NOTICE OF AN ORDINARY COUNCIL MEETING

Ōpōtiki District Council Chambers, 108 St John Street, Ōpōtiki
Tuesday, 18 November 2025
Commencing at 10.00am

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

ORDER PAPER

OPENING KARAKIA / PRAYER / INSPIRATIONAL READING – HIS WORSHIP THE MAYOR DAVID MOORE

APOLOGIES

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

PUBLIC FORUM
Mātaatua Sports Trust – Whitikau Reserve, request for support: Anna-Marei Kurei (Mātaatua Sports Trust) and Shannon Pawhau (Sport Bay of Plenty)

(Continued over page)

PUBLIC EXCLUDED BUSINESS

ITEM 13 IN-COMMITTEE MINUTES – ORDINARY COUNCIL MEETING 16 SEPTEMBER 2025

ITEM 14 IN-COMMITTEE MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 18 AUGUST 2025

ITEM 15 RESOLUTION TO RESTATE RESOLUTIONS AND READMIT THE PUBLIC

Chair:	**His Worship the Mayor – David Moore**
Members:	**Cr Maude Maxwell (Deputy Mayor)**
	Cr Shona Browne
	Cr Barry Howe
	Cr Curley Keno
	Cr Steve Nelson
	Cr Dean Petersen
	Cr Pāpā Wharewera
Committee Secretary:	**Gae Finlay**
Quorum:	**4**

LOCAL AUTHORITIES (MEMBERS′ INTERESTS) ACT 1968

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

Stace Lewer

CHIEF EXECUTIVE OFFICER

MINUTES OF INAUGURAL COUNCIL AND COAST COMMUNITY BOARD MEETING DATED TUESDAY, 28 OCTOBER 2025 IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 11.30AM

PRESENT:

Mayor David Moore
Councillors:
Shona Browne
Barry Howe
Curley Keno
Maude Maxwell
Steve Nelson
Dean Petersen
Pāpā Wharewera

Coast Community Board Members:
Te Ataarangi Parata
Gaylene Dudek
Tullulah Ross
Allen Waenga

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Nathan Hughes (Group Manager Service Delivery)
Rachael Burgess (Group Manager Business Support)
Antoinette Campbell (Group Manager Strategy and Development)
Gae Finlay (Executive Assistant and Governance Lead)
Several other Ōpōtiki District Council staff members

PUBLIC:

Elected Members' guests
Invited guests
Several members of the public

MEDIA:

Ōpōtiki News and Te Karere representatives

The Chief Executive Officer took the Chair and welcomed everyone to the meeting.

Danny Paruru opened the meeting with a karakia.

APOLOGIES

Nil.

1. ELECTION RESULTS p3

The Electoral Officer's Declaration of Results of Election for the Ōpōtiki District Council 2025 elections was received.

2. DECLARATIONS p8

His Worship the Mayor

David Moore attested his declaration for the Mayoral position which was received by the Chief Executive Officer.

The Mayoral chains were placed on His Worship the Mayor by Council staff member Gae Finlay (Executive Assistant and Governance Lead).

His Worship the Mayor extended a warm welcome to everyone and thanked those who have assisted him.

His Worship the Mayor took the Chair for the remainder of the meeting.

Councillors

His Worship the Mayor received the declarations for each of the Councillors in the order of:

Councillor Browne

Councillor Howe

Councillor Keno

Councillor Maxwell

Councillor Nelson

Councillor Petersen

Councillor Wharewera

Coast Community Board Members

His Worship the Mayor received the declarations for each of the Coast Community Board members in the order of:

Gaylene Dudek

Te Ataarangi Parata

Tullulah Ross

Allen Waenga

Kaperiere Wharewera

3. APPOINTMENT OF DEPUTY MAYOR p12

RESOLVED

(1) That the report titled "Appointment of Deputy Mayor" be received.

(2) That the Council endorses the appointment by the Mayor of Councillor Maude Maxwell as Deputy Mayor.

HWTM/Nelson **Carried**

4. ELECTION OF COAST COMMUNITY BOARD CHAIRPERSON AND DEPUTY CHAIRPERSON p15

It was agreed that System A be used to determine the appointment of the Coast Community Board Chairperson and Deputy Chairperson.

RESOLVED

(1) That the report titled "Election of Coast Community Board Chairperson and Deputy Chairperson" be received.

(2) That the Coast Community Board resolve to use System A to determine the appointment of the Chairperson and Deputy Chairperson.

Waenga/Parata **Carried**

Nominations for the positions of Chairperson and Deputy Chairperson were called for.

Allen Waenga nominated Councillor Kaperiere (Pāpā) Wharewera as Chairperson and Gaylene Dudek as Deputy Chairperson. This was seconded by Te Ataarangi Parata.

Councillor Kaperiere (Pāpā) Wharewera and Gaylene Dudek accepted their respective nominations.

RESOLVED

(3) That Coast Community Board member Councillor Kaperiere (Pāpā) Wharewera be elected to the position of Coast Community Board Chairperson.

(4) That Coast Community Board member Gaylene Dudek be elected to the position of Coast Community Board Deputy Chairperson.

Waenga/Parata **Carried**

5. LEGISLATIVE ADVICE FOR THE INCOMING COUNCIL **p19**

The Chief Executive Officer summarised the legislative advice set out in the report.

RESOLVED

(1) That the report titled "Legislative Advice for the Incoming Council" be received.

HWTM/Nelson **Carried**

6. FIXING OF DATE AND TIME OF THE FIRST ORDINARY COUNCIL MEETING **p33**

RESOLVED

(1) That the report titled "Fixing of Date and Time of First Ordinary Council Meeting" be received.

(2) That the first Ordinary meeting of the Ōpōtiki District Council be held on Tuesday, 18 November 2025, commencing at 10.00am in the Council Chambers, 108 St John Street, Ōpōtiki.

HWTM/Nelson **Carried**

Danny Paruru closed the meeting with a karakia.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.57AM.

THE FOREGOING MINUTES ARE CERTIFIED AS BEING A TRUE AND CORRECT RECORD AT A SUBSEQUENT MEETING OF THE COUNCIL HELD ON 18 NOVEMBER 2025

D G T MOORE
HIS WORSHIP THE MAYOR

MINUTES OF AN EXTRA ORDINARY COUNCIL MEETING DATED, WEDNESDAY, 5 NOVEMBER 2025 IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 3.00PM.

PRESENT:

Mayor David Moore (Chairperson)
Deputy Mayor Maude Maxwell (Deputy Chairperson)
Councillors:
Barry Howe
Curley Keno
Steve Nelson
Dean Petersen
Pāpā Wharewera

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Rachael Burgess (Group Manager Business Support)
Gae Finlay (Executive Assistant and Governance Lead

APOLOGY

Councillor Browne.

RESOLVED

(1) That the apology be sustained.

HWTM/Nelson

DECLARATION OF ANY INTERESTS IN RELATION TO MEETING AGENDA ITEMS

Nil.

1. APPOINTMENT RECOMMENDATION FOR INDEPENDENT CHAIR AND COMMITTEE MEMBER STRUCTURE FOR RISK AND ASSURANCE COMMITTEE p3

RESOLVED

(1) That the report titled "Appointment Recommendation for Independent Chair and Committee Member Structure for Risk and Assurance Committee" be received.

(2) That the Council approves the reappointment of Philip Jones as the independent Chair of the Risk and Assurance Committee.

(3) That the Council approves the proposed Risk and Assurance Committee structure for the 2025-2028 triennium.

(4) That the Council approves the proposed Terms of Reference for the Risk and Assurance Committee.

HWTM/Nelson **Carried**

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 3.05PM.

THE FOREGOING MINUTES ARE CERTIFIED AS BEING A TRUE AND CORRECT RECORD AT A SUBSEQUENT MEETING OF THE COUNCIL HELD ON 18 NOVEMBER 2025

D G T MOORE
HIS WORSHIP THE MAYOR

Ōpōtiki District Council

STRONG COMMUNITY STRONG FUTURE

MINUTES OF AN ORDINARY COUNCIL MEETING DATED, TUESDAY, 16 SEPTEMBER 2025 IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 10.00AM

PRESENT:

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

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Nathan Hughes (Group Manager Service Delivery)
Antoinette Campbell (Group Manager Strategy and Development)
Garry Page (Operations Manager, Parks, Reserves, and Harbour)
Kurt Bledsoe (Resource Consents and Policy Planner)
Joel Hingston (Strategic Policy Analyst)
Ivan Arnerich (ICT Service Manager)
Hannah Searle (Governance Support Officer)
Ranjini Manoharan (Executive Support Officer)
Gae Finlay (Executive Assistant and Governance Lead)

PUBLIC:

Jim Robinson and Amy Spence (Motu Trails Charitable Trust)
Several members of the public

His Worship the Mayor acknowledged Te Wiki o Te Reo Māori (Māori Language Week) with a karakia and welcome.

His Worship the Mayor thanked the Council team and the Chief Executive officer; it is the end of an era for us and also the start of a new beginning. There will be changes at the Council table. He asked everyone standing again to be humble and accept the result – it is the community who decides who is at the table. It has been a privilege to represent the community as Mayor.

Deputy Mayor Browne opened the meeting with an inspirational verse.

APOLOGY

Councillor Petersen.

RESOLVED

(1) That the apology be sustained.

Kemara/HWTM **Carried**

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

PUBLIC FORUM

Jim Robinson and Amy Spence– Motu Trails Charitable Trust

A powerpoint presentation covered the following:

- New Zealand Cycle Trail – Great Rides (of which Motu Trails is one)
- Dune Trail; Motu Road; Pakihi Track; Ōpōtiki Trails
- Projects 2024-2025
- Environmental Work
- Key Economics
- Motu Trails Funding

The Motu Trails is promoted at a national and international level. All maintenance is now being carried out by the Trust.

Amy Spence noted that the Trust is fortunate to have Jim Robinson. She extended thanks to Council for its support of the Trust.

Jim Robinson advised that the Pakihi Track is regularly used by hunters as well as riders. Without maintenance the track would be gone. The Department of Conservation budget was initially $35,000 per annum and is now $16,000 per annum. The Pakihi Track brings a lot of international and out -of-town visitors.

His Worship the Mayor acknowledged the work done by the Motu Trails Charitable Trust, adding that Council will continue to support.

Deputy Mayor Browne extended congratulations to the Trust and Trustees, noting the hard work that goes on behind the scenes.

Jim Robinson, Amy Spence, the Resource Consents and Policy Planner and several members of the public left the meeting at 10.18am.

1. CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 5 AUGUST 2025 **p4**

RESOLVED

(1) That the minutes of the Ordinary Council meeting held on 5 August 2025 be confirmed as a true and correct record.

HWTM/Kemara **Carried**

The Operations Manager Parks, Reserves, and Harbour left the meeting at 10.20am.

