, dependencies and resources. Lessons learned from 2024-34 LTP project incorporated.	Diane Bussey

1.0 General information

1.1 Project overview	
Proposed start date	17/12/2025
Proposed end date	30/6/2027 for LTP Adoption, 31/7/2027 for Project Closure
Project sponsor	Leny Woolsey, General Manager Strategy & Growth
Business owner	Sarah Ellis, Team Leader Strategy
Project manager	Diane Bussey, Project Manager
Business unit <i>Which business unit is funding this project?</i>	Strategy and Growth
Department <i>Which department is funding this project?</i>	Strategic Policy

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



Project location	Whakatāne
Project size <i>Determine with the Size and Scale tool .</i>	Large
Project type <i>Refer to Templates Glossary for definitions.</i>	Strategy
Council strategic alignment <i>Please select one (primary) strategic priority your project aligns with.</i>	<p>Strategic Priorities:</p> <p><input type="checkbox"/> Enhancing safety, wellbeing and vibrancy of communities</p> <p><input type="checkbox"/> Strengthening relationships with iwi, hapū, and whānau</p> <p><input type="checkbox"/> Building climate change and natural hazard resilience, including our infrastructure</p> <p><input type="checkbox"/> Facilitating economic regeneration and responding to development pressures</p> <p><input type="checkbox"/> Shaping a green district</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p>The LTP Project will provide a strategic roadmap for Council, as a basis for strategic alignment once LTP adopted.</p>
Compliance/Legislative obligation	<input checked="" type="checkbox"/> <i>Check box if this project is mandatory due to compliance or legislative requirements. LGA 2002 section 93</i>
Applicable standards and requirements	<input checked="" type="checkbox"/> <i>Check box if this project needs to abide by applicable standards and requirements. Consultation document is subject to audit by Audit NZ.</i>
Council strategies/Action plan	<input type="checkbox"/> <i>Check box if this project needs to abide by any council-specific strategies or action plans.</i>

1.2 Additional project details

Background <i>Briefly describe the context that led to this project, including relevant historical, cultural, and organizational background.</i>	Every three years the Council is required to produce a Long Term Plan (LTP) for a minimum timeframe of 10 years. The LTP sets the Council’s vision, direction, budgets, work plans and levels of service for the next three years. It is a lead Council document and key to our public accountability; it is developed with substantial community consultation and Council regularly report against it via quarterly and annual reporting. The last LTP was completed for 2024-34.
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10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



<p>Project description Briefly describe the project's purpose, what it aims to achieve, and what will be delivered.</p>	<p>The Long Term Plan 2027-37 is a legislated requirement of Council.</p> <p>The LG Act sets out the purpose of a LTP as follows: -</p> <ul style="list-style-type: none"> • describe the activities of the local authority; and • describe the community outcomes of the local authority's district or region; and • provide integrated decision-making and co-ordination of the resources of the local authority; and • provide a long-term focus for the decisions and activities of the local authority; and • provide a basis for accountability of the local authority to the community. <p>The Act also provides that the role of the Mayor is to lead the development of the LTP for consideration by Elected Members.</p> <p>The LTP project has been established to manage and co-ordinate the multiple components of our LTP 2027-37.</p>
<p>Problem or opportunity State the problem or opportunity the project addresses and why it matters</p>	<p>The project provides the opportunity to review/reset strategic direction and priorities with the Mayor and Elected Members, some of whom have not completed a Long Term plan for council previously. These strategic priorities form the basis of Council's work programme for the next ten years.</p> <p>The 2027-37 LTP will be developed in a complex and shifting environment, shaped by ongoing local government reforms, evolving statutory requirements, and a central government election.</p> <p>Key areas of uncertainty include water services delivery, resource management, local government reforms and make for a dynamic context where assumptions will need to be regularly reviewed and tested. The development of the LTP will require adaptability, to ensure its compliant, and aligned, with both community priorities and emerging reforms.</p>

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



<p>Objectives <i>State the specific goals and outcomes the project will achieve, including how it addresses the identified problem or need.</i></p>	<p>The Water Services Strategy will be developed separately, in alignment with the LTP.</p> <p>a) The Council provides collaborative and cohesive strategic leadership and direction for its communities through a well-run consultation, engagement and decision making LTP process.</p> <p>b) The LTP promotes the social, economic, environmental and cultural wellbeing of communities in the present and in the future (in accordance with section 10 of the Local Government Act 2002). Note this may change with the Systems Improvement Bill that proposes changing the purpose of the LGA to focus on pre-defined list of core services.</p> <p>c) The process, outputs and outcomes comply with specific legislative requirements and standards, including adoption by June 2027.</p> <p>d) Projects related to the production of the LTP are integrated and aligned, both in terms of scope and timing. Inputs and outputs, such as specific projects and financial information, is robust.</p> <p>e) Elected members, communities, council staff and stakeholders are kept well informed to enable high engagement and buy-in during the development of the LTP.</p> <p>f) Key proposals, options and trade-offs are clearly identified and explained, enabling decisions that are transparent, well-informed, and robust.</p> <p>g) The project is managed in a way that enables timely and efficient decision-making, so that milestones are completed on time and to budget, and roles and responsibilities and clear.</p> <p>h) The project stays abreast of changing legislation and progresses in parallel and alignment with Waters Services Strategy.</p>
<p>Project scope <i>Consider training, content, processes, policies, and</i></p>	<p>IN SCOPE</p> <p>Legislative requirements include:</p>

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



<p><i>whether the project forms part of a broader delivery</i></p>	<ul style="list-style-type: none"> · Completion date · Council direction setting · Financial Strategy, including financial forecasts and significant forecasting assumptions · Revenue and Financing Policy · Rating Policy · Treasury Management Policy · Development Contributions Policy · Fees and Charges review · Infrastructure Strategy for 30 years (not including Water Services) · Activity management plan and review of Levels of Service · Review of KPI framework and performance measures · Significance and Engagement Policy · Consultation Document <p>Although not a legislative requirement, the project scope includes the publication of an Environmental Scan and the development of a comprehensive Communications and Engagement Plan and collateral.</p> <p>OUT OF SCOPE</p> <p>Development of other plans/strategies, noting they may run in parallel to the LTP process. (e.g. Water Services Strategy, which will be managed as a dependency).</p>
<p>Project benefits <i>Describe the value or advantages the project will deliver during and after implementation.</i></p>	<p>QUANTITATIVE</p> <ul style="list-style-type: none"> • Legislative compliance – components and timeframes <p>QUALITATIVE</p> <ul style="list-style-type: none"> • LTP serves as a strategic roadmap that aligns with legislative requirements and provides a plan for our levels of service the community can expect to receive from us
<p>Assumptions <i>List any conditions or factors assumed to be true for planning and decision-</i></p>	<p>A list of assumptions will be developed as part of the Project Initiation phase. As the LTP project progresses, and legislation is clarified, these assumptions will be tested and confirmed, with any new/changed assumptions added. Ensuring the assumptions are consistently used</p>

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



<p><i>making purposes that are outside the project's direct control.</i></p>	<p>across all LTP components will be managed by the Project Manager. These include the assumptions for dependent projects such as the Water Services Strategy development.</p>
<p>Constraints <i>Outline the project's fixed constraints (e.g., budget, time, resources, regulatory, scope, and technology limits)</i></p>	<ul style="list-style-type: none"> • Legislative and audit timeframes that must be achieved. • Clarity and timing for strategic direction and priorities. • Availability of staff. • Legislation that is in development/consultation, yet to be enacted. More assumptions required for LTP 2027-37.
<p>Dependencies <i>Is this project linked to any other internal/external projects? Which ones?</i></p>	<p>The LTP project has interdependent activities that will either impact our LTP or run in parallel. Regular scans will identify additional dependencies. A non-exhaustive list of dependencies identified at this time, include: -</p> <p><i>Internal Dependencies</i></p> <ul style="list-style-type: none"> • Programme Enterprise -replacement of ERP systems – used to collate, analyse and report LTP components. • LWDW Water Services – the 2027-37 LTP expressly excludes 'Water Services' however some financial implications for Water Services Strategy development based on functional design, services and linkages back to Council, stranded costs and overheads to be considered. • ePMO Gateway implementation – to implement a 'gateway' approach to project prioritisation, potentially impacting key projects for LTP inclusion. • Our Climate Pathway (strategy) – is due for review alongside the LTP. <p><i>External Dependencies</i></p> <ul style="list-style-type: none"> • Local Government reforms - Rate Capping, RMA, Regional Council.

