

# Regional Council

## **NOTICE IS GIVEN**

that the next meeting of the **Regional Council** will be held in the **Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga** on:

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**Thursday, 1 June 2017 commencing at 9.30 am.**

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Mary-Anne Macleod  
Chief Executive  
25 May 2017





# Regional Council

## Terms of Reference

### Purpose

- Enable democratic local decision-making and action by, and on behalf of, Bay of Plenty communities.
- Meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.
- Set the overarching strategic direction for Bay of Plenty Regional Council as an organisation.
- Hold ultimate responsibility for allocating financial resources across the Council.

### Membership

All councillors are members of the Regional Council.

### Quorum

In accordance with Council standing order 10.1(a), the quorum at a meeting of the Regional Council is seven members, consisting of half the number of members.

### Meeting frequency

Six-weekly.

### Role of Council

- Address Local Electoral Act matters and Local Government Rating Act matters.
- Oversee all matters relating to identifying and contributing to community outcomes.
- Consider and agree on matters relating to significant new activities or areas of involvement such as infrastructure which are not the responsibility of a specific committee.
- Provide regional leadership on key issues that require a collaborative approach between a number of parties.
- Develop, adopt and review Council's Policy on Significance and decision-making policy and processes.
- Develop, adopt and implement the Triennial Agreement and the Code of Conduct.
- Consider and agree on matters relating to elected members' remuneration matters.
- Appoint the Chief Executive Officer, and review their contract, performance and remuneration at least annually.
- Approve all delegations to the Chief Executive, including the authority for further delegation to staff.
- Establish committees, subcommittees, and working parties and appoint members.
- Receive and consider recommendations and matters referred to it by its committees, joint committees, subcommittees and working parties.

- Approve membership to external bodies and organisations, including Council Controlled Organisations.
- Develop, adopt and review policies for, and monitor the performance of, Council Controlled Organisations.
- Review and approve strategic matters relating to the sale, acquisition and development of property for the purposes of meeting Council's organisational requirements and implement approved Regional Council policy.
- Address strategic corporate matters including property and accommodation.
- Institute any proceedings in the High Court that are not injunctive proceedings.
- Exercise the powers and duties conferred or imposed on Council by the Public Works Act 1981.
- Consider and agree on the process to develop the Long Term Plan, Annual Plan and Annual Report.
- Adopt Council policies as required by statute (for example Regional Policy Statement and Regional Land Transport Strategy) to be decided by Council or outside of Committee delegations (for example infrastructure policy).
- Delegate to commissioners to exercise the powers, functions and duties of the Council as a consent authority under the Resource Management Act 1991 including to hear and decide a consent application.
- Monitor Council's financial and non-financial performance in-year.
- Develop, review and approve Council's Financial Strategy and funding and financial policies and frameworks.

## Delegations from Council to Committees

- Full Council has a role to monitor the functioning of all committees.
- Full Council will consider matters not within the delegation of any one Council committee.
- Full Council may at any time, revoke or modify a delegation to a Council committee, either permanently, for a specified time or to address a specific matter, if it considers there is good reason to do so.
- The delegations provided to committees may be further delegated to subcommittees unless the power of further delegation is restricted by Council or by statute.

It is accepted in making these delegations that:

- The committees, in performing their delegated functions, powers or duties, may, without confirmation by the Council, exercise or perform them in a like manner and with the same effect as the Council itself could have exercised or performed them.
- The delegated powers given shall at all times be subject to their current policies and principles or directions, as given by the Council from time to time.
- The chairperson of each committee shall have the authority to exercise their discretion, as to whether or not the delegated authority of the committee be used where, in the opinion of the chairperson, circumstances warrant it.

## Powers that cannot be delegated

Under Clause 32 Schedule 7 of the Local Government Act 2002, Full Council must make the following decisions:

- Make a rate.
- Make a bylaw.
- Borrow money or purchase or dispose of assets, other than in accordance with the long-term plan.
- Adopt the long-term plan, annual plan, or annual report.
- Appoint a chief executive.
- Adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
- Adopt a remuneration and employment policy.



## Public Forum

1. A period of up to 15 minutes may be set aside near the beginning of the meeting to enable members of the public to make statements about any matter on the agenda of that meeting which is open to the public, but excluding any matter on which comment could prejudice any specified statutory process the council is required to follow.
2. The time allowed for each speaker will normally be up to 5 minutes but will be up to the discretion of the chair. A maximum of 3 public participants will be allowed per meeting.
3. No statements by public participants to the Council shall be allowed unless a written, electronic or oral application has been received by the Chief Executive (Governance Team) by 12.00 noon of the working day prior to the meeting and the Chair's approval has subsequently been obtained. The application shall include the following:
  - name of participant;
  - organisation represented (if any);
  - meeting at which they wish to participate; and matter on the agenda to be addressed.
4. Members of the meeting may put questions to any public participants, relevant to the matter being raised through the chair. Any questions must be asked and answered within the time period given to a public participant. The chair shall determine the number of questions.





# Membership

<b>Chairman:</b>	D Leeder
<b>Deputy Chairman:</b>	J Nees
<b>Councillors:</b>	N Bruning, W Clark, J Cronin, S Crosby, D Love, T Marr, M McDonald, A Tahana, P Thompson, L Thurston, A von Dadelszen, K Winters
<b>Committee Advisor:</b>	S Kameta

Recommendations in reports are not to be construed as Council policy until adopted by Council.