2. CONFIRMATION OF MINUTES – EXTRA ORDINARY COUNCIL MEETING 20 AUGUST 2025 **p12**

RESOLVED

(1) That the minutes of Extra Ordinary Council meeting held on 20 August 2025 be confirmed as a true and correct record.

Browne/Nelson **Carried**

3. MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 5 MAY 2025 **p15**

RESOLVED

(1) That the minutes of the Risk and Assurance Committee meeting held on 5 May 2025, and any recommendations therein, be received.

HWTM/Browne **Carried**

4. MINUTES – PERFORMANCE AND DELIVERY COMMITTEE MEETING 23 JUNE 2025 **p23**

RESOLVED

(1) That the minutes of the Performance and Delivery Committee meeting held on 23 June 2025, and any recommendations therein, be received.

Brooks/HWTM **Carried**

5. DRAFT MINUTES – COAST COMMUNITY BOARD MEETING 12 AUGUST 2025 p26

RESOLVED

(1) That the draft minutes of the Coast Community Board meeting held on 12 August 2025, and any recommendations therein, be received.

Kemara/HWTM **Carried**

6. MAYORAL REPORT 26 JULY 2025-5 SEPTEMBER 2025 p33

His Worship the Mayor highlighted the following from the report:

- The last OMAG meeting – the end of an era with some lively discussion and good points raised.

Councillor Howe, Chair of OMAG, advised that the Group had served its purpose of ensuring stakeholders were kept informed around the Harbour Development and it was satisfying to be part of the Group. A new entity will be established in the new Triennium. The harbour and marine industry is where it is at for Ōpōtiki over the next 30 years. There is currently massive work in progress to get the farm viable. It is very exciting for a small town like Ōpōtiki to be pioneering open sea farming.

RESOLVED

(1) That the report titled "Mayoral Report 26 July 2025-5 September 2025" be received.

HWTM/Browne **Carried**

7. DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER DURING THE INTERIM ELECTION PERIOD p37

Councillor Howe expressed his disappointment at the three Māori Ward candidates being left out of the profile booklet.

RESOLVED

(1) That the report titled "Delegations to the Chief Executive Officer During the Interim Election Period" be received.

(2) That subject to the limitations set out in clause 32(1) of the Seventh Schedule to the Local Government Act 2002, the Council delegates all of its responsibilities, duties and powers to the Chief Executive for the period from the day after the declaration of the election results until the swearing in of the new Council, subject to a requirement that the Chief Executive may only exercise this delegation after the following:

(a) Consultation with the person elected to the position of Mayor;

(b) **May only attend to those matters that cannot reasonably await the first meeting of the new Council and;**

(c) **Shall be reported to the first meeting of the new Council.**

(3) **That the Chief Executive Officer or delegate be authorised to appoint Independent Commissioners or re-elected Council members that area qualified Hearing Commissioners to hear and decide on any applications for resource consents between the period from 17 October until 28 October 2025 or when representatives take office.**

HWTM/Nelson **Carried**

The ICT Service Manager entered the meeting at 10.30am and left at 10.35am.

8. DANGEROUS, AFFECTED AND INSANITARY BUILDINGS POLICY p42

Councillors Brooks and Howe expressed concern at the state of disrepair of some buildings in the community and that action needs to be taken.

The Group Manager Strategy and Development advised that as Council becomes aware of buildings in disrepair, inspections are undertaken and a Notice to Fix issued.

RESOLVED

(1) **That the report titled "Dangerous, Affected and Insanitary Buildings Policy" be received.**

(2) **That Council adopts the Dangerous, Affected and Insanitary Buildings Policy attached at Appendix 2.**

HWTM/Howe **Carried**

9. BUILDING, PLANNING AND COMPLIANCE ACTIVITIES ANNUAL REVIEW 2024/25 p61

The Group Manager Strategy and Development made the following points:

- Building applications are up and of higher value – this is possibly not addressing the need for affordable housing.
- 57 new builds in the last Financial Year which is the highest recorded since 1998.
- The value of non-residential consents was very hight in 2021-2023 and has dropped – this related to the Harbour Development and other industrial development.

There was a Councillor query as to whether Council is putting in LIM reports that Kāinga Ora houses are consented by Kāinga Ora and not by Council.

His Worship the Mayor suggested this be looked into to ensure that these houses were not consented by Council.

The Group Manager Strategy and Development will follow up and ensure the correct consenting information is in LIM reports for Kāinga Ora houses.

RESOLVED

(1) That the report titled "Building, Planning and Compliance Activities Annual Review 2024/25" be received for information.

HWTM/Kemara **Carried**

10. DOG CONTROL POLICIES AND PRACTICES REPORT 2024/25 p70

The Group Manager Strategy and Development noted a correction at page 71 of the agenda. The figure for service requests (738) refers to all animal-related service requests, not just dogs. The figure for dogs should be 289

His Worship the Mayor thanked staff for the work they do in the Animal Control area.

The Group Manager Strategy and Development acknowledged the great job being done by the team, noting that a proactive and educational approach is being taken rather than a compliance and infringement approach.

RESOLVED

(1) That the report titled "Dog Control Policies and Practices Report 2024/25" be received.

(2) That the Dog Control Policies and Practices Report 2024/25, attached as Appendix 1, be adopted by Council and its availability is publicly notified in the Ōpōtiki News and published on Council's website, in accordance with Section 10A(3) of the Dog Control Act.

HWTM/Kemara **Carried**

The Operations Manager Parks, Reserves, and Harbour and the Operations and Office Manager entered the meeting at 10.50am.

11. COASTGUARD ŌPŌTIKI BUILDING LEASE UPDATE – ŌPŌTIKI WHARF RESERVE p79

Councillors agreed with Option 1 – that Council enters into a lease with Coastguard Ōpōtiki for term of 33 years, with no right of renewal, at an agreed community rate of $100 per annum.

RESOLVED

(1) That the report titled "Coastguard Ōpōtiki Building Lease Update – Ōpōtiki Wharf Reserve" be received.

(2) That Coastguard Ōpōtiki be granted a 33-year lease, with no right of renewal, for approximately 181m^2 of reserve land (Allotment 334), classified as Local Purpose Reserve (Wharf).

(3) That the lease include a clause stating Council will not be responsible for site remediation or debris removal if the building is damaged or if Coastguard Ōpōtiki ceases to operate.

(4) The annual fee payable be set at a base community group rate of $100 p.a.

(5) That Council delegates authority to the CEO to sign the new lease agreement.

HWTM/Kemara **Carried**

Stephen Ferson (Riskpool) joined the meeting online at 10.53am.

The Operations Manager Parks, Reserves, and Harbour left the meeting at 10.54am.

12. PROPOSED AMENDMENTS TO THE RISKPOOL TRUST DEED P86

Stephen Ferson (Riskpool) noted that the proposed amendments relate to the protection of the Board members.

RESOLVED

(1) That the report titled "Proposed Amendments to the Riskpool Trust Deed" be received.

(2) That Council approves consenting to the amendments to the Riskpool Trust Deed, as set out in the letter at Appendix 1 dated 21 August 2025.

(3) That Council authorises the Chief Executive Officer to sign and return the Consent Form on behalf of the Council.

HWTM/Browne **Carried**

Stephen Ferson left the meeting at 10.57am.

13. CHIEF EXECUTIVE OFFICER'S UPDATE p119

The Chief Executive Officer highlighted the following from the report:

- OMAG meeting – OMAG has been a long-standing Group and it has been nice to be part of it for a period of its journey
- Citizenship Ceremony – a nice occasion and feel privileged to be part of it.

RESOLVED

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

HWTM/Browne **Carried**

14. RESOLUTION TO EXCLUDE THE PUBLIC **p124**

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

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

15. Confirmation of In-Committee Minutes – Ordinary Council Meeting 5 August 2025.

16. In-Committee Minutes – Risk and Assurance Committee Meeting 5 May 2025.

17. Lease – Department of Conservation – 70 Bridge Street.

18. Chief Executive's 2024/2025 Performance Review and 2025/2026 KPIs.

19. Notes of Council Workshops.

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

Name: **Greg Tims**

Item: **18 (Chief Executive's 2024/2025 Performance Review and 2025/2026 KPIs)**

Business: **To provide Council with guidance and/or advice on process, if sought by Council, in relation to Item 18 relevant to the Chief Executive Officer's 2024/2025 Performance Review and 2025/2026 KPIs.**

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

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

Item No	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
15.	**Confirmation of In-Committee Minutes – Ordinary Council Meeting 5 August 2025.**	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
16.	**In-Committee Minutes – Risk and Assurance Committee Meeting 5 May 2025.**	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists	Section 48(1)(a)
17.	**Lease – Department of Conservation – 70 Bridge Street.**	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
18.	**Chief Executive's 2024/2025 Performance Review and 2025/2026 KPIs.**	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
19.	**Notes of Council Workshop.**	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

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

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

HWTM/Kemara **Carried**

RESOLVED

(1) That the resolutions made while the public was excluded, except for Clause 3 of Item 18 (Chief Executive's 2024/2025 Performance Review and 2025/2026 KPIs), be confirmed in open meeting.

(2) That the public be readmitted to the meeting.

HWTM/Nelson **Carried**

RESOLVED

(1) That the in-committee minutes of the Ordinary Council meeting held on 5 August 2025 be confirmed as a true and correct record.

Browne/Kemara **Carried**

RESOLVED

(1) That the in-committee minutes of the Risk and Assurance Committee meeting held on 5 May 2025, and any recommendations therein, be received.

Browne/HWTM **Carried**

RESOLVED

(1) That the report titled "Lease – Department of Conservation – 70 Bridge Street" be received.

(2) That the Lease variation with Department of Conservation/Te Papa Atawhai for the shared premises at the isite/Depot – 70 Bridge Street, Ōpōtiki is approved.

(3) That Council delegates authority to the CEO to complete.

HWTM/Kemara **Carried**

RESOLVED

(1) That the report titled "Chief Executive's 2024/2025 Performance Review and 2025/2026 KPIs" be received.

(2) That the Council resolves that the Chief Executive met agreed KPIs for the 2024/2025 financial year.

(3) *[Clause 3 was retained in-committee.]*

(4) That Council adopts the Chief Executive's KPIs for 2025/2026 as attached to the report as Appendix 1.

HWTM/Browne **Carried**

Councillor Kemara closed the meeting with a karakia.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.54AM.