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



	<ul style="list-style-type: none"> • Systems Improvement Bill – may impact LGA service provision - redefining ‘core services’ • NZTA Timeframes <p>All dependencies will be closely managed, by the Project Manager, with regular updates across known dependencies to determine any changes in impacts. The LTP project schedule will be developed considering known dependencies.</p> <p>The Project Steering Group and ELT will be responsible for identifying and advising of any new dependencies or changes to known dependencies.</p>
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2.0 Communication and Engagement, Stakeholders

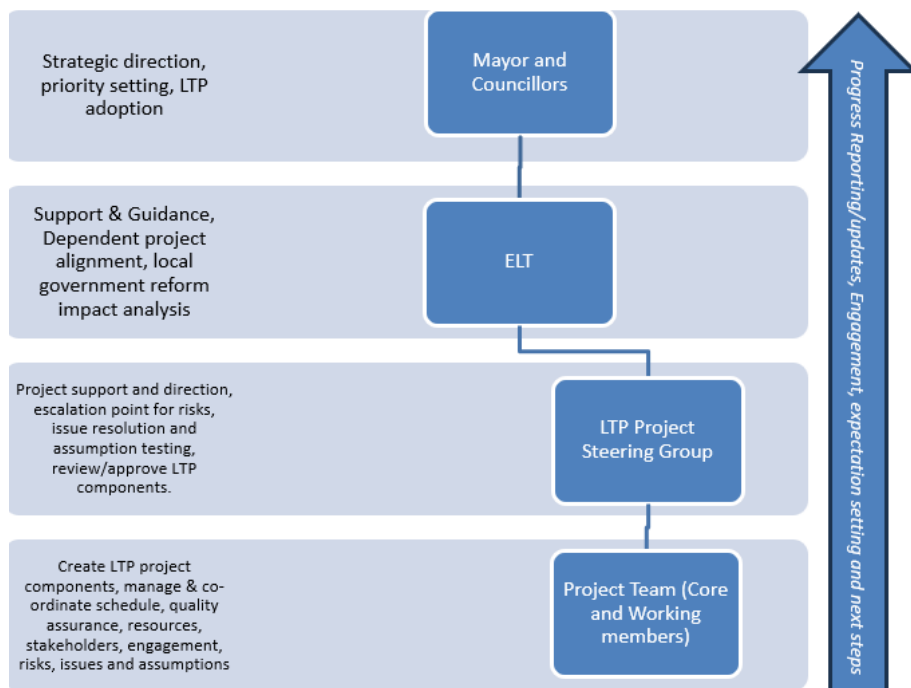
Communications and Engagement Strategy	The Communications and Engagement Strategy is in development. The strategy will outline the approach to how the LTP Project intends to deliver internal and external communications, engagement principles, stakeholder ownership and roles and responsibilities.
Stakeholder Register	An initial list of stakeholders has been identified and will form the basis of a Stakeholder Register
Communications Activity Plans	The Communication Activity plans will document the specific tasks associated with delivering the communications and engagement strategy throughout the lifecycle of the LTP project.

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



3.0 Project Structure and Resourcing

3.1 Project Structure



10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



3.2 Project Resources	
Resource Group (some members may belong to more than one group)	Key Role/Responsibilities
MAYOR AND COUNCILLORS	<ul style="list-style-type: none"> • Provide strategic direction, priorities as basis for LTP development • Provide direction and decision/resolution for the LTP components. • Adopt the LTP
<p>PROJECT STEERING GROUP (Note that all ELT members may become PSG members as the project progresses).</p> <p>Initial PSG Members are: -</p> <p>GM Strategy & Growth, Leny Woolsey (Sponsor)</p> <p>Chief Financial Officer, Paul Davidson</p> <p>GM Planning, Regulatory & Transportation, David Bewley</p> <p>Kaihautu Māori Partnerships and GM Commercial, Hone Patrick</p> <p>Manager Communications & Engagement, Liz Taylor</p>	<ul style="list-style-type: none"> • Provides guidance to the project to ensure that all areas of expertise and business are addressed. • Support decision-making in relation to the delivery of the LTP • Manages relationships with Elected Members • Ensures the quality of information, including technical information • Approves supporting collateral such as communications and engagement material • Supports engagement with Iwi, other stakeholders and the public • Monitors and mitigates risks identified on the risk register • Ensures quantity, capability and capacity of project resources to deliver the LTP • Identifies and informs the project team regarding dependencies and constraints at WDC level that may influence the project • Monitors the performance of the project/working group

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



<p>Waters Transition Director, Nic Johanssen</p> <p>Manager Strategy and Performance, Sarah Stewart</p> <p>Senior Strategic Policy Analyst, Harvey Keravel</p> <p>Team Leader Strategy, (Business Owner) Sarah Ellis</p>	
<p>SPONSOR</p> <p>GM: Strategy and Growth, Leny Woolsey</p>	<ul style="list-style-type: none"> • Overall accountability for the project and is responsible for promoting the project, adequately resourced and ensures the organisation is preparing itself to operationalise the LTP. • The champion for the project – internally with staff, ELT and with the elected members. • Ensures the Mayor and Elected Members are enabled to undertake their leadership role in relation to developing the LTP. • Ensures that there are high standards of project management activities and that they are used to effectively deliver the project to defined expectations.
<p>BUSINESS OWNER</p> <p>Team Leader Strategy, Sarah Ellis</p>	<ul style="list-style-type: none"> • Supports the development of the project approach, ensuring efficient and effective use of available resources • Provides support to the Project Team in delivering the project, resolving issues and mitigating allocated risks. • Ensures the legal requirements of the LTP are met. • Supports the development and delivery of the quality assurance process for the LTP.
<p>PROJECT MANAGER</p> <p>Consultant, Diane Bussey</p>	<ul style="list-style-type: none"> • Manage the project resources to deliver quality deliverables to required timeframes and budget. • Alignment and co-ordination of multiple workstreams and dependencies, identifying and resolving issues. • Project schedule, scope, assumption, risk, issues and action management. • Accurate and timely project reporting.

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



	<ul style="list-style-type: none"> • Supports Project Steering Group, ELT and Council briefings and meetings. • Project team support and management. • Document management.
<p>PROJECT TEAM</p> <p>CORE (Team member for duration of project)</p> <p>Manager Strategy and Performance, Sarah Stewart</p> <p>Team Leader Strategy, Sarah Ellis</p> <p>Manager Financial Planning and Reporting, Kelly Farr</p> <p>Manager People and Capability, Michelle Trudgen</p> <p>Project Manager, Diane Bussey</p> <p>Manager Communications & Engagement, Liz Taylor</p> <p>WORKING MEMBERS (Team members for specific deliverables only)</p> <ul style="list-style-type: none"> • Strategy & Performance team members • Communications and Engagement • Finance • Transportation • All Tier 3 managers • Others (as needed) 	<ul style="list-style-type: none"> • Completes allocated project deliverables and activities as required. • Identifies risks and opportunities in delivery of the project, potential mitigations and controls. • Completes tasks/deliverables to the required quality standard within agreed timeframes. • Supports the resolution of key issues and risks. • Actively participates in project activities and accurately reports and updates the Project Manager on the progress of project tasks and identifies options to resolve impacts of slipping tasks. • Provides key input and consideration of communications with regards to public engagement and consultation.
<p>BUSINESS PARTNERS</p> <p><i>Which business partners are supporting the project? Business</i></p>	<ul style="list-style-type: none"> • Communications and Engagement • Digital Services • ePMO Aratakina Team • Governance Services

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



<i>partners provide additional support functions to ensure project success.</i>	<ul style="list-style-type: none"> • Procurement • Planning and Consents • Toi Kotuia • Water Services Transition Team
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4.0 Business partners

	REQUIRED INFORMATION	DETAILS/LINKS
Communications and Engagement	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Communication & Engagement Strategy <input checked="" type="checkbox"/> Stakeholder Register <input checked="" type="checkbox"/> Communication Activities Plan 	Internal and external communications, Consultation logistics and planning and consultation document
Digital Services	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Digital Requirements Evaluation Checklist <input checked="" type="checkbox"/> System Map (Systems that are intended to be used for the LTP project) 	<i>Provide further context or link documents here</i>
Procurement	<ul style="list-style-type: none"> <input type="checkbox"/> Procurement Plan 	<i>Provide further context or link documents here</i>
Health and Safety	<ul style="list-style-type: none"> <input type="checkbox"/> Health & Safety Management Plan 	<i>Provide further context or link documents here</i>
	<ul style="list-style-type: none"> <input type="checkbox"/> Risk Assessments 	<i>Provide further context or link documents here</i>
	<ul style="list-style-type: none"> <input type="checkbox"/> Overlapping Duties Form 	<i>Provide further context or link documents here</i>

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



Toi Kōtuia	<input checked="" type="checkbox"/> Iwi Engagement Plan	To be incorporated into the Communications and Engagement Strategy, Stakeholder Register and Communication Activity Plans.
Governance Services	<input checked="" type="checkbox"/> Council/Committee Members group <input checked="" type="checkbox"/> Te Reo translations /support	<i>Provide Council/Committee member details here</i>
	<input checked="" type="checkbox"/> Key Dates for Council Decision <input checked="" type="checkbox"/> Key Dates for Council Briefings	<i>Include key dates when updates or decisions need to be presented to council or committees</i>
	<input type="checkbox"/> Terms of Reference	<i>Provide further context or link documents here</i>
Planning and Consents	<input checked="" type="checkbox"/> Planning Assessment	Local government reforms – RMA, Regional Council etc re impacts for LTP project.
Other	<input checked="" type="checkbox"/> Water Services Transition Team	Information sharing.

5.0 Project schedule

A detailed schedule will be developed with those resources completing the work once appointed.