## Agenda

*E te Atua nui tonu, ko mātau ēnei e inoi atu nei ki a koe, kia tau mai te māramatanga ki a mātau whakarite mō tēnei rā, arahina hoki mātau, e eke ai te ōranga tonu ki ngā āhuatanga katoa a ngā tangata ki tō mātau rohe whānui tonu. Āmine.*

*“Almighty God we ask that you give us wisdom in the decisions we make here today and give us guidance in working with our regional communities to promote their social, economic, environmental and cultural well-being. Amen”.*

### 1 Apologies

### 2 General Business and Tabled Items

Items not on the agenda for the meeting require a resolution under section 46A of the Local Government Official Information and Meetings Act 1987 stating the reasons why the item was not on the agenda and why it cannot be delayed until a subsequent meeting.

### 3 Public Forum

### 4 Declarations of Conflicts of Interests

### 5 Previous Minutes

5.1	Regional Council Minutes - 20 April 2017	15
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<b>6</b>	<b>Statutory Committee Minutes</b>	
6.1	Civil Defence Emergency Management Group Joint Committee Extraordinary Minutes - 11 April 2017	37
<b>7</b>	<b>Joint Committee Minutes</b>	
7.1	SmartGrowth Leadership Group Minutes - 19 April 2017	43
<b>8</b>	<b>Chairman's Report</b>	
8.1	Chairman's Report	57
<b>9</b>	<b>Public Excluded Section</b>	<b>127</b>

### Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

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

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
9.1 External Presentation - April 2017 Flood Event – Update	To protect information which is subject to an obligation of confidence, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

### 9.1 External Presentation - April 2017 Flood Event – Update

## 10 Readmit the public

## 11 Chief Executive's Reports

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APPENDIX 1 - Executive Summary - LGF Communities of Interest, Local Government Democracy and Leadership, 21 September 2016	75
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APPENDIX 2 - Executive Summary - LGF Transportation IBC, August 2016	83
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APPENDIX 3 - Executive Summary - LGF Water and Wastewater IBC, August 2016	89
APPENDIX 4 - Executive Summary - LGF Opportunities for Improvement, 18 April 2016	95
<b>11.2 Service Delivery Reviews under section 17A of the Local Government Act 2002</b>	<b>103</b>
APPENDIX 1 - Approach to delivering service delivery reviews	113
APPENDIX 2 - Summary of assessments	119
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<b>12 Public Excluded Section</b>	<b>129</b>

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THAT the public be excluded from the following parts of the proceedings of this meeting.

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

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
12.1 Public Excluded Regional Council Minutes - 20 April 2017	Please refer to the relevant clause in the meeting minutes	Good reason for withholding exists under Section 48(1)(a).
12.2 Public Excluded Extraordinary Regional Council Minutes - 18 May 2017	Please refer to the relevant clause in the meeting minutes	Good reason for withholding exists under Section 48(1)(a).
12.3 Awatarariki Fanhead Debris-flow Risk Reduction	To protect information which is subject to an obligation of confidence, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied.	Good reason for withholding exists under Section 48(1)(a).
12.4 Rena Resource Consents Environment Court Decision	To maintain legal professional privilege	Good reason for withholding exists under Section 48(1)(a).
12.5 April 2017 Flood Event - Update	To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	Good reason for withholding exists under Section 48(1)(a).
12.6 Directors of Council Controlled Organisations Independent Appointments Panel - Panel Membership	To protect the privacy of natural persons, including that of deceased natural persons.	Good reason for withholding exists under Section 48(1)(a).

<b>12.1</b>	<b>Public Excluded Regional Council Minutes - 20 April 2017</b>	<b>131</b>
<b>12.2</b>	<b>Public Excluded Extraordinary Regional Council Minutes - 18 May 2017</b>	<b>139</b>
<b>12.3</b>	<b>Awatarariki Fanhead Debris-flow Risk Reduction</b>	<b>145</b>
	APPENDIX 1 - Mayor Bonne letter to Chairman Leeder - Voluntary Retreat - Awatarariki Fanhead, Matata 19 December 2016	155
	APPENDIX 2 - Awatarariki Fanhead Issues and Options Discussion Document, Boffa Miskell 11 April 2017	159
	APPENDIX 3 - Legal review for BOPRC from Cooney Lees Morgan - Matata Awatarariki Debris Flow Risk 19 July 2016	179
	APPENDIX 4 - Legal advice - Matata Awatarariki legal issues 23 June 2016	187
<b>12.4</b>	<b>Rena Resource Consents Environment Court Decision</b>	<b>207</b>
	APPENDIX 1	211
<b>12.5</b>	<b>April 2017 Flood Event - Update</b>	<b>219</b>
<b>12.6</b>	<b>Directors of Council Controlled Organisations Independent Appointments Panel - Panel Membership</b>	<b>221</b>
	APPENDIX 1 - Proposal for Appointments Panel 2017	225
	APPENDIX 2 - Proposed New Panel Member Profile	229
<b>13</b>	<b>Confidential business to be transferred into the open</b>	
<b>14</b>	<b>Readmit the public</b>	
<b>15</b>	<b>Consideration of General Business</b>	
<b>16</b>	<b>Closing karakia</b>	

# Previous Minutes



# Minutes of the Regional Council Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Thursday, 20 April 2017 commencing at 9.00 a.m.