CONFIRMED PURSUANT TO ŌPŌTIKI DISTRICT COUNCIL STANDING ORDERS 28.4

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D G T MOORE	**STACE LEWER**
MAYOR	**CHIEF EXECUTIVE OFFICER**

Date: 10 October 2025

Ōpōtiki District Council

STRONG COMMUNITY STRONG FUTURE

MINUTES OF AN ŌPŌTIKI DISTRICT COUNCIL RISK AND ASSURANCE COMMITTEE MEETING HELD ON MONDAY, 18 AUGUST 2025, IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 10.00AM

PRESENT:

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

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Rachael Burgess (Group Manager Business Support)
Antoinette Campbell (Group Manager Strategy and Development)
Carol Mio (Manager People and Culture)
Billy Kingi (Finance Manager)
Hannah Searle (Governance Support Officer)
Gae Finlay (Executive Assistant and Governance Lead)

GUESTS:

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

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The Chairperson opened the meeting.

APOLOGIES

His Worship the Mayor for lateness.

RESOLVED

(1) That the apology be sustained.

Nelson/Brooks **Carried**

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

1. MINUTES – RISK AND ASSURANCE COMMITTEE MEETING 5 MAY 2025 p6

RESOLVED

(1) That the minutes of the Risk and Assurance Committee meeting held on 5 May 2025 be confirmed as a true and correct record.

Brooks/Petersen **Carried**

2. RISK AND ASSURANCE ACTION SHEET p14

RESOLVED

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

Jones/Nelson **Carried**

3. RISK AND ASSURANCE COMMITTEE WORK PROGRAMME 2025 p15

The Group Manager Business Support advised that there is nothing new planned for Quarter 4, noting the first meeting of the Risk and Assurance Committee for the new Triennium. She suggested that the Annual Internal Control Environment report be carried over to the next meeting. It is also unknown, at this stage if the Annual Report Management Report will be ready for the next meeting.

RESOLVED

(1) That the Risk and Assurance Committee Work Programme 2025 be received.

Petersen/Nelson **Carried**

David Walker and Warren Goslett joined the meeting at 10.04am, via Teams.

4. FINANCIAL HEALTH REPORT TO 30 JUNE 2025 p16

The Finance Manager spoke to the report and responded to queries from members, particularly around moving from four rates instalments per year to two.

The Chairperson noted that, overall, the results are quite good. He queried what the implications were of not spending the water supply and wastewater capex; any risks or concerns?

The Chief Executive Officer stated the Capital Works Programme result is good considering the late adoption of the Long Term Plan, although a significant amount of projects had to be carried over. We are expecting to deliver the whole three-year programme within three years.

Local Government Funding Agency

The Finance Manager advised that a recommendation will go to Council later this year relating to the guarantee status with the Local Government Funding Agency.

The Chairperson noted there is a small risk if a Council is in default the first mechanism is the ability to appoint a Commissioner. Commissioners have the ability to set a rate to cover a default and if that is insufficient then there is a call on shareholders and guarantee Councils.

RESOLVED

(1) That the report titled "Financial Health Report to 30 June 2025" be received.

Jones/Nelson **Carried**

The Group Manager Strategy and Development entered the meeting at 10.17am.

5. RISK REGISTER REVIEW AND UPDATES P26

The Group Manager Business Support spoke to the report.

The Chairperson queried the current mitigated risk associated with Health, Safety and Wellbeing obligations not being met and showing as extreme.

The Chief Executive Officer advised that this is something that should be reviewed, adding that a lot of effort and good work has been going into Health, Safety and Wellbeing. A review will be undertaken and brought back to the next meeting.

The Chairperson referred to the Systems Improvement Bill and said he considered the risks to be rates capping and the costs of Local Water Done Well in-house and the amounts payable to Taumata Arowai and the Commerce Commission.

RESOLVED

(1) That the report titled "Risk Register review and Updates" be received.

(2) That the Committee notes the risks arising from any legislation changes attributed to the Local Government (System Improvements) Amendment Bill.

(3) That the Committee approves the recommendation to monitor the risk matrix assessments for the Local Government (System Improvements) Amendment Bill which is currently subject to legislative change.

Petersen/Nelson **Carried**

6. ANNUAL REPORT AUDIT – RISK REVIEW p34

The Group Manager Business Support advised that extensive debrief sessions have been held ahead of the audit in light of the Audit Plan and information provided by Audit New Zealand.

David Walker made the following comments:

- The Audit Plan still holds water.
- The headlines for this audit are on pages 45 through to 51 of the agenda and effectively highlight Audit's areas of focus for the current year's audit.
- Risk of management overrun; that is standard from the Auditing Standards.
- Will be looking at valuation of non-infrastructure assets.
- For each area, management would have done assessments and the Audit response on the right of the table states Audit will review.
- I would draw attending to Fair Value of Investment Property and the Harbour Development; we will spend a lot of time looking at the Harbour Development.

The Chairperson advised that he was slightly confused and queried whether we are doing a full valuation rather than just land and buildings. In response, David Walker said there are also cycleways, but land and buildings are the main ones.

The Chairperson referred to the top of page 51 of the agenda and stated that he was confused by Audit's response that it was going to look at rates revenue. There is no targeted rate for the harbour but Audit is looking at rates revenue recognition relating to the Harbour operations and maintenance costs; they are general rates. The Chairperson added that he did not think what Audit is saying is lawful. Why is Audit looking at revenue recognition over that portion of the general rate? That represents a significant amount of work and requires clarification.

Warren Goslett stated the funding is through a general rate and Audit will be looking at the project as a whole and through doing that will be looking at what portion of the funding is allocated to supporting the costs that are being incurred by Council on the Harbour Development. Audit will be testing general rates in the normal way and in no more detail than usual.

The Chief Executive Officer advised that the Harbour Development Project still sits with the Crown as it is still in the construction phase.

The Chairperson questioned if Audit is required to do any of this work as it is currently a Crown cost.

David Walker responded that, bearing in mind this is an Audit Plan, it talks about practical completion of the work. It says in the table "on or before 1 July 2024". Audit will be asking what the current status is.

Audit Logistics and Next Steps

David Walker advised, referring to the table at page 66 of the agenda:

- 16 June has taken place
- The date for the final Project Plan has been pushed out from 11 August to 15 August and this has been received.
- The Financial Statements (due 18 August) have not been received.

David Walker stated that Audit needs to look at Council's detailed internal year-end Project Plan and consider whether resourcing needs to be delayed. There is some responding to do which takes more time than a quick glance. We are looking to having 90% of the requests loaded into the dashboard by 20 October. The Trial Balance is important as it flows on to other work papers. If the Trial Balance changes, it indicates the work that has been done.

The Chief Executive Officer noted that there has been some cost to the Harbour Development through Council's involvement as a stakeholder. The biggest component and cost is dredging which has not been completed, therefore not transferred to Council.

David Walker stated those comments will be picked up as part of the final audit.

The Group Manager Business Support advised that, following discussion with Audit and additional work due to the recent weather event, there will not be a pre-final audit. The final audit dates remain.

Warren Goslett said there are a couple of days set aside in September to select samples.

David Walker stated this was a response to feedback last year from the Finance Manager and Group Manager business Support. He also acknowledged the Chief Executive's comment made on several occasions that Ōpōtiki is a small Council and added that he will enable starting the audit from day one.

Risk and Assurance Committee Review

The Chairperson advised that it is not unusual for a Risk and Assurance Committee to review the Annual Report, or components of it, prior to finalisation. With the elections this year, the timing is potentially a challenge.

The Chief Executive Officer responded that staff could look at how it fits in with the Audit Plan, noting that there will be some changes and challenges.

RESOLVED

(1) That the report titled "Annual Report Audit – Risk Review" be received.

(2) That the Committee endorses the improvement actions outlined in the 'High-Impact Risks and Improvement Actions' to address the risks identified in the 2025 financial year Annual Report audit.

Jones/HWTM **Carried**

7. AUDIT NEW ZEALAND – REPORT TO COUNCIL ON THE AUDIT OF ŌPŌTIKI DISTRICT COUNCIL FOR THE YEAR ENDED 30 JUNE 2024 p69

The Group Manager Business Support spoke to the report, noting the particular focus of the audit around QA process improvements.

In response to a query from the Chairperson, Warren Goslett confirmed that Sector Item – Unit Rate Database and Management's Assessment (page 79 of the agenda) and Fair Value Assessment Indices (page 80 of the agenda) are two separate matters and refer to a valuation that takes place. Although external expertise is used, it is also important that management retain their own databases. For Fair Value Assessment Indices assessments need to be gone through every year and the appropriate indices must be used.

The Chairperson referred back to 4.2 at page 79 of the agenda and noted that it relates to future revaluations but also talks about fair value assessments. He queried if the reference to fair value assessments should be removed from that paragraph. Warren Goslett confirmed it could be taken out to provide better clarity.

RESOLVED

(1) That the report titled "Audit New Zealand – Report to Council on the Audit of Ōpōtiki

District Council for the Year Ended 30 June 2024" be received.

Petersen/Nelson **Carried**

The Finance Manager left the meeting at 11.00am and returned at 11.04am.

Warren Goslett left the meeting at 11.12am.

8. SIGNIFICANT PROJECTS UPDATE **Verbal Item**

The Chief Executive Officer provided updates as follows:

Local Water Done Well

- Draft Water Service Delivery Plan completed and will be taken to Council on 20 August.
- The draft Plan has been forwarded to the Department of Internal Affairs (DIA) for initial comment.
- The Plan is for a standalone business unit
- It is built into the Plan to explore the possibility of forming a Council Controlled Organisation (CCO) arrangement with Eastern Bay and Rotorua Councils; Gisborne has expressed some interest.
- A standalone arrangement will have an impact on resource, FTE and costs – some of that has been incorporated into the Plan.
- Have reached out to DIA to see if there is any opportunity for funding or other types of assistance as we progress through the process.

Te Kaha Water Scheme Engagement

- Looking at a new water source, i.e. going to a bore supply which will give more certainty
- A positive meeting has been held with iwi and local hapū; they appreciate Council taking the time and have identified some future locations for reservoirs etc.

Wastewater Treatment Plant Project

- Council's biggest project in the Capital Works Programme.
- Staff will be meeting with Te Tāwharau o Te Whakatōhea regarding the location of the Wastewater Treatment Plant.

Capital works Programme Delivery at Year End

- There is still a substantial amount of work to be done this year and next year to meet the three-year target
- The challenge will be securing suitably qualified personnel to deliver some of the projects.

The Governance Support Officer left the meeting at 11.21am.

9. KOHA REPORT p108

RESOLVED

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

Nelson/HWTM **Carried**

David Walker left the meeting at 11.25am.