Workstreams <i>Distinct groups of related activities within a project</i>	Deliverables <i>The specific item or product completed at a milestone</i>	Outcomes <i>The result or benefit achieved by completing the deliverable.</i>	Start date	End date
1. Phase 1: Project Initiation	Draft PMP to ELT ELT Briefing -Feb 2026	Council has a structured, transparent process	17/12/2025	31/03/2026

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



	Project Management Plan to Council – March 26	for the development of the LTP.		
	Initial discussions with Audit NZ	Environmental scan provides Council with a clear understanding of external, internal trends, risks and opportunities that will inform strategic priorities and decision-making for the LTP.		
	Environmental Scan			
	Comms & Engagement Strategy			
	Appoint project resources, meeting logistics established			
2. Phase 2: Strategic Context and Direction setting	Strategy Stocktake	Council understands all current strategies/plans and their alignment with strategic priorities	5/1/2026	30/11/26
	Council workshop to review current outcomes and priorities and confirm strategic direction (Vision, Community Outcomes, Strategic Priorities)	Clarity on Council strategic priorities and direction as the basis for LTP components.		
	Assumptions	Use of assumptions tested and confirmed as basis for developing LTP components.		
3. Phase 3: Reviewing key strategies, policies and plans	Financial Strategy	Agreed basis for developing LTP budgets and modelling processes	23/2/2026	31/12/2026
	Infrastructure Strategy			
	Asset Management Plans			
	Significance and Engagement policy			
	Revenue and financing policy			
	Development Contributions policy			

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



	Prioritised Capital programme				
4.	Phase 4: Review Activities, level of services, budgets and non-financial performance	Level of Service review, group of activities review, Activity management plans Performance information review	Detailed plans on delivering strategic priorities and performance management	1/6/2026	31/12/2026
5.	Phase 5: Consultation	Consultation document Audit Supporting Information Council approves Consultation document Consultation period	Community feedback on proposed LTP	1/11/2026	31/3/2027
6.	Phase 6: LTP Deliberation, finalisation and adoption	Submission Management Hearings Submission analysis Workshop submissions and budget impacts Telling our Story Council adopt LTP and all components (budget, strategies, policies and performance management)		20/04/2026	30/06/2027
7.	Phase 7: Project Close Out	Documentation Lessons Learned Finalise all registers Transition to BAU		01/06/2027	31/07/2027

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



Communications

6.0 Risks and mitigations

A complete list of Risks will be documented and managed within the RAID (Risks, Assumptions, Issues, Decisions) log, as part of One Plan support.

Risk Name <i>Short, descriptive title for the risk.</i>	Description <i>Brief explanation of the risk and its potential impact.</i>	Inherent Risk Rating <i>The risk level before controls.</i>	Mitigation <i>Actions taken to reduce the likelihood or consequence of the risk.</i>	Residual Risk Rating <i>The risk level after controls</i>
Inadequate project resourcing	There is a chance that resources are unavailable or uncommitted to complete the project within legislated timeframes leading to delays in adopting the LTP with reputational risk for council, as well as issues for time bound operational decisions, such as initial rates strike.	High	<ul style="list-style-type: none"> • Clarity on ownership/accountability for all project tasks/activities including expected and agreed timeframes with those completing the work. • Applied project management methodologies, including resource, risk and schedule planning/management. • Use of Project Steering Group for escalations of unresolved issues. 	Medium
Local Government reform environment impacting LTP timeline	There is a chance that Government election (Nov 2026) and central government reforms for local government lead to completed LTP components being unwound and creating additional work with consequence of schedule delays.	High	<ul style="list-style-type: none"> • Monitoring external environment • Build contingency/flex into project schedule and manage • Follow Taituara Guidance • Document all assumption and regularly test against known factors. Test 	High

economic projections/assumptions before key decision points.

<p>Transitioning Water Services</p>	<p>There is a chance that the work and timeframes to transition Water Services do not align with the LTP Project, leading to a high level of assumption, misaligned documentation (different stories) or reworked assumptions being required, impacting timeframes.</p>	<p>High</p>	<ul style="list-style-type: none"> • Close working relationship with Water Services Transition Director, Programme Manager for regular updates • Regularly testing assumptions with the Water Services transition team • Regularly aligning schedules and managing any gaps 	<p>Medium</p>
<p>Internal dependencies</p>	<p>There is a chance that an unrecognised impact occurs between dependent projects, leading to resource and schedule delays, or additional information that arrives late leading to disconnection, rework, false assumptions or revised assumptions impacting timelines.</p>	<p>High</p>	<ul style="list-style-type: none"> • PSG/Sponsor and Business Owner to be aware of other initiatives that may impact LTP. • Key project governance members nominated to LTP Project Steering Group. • Known dependent projects are noted and dependencies managed. 	<p>Medium</p>
<p>Audit requirements</p>	<p>There is a chance that there are misunderstandings of audit requirements leading to delays in consultation or final adoption.</p>	<p>Medium</p>	<ul style="list-style-type: none"> • Relationship Owner appointed for Audit, who manage and liaise with Audit – regular engagement established and maintained • Clarity on what is required for audited LTP artefacts, with related reviews added to project schedule 	<p>Medium</p>

			<ul style="list-style-type: none"> • Clear timelines indicated within project schedule for quality assurance/independent staff reviews of key documents. • Clarity on audit requirements, team focus on meeting deadlines. 	
Capabilities and knowledge base	There is a chance that the project team (some of whom have not delivered an LTP previously) will not have sufficient knowledge and experience required, leading to inefficiencies with tasks taking longer to complete, rework or tasks not correctly sequenced.	Medium	<ul style="list-style-type: none"> • Utilise the LTP knowledge within WDC for quality assurance, internal reviews and governance support for the project • Review and apply the improvement opportunities from LTP 2024-34 Lessons Learned process • Follow Taituara advice • Regularly catch up with LTP forums 	Low
Capacity to deliver	There is a chance that the required business partner support is not available when required (Strategy, Finance, Comms), or key roles leave council, or BAU responsibilities take precedence over the project leading to a loss of key information, process and approach causing time delays.	Medium	<ul style="list-style-type: none"> • Resource Planning to provide updates on resources required. When and for how long • Ensure adequate resources and staff backup for key roles, any gaps identified early and managed. • Escalation of resourcing issues to Sponsor/PSG early. 	Medium

Insufficient or reduced quality of feedback from LTP engagements

High volumes of submissions, engagement fatigue of community and council resources leads to short cuts in analysis and impacts on valuable consultation feedback reducing value of LTP as a strategic roadmap.

Medium

- Quality engagement activities are planned and managed within project schedule, along with required resources
- Analytical process of submissions is scheduled
- Investigate a fit for purpose submission tool in place for the LTP (to be trialled on other consultations)

Low

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)



7.0 Project budget

Approved project budget	\$245,000 (for the period to June 2027)	
Budget / job code/s	L30102*000	
Budget breakdown	A detailed time-bound project will be developed with Finance Business Partner as part of Project Initiation phase. Audit costs are not included. No recoveries for Business Partner support included.	
Source of funding <i>Please identify where your funding is coming from. Use the options below for Capex and Opex funding. If you have external funding or choose "other", please note where you are receiving it from</i>	CAPEX FUNDING	OPEX FUNDING
	<input type="checkbox"/> Rates <input type="checkbox"/> Debt <input type="checkbox"/> Development Contributions <input type="checkbox"/> Subsidies <input type="checkbox"/> External <input type="checkbox"/> Other	<input type="checkbox"/> Rates <input type="checkbox"/> Debt <input type="checkbox"/> Development Contributions <input type="checkbox"/> Subsidies <input type="checkbox"/> External <input type="checkbox"/> Other
Expected cost allocation		
Opex spend description	<i>What is the Opex spend being used for? e.g salary, subscriptions</i>	
Capex forecast (\$)*	Financial Year	\$Amount
Opex forecast (\$)*	Financial Year	\$Amount
	FY 25/26	\$61,000
	FY 26/27	\$184,000
	TOTAL	\$245,000

10.1 Long Term Plan 2027-37 Project Management Plan(Cont.)**8.0 Reporting**

Report type	Description	Frequency	Audience	Format	Responsible
Project status report	Provides an overview of progress, risks, and budget	Monthly (frequency to increase as work progresses)	PSG and ELT	<i>PDF document generated from OnePlan</i>	Diane Bussey
Project update	Provides a summarised version of project status, key risks and issues, what to expect.	Quarterly (frequency to increase as work progresses)	Elected Members	Standard template	Leny Woolsey

9.0 Acceptance

Role	Name	Title	Date
Business owner	Sarah Ellis	Team Leader, Strategy	
Sponsor	Leny Woolsey	GM Strategy and Growth	

10.2 Approval of the Draft Annual Plan Budget for 2026/27

10.2 Approval of the Draft Annual Plan Budget for 2026/27



To: **Whakatāne District Council**
Date: **Thursday, 5 March 2026**
Author: **E Fenton / Senior Strategic Advisor**
Authoriser: **L Woolsey / General Manager Strategy and Growth**
Reference: **A3067828**

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

This report seeks the Council's approval of the proposed draft Annual Plan 2026/27 budget.

The report also seeks the Council's approval not to consult on the draft Annual Plan budget for 2026/27, noting that an information campaign will be undertaken to ensure that the community is informed on the direction of the Annual Plan 2026/27 budget and activities.