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## Present:

**Chairman:** D Leeder

**Deputy Chairman:** J Nees

**Councillors:** N Bruning, W Clark, S Crosby, D Love, T Marr, M McDonald, A Tahana, P Thompson, L Thurston, A von Dadelszen, K Winters, J Cronin

**In Attendance:** M Macleod (Chief Executive), M Taylor (General Manager Corporate Performance), E Grogan (General Manager Regulatory Services), C Ingle (General Manager Integrated Catchments), D Phizacklea (Acting General Manager Strategy & Science), J Graham (General Manager Corporate Solutions), S Hey (Manager Chief Executive's Office), D Hyland (Finance Manager), D Lewell (Legal Advisor), R Garrett, S Kameta (Committee Advisors)

Attendance in part: K O'Brien (Strategic Engagement Manager), C Kopu, S Hohepa (Maori Policy Advisors), K Heitia (Strategic Engagement Coordinator), J Waldon (Internal Services Manager), C Taia (Customer Services Officer), P Sisam (Communications Partner), C Woods (Health & Safety Manager), C Naude (Director, Emergency Management Bay of Plenty); Whakatāne District Council: Mayor A Bonne, M Grenfell (Chief Executive), J Farrell (Strategic Project Manager), S McGhie (Principal Planner), A Kranenberg (Policy Planner), S Boyle (Chief Executive Officer, BOPLASS Limited)

**Apologies:** J Cronin (for lateness)

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## 1 Commencement of meeting

A pōwhiri/welcome took place at 9:00 am to welcome newly elected member Councillor Matemoana McDonald.

## 2 Final declaration of election results

Chief Executive Mary-Anne Macleod gave a verbal account of the final election results for the Mauao Constituency By-election, which had been publicly notified in the *Bay of Plenty Times* on Saturday, 15 April 2017.

### 3 **Making and attesting of declarations by elected members**

Council Chairman called upon Councillor McDonald to come forward to make and attest the declaration by elected members as required under clause 14(3) of Schedule 7 of the Local Government Act 2002.

Councillor McDonald elected from the Mauao Māori Constituency attested her declaration out loud in Te Reo Māori.

A karakia was provided by kaumatua Minita Pahu Akuhata to close formalities.

### **Adjournment**

The meeting adjourned at 9:30 am and reconvened at 10:05 am.

### 4 **Apologies**

#### **Resolved**

**That the Regional Council:**

- 1 **Accepts the apology for lateness from Councillor Cronin tendered at the meeting.**

von Dadelszen/Love  
CARRIED

### 5 **General Business and Tabled Items**

Council received the following late and tabled items for consideration.

- 1) **Late Agenda Item 12.1, Final Declaration of Mauao Māori Constituency By-Election Results**

*Refer Tabled Document Number 1*

The information was not available at the time the agenda was distributed however, was listed in the agenda and should not be delayed.

- 2) **Public Excluded Tabled Item - Eastern Bay of Plenty Flood Event of April 2017**

*Refer Tabled Document Number 2*

The item was in response to the region-wide State of Emergency that was declared the day the agenda was published and could not be delayed, as a decision was required to assist Whakatāne District Council to move into the Civil Defence Emergency Management recovery stage commencing on 21 April 2017.

#### **Resolved**

**That the Regional Council:**

- 1 **Pursuant to section 46A of the Local Government Official Information and Meetings Act 1987, agrees to consider late item 12.1, Final Declaration of**



**Mauao Māori Constituency By-Election Results and tabled Item, Eastern Bay of Plenty Flood Event of April 2017, at the meeting.**

- 2 **Confirms under section 48(1) of the Local Government Official Information, tabled item 'Eastern Bay of Plenty Flood Event of April 2017', will be considered with the public excluded and that good reason for withholding exists to protect information which is subject to an obligation of confidence, or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest.**

**Thurston/Marr  
CARRIED**

## 6 **Chairman's announcement**

The Chairman made the following announcements:

### 1) **Withdrawal of Agenda Items**

Agenda item 12.4, Proposed Terms of Reference for Komiti Māori was to be withdrawn from the agenda. The reason for its withdrawal was that further work was required on the item before seeking a decision.

In addition to the above, the following items were sought to be deferred to a subsequent meeting due to potential time constraints on the meeting and a request that further detail and rationale be provided for agenda item 12.10.

- a) Agenda item 12.9, Update on Bay of Plenty Local Government Futures project
- b) Agenda item 12.10, Service Delivery Reviews under section 17A of the Local Government Act 2002

### 2) **Reordering of agenda items**

The Chairman advised some resequencing of agenda items would be required to accommodate the timing of external presenters.