10. RESOLUTION TO EXCLUDE THE PUBLIC p112

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

11. Confirmation of In-Committee Minutes – Risk and Assurance Committee meeting 5 May 2025.

12. Internal Audit Review – Procurement.

13. Health, Safety, Wellbeing and Human Resources Report.

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

Item No	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
11.	**Confirmation of In-Committee Minutes – Risk and Assurance Committee meeting 5 May 2025.**	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
12.	**Internal Audit Review – Procurement.**	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 7(2)(h)
13.	**Health, Safety, Wellbeing and Human Resources Report.**	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section

6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

11.	Protect the privacy of natural persons Protect information (commercial sensitivity) Protection from improper pressure or harassment Prevent disclosure or use of official information	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(ii) Section 7(2)(j)
12.	Carry out, without prejudice or disadvantage, commercial activities	Section 7(2)(h)
13.	Protect the privacy of natural persons Protection from improper pressure or harassment	Section 7(2)(a) Section 7(2)(f)(ii)

HWTM/Petersen **Carried**

RESOLVED

(1) That the resolutions made while the public was excluded be confirmed in open meeting.

(2) That the public be readmitted to the meeting.

Petersen/Brooks **Carried**

RESOLVED

(1) That the in-committee minutes of the Risk and Assurance Committee meeting held on 5 May 2025 be confirmed as a true and correct record.

Jones/HWTM **Carried**

RESOLVED

(1) That the report titled "Internal Audit Review – Procurement" be received.

Petersen/Nelson **Carried**

RESOLVED

(1) That the report titled "Health, Safety Wellbeing and Human Resources" be received.

HWTM/Brooks **Carried**

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.48AM.

CONFIRMED:

PHILIP JONES	**STACE LEWER**
CHAIR	**CHIEF EXECUTIVE OFFICER**

Date: 10 October 2025

Ōpōtiki District Council

STRONG COMMUNITY STRONG FUTURE

MINUTES OF A MEETING OF THE COAST COMMUNITY BOARD, HELD IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, COMMENCING AT 10.00AM ON TUESDAY, 23 SEPTEMBER 2025.

PRESENT:

Maxie Kemara (Chairperson)
Jack Parata
Michael (Spike) Collier
Allen Waenga

His Worship the Mayor David Moore

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Rachael Burgess (Group Manager Business Support)
Antoinette Campbell (Group Manager Strategy and Development)
Nathan Hughes (Group Manager Service Delivery)
Gwen Helu (Transport Network Engineer)
Ranjini Manoharan (Executive Support Officer)
Hannah Searle (Governance Support Officer)

The meeting was opened with a karakia by the Chairperson.

APOLOGY

Linda Steel

RESOLVED

(1) That the apology be sustained.

Kemara/Waenga **Carried**

DECLARATION OF ANY INTERESTS IN RELATION TO MEETING AGENDA ITEMS

Nil.

1. MINUTES – COAST COMMUNITY BOARD MEETING 12 AUGUST 2025 p3

RESOLVED

(1) That the minutes of the Coast Community Board meeting held on 12 August 2025 are confirmed as a true and correct record.

Waenga/Parata **Carried**

2. GROUP MANAGERS' REPORT p10

The Group Manager Strategy and Development spoke to the report noting the following:

- The Council adopted the Dangerous, Affected and Insanitary Buildings Policy on 16 September 2025. The Policy went out for the Special Consultative Procedure with only one submission received supporting the Policy and there was no requirement to hold a hearing. The Policy will be reviewed again no later than 2029.

- Dog Control Policies and Practices are required to be reported on annually. Roaming dogs are a nationwide issue being talked about all over the media. Paddy Gower recently had an episode about roaming dogs on the TV programme *Paddy Gower Has Issues*.

  For the 2024/2025 financial year, the report confirms that dog registrations remain at the same level as the previous year and failure to register dogs has reduced by 25%. Infringements have been sent out for this failure which has caused an influx of registrations which are being accepted, rather than fines being issued.

  There were 232 dogs impounded, 8 of which were rehomed and 185 euthanised. The remaining were reclaimed by owners.

  Most service requests received are for roaming dogs.

  Dog Control satisfaction remains low and is lower than the national average. However, it is an area to which more focus will be applied, along with community education. Dogs seem to be roaming early mornings or evenings with homeowners leaving gates open. Council currently has two dog control officers who continue to be proactive in the community, undertaking twice daily patrols and travelling to the Coast to respond to issues there when required.

- Building consents during the 2024/25 year have increased since the last financial year by 4% and the 2024/25 estimated work value increased by 33% due to a higher proportion of high value homes. New residential building consents were the highest recorded since 1998 and resource consents have decreased by 44%.

RESOLVED

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

Kemara/Collier **Carried**

3. PAPER ROAD – EVACUATION ROUTE CAPE RUNAWAY p22

The Transport Network Engineer spoke to the report noting the following:

- At the previous Coast Community Board meeting there was a request to review the tsunami evacuation route east of Te Kura Mana Māori o Whangaparāoa accessed from State Highway 35. It was noted that this is the only escape route for the school and maintenance was required to the road to provide vehicle access to higher ground in case of an emergency.
- The road is a formed road approximately 960 metres long, primarily serving as a driveway to a single dwelling. 61 metres lies within the paper road, with the rest crossing over three Māori Land Blocks. Currently, Council staff have no mandate beyond the 61 metres of paper road but propose to look at co-funding options with New Zealand Transport Agency (NZTA) and the Ministry of Education to share costs and responsibilities. The proposal would need to be submitted through a formal reporting process for Council consideration.
- Conversations have been initiated with NZTA about what role they could play, and options will be explored and reported back to the Coast Community Board. Councillor Kemara noted that there are dropouts on both sides of the school bringing the road down to one lane. If these go out any further, the school is in the middle and people will be trapped and unable to get out.
- The Chief Executive Officer suggested that an approach could be to draft a letter to the Ministry of Education and MP Dana Kirkpatrick raising the issues identified and enquiring about how they are managing them, with the letter signed off by Chair Councillor Kemara.

RESOLVED

(1) That the report titled "Paper Road – Evacuation Route Cape Runaway" be received.

Waenga/Parata **Carried**

4. MĀORI ROADWAYS Verbal item

The Transport Network Engineer provided a brief verbal update noting the following:

- The Māori roadways captured in the Council database already qualify for funding through NZTA, however there are two that do not, being Te Waiti Road and Book Binder Road. An agreement will be required with specific owners to ensure Council can provide regular maintenance to these roads.

- The agreement will be similar to that in place currently for Opape Beach Road Extension. If landowners allow public access, then Council can continue with maintenance. However, if landowners stop public access, Council can stop maintenance.

5. COAST INITIATIVES FUND REPORT **p25**

The Group Manager Business Support spoke to the report highlighting the following:

- The Activity Statement reflects activities since the new financial year which commenced on 1 July 2025. $50,000 of revenue was received for the Community Development Grant 2025-26 and one funding grant was approved for $6,647 to Te Waka Hoe o Pokohinu – Open Day and Waka Restoration Project, leaving a closing balance of $43,353 as at 31 August 2025.

Councillor Kemara thanked the Group Manager Business Support and the Finance Manager for the work completed regarding the Coast Initiatives Fund over the last three years.

RESOLVED

(1) That the report titled "Coast Initiatives Fund Report" be received.

Kemara/Collier **Carried**

General Business Discussion

- Board member Linda Steel could not attend the meeting however requested that a minimum of $5,000 be set aside for Coast Community Board members to attend the Local Government Annual Conference. HWTM confirmed that not every Council member attends and it is usually chosen in alphabetical order, but he believes that it is important for the Chair to attend. The next conference is in Rotorua so it could be worth all of the Coast Community Board members attending this.

- Board members discussed the suggestion and agreed that although it is highly valuable to attend, especially Te Maruata the day before the conference, members have never been limited or held back from going and the decision can be left for the new Board members to discuss and consider. The Chief Executive Officer noted that this item can be raised with the new Coast Community Board members as part of their induction.

- The Group Manager Business Support provided a verbal update on elections advising that the Council website displays a tracking document which is updated daily confirming voting document returns. Typically, the Ōpōtiki district have a high voter return and this year the numbers are tracking a week ahead already. The media publicised the error made by Election Services leaving out the Ōpōtiki Māori Ward candidate profiles from the candidate booklets which possibly raised the importance of voting. To date, 13.8% of voting documents have been returned, with that number not reached until 1 October in the last election. The Coast Māori Ward is leading in terms of returned documents sitting at 15.8%. There is some voting events scheduled for the Coast next month. 8 October in Te Kaha and 9 October in Waihau Bay to issue special votes and collect any voting documents that might not have made it in the post. Currently, Ōpōtiki district are on track to beat the 54.8% voter return from last election in 2022 with just under three weeks to go until the election date of 11 October.

- All present members took a turn to reflect on their time as Coast Community Board members, sharing their experience over the years and expressing thanks to the other members, Mayor, Chief Executive Officer and Council staff.
- Councillor Kemara reiterated the importance of supporting the Chief Executive Officer and thanked the management team and staff efforts for creating the culture and work done for the Coast people. He highlighted the fact that there needs to continue to be fairness and consistency and more connection with the locals. The connection between the Coast and Council has come a long way, however there is more work to be done to break down barriers and earn some more trust.
- The Chief Executive Officer acknowledged the great feedback received and noted that it is reassuring to know that Council is doing a sufficient job to help members in their role in one of the most beautiful and remote parts of the country. Members were thanked for their commitment and Councillor Kemara was acknowledged for the work done as Chairperson. The Chief Executive Officer noted that he has been deliberate in making stronger connections with the coast which will remain and continue going forward. There is full confidence in the leadership team to provide the service the Board needs with encouragement to grow, and he is looking forward to the next three years.
- HWTM wished luck to everyone standing again and thanked all members for their service, especially around getting the Māori Wards in place. He noted his amazing experience and the awesome journey it has been for him and hopes that, in the long term, the Coast Community Board can feed into Council a bit more.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 11.06AM WITH A KARAKIA.

CONFIRMED:

MAXIE KEMARA **CHAIR**	**STACE LEWER** **CHIEF EXECUTIVE OFFICER**

Date: 10 October 2025

MINUTES OF AN ŌPŌTIKI DISTRICT COUNCIL PERFORMANCE AND DELIVERY COMMITTEE MEETING HELD ON MONDAY, 15 SEPTEMBER 2025, IN THE ŌPŌTIKI DISTRICT COUNCIL CHAMBERS, 108 ST JOHN STREET, ŌPŌTIKI AT 1.00PM

PRESENT:

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

IN ATTENDANCE:

Stace Lewer (Chief Executive Officer)
Nathan Hughes (Group Manager Service Delivery)
Rachael Burgess (Group Manager Business Support)
Antoinette Campbell (Group Manager Strategy and Development)
Nikki Maurirere-Emberson (Project Co-ordinator Service Delivery)
Hannah Searle (Governance Support Officer)

GUESTS:

John Kerr (Octa), via Teams

The Chairperson welcomed everyone to the meeting.

APOLOGY

Councillor Dean Petersen.

RESOLVED

(1) That the apology be sustained.

HWTM/Nelson **Carried**

DECLARATION OF ANY INTERESTS IN RELATION TO OPEN MEETING AGENDA ITEMS

Nil.