2. Recommendations - *Tohutohu akiaki*

1. THAT the Council **receives** the report 'Approval of the Draft Annual Plan budget for 2026/27';
2. THAT the Council **notes** that cost reductions and adjustments to fees and charges have resulted in a reduction in the rate requirement of approximately \$1.35 million (approximately 1.7% in rates revenue), including \$623K in operating costs and fees and charges adjustments and a further \$725K in inflation savings;
3. THAT the Council **approves** the recommended option (balanced budget with managed contingency) for the Annual Plan budget for 2026/27, which maintains the average rates increase at 9.4% as set out in the Long Term Plan and utilises cost reductions to reduce the operating deficit by the equivalent of 1% rates revenue with the remainder used for a managed contingency fund;
4. THAT the Council **approves** that formal public consultation on the draft Annual Plan 2026/27 is not required;
5. THAT the Council **notes** that a public information campaign will be delivered to provide key messages to the community about the draft Annual Plan budget for 2026/27;
6. THAT the Council **notes** that fees and charges are currently being reviewed and will incorporate inflationary changes;
7. THAT the Council **notes** that further reports on Rex Morpeth Recreation Hub, Waste Levy funding, Whakatāne I-site, License Plate Recognition Vehicle, Ngā Tapuwae o Toi walkway, and the transition to an Independent Business Unit as part of Local Water Done Well will be prepared for Council's consideration;
8. THAT the Council **directs** staff to obtain cost estimates and to develop a plan for the dredging of the Whakatāne River navigation channel to be considered as part of the final Annual Plan 2026/27; and
9. THAT the Council **notes** that the final Annual Plan 2026/27 will be provided to Council for adoption before 30 June 2026.

10.2 Approval of the Draft Annual Plan Budget for 2026/27(Cont.)

3. Background - *He tirohanga whakamuri*

Under the Local Government Act 2002 (LGA), the Council is required to adopt an Annual Plan for 2026/27 by 30 June 2026 in order to strike rates for 1 July 2026 – 30 June 2027.

The Annual Plan 2026/27 is the budget update for the third year of the Council's LTP 2024-34. The purpose of an Annual Plan is to allow for variations to a Long Term Plan (LTP); outline the proposed annual budget and funding impact statement for the year; provide integrated decision making and co-ordination of the resources of the Council; and, contribute to the accountability of the Council to the community.

If proposed variations for 2026/27 are not of a significant or material magnitude compared to the LTP, formal public consultation on the Annual Plan is not automatically required (Local Government Act, 2002 section 95(2A)).

3.1. Approach to the 2026/27 Annual Plan

On 4 December 2025, Council received a report outlining options for budget development for the Annual Plan 2026/27. At this meeting Council requested staff to identify further cost reductions of approximately \$790K. It was also noted at this meeting that any additional cost reductions identified would be reported back to Council in early 2026 with options for reducing rate increases and/or reducing the operating deficit.

On 4 February, during a council briefing, Council were presented with a refined budget highlighting a reduction in the rate requirement of approximately \$1.35 million, including \$623K in operating costs and fees and charges adjustments and a further \$725K in inflation savings. This corresponds to the equivalent of approximately 1.7% in rates of the previously proposed rates increase for Year three of the LTP. Options for applying cost reductions were discussed and guidance on how Council wishes to apply cost reductions was received.

This Council report requires a formal decision from Council to approve the draft annual plan budget for 2026/27 and a decision on how Council wishes to apply cost reductions to enable further development of the Annual Plan 2026/27.

4. Discussion – *Kōrerorero*

4.1. Staff actively identified cost reductions from what was approved in year three of the 2024-34 LTP (equivalent reduction in the rate requirement of approximately 1.7% = \$1.35 million) from the following areas:

- \$623K in operating costs and fees and charges adjustments
- \$725K in inflation savings
- Removal of approved FTE roles for year 2026/27
- Other line by line savings.

There are no significant changes proposed to the Long-Term Plan priorities and deliverables, although some necessary adjustments to the budget for year three have been included.

A high-level financial summary of key changes from year three of the LTP to the draft Annual Plan 2026/27 is shown in *table one* below. Budget changes for the year 2026/27 are further detailed below in this section.

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*Table one: Current high level financial changes – *debt figures may be subject minor change once financial statements are finalised.*

	2026/27 LTP (Year 3)	2026/27 Annual Plan
RATES	9.4%	9.4%
DEBT	239.3M	232.3M
CAPEX	59.08M	52.9M
Net Debt to Total Operating Revenue	198%	203%

4.2. Further progression to a Balanced Budget

At the time of adoption, the 2024-34 Long-Term Plan (LTP) included an average rates increase of 9.4% in year three to maintain activities and levels of service. Despite this increase, Council is still forecasting an operating deficit for the 2026/27 year. This deficit means the Council must continue borrowing each year to fund operational costs—an approach that is not financially sustainable.

The balanced budget deficit stems from decisions made during the COVID19 pandemic, when rates increases were deferred over several years to support the community through economic hardship. The cumulative impact of these lower than required increases, combined with high inflation and rising interest costs, has resulted in a significant operating deficit.

During LTP consultation, the community indicated support for a six year deficit recovery plan to minimise the immediate impact on ratepayers. The six year period aligned with the timing of loan drawdowns needed to cover operating deficits, with a planned 25 year loan repayment term. As part of the 2025/26 Annual Plan, this repayment term was reduced to 10 years, which was expected to save the community more than \$24 million in debt servicing costs.

While savings with a rating impact of around 1.7% have been identified through the review of the 2026/27 LTP budgets, a balanced budget has not yet been achieved. These savings, and savings achieved through the 2025/26 Annual Plan, have been offset by the additional depreciation funding required following the 2025 roading revaluation.

It is proposed that where possible any savings achieved continue to be applied to progressing a return to a balanced budget as soon as possible. This would mean holding the average rates increase at a 9.4% and applying some of this funding toward the operating deficit to achieve a balanced budget sooner than forecast.

Any progress toward a balanced budget will place us in a better financial position ahead of potential Central Government legislation changes to implement rates capping in 2029.

4.3. Work programme and budget variances from the Long Term Plan

As part of the Annual Plan development process a number of activities and associated budgets have been identified that are either no longer required for 2026/27 or need to be varied within the budget and work programme.

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An overview of these key changes is included in the tables below.

4.3.1. Operating expenditure variances

The draft budget presented to Council on 4 December 2025 included cost increases that equated to an approximate projected average rate increase of 2.5%. These costs were largely offset by savings already identified through the 2025/26 Annual Plan process, as well as additional savings following a detailed review of 2026/27 budgets maintaining the average rate increase of 9.4% forecast in the LTP.

Council direction following the meeting was for staff to identify further savings. Table two outlines these additional savings, totalling \$786,687.

After adjusting for activities that are not rates funded (such as Ports and the Holiday Park) the savings equate to a 0.9% overall reduction in the rate requirement.

Table two: Operating expenditure variances

Activity Group	Activity	Indicative variance (\$)
Various **	Increase to fees across multiple activities based on prior year actuals	(208,000)
Building & Resource Management	Minor expenditure adjustments over various cost classifications	(61,000)
Corporate Services	Increased expenditure for valuations and audit fees (LTP year)	154,000
Corporate Services**	Additional penalty revenue to align with prior year actuals	(120,000)
Corporate Services	Implementation of Growth Strategy, included in 2026AP after review, but omitted from V1	84,000
District Partnerships	Expenditure adjustments over various cost classifications	(112,000)
Ports & Harbours	Minor expenditure adjustments over various cost classifications	(43,713)
Strategic Property **	Increase fees and charges based on prior year (Harbour Leases); no rating impact	(107,789)
Stormwater	Minor expenditure adjustments over various cost classifications	54,900
Transport Connections	Savings are predominantly in Special Purpose Road (\$867k) and Local Roads (\$177k) to align with NZTA funding. Special Purpose Roads	(1,082,939)

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Activity Group	Activity	Indicative variance (\$)
	are 100% funded by NZTA, Local Roads are 65% funded by NZTA, therefore subsidy revenue has also been adjusted. Only the non subsidised portion of these savings will impact rates.	
Transport Connections	Reduction in NZTA funding as above	982,254
Waste Management	Minor expenditure adjustment	72,000
Wastewater	Minor expenditure adjustments over various cost classifications	(42,400)
Water Supply	Predominantly contract costs (\$120k)	(142,200)
Overall Salary Adjustment	Reflects change in FTE plus some minor corrections to V1 budget	(213,800)
Total Opex Changes vs V1*		(786,687)
Adjust for items with no rating impact (eg Ports & Harbour/Harbour Leases/Holiday Park)		(163,687)
Adjusted Rate Requirement		(623,000)
Rating Impact of Changes		-0.9%
<p><i>() denotes a reduction in the rate requirement</i></p> <p><i>* not all savings have a rating impact</i></p> <p><i>** revenue increase shown as savings as it reduces rate requirement</i></p>		

4.3.2. Capital expenditure variances

Capital expenditure for the Draft 2026/27 Annual Plan is \$52.98m compared with \$59.08m forecast in the 2027 LTP. Table three shows significant capital variances by Activity Group compared to year three of the LTP. The \$6.1m reduction in capital expenditure includes items in the table below as well as inflationary adjustments.