## **Resolved**

**That the Regional Council:**

- 1 **Agrees to withdraw agenda item 12.4, Proposed Terms of Reference for Komiti Māori.**

**Thurston/Marr  
CARRIED**

- 2 **Agrees to defer consideration of the following items to a subsequent meeting of Council:**

- a. **Agenda item 12.9, Update on Bay of Plenty Local Government Futures project**
- b. **Agenda item 12.10, Service Delivery Reviews under section 17A of the Local Government Act 2002.**

Thompson/von Dadelszen  
CARRIED

## 7 Declaration of conflicts of interest

No conflicts of interest were declared.

## 8 Previous Minutes

### 8.1 Regional Council Minutes - 9 March 2017

It was noted that resolution 2d under Minute Item 8.1, 'Statement of Proposal to amend the Bay of Plenty Regional Council Resource Management Act and Building Act Charges Policy' (refer page 26 of the agenda), was rescinded with subsequent amendment made at the Extraordinary Council Meeting held on 29 March 2017.

#### Resolved

That the Regional Council under its delegated authority:

- 1 Confirms the minutes of the Regional Council Meeting held 9 March 2017, as a true and correct record.

Nees/Love  
CARRIED

### 8.2 Extraordinary Council Minutes - 29 March 2017

#### Resolved

That the Regional Council under its delegated authority:

- 1 Confirms the minutes of the Extraordinary Council Meeting held 29 March 2017, as a true and correct record.

Love/Leeder  
CARRIED

## 9 Statutory committee minutes

### 9.1 Te Maru o Kaituna River Authority Minutes - 16 February 2017

#### Resolved

That the Regional Council under its delegated authority:

- 1 Receives the minutes of the Te Maru o Kaituna River Authority Meeting held on 16 February 2017.

Tahana/Nees  
CARRIED

9.2 **Civil Defence Emergency Management Group Joint Committee Minutes - 24 February 2017**

**Resolved**

That the Regional Council under its delegated authority:

- 1 **Receives the minutes of the Civil Defence Emergency Management Group Joint Committee Meeting held on 24 February 2017.**

Love/Leeder  
CARRIED

9.3 **Rotorua Te Arawa Lakes Strategy Group Minutes - 10 March 2017**

Discussion was raised on Minute item 4.7, Disposal of Treated Wastewater: Position Statement from TAG and Proposed Nutrient Accounting approach for Rotorua City (page 57 of the agenda). A report would be provided to a future meeting of the Regional Direction and Delivery Committee on the proposed nutrient accounting method associated with the Rotorua Wastewater Treatment Plan was noted.

**Resolved**

That the Regional Council under its delegated authority:

- 1 **Receives the minutes of the Rotorua Te Arawa Lakes Strategy Group Meeting held on 10 March 2017.**

Winters/Leeder  
CARRIED

9.4 **Rangitāiki River Forum Minutes - 21 March 2017**

Regarding Minute Item 6.2, Central North Island Iwi Land Management Limited presentation (page 61 of the agenda), the Chairman advised he would be seeking a meeting with CNIILML in the near future.

**Resolved**

That the Regional Council under its delegated authority:

- 1 **Receives the minutes of the Rangitāiki River Forum Meeting held on 21 March 2017.**

Winters/Marr  
CARRIED

9.5 **Regional Transport Committee Minutes - 30 March 2017**

**Resolved**

That the Regional Council under its delegated authority:

- 1 **Receives the minutes of the Regional Transport Committee Meeting held on 30 March 2017.**

**Crosby/Nees  
CARRIED**

9.6 **SmartGrowth Implementation Committee Minutes - 15 February 2017**

**Resolved**

**That the Regional Council under its delegated authority:**

- 1 **Receives the minutes of the SmartGrowth Implementation Committee Meeting held on 15 February 2017.**

**Thompson/Nees  
CARRIED**

9.7 **Ōhiwa Harbour Implementation Forum minutes - 13 March 2017**

**Resolved**

**That the Regional Council under its delegated authority:**

- 1 **Receives the minutes of the Ōhiwa Harbour Implementation Forum Meeting held on 13 March 2017.**

**Marr/Leeder  
CARRIED**

10 **Chairman's Report**

The report updated Council on the Chairman's activities and items of interest. It was noted that discussions were occurring around the future role of the Upper North Island Strategic Alliance (UNISA) and that positive feedback had been received from Members of Parliament regarding the Central Government Local Government Forum held on 6 April.

A query was raised and noted regarding the Chairman's time and whether some commitments could be shared given current circumstances. The Chairman advised that he expected the Committee Chairs and Council's Deputy Chair to assist, as to his Deputy Chair of the Regional Sector Group.

**Resolved**

**That the Regional Council:**

- 1 **Receives the report, Chairman's Report.**

**Leeder/Nees  
CARRIED**

## 11 Chief Executive's reports

### 11.1 Late Item - Final Declaration of Mauao Maori Constituency By-Election Results

*Refer Tabled Document Number 1.*

The report provided the final declaration of election results for the Mauao Māori Constituency By-election.

#### **Resolved**

**That the Regional Council:**

- 1 Receives the report, Final Declaration of Mauao Māori Constituency By-Election Results.**

**Marr/von Dadelszen  
CARRIED**

### 11.2 Councillor Appointment to Committees

The report sought that the newly elected member for the Mauao Māori Constituency be appointed to various committees and co-governance partnerships.