1. CONFIRMATION OF MINUTES – PERFORMANCE AND DELIVERY COMMITTEE MEETING 11 AUGUST 2025 p5

RESOLVED

(1) That the minutes of the Performance and Delivery Committee Meeting held on 11 August 2025 be confirmed as a true and correct record.

Nelson/HWTM **Carried**

2. CAPITAL WORKS PROGRAMME UPDATE p10

The Group Manager Service Delivery spoke to the report noting the following:

- As at end of June 2025, 67% of the Year 1 programme of works has been completed and unspent budget from Year 1 has been carried forward to Year 2This was expected but does add pressure on resources to deliver the projects; however, an improvement plan has been developed which is being led by John Kerr from Octa. The intention is to catch up on the programme over Years 2 and 3. It is expected that some of the Year 2 programme will spill over into Year 3. Projects have been reallocated across the three financial years to support a more achievable implementation rate.
- Appendix 2 continues to be attached to the report showing high level summaries of key projects relevant to the Performance and Delivery Committee.
- Appendix 1 now includes a new column confirming if and what external funding is relied upon to deliver specific projects.
- The financial data is correct up to the end of July 2025. Reporting will continue to be improved and refined.
- Councillor Brooks referred to Appendix 2, page 16, regarding the Snell Road/Harbour Access Road Stage 2 Reconstruction Completion of Second Section, noting that some of the road reserve is occupied by landowners and queried if there were any implications or legal costs for Ōpōtiki District Council (ŌDC) to regain access to some sections.

  The Group Manager Service Delivery advised that several project budgets within the LTP were established with the information available at the time and once they have been fully scoped and designed, it is a possibility that project budgets may need to be increased if the projects are to be delivered. Currently, no projects require an increase in budget.

  John Kerr confirmed that there is confidence to deliver the Snell Road/Harbour Access Road Stage 2 project within the budget. A portion of road reserve is occupied however the design being reviewed seeks to minimise disruption while still providing a safe carriageway. Initial conversations have commenced with landowners, and no significant issues are anticipated. The fences are close to the existing carriageway and pose a safety risk to drivers so when the road is widened, the fences will be moved with a cost incorporated into the budget. The plan is to widen the road to a similar standard to what has already been constructed in Stage 1, resulting in a consistent carriageway width, providing additional space for cyclists and cars to be able to pass them, along with supporting any future potential development off the Harbour access road.

The Group Manager Service Delivery confirmed that the project will be delivered with NZTA funding which would be relinquished if the project did not proceed.

In response to Councillor Nelson's question as to whether farmland or orchards would be impacted. John Kerr confirmed the design being developed seeks to avoid touching large agriculture infrastructure such as large shelter belts, sheds, etc., to minimise disruption and limit costs to the project. The intention is to only move fences where people might lose a bit of grazing which they have been occupying at no cost.

HWTM queried if the shelter belt obstructs vision and noted that it is more of an issue for public safety. John Kerr confirmed that this issue has been identified at the intersection, but the shelter belts are on or within the landowner's boundary. By moving the road away from the shelter belt, it should help with vision to a degree.

The Chief Executive Officer commented on the future potential development in the area highlighting that the function of the intersection will be tested with possible additional vehicle movements. The low-cost solution is to get the speed limit reduced which there are ongoing discussions about and will be followed up with NZTA.

- Councillor Brooks referred to the RRC – Resource Consent – All Locations on page 18 and questioned if Council was going to revisit options of waste to energy, more for Ōpōtiki town, not Waihau Bay or Te Kaha. He noted that it would need to be on a State Highway and accessible and questioned whether it would be worth looking at another venue or would it be something separate.

  The Group Manager Service Delivery noted that primary focus is on getting the current facilities consented, taking into consideration the opportunity to foresee some improvements to the site in the process. Through the Waste Minimisation Plan, the waste to energy option will be reviewed. If that discussion matures and it is something to be explored, Council can go through a separate consenting process, considering the suitability of the current site or looking into other options.

HWTM advised that it is something that should be explored and to look further afield; connecting with partners and getting the discussion started before identifying sites. He suggested discussing this with the community and getting some movement there for the future.

- Councillor Brooks queried how much the CBD toilet refurbishment was going to cost (refer to page 20) and noted that there are several toilets in the same area and asking if the CBD toilet is essential.

  The Group Manager Service Delivery advised that the refurbishment is underway. On completion and, if done satisfactorily, the same contractor will be requested to complete the Surf Club toilet upgrade. These are refurbishment projects that should keep the toilets going for another 5-10 years with budget in the Long Term Plan (LTP) to complete an upgrade in the future.

  The Chief Executive Officer suggested that before the next phase of investment, there could be an opportunity to review and discuss whether it is still a priority for Council to replace the CBD toilet, or if other toilets in the proximity enough.

- Councillor Brooks referred to page 21 Wharf Extension (Harbour Play Equipment and Jetty) and questioned whether the play equipment will be reused and if the budget is more to do with the wharf extension rather than the relocation of the play equipment.

  The Group Manager Service Delivery confirmed that it is an active project to extend the wharf, however there has been no progress on relocating the play equipment. Council is currently going through the process with a consultant to develop the contract documentation and provide updated estimates on costing with a current budget of $450,000. Once the estimates are back, this will determine the amount of budget available for each.

- The Group Manager Service Delivery advised that the Bay of Plenty Regional Council (BOPRC) has made contact regarding the aluminium floating pontoon that children use to swim out to and jump onto/off. The current consent requires an engineer to do a yearly assessment to ensure its safety, with the last assessment completed a number of years back. It has not been in active use since approximately 2017 and is sitting in the Council yard. A member of the public has asked to purchase it as it is just sitting there, however the question was put to Councillors if it should be retained for use in the river.

Councillors agreed that it did get frequent use, and it would a good idea to keep it however suggested an assessment cost be obtained before any decisions are made. The Group Manager Service Delivery agreed to have a conversation with BOPRC to confirm what they specifically require and enquire whether the assessments must be yearly or could the timeframe be pushed out. An estimate of the assessment cost will also be obtained.

RESOLVED

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

HWTM/Nelson **Carried**

3. TENDER AND PROCUREMENT SUB-COMMITTEE UPDATE p22

The Group Manager Service Delivery spoke to the report advising that the purpose is to provide an update on resolutions from the Tenders and Procurement Sub-Committee as part of building the transparency and awareness across the organisation of what is happening.

RESOLVED

(1) That the report titled "Tenders and Procurement Sub-Committee Update" be received.

Nelson/Brooks **Carried**

The Chief Executive Officer thanked the committee, acknowledging Councillor Brooks as Chair highlighting the way he worked with the Council team and noting that the committee was very active in providing more transparency and connection between governance and the organisation.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 1.37PM

CONFIRMED:

TOM BROOKS **CHAIR**	**STACE LEWER** **CHIEF EXECUTIVE OFFICER**

Date: 10 October 2025

Ōpōtiki District Council
STRONG COMMUNITY STRONG FUTURE

COUNCIL REPORT

Date : 7 November 2025

To : Ordinary Council Meeting, 18 November 2025

From : His Worship the Mayor, David Moore

Subject : **MAYORAL REPORT 17 OCTOBER 2025 – 7 NOVEMBER 2025**

File ID : A1341906

EXECUTIVE SUMMARY

- This report provides an update to Council on meetings and events attended by His Worship the Mayor for the period 17 October 2025 to 7 November 2025.

RECOMMENDATION

1) **That the report titled "Mayoral Report 17 October 2025–7 November 2025" be received.**

PURPOSE

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

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council's Long-Term Plan 2024-2034:

☒ Community Priority One: Strong relationships and partners

☐ Community Priority Two: Investment in our district

☐ Community Priority Three: Wellbeing is valued

☐ Community Priority Four: Our communities are resilient

☐ Community Priority Five: Growth is sustained over time

DISCUSSION

3. Since 17 October 2025 I have attended or met with the following:

17 October 2025

GNS Tsunami Modelling Online presentation – Bay of Plenty

20-21 October 2025

LGNZ Mayors' School, Wellington

23 October 2025

Blessing ceremony for the State Highway 2/Ohiwa Beach Road/Waiotahe Valley Back Road roundabout construction site

Community Meeting re Whakatane Hospital services

24 October 2025

Interview with 1XX

28 October 2025

Pōhiri and Inaugural Council and Coast Community Board meeting

29 October 2025

Kawerau District Council Pōhiri and Inaugural Council Meeting, Kawerau

30 October 2025

Bay of Plenty Regional Council Toi Moana Inaugural Meeting, Whakatāne

Emergency Management expectation setting – online meeting hosted by the Minister for Emergency Management and Recovery

4 November 2025

Coast Community Board Strategy Session, Te Kaha

5 October 2025

Mayor and Councillors – Administration Induction Session

Extra Ordinary Council meeting

6 November 2025

Whakatane District Council Inaugural meeting, Whakatāne

7 November 2025

Judge for Council bake-off competition

Financial/budget considerations

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

Risks

5. There are no risks associated with this report.

Community wellbeing considerations

6. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
7. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
8. There are no known social, economic, environmental, or cultural considerations associated with this matter.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

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

Assessment of engagement

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

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

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

David Moore

HIS WORSHIP THE MAYOR

Ōpōtiki District Council
STRONG COMMUNITY STRONG FUTURE

COUNCIL REPORT

Date : 6 November 2025

To : Ordinary Council Meeting, 18 November 2025

From : His Worship the Mayor, David Moore

Subject : **ŌPŌTIKI DISTRICT COUNCIL GOVERNANCE STRUCTURE 2025–2028**

File ID : A1342250

EXECUTIVE SUMMARY

- This report presents a Council Governance Structure for the 20235-2028 triennium.
- The report also makes Elected Member appointments to that structure and to various other join and external Committees and Group.