Table three: Capital expenditure variances

Activity Group	Activity	Indicative variance (\$)
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Transportation connections	Transportation projects adjusted to align with NZTS funding and additional emergency projects.	(1,084,000)
Wastewater	Timing of Matatā Wastewater and Whakatane Resource Consent and Whakatane Wastewater Treatment Plant upgrade projects.	(8,100,000)
Water supply	Timing of Water supply projects in particular: <ul style="list-style-type: none"> · Keepa Road Water Main · Whakatane Treatment Plant Upgrade · Equalised Water Storage · Murupara Water Take Consents 	(1,460,000)
Economic Development	Floodwall Integration Project <ul style="list-style-type: none"> · Overall budget increased by \$3.79m to reflect additional funding approved by DIA · 2028 LTP budget brought forward to 2027 \$1.1m 	4,860,000
Community facilities	Rex Morpeth Hub Functional Upgrades brought forward from 2027/28 (tentatively included in this budget version, but pending Council approval)	2,263,000
Parks & Reserves	Walking and Cycling project removed (100% subsidy funded, no subsidy confirmed)	(82,000)
Other	Reduction in Fleet renewals	(500,000)
Stormwater	Edgecumbe Stormwater Study	(67,000)

4.4. Review of proposed FTE for year three of the LTP

The tables below outline the additional roles approved for year three of the LTP 2024-34 (Table 4) and changes proposed for the Draft Annual Plan 2026/27 (Table 5).

In preparing the draft budget for the Annual Plan 2026/27, management reviewed all FTEs. This resulted in removing the originally planned 13 FTE approved for year three of the LTP and a further six vacant FTE's. It also introduced three new FTE which management identified as a priority for the business.

Table four: Additional FTE approved for Year three of the 2024-34 LTP during the development of the 2025/26 Annual Plan

Department	LTP Year 3
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Libraries, Galleries and Museums	+1.0
Community Regulation	+2.0
Digital Services	+1.0
Finance	+1.0
Human Resources / H&S	+1.0
Legal	+1.0
Māori Partnerships	+2.0
Parks & reserves	+1.0
Transport	+1.0
Three Waters	+1.0
Totals	+13

Table five: Proposed adjustments for the Annual Plan 2026/27

Department	Proposed Annual Plan 2026/27
FTE approved for Year three of the planned for Year three 24-34 LTP during the development of the 2025/26 Annual Plan	-13.0
Libraries, Galleries and Museums	-1.0
Resource Consents	-1.0
Community Regulation	-1.0
Digital Services	-1.0
Finance	+1.0
Legal	+1.0
Tourism & Events	-1.2
Three Waters	-1.0
	+1.0
Totals	-16.2

4.5. BERL inflation rates

Inflation adjustments in the Draft Annual Plan 2026/27 have been updated using the latest BERL Local Government Cost Index (LGCI). These revised forecasts have resulted in a reduced overall rating impact of approximately \$725,000 (approximately 0.8% reduction in the overall rate requirement).

The LGCI provides councils with inflation projections tailored to the mix of goods and services typically purchased by local authorities. Its purpose is to offer a robust estimate of expected cost increases under current macroeconomic conditions.

While valuable, the BERL adjustors carry a degree of uncertainty. This is due to limitations in the underlying data and the complexity of forecasting inflation for local government. In some cases, BERL must draw on national level data that may not accurately reflect local cost pressures. Additionally, the weighting of cost components can become outdated over time, particularly when council priorities, capital programmes, or service delivery models shift. Together, these factors introduce risk and unpredictability into future cost projections.

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4.6. Managed contingency fund

To recognise and manage this uncertainty, a managed contingency fund could be established. This would be overseen at a whole of Council level by the Executive and applied where inflationary savings do not materialise as forecast. If the contingency is not required, the resulting savings could support achievement of the balanced budget.

4.7. Rates Capping

The emerging rates capping legislation will aim to limit the annual council rates increases to a target band (currently signalled at 2–4% per capita per year excluding waters), with the ability for councils to achieve flexibility through exemptions in extreme or infrastructure-critical circumstances.

The policy focus is in response to growing concern over affordability for households, whilst seeking to steer councils in the direction of maintaining essential services and investment in long-term infrastructure. Councils will be required to factor the rates cap into long-term planning from 2027, with full regulatory implementation expected by 2029.

Central government recently consulted on the rates capping proposal with submissions closing in February 2026. This legislation is still to be developed but it is expected prior to the next central government election. Staff are considering approaches for the upcoming Long Term Plan to ensure the best way to transition to a new environment which includes rates capping.

4.8. Further considerations

In preparation of the Draft Annual Plan Budget, staff have outlined topics below that will require further decision making and implementation alongside the process of the Annual Plan development, before adoption and striking the rates prior to 30 June 2026.

4.8.1. *Rex Morpeth Recreation Hub*

The Rex Morpeth Recreation Hub project team has reviewed phasing of existing functional upgrades to ensure best alignment with the anticipated construction programme of these approved works. As a result, the project is seeking to advance \$2.263m of the 2027/28 Phase 1 Functional Upgrade funding into 2026/27 (advancement of Year four funding of the LTP to Year three) to support efficient delivery of the associated War Memorial Hall functionality, accessibility, and health and safety improvements.

As discussed at the 25 February Council briefing, there may be an opportunity to achieve further efficiencies by delivering the wider War Memorial Hall restoration - with placeholder funding under the Phase 2 Rex Morpeth Recreation Hub budget in 2028-2030 - as a single construction programme alongside the Functional Upgrades works. However, design, construction costings, and construction scheduling are not yet sufficiently advanced to confidently recommend further funding rephasing at this time.

Further analysis will be undertaken, including any potential impacts on current budget phasing. This analysis and options will be brought back to Elected Members for consideration later in the year.

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4.8.2. Waste Levy Funding

Under Section 31 of the Waste Minimisation Act 2008, Whakatāne District Council receives a share of the total money collected nationally through the waste levy, administered by the Ministry for the Environment. The waste levy received is respective of a financial year, and is calculated by the levy collected, levy refunded, and the population.

In 2021, there were changes made to the levy in which the levy for class 1 landfills (those accepting household/municipal waste) increased from \$10 to \$20/tonne. From there, yearly increments increased with the cost being \$65/tonne 1st July 2025, increasing to \$70/tonne 2026 and \$75/tonne 2027. In addition, further levies were applied to other landfills (such as class 2-4 landfills).

The increases in the levy and expansion of the levy coverage led to an increased waste levy received by most councils. This has increased the funding available for waste minimisation activities. Currently the Council is not spending all of its levy and maintains a reserve for significant investment into facilities that target waste minimisation.

Section 32 of the Waste Minimisation Act 2008 outlines how Council can spend the levy funds stating:

“a) On matters to promote or achieve waste minimisation; and

b) In accordance with its waste management and minimisation plan.”

Every six years Council reviews and updates the Waste Management and Minimisation Plan (WMMP). The Council’s next review of the WMMP will begin this year with completion planned for 2027. In the meantime, staff have identified that an amendment could be made and consulted on within the current WMMP Action Plan to utilise the waste levy funding.

Staff will look to present a paper to Council at the end of March/April to outline details and requirements of a specific and targeted consultation in order to make changes to the current WMMP Action Plan. The Solid Waste team is currently going through a managerial change and will identify a suitable percentage of funds from the Waste Levy received that could be utilised to reduce targeted rates specific for kerbside recycling collection (this is a service that minimises waste and is utilised by all residents within the District).

4.8.3. Whakatāne i-Site

Staff are currently investigating options for alternative premises for the I-site or co-location options within the current site, with the aim to reduce operating expenditure. A further report to Council with options and detailed costings will be provided in the next few months.

4.8.4. License Plate Recognition Vehicle

Our Compliance Team are facing increasing risk when carrying out their duties, especially in relation to parking enforcement. Staff investigated and propose the introduction of a license plate recognition system that allows a vehicle to be fitted out with a camera and software system to record licence plate numbers and to be able to determine those vehicles that have been parked over the restricted time period. This initiative follows the lead of other councils. This recommendation comes after conducting a successful trial between April - May 2025. The trial in Whakatāne operated for a total of 22 days and, although no actual tickets were issued, proved successful in terms of reducing incidents with staff, being efficient in monitoring the patrolled areas, and in identifying vehicles parked for longer than the permitted time. The trial highlighted other benefits such as increasing patrol range, and allowing staff additional time to respond to Bylaws enforcement work.

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Over recent years, the parking enforcement activity has increasingly operated in deficit. Although the Revenue and Financing Policy require that 100% of the activity's costs be recovered through associated infringements, the actual recovery rate has been declining—dropping from 75% in 2022/23 to just 59% in 2024/25.

Costs associated with the license plate recognition vehicle would include costs to set up the vehicle and manage the subscription of the required software and ticketing system. Staff will continue to investigate options and will bring a full report to Council for consideration.

4.8.5. *Toi's Track*

At the Project and Services Committee on Thursday 19 February, Council agreed to invite the community to put forward proposals to repair and re-establish the Ngā Tapuwāe o Toi walkway between West End, Ōhope and Ōtarawairere, or to explore the development of alternative routes.

The decision on community proposals will require significant consideration in terms of how Council will oversee the operation such as providing additional Opex budget for a role of volunteer liaison to co-ordinate potential projects and ongoing maintenance. Further decisions will be made when further direction is provided to Council.