#### **Resolved**

**That the Regional Council:**

- 1 Receives the report, Councillor Appointment to Committees;**
- 2 Appoints Councillor McDonald to Komiti Māori and to Te Awanui Tauranga Harbour Advisory Group as a member for the Bay of Plenty Regional Council.**

**Leeder/Nees  
CARRIED**

## **Order of Business**

The Chairman advised that agenda item 12.12, 'Awatarariki Fanhead Hazard Risk', would be received next to accommodate the arrival of external presenters.

#### **Attendance**

Councillor Cronin entered the meeting at 10:35 am.

### 11.3 Awatarariki Fanhead Hazard Risk

*Refer PowerPoint Presentation Objective ID A2594997.*

Whakatāne District Council (WDC) Mayor Tony Bonne and Chief Executive Marty Grenfell were in attendance with Strategic Project Manager Jeff Farrell, Principal Planner Shane McGhie and Policy Planner Alice Kranenberg to introduce proposed

options to address the natural hazard risk of debris flow to residents living in the Awatarariki Fanhead area at Matata.

Background was provided on the 2005 flood event, the nature and extent of the hazard risk area and next steps for retreat, as the only viable option. Members were informed that WDC would be initiating a district plan change to amend its rules for landuse control, but that existing landuse rights for natural hazards could only be addressed by way of a regional plan change.

It was noted for Council's consideration that a parallel (plan change) process would enable efficiencies and that a regional plan change could be initiated voluntarily by the Regional Council or by WDC via a private plan change request. Council was informed that staff would like to provide further detail and seek direction from the Regional Direction and Delivery Committee in due course, which was supported by councillors.

The timeframe for notification of a district plan change was anticipated in July or soon thereafter. Information was provided on the status of land, communications held with the community and WDC's desire to partner with the Regional Council and Central Government.

## **Resolved**

**That the Regional Council:**

- 1 Receives the report, Awatarariki Fanhead Hazard Risk.**
- 2 Requests that staff report to the next meeting of the Regional Direction and Delivery Committee on matters arising from the meeting.**

**Thompson/Leeder  
CARRIED**

## **Order of Business**

With the leave of Council, the Chairman advised that the following items would be received next on the agenda:

- Agenda item 12.5, Council Performance Monitoring Report 2016/17 July - February, Months 1 to 8
- Agenda item 12.6, Health, Safety and People Report
- Agenda item 12.3, SmartGrowth Leadership Group Agreement

### **11.4 Council Performance Monitoring Report 2016/17 July - February, Months 1 to 8**

*Refer Supporting Document, 'Council Performance Monitoring Report 2016/17 Months 1 to 8 (July to February)'*

The report provided Council with information to review financial and non-financial performance for all Council activities for the first eight months of 2016/17. General Manager Corporate Performance Mat Taylor advised that due to the recent flood events and region-wide state of emergency, the information that was reported was outdated and that financial impacts and effects would be ongoing for some time.

## **Resolved**

**That the Regional Council:**

- 1 Receives the report, Council Performance Monitoring Report 2016/17 July - February, Months 1 to 8;**
- 2 Notes the financial and non-financial performance monitoring information provided, including variations from the budget.**

**Love/Nees  
CARRIED**

## **11.5 Health, Safety and People Report**

The report updated elected members on occupational health and safety matters to satisfy their due diligence requirements, as officers under the Health and Safety at Work Act. As the first report of its type, it was expected that over time a broader overview of statistics would be provided.

Consideration was sought that peer benchmarking and comparisons be provided in future reporting, which was noted by staff.

### **Resolved**

**That the Regional Council:**

- 1 Receives the Health, Safety and People Report.**

**Leeder/Love  
CARRIED**

## **11.6 SmartGrowth Leadership Group Agreement**

The report sought approval from Council to the updated SmartGrowth Leadership Group Agreement and Terms of Reference, as required under clause 30A and clause 5 of Schedule 1AA of the Local Government Act 2002.

### **Resolved**

**That the Regional Council:**

- 1 Receives the report, SmartGrowth Leadership Group Agreement;**
- 2 Approves the updated SmartGrowth Leadership Group Agreement and Terms of Reference attached as Appendix 1 with clause 5 amended to read: "This agreement may be varied from time to time, but only with the agreement of each of the partner Councils."**
- 3 Confirms Councillor von Dadelszen as the voting alternate on the Strategic Leadership Group.**

**Thompson/Nees  
CARRIED**

## Order of Business

With the leave of Council, the Chairman advised that agenda item 13.8, 'Presentation from Opotiki District Council on the Opotiki Harbour Transformation Project', would be received next to accommodate the arrival of external presenters.

### 12 Public Excluded Section

#### Resolution to exclude the public

**THAT the public be excluded from the following parts of the proceedings of this meeting.**

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

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
Presentation from Ōpōtiki District Council on the Ōpōtiki Harbour Transformation Project	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Leeder/Thompson  
CARRIED

### Adjournment

The meeting adjourned at 12:28 pm and reconvened at 1:00 pm.

## Order of Business

With the leave of Council, the Chairman advised that agenda item 12.8, 'Bay of Plenty Local Authority Shared Services (BOPLASS) Draft Statement of Intent 2017/18, and Half Yearly Report 2016/17' would be received next on the agenda, followed by agenda item 12.7, 'by Local Government Funding Agency (LGFA) Draft Statement of Intent 2017/18, and Half Yearly Report 2016/17'.