RECOMMENDATIONS

1) **That the report titled "Ōpōtiki District Council Governance Structure 2025-2028" be received.**

2) **That Council notes the Ōpōtiki District Council Governance Structure 2025-2028 determined by the Mayor in accordance with Section 41a of the Local Government Act 2002, as set out in this report.**

3) **That Council notes the following Mayor Appointments to the Committees, Boards and Group of Council:**

Forum	**Membership as appointed by the Mayor**
Risk and Assurance Committee	• **Independent Chairperson, Philip Jones** • **Councillor Barry Howe** • **Councillor Steve Nelson** • **Councillor Dean Petersen** • **Mayor David Moore Ex Officio**
Performance and Delivery Committee	• **Councillor Dean Petersen (Chairperson)** • **Deputy Mayor Maude Maxwell** • **Councillor Steve Nelson** • **Mayor David Moore Ex Officio**
Regulatory Appeals Committee	• **Councillor Barry Howe (Chairperson)** • **Deputy Mayor Maude Maxwell** • **Councillor Shona Browne**

Chief Executive's Performance Committee	• **Mayor David Moore (Chairperson)** • **Deputy Mayor Maude Maxwell** • **Councillor Steve Nelson** • **Greg Tims (Independent Advisor)**
Ōpōtiki Harbour Management Committee	• **Councillor Barry Howe (Chairperson)** • **Councillor Dean Petersen** • **One Kānoa Executive or CRHL Board member** • **One Te Tāwharau o Te Whakatōhea representative** • **One Bay of Plenty Regional Council representative** • **One commercial operator representative** • **One non-commercial user representative** ***External appointees will be confirmed**
Coast Community Board	• **Councillor Pāpā Wharewera (Chairperson)** • **Gaylene Dudek (Deputy Chairperson)** • **Te Ataarangi Parata** • **Tullulah Ross** • **Allen Waenga**

4) **That Council notes the appointments to the Risk and Assurance Committee, including Independent Chair Philip Jones, were made at an Extra Ordinary Council meeting held on 5 November 2025.**

5) **That Council notes the Mayoral appointments to the following Council Advisory Groups:**

Group	**Appointment by the Mayor**
Property Advisory Group	• **Councillor Shona Browne** • **Councillor Steve Nelson** • **Mayor David Moore**
Waters Working Group (Local Water Done Well)	• **Mayor David Moore** • **Councillor Steve Nelson** • **Councillor Dean Petersen**

6) **That Council notes that consideration will be given forming a Komiti Māori. Determination of this Committee will follow consultation with the Māori Ward Councillors and Iwi over the next 12 months.**

7) **That Council notes the Mayoral appointments to the following joint and external Committees and Groups:**

Committee/Group	Appointment by the Mayor
Eastern Bay of Plenty Joint Committee	**Mayor David Moore** **Deputy Mayor Maude Maxwell**
Regional Transport Committee	**Mayor David Moore** **Councillor Curley Keno (alternate)**
Civil Defence Emergency Management Group Joint Committee	**Mayor David Moore** **Councillor Curley Keno (alternate)**
Eastern Bay of Plenty Road Safety Operations Group	**Councillor Curley Keno** **Mayor David Moore (alternate)**
Eastern Bay District Licensing Committee	**Councillor Shona Browne** **Councillor Barry Howe (alternate)**
Creative Communities	**Mayor David Moore** **Councillor Curley Keno**
Waioweka-Otara Flood Scheme Liaison Group	**Councillor Barry Howe** **Councillor Dean Petersen**
Ōhiwa Harbour Implementation Forum	**Councillor Curley Keno** **Councillor Dean Petersen**
Ōpōtiki Theatre Trust	**Councillor Shona Browne**
Sport New Zealand Rural Travel Fund	**Councillor Barry Howe**

8) **That Council notes a process is in place to publicly release workshop and briefing meeting notes as and when appropriate.**

9) **That Council notes a report will be provided to the December 2025 Ordinary Council meeting confirming the Opotiki District Council Governance Statement 2025-2028, alongside the updated Delegations Register.**

PURPOSE

1. The ability of a local authority to meet the needs of its community and achieve the objectives st by its governing body is strongly influenced by the nature of its governance structure. This report provides a governance structure for the 2025-2028 triennium. The report also makes Elected Member appointments to that Committee structure and to various other join and external Committees and Groups.

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council's Long-Term Plan 2024-2034:

☒ Community Priority One: Strong relationships and partners

☒ Community Priority Two: Investment in our district

☒ Community Priority Three: Wellbeing is valued

☒ Community Priority Four: Our communities are resilient

☒ Community Priority Five: Growth is sustained over time

BACKGROUND

3. The key elements of the legal framework under which the Ōpōtiki District Council governance operates are set out in the Council's delegations register. Mayoral powers in relation to the establishment of Committees and appointments thereto are set out under Clause 3 of section 41A of the Local Government Act 2002 (LGA). This provides for the Mayor:

   1. *To appoint the Deputy Mayor.*
   2. *To establish committees of the territorial authority.*
   3. *To appoint the chairperson of each committee established, and make the appointment before the other members of the committee are determined.*
   4. *To appoint himself or herself to the Committees.*

4. However, nothing in section 41A limits or prevents a Council from discharging or reconstituting Committees or Chairpersons of those Committees appointed by the Mayor by way of Council resolution at a later date or appointing additional Committees to those established by the Mayor.

5. Following consultation with Councillors and the Chief Executive, the Mayor has decided to exercise the powers outlined above. The new triennium provides an opportunity to review and shape a Committee structure which is fit for purpose and supports the achievement of Council's Long-Term Plan.

6. The following principles of good governance have been considered in the design of the 2025-2028 Committee structure:

   - *Accountable and transparent*: decision-making structures should enable citizens to understand who is accountable for decisions made and the reasons behind those decisions.
   - *Responsive*: the structure should be able to respond to issues brought to the Council's attention without unnecessary delay.
   - *Participation and diversity*; decision-making structures should facilitate direct engagement between elected members and members of the public and the expression of diverse views.
   - *Strategic focus;* Decision-making structures should be designed so that members' ability to consider strategic matters is not "crowded out" by the urgent and reactive.
   - *Equitable and inclusive;* Decision-making structures should be accessible to all communities.

- *Efficient and effective;* Decision-making structures should enable decision to be made in a timely manner, without unnecessary duplication.

Figure 1. Elements of Good Governance

7. The purpose of the proposed Committee structure is to provide governance over the development and setting of the strategic direction of Opotiki District Council, while also strengthening governance oversight of planning, operations and performance.
8. The governance structure proposed is based on a 'governing body with Committees (no delegations)' model. This model requires Committees to consider matters and make recommendations to the governing body (full Council). The advantages to this model include the ability for a greater number of Committees focusing on a broader range of topics, alongside the opportunity for Councillors to utilise and extend their skills and experience on areas of interest and expertise.
9. The proposed Committee structure for 2025-28 proposes the continuation of the following Committees:
   - Risk and Assurance Committee
   - Regulatory Appeals Committee (special purpose)
   - Performance and Delivery Committee
   - Chief Executive's Performance Committee

10. The proposed Committee structure for 2025-28 proposes the inclusion of one new committee Ōpōtiki Harbour Management Committee. Council supported the establishment of the Committee and its Terms of Reference at the Ordinary Council Meeting 29 April 2025.

11. The proposed governance structure will commence immediately, and the Committees will develop/review their Terms of Reference with a recommendation to Council to adopt, except for the Risk and Assurance Committee Terms of Reference which were adopted by Council on 5 November. Further to the above, Councillor appointments are proposed to several joint and external committees and groups.

Council and Standing Committees

Council

Title	Ōpōtiki District Council
Chair	Mayor David Moore
Deputy Chair	Deputy Mayor Maude Maxwell
Membership	Full Council (Mayor and seven Councillors)
Quorum	4
Meeting frequency	• Six-weekly • Extra Ordinary meetings as required
Purpose	• To broadly monitor the wellbeing of the Ōpōtiki District and set the vision and strategic direction for the Council • Determining the expenditure and funding requirements of councils through the processes for developing the Annual Plan, Long Term Plan and the Revenue and Financing policy. • Ensuring overall compliance by the Council with obligations and responsibilities under the Local Government Act 2002 and all other legislation which prescribe statutory duties for territorial authorities. • To monitor and participate in relationships of strategic significance • To otherwise undertake functions, and consider matters, required of the governing body, that have not been delegated

Risk and Assurance Committee

Title	Risk and Assurance Committee
Chairperson	Philip Jones (Independent Chairperson)
Membership	Councillor Barry Howe Councillor Steve Nelson Councillor Dean Petersen Mayor David Moore Ex Officio
Quorum	2
Meeting frequency	• Quarterly or as required • Extra Ordinary meetings as required
Purpose	• To oversee the effectiveness of Council's risk management, internal control environment, legal responsibilities, statutory compliance and external auditing processes

Performance and Delivery Committee

Title	Performance and Delivery Committee
Chairperson	Councillor Dean Petersen
Membership	Deputy Mayor Maude Maxwell Councillor Steve Nelson Mayor David Moore Ex Officio
Quorum	2
Meeting frequency	• Six-weekly Extra Ordinary meetings as required
Purpose	• To monitor and provide recommendations to Council regarding the implementation of Council Infrastructure strategy, capital works programme and operational service delivery. • To monitor and provide recommendations to Council regarding the financial and non-financial performance of council and organisational development. • To monitor and provide recommendations on the overall organisational performance of Council

Regulatory Appeals Committee

Title	Regulatory Appeals Committee
Chairperson	Councillor Barry Howe
Membership	Deputy Mayor Maude Maxwell Councillor Shona Browne
Quorum	2
Meeting frequency	As required
Purpose	To provide oversight and receive outcomes of resource consent applications and objections through the hearings process under the Resources Management 1991 Act .

Chief Executive's Performance Committee

Title	Chief Executive's Performance Committee
Chairperson	Mayor David Moore (Chairperson)
Membership	Deputy Mayor Maude Maxwell Councillor Steve Nelson Greg Tims (Independent Advisor)
Quorum	3
Meeting frequency	No less than two times per year
Purpose	To set key performance requirements, monitor and undertake remuneration review and other related matters associated with the Chief Executive and provide recommendations to the Council.

Ōpōtiki Harbour Management Committee

Title	Ōpōtiki Harbour Management Committee
Chairperson	Councillor Barry Howe
Membership	Councillor Dean Petersen *One Kānoa Executive or CRHL Board member* *One Te Tāwharau o Te Whakatōhea representative* *One Bay of Plenty Regional Council representative* *One commercial operator representative* *One non-commercial user representative* **External appointees will be confirmed*
Quorum	4
Meeting frequency	Every two months or as required
Purpose	The purpose of the Opotiki Harbour Management Committee is to assist the Ōpōtiki District Council in the good governance of the Ōpōtiki Harbour by ensuring that the Harbour is well managed, all stakeholders are heard and that the commercial and non-commercial objectives of the Harbour are met.

Community Boards

Coast Community Board

Title	Coast Community Board
Chairperson	Councillor Pāpā Wharewera
Deputy Chairperson	Gaylene Dudek
Membership	Te Ataarangi Parata Tullulah Ross Allen Waenga
Quorum	3
Meeting frequency	Six-weekly
Purpose	• To represent and act as an advocate for the interests of the Coast communities, consider and report on any matter referred to it by their Council. • To oversee the allocation of the Coast Initiatives fund (CIF) to spend on Coast ward projects (as per their criteria for applications) to ensure fair representation for all members of our community.

Advisory Groups

Property Advisory Group

Title	Property Advisory Group
Membership	Mayor David Moore Councillor Shona Browne Councillor Steve Nelson
Quorum	2
Meeting frequency	As required
Purpose	• To provide advice and guidance to Council in relation to Council owned property and facilities

Komiti Māori

12. Consideration will be given to forming a Komiti Māori, with determination of this Committee to follow consultation with the Māori Ward Councillors and Iwi over the next 12 months.