4.8.6. *Transition to an Internal Business Unit – Local Water Done Well*

The Council decided in June 2025 that water services should be delivered by a stand-alone ring-fenced business unit, while continuing to work collaboratively with neighbouring councils to further investigate the benefits of a Multi Council-Controlled-Organisation (Multi-CCO). The transition to an Internal Business Unit is complex and requires multiple workstreams. An assessment of the need for additional resourcing is required, including what current services need to be transitioned to the new business unit, for example digital and financial services.

4.8.7. *Whakatāne Yacht Club dredging*

Whakatāne Yacht Club (WYC) presented at the public forum on 4 December 2025 requesting Council dredge the navigable channel between Otuawhaki (Green Wharf) and the Yacht Club marina poles in order for WYC to complete their four yearly dredging of their facilities marina. WYC noted that this has not been able to occur due to *“insufficient depth in the adjacent harbour navigation channel for the dredging plant to access the facility”*.

The location of dredging requested falls outside of the area currently dredged on a regular basis within Council's operations. Dredging of the harbour is under the Ports Operational Plan 2010. This states that the Council may undertake dredging, but it is subject to equitable cost recovery where access to a private facility is being maintained. The WYC's position is that it expects Council to fully fund the dredging and they are not prepared to contribute.

Previously, WYC made an unsuccessful application to Council in the 2024-34 LTP process for funding this work.

Funding of dredging

Council may have funded dredging of areas outside the main river channel in the past upon specific request. However, given there is no budget for this activity, the cost of dredging is much more expensive today, it cannot be covered from existing budgets and it was declined by Council in the LTP process, staff have been unable to continue this. It is also considered a significant cost given that

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the benefit would be received by only a small portion of ratepayers (mostly the yacht club members).The request by WYC comes with the expectation that the dredging is fully funded by Council through the Ports Operational Plan 2010. In 2025, WYC provided a quote of \$360,000 for Suction Cutting dredging as their preferred method, although ongoing costs are as yet undetermined. Staff are currently working with WYC to gather further information on the actual costs associated with the entire operation (including conducting a survey of the area) as well as providing Council with the ongoing costs that may be required.

The Council's Ports Operational Plan (including the financial implications of the plan) is being reviewed in 2026 and will be addressing Council obligations, boundaries and the balance between user fees and rates funding.

Further work required

Before an options analysis can be put forward to Council, staff will need to identify additional implications, including:

- The appropriate dredging required.
- How often this would be required and what is reasonable within the Council's Ports Operational Plan, particularly with the anticipated implementation of rates capping.
- Engagement with iwi and hapū.
- The associated risks impacting the dredging location over time, including weather events and movement of the river.

Harbour Fund

The Harbour fund is a reserve generated from the harbour leases and is used for harbour purposes (including improvements on former harbour board properties) . The Harbour fund is a possible source of funding to support the request from WYC. Were the activity to be funded from the reserve, it would likely result in an increase in debt as external debt would be required to fund operational costs above the Harbour Reserve.

If dredging in this specific area were repeated, with associated recurring cost, it would require decision-making from Council on how this cost would be recovered i.e., increased user fees or an increase in rates. Therefore, any discussion around rates funding for harbour activities needs to be considered in context of the legislation to introduce rates capping. In addition, Council is continuing to progress work on the commercial management of its former harbour board properties so there are potential uncertainties around future harbour fund reserve revenue.

Next Steps

Staff will bring a paper to Council that will provide the required cost estimations, and appropriate plan development for the dredging of the Whakatāne River navigation channel in order for a decision to be considered as part of the final Annual Plan 2026/27.

4.9. No formal consultation required on Annual Plan

Formal consultation on the Annual Plan is not legislatively required unless proposed budget changes are significant, or material compared to the content of the LTP (LGA s95(2A)). More information on this is included in the section 6 of this report. For the options presented to Council, these will not require consultation for the 2026/27 Annual Plan.

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The cost of formal consultation can at times outweigh the benefit. Formal consultations can incur significant costs when taking into consideration all of the resourcing required. Although formal consultation will not take place, a public information campaign will be planned. The focus of the engagement campaign will be to ensure our community has clear and accessible information about key decisions and financial considerations. Staff will work to identify and develop the information required for the campaign centred around key themes presented in the Annual Plan document.

A mix of digital channels, including social media, website updates, and targeted email communications, will be used to ensure broad and effective community reach.

5. Options Analysis - *Ngā Kōwhiringa*

5.1. Option 1: Balanced Budget with managed contingency fund – (Recommended option)

- Average rates increase of 9.4%, and reduce the operating deficit by the equivalent of 1% rates revenue with the remainder used for a managed contingency fund.

Advantages	Disadvantages
<ul style="list-style-type: none"> • The average rate increase is consistent with the approved 2024-34 LTP • A developed contingency fund would build financial resilience for Council. Allowing the ability to absorb unexpected inflation increases in project and operating costs without needing to take on additional debt or cut planned work once rates are set. • Reduction to the operating deficit helps reduce reliance on borrowing and supports long-term financial interest occurred over time • Lowering the operating deficit puts council in a better position for rates capping 	<ul style="list-style-type: none"> • Limits available funding for improvements to other services or infrastructure with higher average rates increase • Slower reduction of the operating deficit in comparison to applying the full amount of saving (equivalent of 1.7% rates revenue) • Does not provide short-term reprieve for rate-payers that could be achieved through lowering the average rate increase

5.2. Option 2: Balanced Budget Focus

Retain an average rate increase of 9.4% and apply \$1.35m (1.7%) to reduce the operating deficit.

Advantages	Disadvantages
<ul style="list-style-type: none"> • The average rate increase is consistent with the approved LTP • Most positive option towards reducing the operating deficit which would help reduce 	<ul style="list-style-type: none"> • Does not provide short-term reprieve for rate-payers that could be achieved through lowering the average rate increase • Not establishing a managed contingency fund increases the risk of council needing

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Advantages	Disadvantages
reliance on borrowing and will support long-term interest incurred over time <ul style="list-style-type: none"> Lowering the operating deficit puts council in a better financial position for rates capping in 2029 and provides the ability to fund 'core services' 	to increase debt or cut services of planned work to meet unexpected inflationary adjustments

5.3. Option 3: Rates focus

Reduce the average rate increase by 1.7% (average rate increase reduced from 9.4% to 7.7%)

Advantages	Disadvantages
<ul style="list-style-type: none"> Short term relief for ratepayers facing pressures of high costs of living through the reduction of average rates increase by 1.7%. 	<ul style="list-style-type: none"> Delays returning to a balanced budget, prolonging debt pressures and reducing financial resilience A higher operating deficit will reduce options for Council with the introduction of rates capping No contingency fund means provides no room for Council to establish a contingency fund for inflation risks or unexpected cost pressures, increasing vulnerability once rates are set Reduced revenue may require greater use of debt to fund planned capital and operational commitments, adding interest costs and reducing future debt headroom Without the full 9.4% increase, Council may need to delay or scale back programmes to remain within budget

5.4. Option 4: Mixed approach

Develop a mixed approach – e.g. apply a 1% rates reduction and use the remaining 0.7% to reduce the operating deficit.

Advantages	Disadvantages
<ul style="list-style-type: none"> Small amount of short term relief for ratepayers facing pressures of high costs of living through the reduction of the 	<ul style="list-style-type: none"> No contingency fund means provides no room for Council to establish a contingency fund for inflation risks or unexpected cost

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Advantages	Disadvantages
average rate increase by 1% less than the approved LTP • Some positive impact on the operating deficit	pressures, increasing vulnerability once rates are set • Operating deficit remains relatively higher than would be possible through applying savings to reducing it

5.5. Option 5: Do not approve the draft budget for Annual Plan 2026/27

Advantages	Disadvantages
• No advantage has been identified with this option.	• Inconsistent with previous guidance received from Council • Delays caused by further re-work presents a risk to not meet legislative requirements of adoption by 30 June 2026, and the inability to strike rates • Further guidance from Council would be required to change the proposed budget

6. Significance and Engagement Assessment - *Aromatawai Pāhekoheko*

6.1. Assessment of Significance and materiality

Consultation on the Annual Plan is not legislatively required unless proposed budget changes are significant, or material compared to the content of the LTP. (LGA s95(2A)).

The decisions and matters of this specific report are assessed to be of low to moderate significance in accordance with the Council’s Significance and Engagement Policy (SEP) to determine the level of significance of changes compared to the LTP 2024-34.