### 13 Chief Executive's Reports continued

#### 13.1 Bay of Plenty Local Authority Shared Services (BOPLASS) Draft Statement of Intent 2017/18, and Half Yearly Report 2016/17

*Refer PowerPoint Presentation Objective ID A2594551.*

The report provided BOPLASS Limited's Half Yearly Report 2016/17 and sought Council feedback on its Draft Statement of Intent 2017/18. BOPLASS Limited Chief



Executive Officer Stephen Boyle was in attendance and highlighted key outcomes, strategic priorities and further opportunities for shared services and innovation.

Council was comfortable with the recommended feedback set out under section 2 of the report. Advice was received that a Terms of Reference scope for a governance review was currently under development, which would form part of an independent review and include a level of consultation across the partner councils.

## **Resolved**

**That the Regional Council:**

- 1 Receives the report, Bay of Plenty Local Authority Shared Services (BOPLASS) Draft Statement of Intent 2017/18, and Half Yearly Report 2016/17;**
- 2 Notes the Half Yearly Report to 31 December 2016;**
- 3 Notes the draft SOI 2017/18;**
- 4 Provides to the BOPLASS Board the feedback set out in Section 2 of this report prior to the Board finalising the SOI 2017/18.**

**Crosby/Love  
CARRIED**

### **13.2 Local Government Funding Agency (LGFA) Draft Statement of Intent 2017/18, and Half Yearly Report 2016/17**

The report provided the Draft Statement of Intent 2017/18 and Half Yearly Report 2016/17 from the Local Government Funding Agency (LGFA). General Manager Corporate Performance Mat Taylor outlined highlights from the report and answered questions of clarification around dividend forecasts, shareholdings and interest rates.

## **Resolved**

**That the Regional Council:**

- 1 Receives the report, Local Government Funding Agency (LGFA) Draft Statement of Intent 2017/18, and Half Yearly Report 2016/17;**
- 2 Notes the Local Government Funding Agency Annual Report 2015/16.**
- 3 Notes the 2016/17 Half Yearly report, and performance of the LGFA for the period.**
- 4 Notes the draft SOI 2017/18 and feedback provided to the LGFA by the Shareholders Council, and confirms that there are no further changes suggested prior to the SOI being adopted.**

**Cronin/Love  
CARRIED**

### 13.3 Science Services - Procurement Plan for Monitoring Bore Installation (Drilling) and Maintenance

The report sought approval of a Science Services Panel Contract to be made open to the market for capital works budgeted under the Long Term Plan 2015-2025.

#### Resolved

That the Regional Council:

- 1 Receives the report, Science Services - Procurement Plan for Monitoring Bore Installation (Drilling) and Maintenance;
- 2 Approves going to market for a Science Services Panel Contract for Monitoring Bore Installation (Drilling) and Maintenance;
- 3 Provides the Chief Executive with the delegated authority to approve the final multi-year Science Services Panel Contract;
- 4 Notes that the capital budget for this work under the Long Term Plan 2015-2025 is approximately \$280,000 per annum and the contract is for a three-year term, with up to two extensions of one year;
- 5 Notes that the overall value of the contract will exceed the Chief Executive's delegation limit of \$400,000 as defined in the BOPRC Procurement Manual as it is a multi-year contract.

Love/Nees  
CARRIED

## 14 Public Excluded Section

### Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

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

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
13.1 Public Excluded Regional Council minutes - 09 March 2017	Please refer to the relevant clause in the meeting minutes	Good reason for withholding exists under Section 48(1)(a).
13.2 Public Excluded Extraordinary Council minutes - 29 March 2017	Please refer to the relevant clause in the meeting minutes	Good reason for withholding exists under Section 48(1)(a).
13.3 Public Excluded Civil Defence Emergency Management Group Joint Committee Minutes - 24 February 2017	Please refer to the relevant clause in the meeting minutes	Good reason for withholding exists under Section 48(1)(a).

13.4 Public Excluded Rotorua Te Arawa Lakes Strategy Group minutes - 10 March 2017	Please refer to the relevant clause in the meeting minutes	Good reason for withholding exists under Section 48(1)(a).
13.5 Public Excluded Regional Transport Committee minutes – 30 March 2017	Please refer to the relevant clause in the meeting minutes	Good reason for withholding exists under Section 48(1)(a).
13.6 Confidential Appendix 1 - Investment Performance Report 2016/17 Months 1 to 8 13.7 Confidential Appendix 2 - Investment Fund Valuation and Report for February 2017	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Good reason for withholding exists under Section 48(1)(a).
13.9 Quayside Holdings Limited Half Yearly Report 2016/17 and Draft Statement of Intent 2017/18	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Good reason for withholding exists under Section 48(1)(a).
13.10 Quayside Holdings Limited - Councillor Director Selection Process	To protect the privacy of natural persons, including that of deceased natural persons.	Good reason for withholding exists under Section 48(1)(a).
Tabled Item - Eastern Bay of Plenty Flood Event of April 2017	To protect information which is subject to an obligation of confidence, or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest.	Good reason for withholding exists under Section 48(1)(a).