<u>Joint and External Committees and Groups</u>

Joint Committees

Committee	**Membership**
Eastern Bay of Plenty Joint Committee	Mayor David Moore Deputy Mayor Maude Maxwell
This is a joint Committee of Whakatāne, Kawerau and Ōpōtiki District Councils along with the Bay of Plenty Regional Council. The purpose of the Committee to form, explore and make recommendations for strategic collaborative initiatives between the partner Councils.	
Regional Transport Committee	Mayor David Moore Councillor Curley Keno (alternate)
The Committee is responsible for preparing the Regional Land Transport Plan or any significant variation to it.	
Civil Defence Emergency Management Group Joint Committee	Mayor David Moore Councillor Curley Keno (alternate)
This Committee was established by the Bay of Plenty Regional Council to exercise the functions, powers, and duties under the Civil Defence Emergency Management Act 2002.	
Eastern Bay of Plenty Road Safety Operations Group	Councillor Curley Keno Mayor David Moore (alternate)
This Committee provides the strategic direction, oversight, and leadership to ensure Eastern Bay roads are free of fatalities and serious injury.	
Eastern Bay District Licensing Committee	Councillor Shona Browne Councillor Barry Howe (alternate)
This is a shared Committee of the Kawerau, Whakatāne and Ōpōtiki Councils set up under the Sale and Supply of Alcohol Act 2012 to make decisions on all licences and Managers' Certificates.	

External Organisation/Group Appointments

Organisation / Group	**Membership**
Creative Communities	Mayor David Moore Councillor Curley Keno
Waiwoeka- Ōtara Flood Scheme Liaison Group	Councillor Barry Howe Councillor Dean Petersen
Ōhiwa Harbour Implementation Forum	Councillor Curley Keno Councillor Dean Petersen

Opotiki Theatre Trust	Councillor Shona Browne
Sport NZ Rural Travel Fund	Councillor Barry Howe

External Appointments to Council's Governance Structure

Risk and Assurance Committee

13. At the Extra Ordinary Council meeting 5 November 2025, Council agreed to extend the contract of Philip Jones as an independent member and Chair of the Risk and Assurance Committee.

14. At the discretion of the Mayor, Philip Jones is directly appointed as the Independent Chairperson (and of note, is incumbent Chairperson from the previous triennium).

Delegations

15. The Delegations Register and associated Terms of Reference for this governance structure will be finalised and presented to Council for endorsement alongside the Ōpōtiki District Council Governance Statement 2025-2028 at the December 2025 Council meeting. Council should note the proposed structure does not delegated responsibilities of Council to a Committee. Instead, the structure provides for Committees to oversee, monitor and make recommendations to Council in relation to the purpose of the committee. Further, Clause 32(7) Schedule 7 of the Local Government Act 2002 notes *'no delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure the performance of any function or duty'*.

Additional Mechanisms To Support Decision-Making

16. The Local Government Information and Meetings Act 1987 (LGOIMA) provides for all local government activities to take place in an open and transparent environment. It also states that, generally, all information held by a local authority in any form should be available to the public.

17. The LGOIMA requires Council to give notice, publish agendas and minutes and make meetings open to the public. Section 45 of LGOIMA defines the term 'meeting' and excludes 'any meeting at which no resolutions or decisions are made'

Local Government Information and Meetings Act 1987 Section 45

(1) In this Part, unless the context otherwise requires,

meeting*, in relation to a local authority, means, subject to subsection (2), any annual, biennial, triennial, ordinary, or extraordinary meeting of a local authority; and*

(a) *any meeting of*

(i) *any committee or standing committee or special committee or subcommittee of a local authority; and*

(ii) *any meeting of any joint standing committee or joint special committee appointed by 2 or* *more local authorities, and any subcommittee of any such committee*

if

(iii) *any function, duty, or power is conferred or imposed on that committee or subcommittee by any enactment; or*

(iv) *that committee or subcommittee is empowered to exercise or perform, on behalf of any local authority or any committee of any local authority, any function, duty, or power conferred or imposed on any local authority, or on any committee of any local authority, by or under any enactment or bylaw*

(2) ***Minutes****, in relation to any meeting of any local authority, means any minutes or other record of the proceedings of any such meeting.*

For the avoidance of doubt, it is hereby declared that any meeting of a local authority or of any committee or subcommittee of a local authority, at which no resolutions or decisions are made is not a meeting for the purposes of this Part.

18. With consideration of the requirements of LGOIMA, there is recognition of the need for Councillors to be well briefed and able to provide focused and informed debate when considering matters. Workshops and briefings have been used as a mechanism able to consider a particular issue or to unpack complex information with staff. They also enable direction to be provided to staff on areas where further information is needed or wanted. Standing orders do not apply to workshops or briefings and this allows for more 'free and frank' discussions.

19. The intent of LGOIMA to ensure all Local Government activities to take place in an open and transparent environment must not be discounted. It is proposed workshops and briefings continue to be utilised with Council implementing a process to publicly release workshop and briefing meeting notes as and when appropriate.

OPTIONS

20. There are two options:

    To adopt a governance structure for the 2025-2028 triennium; or

    Not to adopt a governance structure for the 2025-2028 triennium.

OPTION 1: [Title]	
Description	*To adopt a governance structure for the 2025-2028 triennium.*
Advantages	*Having a governance structure in place enables the Council to meet the needs of its community and achieve the objectives set by its governing body.*

OPTION 1: [Title]	
	Appointments to Committees, both internal and external, gives Elected Members the opportunity to contribute to delivering positive outcomes for the community.
Disadvantages	*There are no identified disadvantages of having a governance structure in place.*
Impact on mana whenua	*There is no identified impact on mana whenua.*
Strategic alignment	*Having a governance structure in place supports all of the priorities from Council's Long Term Plan 2024-2034:.* • *Strong relationships and partners* • *Investment in our district.* • *Wellbeing is valued.* • *Our communities are resilient.* • *Growth is sustained over time.*
Associated risks	*There are no identified associated risks in relation to having a governance structure in place. Council, Committees and Advisory Groups, both internal and external have rules in place to enable decisions and recommendations to be progressed for the betterment of the community.*

OPTION 2: [Title]	
Description	*Not to adopt a governance structure for the 2025-2028 triennium.*
Advantages	*There are no identified advantages to not having a governance structure in place.*
Disadvantages	*Council, Committee and Advisory Groups, both internal and external, will not have a structure in place to enable Elected Members to contribute to decisions and recommendations to be progressed for the betterment of the community.*
Impact on mana whenua	*There is no identified impact on mana whenua.*
Strategic alignment	*By not having a governance structure in place, Council's priorities from its Long Term Plan 2024-2034 would not be supported.*
Associated risks	*Not having a governance structure in place would leave Council exposed to the consequences of poor, uninformed decision-making.*

Financial/budget considerations

21. Council has an existing budget in place for Elected Member remuneration and for external appointments to Council Committees as recommended in this report.
22. The proposed Committee structure may require additional resourcing due to the addition of the Ōpōtiki Harbour Management Committee and the Waters Working Group. This will be monitored,

and additional resources may be requested if it cannot be accommodated within the current budget.

Policy and planning implications

23. The proposed Committee structure will support strengthened policy and planning development for Opotiki District Council through greater governance oversight and direction.

Impact on mana whenua

24. There is no identified impact on mana whenua.

Climate impact considerations

25. There are no climate change impact considerations related to having a governance structure in place.

Risks

26. There are no significant risks associated with the recommendations in this report. Any arising risks will be managed by Council monitoring the effectiveness of the structure.

Community wellbeing considerations

27. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
28. The establishment of governance committees, and advisory boards supports the 4 wellbeings.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

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

Assessment of engagement

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

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

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

CONCLUSION

33. Following consultation with Councillors and the Chief Executive and in accordance with Section 41A of the Local Government Act 2002, the Mayor has appointed a committee structure and membership as set out in the report to take effect in the 2025-2028 triennium.
34. Implementation of the Committee structure will see the development of the meeting calendar for 2026. The Schedule of Meetings for 2026 will be brought to Council for adoption at its December 2025 meeting. Following adoption, the Schedule of Meetings will be available on the Council website and circulated to Elected Members for their information.
35. A report will be provided to Council at its December 2025 meeting confirming the Opotiki District Council Governance Statement 2025-2028 alongside the updated Delegations Register.

David Moore

HIS WORSHIP THE MAYOR

Ōpōtiki District Council
STRONG COMMUNITY STRONG FUTURE

COUNCIL REPORT

Date : 10 November 2025

To : Ordinary Council Meeting, 18 November 2025

From : Group Manager Business Support, Rachael Burgess

Subject : **AMENDMENT TO STANDING ORDERS**

File ID : A1341784

EXECUTIVE SUMMARY

- The current Standing Orders were adopted in February 2023 following a revised template being released by LGNZ. The template was updated with minor amendments to improve clarity, as well as the inclusion of the Māori translation for headings and subheadings.
- When the Standing Orders were adopted at the beginning of the last triennium, Council decided that members attending by audiovisual link would not be counted as part of the meeting's quorum.
- In 2025 Taituarā and LGNZ have reviewed the Standing Orders templates. Council is being presented with an opportunity to consider whether members attending by audiovisual link will be counted as part of the meeting's quorum as an amendment to the current Standing Orders.

RECOMMENDATIONS

1) **That the report titled "Amendment to Standing Orders" be received.**

2) **That Council approves the legislative amendment to the current Standing Orders to include provision for members attending by audiovisual link to be counted as part of the meeting's quorum.**

PURPOSE

1. The purpose of this report is to consider an amendment to the current Standing Orders to allow for members attending by audiovisual link to be counted as part of the meeting's quorum.