Significance Criteria	Comments	Impact Assessment
Level of community interest: Expected level of community interest, opposition or controversy involved.		Moderate
Level of impact on current and future wellbeing: Expected level of adverse impact on the current and future wellbeing of our communities or District.	Budget is proposing to maintain the current level of service with no significant change for year 3 of the LTP 2024-34.	Low

10.2 Approval of the Draft Annual Plan Budget for 2026/27(Cont.)

Significance Criteria	Comments	Impact Assessment
	A focus of reducing the operating deficit will be beneficial to ratepayers in the longer-term and reduce any intergenerational rate payer inequities.	
Rating impact: Expected costs to the community, or sectors of the community, in terms of rates.	No significant change to what was planned for year three of the approved LTP.	Low
Financial impact: Expected financial impact on the Council, including on budgets, reserves, debt levels, overall rates, and limits in the Financial Strategy.	Cost reductions have been identified of \$1.35m	Low
Consistency: Extent to which a proposal or decision is consistent with the Council's strategic direction, policies and significant decisions already made.	Changes to budget align with Council's Financial Strategy and Revenue and Financing Policy.	Low
Reversibility: Expected level of difficulty to reverse the proposal or decision, once committed to.	The adjustments in the Annual Plan can be reversed and additionally, as the changes don't significantly affect Levels of Service, the likely requirement to reverse decisions is rated as low.	Low
Impact on Māori: Expected level of impact on Māori, considering the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.	There is no significant change proposed within the budget that will impact the Council's Māori Relationship Strategy. It is important to note the removal of 2 planned Māori Partnerships FTEs from Year 3 of the LTP. This is unlikely to significantly impact Council's work programmes.	Moderate
Impact on levels of service: Expected degree to which the Council's levels of service will be impacted.	The removal of these vacant positions is unlikely to have significant impact levels of service.	Moderate

10.2 Approval of the Draft Annual Plan Budget for 2026/27(Cont.)

Significance Criteria	Comments	Impact Assessment
	The changes will require managers to adjust their work programmes to maintain focus on key outcomes	
Impact on strategic assets: Expected impact on the performance or intended performance of the Council's Strategic Assets, for the purpose for which they are held.	The Annual Plan 2026/27 does not seek sale of strategic assets and has no or low impact on the performance of strategic assets.	Low

6.2. Engagement and Community Views

Consultation on the Annual Plan 2026/27 is not legislatively required unless the proposed budget changes are significant, or material compared to the content of the LTP as per section 95 of the Local Government Act, 2002.

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.

7. Considerations - *Whai Whakaaro*

7.1. Strategic Alignment

Proposals are in keeping with the strategic direction and priorities of the Long Term Plan.

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

7.2. Legal

This report is part of the Annual Plan development process. Under the Local Government Act 2002, the Council is required to adopt an Annual Plan for 2026/27 by 30 June 2026.

7.3. Financial/Budget Considerations

The Annual Plan sets out the budget for the year 2026/27 (year three of the Long Term Plan). Budget considerations including impact on operating deficit and rating impact are mentioned throughout this report, with the key financial measures summarised in table one - section 4.1.

10.2 Approval of the Draft Annual Plan Budget for 2026/27(Cont.)

7.4. Climate Change Assessment

There are no significant or notable impacts associated with the matters of this report. Some individual budget items such as those related to waste, three waters and transport may have a climate change impact. Climate change impacts will be assessed as part of the delivery of specific project and activities. Any new project will require a climate change assessment.

7.5. Risks

Risk	Description and/or Mitigation
Application of the BERL inflation rates	Using BERL inflation adjustors introduces a risk that cost forecasts may be inaccurate, potentially leaving Council under-funded if actual inflation exceeds projections despite the contingency fund.
Constrained investment ability	The proposed rates capping legislation poses a risk that councils may face constrained revenue growth, potentially limiting their ability to maintain essential services and fund long term infrastructure unless exemptions are granted.
Balanced Budget and the operating deficit	There is a risk that without maintaining rates at the planned 9.4% increase, Council may delay returning to a balanced budget, prolonging debt pressures and reducing financial resilience ahead of potential future rates capping legislation.

8. Next Steps – *E whai ake nei*

Following the Council's confirmation of the preferred option, the draft Annual Plan budget for 2026/27 will continue to be refined.

As outlined in section 4.6, if Council confirm the recommendation of no consultation, staff will develop an information campaign to ensure our community has clear and accessible information about key decisions and financial considerations.

The Annual Plan document, including budget and the rating impact statements for communities across the district, will be presented to Council on 25 June 2026 for adoption.

10.3 Appointment of District Licencing Committee Report

10.3 Appointment of District Licencing Committee Report



To: **Whakatāne District Council**

Date: **Thursday, 5 March 2026**

Author: **David Bewley / GM Planning, Regulatory and Transportation**

Authoriser: **Steven Perdia / Chief Executive**

Reference: **A3069126**

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

The purpose of this report is to appoint the Commissioner and List Members of the District Licensing Committee (DLC) to enable the continuation of licence applications and contested licenses to be considered and issued under the Sale and Supply of Alcohol Act 2012.

2. Recommendations - *Tohutohu akiaki*

1. THAT the report "Appointment of the Eastern Bay of Plenty District Licensing Committee" be **received**; and
2. THAT Council **approve** the appointment of Russell Orr as Commissioner and Alan Sciascia as alternative Commissioner of the Eastern Bay of Plenty District Licensing Committee; and
3. THAT Council **approve** the appointment of the following individuals as List Members of the Eastern Bay of Plenty District Licensing Committee:
 - Alan Sciascia
 - Aaron Rangihika
 - Shona Browne
 - Malcolm Harrison
 - Glen Smith
 - John Hillman; and
7. THAT Council **direct** staff to update the Governance Delegations Register 2025-2028 with the appointments to the District Licensing Committee.

3. Background - *He tirohanga whakamuri*

The District Licencing Committee considers all liquor licensing applications for on, off, and club licences, renewals and temporary authorities, managers certificates and special licenses.

Most of these decisions are uncontested, meaning that the Police or District Health Board do not object to the issue of the license or to the "character" of the Manager. In these cases, the Commissioner can consider and decide these applications on the papers on his own.

10.3 Appointment of District Licencing Committee Report(Cont.)

Applications contested by Police and Health Board must be heard by the District Licencing Committee with a quorum of three appointed members. The Committee is made up of representatives from each of the three Eastern Bay Councils, with one local representative required to sit on all hearings within their respective area.

The majority of applications are received from the Whakatāne District Council (67%) and most applications are unopposed, meaning that the Commissioner has made the bulk of the decisions over the years. It has meant that Kawerau and Ōpōtiki committee representatives have had limited opportunities to be involved in decision-making in their respective areas.

It was considered appropriate to advertise all roles as some members had indicated they wished to retire, and it enabled other members of the community an opportunity to be considered for the role. Positions on the DLC are for a four-year term.

There was a total of 22 applications, with three being interested in the Commissioner Role, and 11 applications interested in both the Commissioner/List Member roles and eight only interested in the List Member Roles.

The term of the contract for the existing Commissioner was due to expire on 15 December 2025. This contract was extended to align with the List Member Contract which expires on 31 March 2026. The newly appointed Commissioner and List Member will commence their roles on 1 April 2026.

4. Discussion – *Kōrerorero*

The respective Eastern Councils (through a nominated Elected Member) have completed the interview process and recommends the following appointments to be made to the District Licencing Committee:

Commissioner

Russell Orr (Whakatāne) – Brings significant experience as the previous Commissioner for the past 12 years and has the expertise required to lead the Committee.

Committee List Member and Alternative Commissioner

Alan Sciascia (Whakatāne) – Existing member of the Committee with four years' experience. Based in Tauranga but has connections to Whakatāne. He has a strong hospitality background and sound knowledge of the alcohol licensing industry.

Committee List Members

- Aaron Rangihika (Kawerau) – Is a current member of the Committee and brings significant committee/trustee experience showing a good level of decision making, community knowledge and understanding of alcohol licensing.
- John Hillman (Kawerau) – Brings a background in the alcohol sales industry and knowledge and experience with communicating across a broad range of people through training kapa haka and has strong connections with local Iwi (Tūhoe and Ngāti Awa).
- Malcolm Harrison (Whakatāne) – Brings significant committee experience and knowledge of regulatory functions showing a high level of decision making. He has been living in Whakatāne for 20 years and has an understanding of the Sale and Supply of Alcohol legislation.
- Glen Smith (Whakatāne) – Glen has significant business acumen and a strong local presence and community involvement. He has strong decision-making skills and an ability to remain neutral

10.3 Appointment of District Licencing Committee Report(Cont.)

under pressure, with an understanding of legal processes. He has some experience in the Hotel industry and a good understanding of the purpose of the Sale and Supply of Alcohol legislation.

- Shona Browne (Ōpōtiki) – Previously been a member of the DLC and has extensive knowledge of Ōpōtiki and good understanding of the alcohol licencing industry.

5. Options Analysis - Ngā Kōwhiringa

The options are limited to either recommending the appointments as listed relying on the process followed, or to not appoint as recommended.

The advantage of accepting the recommendation for the appointment of the Commissioner is recognising the level of experience Mr Orr can provide in the role, having a history of making robust decisions in which have stood up against challenges to ARLA. Four well qualified applicants were interviewed for the position by a panel of three Elected Members, including Councillor Immink for the Whakatāne District Council. The recommendation for the appointment of Commissioner was unanimous.

The advantage of accepting the recommendations for the List Members is the interviews were completed by the panel of three Elected Members, one from each Eastern Bay of Plenty Council and the existing Commissioner (and recommended new Commissioner). All recommendations were confirmed by each panel member.

The Committee will meet the Terms of Reference in that local representation for each of the Eastern Bay of Plenty Councils is met. There is a good mix of new and experienced members, along with experienced leadership from the Commissioner. There is also a mix of community and industry experience across members that should ensure balanced decision making with a local lens.

There was only one applicant representing Ōpōtiki whereas the preference is to appoint two members from each Eastern Bay Council. Rather than holding this position vacant, it is recommended the position be filled with an alternative candidate, providing a complete Committee. All members have local knowledge and experience across the three Districts. For all Ōpōtiki hearings, the existing Ōpōtiki member will be guaranteed a seat on the Committee.