Leeder/Winters  
CARRIED

## 15 Restatement in open meeting

### 15.1 Eastern Bay of Plenty Flood Event of April 2017

The restatement confirms the decisions made by Council that approved funding for the setup and operation of a Recovery Office function and donation amount to support people affected by the April 2017 Eastern Bay of Plenty flood event.

### Resolved

That the Regional Council:

- 1 Receives the report, Eastern Bay of Plenty Flood Event of April 2017;

- 2 Approves the ring-fencing of up to \$200,000 from the current 2016/17 year to be used for set up and operation of a Recovery Office function for the April 2017 Eastern Bay of Plenty flood event, contingent on:**
- a. A matched contribution from Whakatāne District Council for the same purpose; and
  - b. The Recovery Manager developing a recovery plan to the satisfaction of the Bay of Plenty Regional Council Chief Executive;
- 3 Approves a donation of \$500,000 from the current 2016/17 year to support people affected by the April 2017 eastern Bay of Plenty flood event; with the mechanism for distribution yet to be determined.**

A **DIVISION** was called and recorded as follows:

**FOR (7)**

Clark  
Thurston  
Thompson  
Marr  
Cronin  
McDonald  
Winters

**AGAINST (5)**

von Dadelszen  
Bruning  
Nees  
Love  
Crosby

Chairman Leeder abstained from voting.

The MOTION was **CARRIED**.

- 4 Notes that a draft Terms of Reference for the Rangitāiki River Scheme Review – April 2017 Flood Event is to be provided to Council for approval at a Council meeting in May 2017;**
- 5 Confirms that the decisions have a low level of significance.**

**Thurston/Clarke  
CARRIED**

It is noted for the record that Councillor Tahana was not present for this item.

**The meeting closed at 3:48 pm.**

Confirmed

\_\_\_\_\_  
Chairman Bay of Plenty Regional Council

\_\_\_\_\_  
Date

# Minutes of the Extraordinary Council Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Thursday, 18 May 2017 commencing at 1:49 pm.

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## Present:

**Chairman:** D Leeder

**Deputy Chairman:** J Nees

**Councillors:** N Bruning, W Clark, S Crosby, A von Dadelszen D Love, T Marr, M McDonald, P Thompson, K Winters; Attendance in part: J Cronin

**In Attendance:** M Macleod (Chief Executive), M Taylor (General Manager Corporate Performance), C Ingle (General Manager Integrated Catchments), E Grogan (General Manager Regulatory Services), S Hey (Manager Chief Executive's Office), Y Tatton (Interim Governance Manager), D Lewell (Legal Advisor), S Craig (Communications Manager), S Kameta (Committee Advisor); Attendance in part: Hon Sir M Cullen (Guest Presenter)

**Apologies:** A Tahana, L Thurston (leave of absence), J Cronin (for lateness)

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## 1 Apologies

### Resolved

That the Regional Council:

- 1 Accepts the apologies of Councillor Thurston, Councillor Tahana and apology for lateness from Councillor Cronin tendered at the meeting.

Leeder/Nees  
CARRIED

## 2 General Business and Tabled Items

Nil.

## 3 Declaration of conflicts of interest

Councillor Clark noted a potential perceived conflict of interest regarding agenda items 5.2 and 6.1.

### Change to order of business

With the leave of Council, the Chairman advised that Public Excluded Item 6.1 would be considered next on the agenda, before agenda item 5.1.

## 4 Public Excluded Section

### Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

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

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
6.1 Rangitaiki River Scheme Review – April 2017 Flood Event	To protect the privacy of natural persons, including that of deceased natural persons.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Leeder/Winters  
CARRIED

## 5 Reports

### 5.1 Weather Report for ex-Cyclone Debbie and Cyclone Cook

*Refer PowerPoint Presentation Objective ID A2614847.*

Engineering Manager Mark Townsend presented the report summarising the hydro-meteorological aspects of ex-cyclone Debbie flood event and the transient passing of Cyclone Cook across the region on 13 April 2017. A typographical error was noted within the first table on page 20 of the report. The 'Prior Highest Peak Date' for Otara at Browns Bridge should read 4-Oct-2003 instead of 4-Oct-2017.

#### Attendance

Councillor Cronin entered the meeting at 2:06 pm.

Clarification was provided on data collection sites, river flows, rainfall levels and tidal influences.

#### Resolved

That the Regional Council:

- 1 Receives the report, Weather Report for ex-Cyclone Debbie and Cyclone Cook.

Thompson/von Dadelszen  
CARRIED

## 5.2 **Rates Postponement and Remission in Relation to April 2017 Eastern Bay of Plenty Flood Event**

The report recommended that Council apply rates postponements and remissions for Regional Council rates, to align with Whakatāne District Council's policy, as adopted by Whakatāne District Council (WDC) on 4 May 2017.

Clarification was provided on estimated number of houses, eligibility criteria and legality and risks of proceeding outside the policy. It was noted that the period for claims would be time limited and that aligning with WDC's policy provided administrative efficiencies. Advice was provided that targeted rates would be funded from Council's rates appropriation account, with any further implications reported back to Council.