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council's Long-Term Plan 2024-2034:

☒ Community Priority One: Strong relationships and partners

☐ Community Priority Two: Investment in our district

☐ Community Priority Three: Wellbeing is valued

☐ Community Priority Four: Our communities are resilient

☐ Community Priority Five: Growth is sustained over time

BACKGROUND

3. Standing Orders are part of the framework of processes and procedures designed to ensure that the system of local democracy, and in particular decision-making within local government is transparent and accountable. They are designed to give effect to the principles of good governance, which is set out in Section 39 of the LGA (2002).
4. Standing Orders are also a means of recording the Council's agreed principles of behaviour within meetings. Using Standing Orders as a guide to the way that the Council conducts its meetings helps to promote teamwork by:
   - Allowing structured discussion of topics;
   - Ensuring respect for the opinion of others;
   - Ensuring tact and appropriate language is used in resolving conflict;
   - Promoting the use of persuasion and influencing skills to gain a team outcome.
5. All Councils are required by Clause 27, Schedule 7 of the Local Government Act 2002 to adopt a set of Standing Orders that control the way the Council's meetings are conducted. The Standing Orders must not contravene the Local Government Act 2002. The Local Government Official Information and Meetings Act 1987 (LGOIMA) or any other Act.
6. In 2025 Taituarā and LGNZ reviewed the Standing Orders templates. The Taituarā Democracy and Participation Reference Group provided much of the expertise required for this review.
7. The LGA 2002 allows members to participate in meetings if they are not physically present, via audio or audio-visual means, if that participation is enabled by the council's standing orders.
8. Should a governing body, local, or community board decide they do not wish to allow members to do this, then standing order SO 13.7 ("Right to attend by audio or audio-visual link") must be deleted from the template before it is adopted. (see Part 3: Meeting Procedures for more information).
9. The specific amendment details being presented for consideration are as follows:

   Right to attend by audio or audiovisual link/Te mōtika kia tae atu mā te hononga ā-oro, ataata-rongo rānei

   Provided the conditions in Standing Orders 13.11 and 13.12 are met, members of the local authority and its committees (and members of the public for the purpose of a deputation approved by the chairperson), have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

Member's status: quorum/Te tūnga a te mema: kōrama

Members who attend meetings by electronic link will be counted as present for the purposes of a quorum. *LGA 2002, sch 7, cl 25A(4).*

Member's status: voting/Te tūnga a te mema: te pōti

Where a meeting has a quorum, determined by the number physically present, the members attending by electronic link can vote on any matters raised at the meeting.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

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

Assessment of engagement

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

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

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

Rachael Burgess
GROUP MANAGER BUSINESS SUPPORT

Ōpōtiki District Council
STRONG COMMUNITY STRONG FUTURE

COUNCIL REPORT

Date	:	10 November 2025
To	:	Ordinary Council Meeting, 18 November 2025
From	:	His Worship the Mayor, David Moore
Subject	:	**ELECTED MEMBER REMUNERATION**
File ID	:	A1341786

EXECUTIVE SUMMARY

The remuneration for the mayor and elected members is set by the Remuneration Authority. Each triennium Council must recommend a remuneration schedule based on the Governance Structure of Council and additional responsibilities given to members.

RECOMMENDATIONS

1) **That the report titled "Elected Member Remuneration" be received.**

2) **That Council endorses the proposed remuneration schedule and directs staff to forward the resolution to the Remuneration Authority for approval.**

PURPOSE

1. This report seeks a resolution from Council to recommend a Councillor remuneration schedule to the Remuneration Authority which aligns with Councils Governance Structure and meets the requirements of the Act.

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council's Long-Term Plan 2024-2034:

   ☒ Community Priority One: Strong relationships and partners

   ☐ Community Priority Two: Investment in our district

   ☐ Community Priority Three: Wellbeing is valued

   ☐ Community Priority Four: Our communities are resilient

   ☐ Community Priority Five: Growth is sustained over time

BACKGROUND

3. The Remuneration Authority (the Authority) creates a governance remuneration pool for each council as a unit. The governance pool provides the total amount that must be paid in remuneration to Councillors.
4. Mayor and Community Board members remuneration is not included in the governance pool.
5. The governance pool allocated does not have any relationship to the number of Councillors. If a Council wishes to change the number of Councillors and the Local Government Commission agrees, the governance pool does not change. It will be shared amongst fewer or more Councillors.
6. Each Council can decide how it wishes to allocate its pool according to its own priorities and circumstances.
7. There are however four requirements for each Council:
   - The whole pool must be utilised.
   - The Council is required to decide a "base remuneration" for councillors who have no additional responsibilities. This cannot be below the minimum amount set by the Authority.
   - For roles that have additional responsibility above the base rate, the Council must make a resolution to that effect and include a title, a short job description of the role and the proposed dollar value of remuneration attached to each role.
   - Following the formal resolution, the Council is required to forward the resolution to the Authority for consideration for inclusion in a final determination.
8. The Authority reviews its rates annually, with a review date of 1 July.

DISCUSSION AND OPTIONS

9. Council must allocate the full remuneration pool across the Councillors.
10. The governance pool for the current triennium is $341,533.
11. The minimum Councillor remuneration is $37,948.
12. The proposed remuneration schedule based on Council's Governance Structure is:

Proposed position with additional responsibilities		Base rate	Additional remuneration allocated	Total Remuneration
Deputy Mayor	1	$ 44,500.00	$ 12,033.00	$ 56,533.00
Chair Harbour	1	$ 44,500.00	$ 6,000.00	$ 50,500.00
Chair Performance and Delivery	1	$ 44,500.00	$ 6,000.00	$ 50,500.00
Chair Coast Community Board	1	$ 44,500.00	$ 6,000.00	$ 50,500.00
Councillor	3	$ 44,500.00	-	$ 133,500.00

	7			**$ 341,533.00**

13. The proposed remuneration schedule takes into account the additional responsibilities and duties given to those Committee Chairs and the Deputy Mayor.
14. Once Council has resolved a proposed remuneration structure staff will submit this proposal to the Remuneration Authority so that the new structure can be included in the Authority's next determination.
15. Proposals must be submitted by either Friday 14 November 2025 (to meet the deadline for the first determination) or if that deadline is missed, by Friday 30 January 2026 (to meet the deadline for the second amending determination).
16. Because the first deadline was missed Council's proposal will be part of the second determination to be gazetted early March 2026.
17. Once that amending determination has been gazetted Councillors will receive back pay to take effect on and from the day after the date of Council's resolution of its proposal.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

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

Assessment of engagement

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

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

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

CONSIDERATIONS

Financial/budget considerations

22. The total governance pool has been appropriately budgeted for in the current Annual Plan.

Authority

23. The Remuneration Authority is the responsible authority for setting the remuneration of elected members. Council can recommend a different apportionment across the Deputy Mayor, Chairs of Committee and Councillors, within the requirements set by the Remuneration Authority. Its recommendations must be accompanied by reasoning.

David Moore
HIS WORSHIP THE MAYOR

Ōpōtiki District Council
STRONG COMMUNITY STRONG FUTURE

COUNCIL REPORT

Date	:	7 November 2025
To	:	Ordinary Council Meeting, 18 November 2025
From	:	Chief Executive Officer, Stace Lewer
Subject	:	**CHIEF EXECUTIVE OFFICER'S UPDATE**
File ID	:	A1341664

EXECUTIVE SUMMARY

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

RECOMMENDATION

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

PURPOSE

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

STRATEGIC ALIGNMENT

2. The matters detailed in this report relate to the following priorities from Ōpōtiki District Council's Long-Term Plan 2024-2034:

   ☒ Community Priority One: Strong relationships and partners

   ☐ Community Priority Two: Investment in our district

   ☐ Community Priority Three: Wellbeing is valued

   ☐ Community Priority Four: Our communities are resilient

   ☐ Community Priority Five: Growth is sustained over time

DISCUSSION

3. LGOIMA Requests

LGOIMA Tracking (10/11/2024-11/11/2025)

Month	Submitter	Subject	Due	Total Days Incomplete
October 2025	Peter Simmons	Building consent - Energy Efficiency calculation reports	06/11/2025	22
	Mahea	GIS Open Data - Shapefile request for MfE research	27/11/2025	7

4. Meetings / Events Attended by the Chief Executive Officer – 17 October 2025 –7 November 2025

17 October 2025

Taituara webinar – Inductions for new CEs 2025

GNS Tsunami Modelling Online Presentation – Bay of Plenty

20 October 2025

Catch up meeting with CEs of Whakatāne and Kawerau District Councils, Whakatāne

Social Investment Agency Engagement Session – Local and Regional Council Leaders, Whakatāne

23 October 2025

Blessing ceremony for the State Highway 2/Ōhiwa Beach Road/Waiōtahe Valley Back Road roundabout construction site

Wastewater Treatment Plant Upgrade Steering Group meeting, via Teams

28 October 2025

Pōhiri and Inaugural Council and Coast Community Board meeting

29 October 2025

Kawerau District Council Pōhiri and Inaugural Council Meeting, Kawerau

30 October 2025

Bay of Plenty Regional Council Toi Moana Inaugural Meeting, Whakatāne

Emergency Management expectation setting – online meeting hosted by the Minister for Emergency Management and Recovery

3 November 2025

Meeting with Toi Rāwhiti, via Teams

4 November 2025

Coast Community Board Strategy Session, Te Kaha

5 October 2025

Mayor and Councillors – Administration Induction Session

Extra Ordinary Council meeting

6 November 2025

Rangatira Leaders Wānanga, Rotorua

7 November 2025

Tier 2 Leadership training session

Council bake-off competition

Financial/budget considerations

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

Risks

6. There are no risks associated with this report.

Community wellbeing considerations

7. The purpose of Local Government now includes promotion of social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
8. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
9. There are no known social, economic, environmental, or cultural considerations associated with this matter.

SIGNIFICANCE AND ENGAGEMENT ASSESSMENT

Assessment of significance

10. On every issue requiring a decision, Council is required to determine how significant a decision is to the community, and what the corresponding level of engagement should be. Council uses the

Significance Flowchart in the Significance and Engagement Policy to determine the level of significance.

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

Assessment of engagement

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

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

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

Stace Lewer
CHIEF EXECUTIVE OFFICER

REPORT

Date : 7 November 2025

To : Ordinary Council Meeting, 18 November 2025

From : Chief Executive Officer, Stace Lewer

Subject : **RESOLUTION TO EXCLUDE THE PUBLIC**

SECTION 48 LOCAL GOVERNMENT OFFICIAL INFORMATION & MEETINGS ACT 1987

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

13. In-Committee Minutes – Ordinary Council Meeting 16 September 2025.

14. In-Committee Minutes – Risk and Assurance Committee Meeting 18 August 2025.

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

Item No	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
13.	**Confirmation of In-Committee Minutes – Ordinary Council Meeting 16 September 2025.**	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.	Section 48(1)(a)
14.	**In-Committee Minutes – Risk and Assurance Committee Meeting 18 August 2025.**	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982,

as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

13.	Protect the privacy of natural persons Protect information Protection from improper pressure or harassment Prevent disclosure or use of official information Carry out negotiations Maintain legal professional privilege Carry out commercial activities	Section 7(2)(a) Section 7(2)(b)(i) & (ii); (d) & (e) and Section 7(2)(c)(i) & (ii) Section 7(2)(f)(ii) Section 7(2)(j) Section 7(2)(i) Section 7(2)(g) Section 7(2)(h)
14.	Protect the privacy of natural persons Protect information (commercial sensitivity) Protection from improper pressure or harassment Prevent disclosure or use of official information Carry out, without prejudice or disadvantage, commercial activities	Section 7(2)(a) Section 7(2)(b)(ii) Section 7(2)(f)(ii) Section 7(2)(j) Section 7(2)(h)