The alternative option is that we do not appoint certain individuals or this combination of members. The disadvantage of not appointing the recommended Committee is that the existing District Licencing Committee member contracts end on 31 March 2026. This will result in vacancies until a further recruitment round can be completed. The District Licencing Committee must have a minimum of three List Members and a Commissioner to make decisions on contested applications.

The preferred option is to approve the recommended appointments as named above to the Eastern Bay of Plenty District Licensing Committee.

5.1. Option 1 - Approve the Recommended Appointees - Recommended option

Advantages	Disadvantages
<ul style="list-style-type: none"> • Allows the new DLC to be formed to meet the current contract timeframes. 	<ul style="list-style-type: none"> • Other applicants who had specialist skills (such as legal) or broader experiences (members of other DLC's) are not appointed.

10.3 Appointment of District Licencing Committee Report(Cont.)

Advantages	Disadvantages
<ul style="list-style-type: none"> • Allows the DLC to be refreshed with new membership while achieving a high degree of consistency and experience. • The Committee has a good balance of legislative knowledge, governance experience and community focus. • Allows the induction and training for all members to be delivered efficiently by planning and delivering it to the Committee when first appointed together. 	

5.2. Option 2 - Not approve the Recommended Appointees

Advantages	Disadvantages
<ul style="list-style-type: none"> • Allows Councils to decide they wish to have a different combination of skills on the DLC. 	<ul style="list-style-type: none"> • Will delay the appointment of new members to the Committee, with some implications for current contract timeframes. • Will delay training and induction processes.

6. Significance and Engagement Assessment - *Aromatawai Pāhekoheko*

6.1. Assessment of Significance

Significance Criteria	Comments	Impact Assessment
<p>Level of community interest: Expected level of community interest, opposition or controversy involved.</p>	<p>Not expected to be high in terms of the appointment process, given the calibre of the appointees. The appointment of community-based members ensures local perspectives will be understood for individual contested applications.</p>	<p>Moderate</p>

10.3 Appointment of District Licencing Committee Report(Cont.)

Significance Criteria	Comments	Impact Assessment
Level of impact on current and future wellbeing: Expected level of adverse impact on the current and future wellbeing of our communities or District.	Managed through training, experience and knowledge of DLC members to ensure sound decisions for our communities are made.	Moderate
Rating impact: Expected costs to the community, or sectors of the community, in terms of rates.	Unlikely to change as a result of the new DLC. Rates are set for payments to DLC members.	Low
Financial impact: Expected financial impact on the Council, including on budgets, reserves, debt levels, overall rates, and limits in the Financial Strategy.	Unlikely to change as a result of the new DLC. Rates are set for payments to DLC members.	Low
Consistency: Extent to which a proposal or decision is consistent with the Council's strategic direction, policies and significant decisions already made.		Low
Reversibility: Expected level of difficulty to reverse the proposal or decision, once committed to.		Low
Impact on Māori: Expected level of impact on Māori, considering the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.	The Committee includes at least one member with strong connections to local iwi and hapū to provide this broader perspective.	Low
Impact on levels of service: Expected degree to which the Council's levels of service will be impacted.	Appointment of the DLC will allow for a consistent LoS across the Eastern Bay.	Low
Impact on strategic assets: Expected impact on the performance or intended performance of the Council's Strategic Assets, for the purpose for which they are held.		Low

6.2. Engagement and Community Views

The appointment of members to the District Licensing Committee and Commissioner has been through a publicly notified process seeking expressions of interest from those qualified to apply. There is a person description for each role and guidance from the Department of Internal Affairs on appointing members and the appropriate process has been followed.

10.3 Appointment of District Licencing Committee Report(Cont.)

On this basis, it is not considered necessary to engage more broadly on the appointments themselves, in accordance with Section 6.0 of the Councils Significance and Engagement Policy.

7. Considerations - *Whai Whakaaro***7.1. Policy and Plan Considerations**

The Eastern Bay of Plenty Councils publicly notified our Provisional Eastern Bay of Plenty Local Alcohol Policy ('LAP') on 7 August 2023. During the 30-day period in which submitters, the Police and the Medical Officer of Health could make an appeal to the Alcohol Regulatory Licencing Authority (ARLA), where they believed an element of the LAP was unreasonable in light of the Sale and Supply of Alcohol Act 2012. One appeal was received in relation to the maximum trading hours which are set out below.

Maximum trading hours	Current LAP	Provisional LAP
Off-licences	8am – 10pm Kawerau 7am – 10pm Ōpōtiki 7am to 11pm Whakatāne	9am – 10pm All Districts
On-licences	9am – 1am Kawerau 9am – 1am Ōpōtiki 8am – 2am Whakatāne 8am – 11pm Whakatāne (Winery)	9am – 1am All Districts
Club licences	9am – 1am Kawerau 10am – 1am Ōpōtiki 7am – 2am Whakatāne 7am – 12pm Whakatāne (Sports Club)	9am – 12am All Districts
Special licences	Case by case	Case by case

ARLA is yet to hear the appeal, and Councils are working with the appellant to find a way forward. While this process is being worked through, the LAP, which came into effect on 18 March 2016, it must be used for all decision making on applications.

10.3 Appointment of District Licencing Committee Report(Cont.)

The LAP aims to reduce alcohol-related harm across the three districts while balancing the economic benefits the alcohol industry provides the Eastern Bay of Plenty. Some of the features that apply include:

- Maximum hours for off-licence and on-licence premises.
- Mandatory host responsibility policies for all on-licence premises.
- To instruct the District Licensing Committee to have regard to the issue of location of on, off and club licenses in close proximity to any sensitive locations (such as schools, childcare centres and playgrounds).
- A number of discretionary conditions that the District Licensing Committee may consider when issuing or renewing licences.

The Sale and Supply of Alcohol (Community Participation) Amendment Act 2023, enacted on 30 August 2023, introduced several key changes to enhance community involvement in alcohol licensing processes. This included eliminating the ability for parties to appeal provisional LAPs. This change aimed to expedite the implementation of these policies, reflecting community preferences more swiftly. When the bill was enacted on 30 August 2023 the appeal process was removed, but this did not apply to our process as Council had already adopted our provisional policy, and we were then subject to any appeals that we received.

7.2. Strategic Alignment

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

7.3. Legal

Council is required to appoint a District Licensing Committee under the Sale and Supply of Alcohol Act 2012. The District Licencing Committee’s terms of reference and a combined District Licensing Committee align the issuing of licences across the Eastern Bay.

7.4. Financial/Budget Considerations

The District Licencing Committee is budgeted for in the current annual plan. The recruitment and appointment of the new District Licencing Committee is unlikely to have any significant financial impact, as the fees are set through legislation, and the operation will be very similar to the current operation.

7.5. Climate Change Assessment

Goal	Matters to consider	Comments	Impact Assessment
1	The likely impacts (flood, drought, storms, sea level rise, etc.) of climate change in the Eastern Bay of Plenty on the matters of this report.	Not relevant	Low
	The matters of this report’s reduction on the effect of climate related impacts (flood, drought, storm, sea level etc.).	Not relevant	Low

10.3 Appointment of District Licencing Committee Report(Cont.)

Goal	Matters to consider	Comments	Impact Assessment
2	Options for lowering greenhouse gas emissions have been specifically considered in relation to the matters of the report, including: <ul style="list-style-type: none"> • Energy efficiency / renewable energy, • Resource usage, • Waste/Whole of Life, and • Fossil fuel usage. 	Not relevant	Low
	Key emission sources, and (if possible) calculation of the greenhouse gas emissions for matters of report/project.	Not relevant	Low
	Opportunities to address inequities or disadvantages due to climate change considered in relation to the matters of the report.	Not relevant	Low
3	Impacts upon the district’s biodiversity.	Not relevant	Low
	Matters that increase resilience to climate change for Council and/or our communities.	Not relevant	Low
<p>Summary: The appointment of members to the District Licencing Committee will in itself have very limited, if any, impact on climate change.</p> <p>Overall Analysis: The decisions and matters in this report are assessed for their impact on greenhouse gas emissions and climate change effects, which are categorised as low.</p>			

7.6. Risks

The role of the District Licencing Committee is to minimise harm from the consumption of alcohol. The interview process ensured members have an understanding of the legislative framework, the Local Alcohol Policy (LAP) and the community demographics, concerns and expectations around alcohol sales and supply.

The appointment of the Commissioner and List Members removes the risk that we cannot process applications after the current Committee finishes on 31 March 2026. We have been through a complete process to ensure the calibre of the Commissioner and List Members reducing the risk of poor decision-making.

10.3 Appointment of District Licencing Committee Report(Cont.)

8. Next Steps – *E whai ake nei*

The appointment of the Commission and six List Members of the Eastern Bay of Plenty District Licencing Committee will provide for a membership that is representative of our local community and will bring a range of community and industry experience.

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

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 Council – 4 December 2025

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
<p>Item 1: Public Excluded minutes of Council – 4 December 2025</p>	<p>As per reasons given in the public agenda for the 19 November Extraordinary Council meeting i.e. - Section 7 (2)(b)(ii) - Section 7 (2)(g) - Section 7 (2)(i) - Section 7 (2)(j)</p>	<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</p>	<p>As per reasons given in the public agenda for the 19 November Extraordinary Council meeting</p>