### **Resolved**

**That the Regional Council:**

- 1 Receives the report, Rates Postponement and Remission in Relation to April 2017 Eastern Bay of Plenty Flood Event;**
- 2 Notes the action taken by Whakatāne District Council to approve the application of an amended rates postponement and remissions policy to all properties deemed uninhabitable as a result of the April 2017 Eastern Bay of Plenty flood event;**
- 3 Approves that the Whakatāne District Council 'Rates Remission and Postponement for a Rating Unit Affected by a Natural Hazard Policy' be applied to all Bay of Plenty Regional Council rates on properties that are uninhabitable as a result of the April 2017 Eastern Bay of Plenty flood event;**
- 4 Notes that the proposed recommendation of applying Whakatāne District Council's additional rates remissions and postponements exceeds the eligibility criteria of the Policy by making these available to non-resident ratepayers and commercial ratepayers;**
- 5 Notes that the recommendations of this report propose an inconsistent decision as provided for under section 80 of the Local Government Act 2002, and that this report and appendix documents the related considerations.**

Love/Thompson  
CARRIED

## 6 **Public Excluded Section**

**Resolution to exclude the public**

**THAT the public be excluded from the following parts of the proceedings of this meeting.**

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

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
6.1 Rangitaiki River Scheme Review – April 2017 Flood Event	To protect the privacy of natural persons, including that of deceased natural persons.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
4.2 Rangitāiki River Stopbank Replacement at Edgecumbe	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Leeder/von Dadelszen  
CARRIED

## 7 Restatement in open meeting

### 7.1 Rangitāiki River Scheme Review – April 2017 Flood Event

#### Resolved

That the Regional Council:

- 8 Restates in the open section of this meeting that the Terms of Reference for the Rangitāiki River Scheme Review (April 2017 flood event) will be made available publicly in the week commencing 22 May 2017 following a public announcement.

Thompson/Winters  
CARRIED

**The meeting closed at 3:38 pm.**

Confirmed

\_\_\_\_\_  
Chairman Bay of Plenty Regional Council

\_\_\_\_\_  
Date



# Minutes of the Regional Council Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Friday, 19 May 2017 commencing at 9.30 a.m.

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## Present:

**Chairman:** D Leeder

**Deputy Chairman:** J Nees

**Councillors:** N Bruning, W Clark, J Cronin, S Crosby, D Love, T Marr, M McDonald, P Thompson, K Winters

**In Attendance:** M Macleod (Chief Executive), M Taylor (General Manager Corporate Performance), E Grogan (General Manager Regulatory Services), N Zaman (Regulatory Compliance Manager), D Hyland (Finance Manager), S Kameta (Committee Advisor)

**Apologies:** L Thurston (leave of absence), A von Dadelszen, A Tahana

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## 1 **Opening Karakia**

Provided by Councillor Marr.

## 2 **Apologies**

### **Resolved**

That the Regional Council:

- 1 **Accepts the apologies of Councillors Thurston, von Dadelszen and Tahana tendered at the meeting.**

Winters/Thompson  
CARRIED

## 3 **Declaration of conflicts of interest**

Nil declared.

## 4 **Report**

### 4.1 **Deliberations Position Paper - Resource Management Act and Building Act Charges Policy 2017/18**

The report provided the submissions to the Proposed Resource Management Act and Building Act Charges Policy 2017/18 (the Charges Policy).

Clarification was provided on the inclusion of Goods & Services Tax (GST) in respect to all proposed charges.

A query was raised regarding Western Bay of Plenty Regional Council's opposition to the increased fixed fee charge component. Staff acknowledged the reason for the increase provided in the Statement of Proposal, likely contributed to the submitter's opposition. It was noted that the fee had not been increased in 15 years and that it reflected the actual costs of administration, regardless of Council's new database.

Council supported the recommendations and directed that the Charges Policy be prepared for adoption unchanged, as proposed on 29 March 2017.

It was noted that the Charges Policy would be prepared for adoption by Council at its meeting on 29 June 2017.

## **Resolved**

**That the Regional Council:**

- 1 Receives the report, Deliberations Position Paper - Resource Management Act and Building Act Charges Policy 2017/18;**
- 2 Receives the submissions and approves the staff's recommendations with regard to the Resource Management Act and Building Act Charges Policy 2017/18;**
- 3 Direct staff to prepare the Resource Management Act and Building Act Charges Policies 2017/18 for adoption as proposed on 29 March 2017.**

**Bruning/Leeder  
CARRIED**

**The meeting closed at 9:43 am.**

Confirmed

\_\_\_\_\_  
Chairman Bay of Plenty Regional Council

\_\_\_\_\_  
Date

# Statutory Committee Minutes



# Minutes of the Civil Defence Emergency Management Group Joint Committee Extraordinary Meeting held in Council Meeting Room One, Bay of Plenty Regional Council, 5 Quay Street, Whakatāne on Tuesday, 11 April 2017 commencing at 11.05 a.m.

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## Present:

**Deputy Chairman:** Councillor D Love (Bay of Plenty Regional Council)

**Appointees:** Mayor J Forbes (Opotiki District Council), Mayor M Campbell (Kawerau District Council), Deputy Mayor J Turner (Alternate, Whakatane District Council), Mayor S Chadwick (Rotorua Lakes Council), Deputy Mayor K Clout (Alternate, Tauranga City Council)

**In Attendance:** Chairman D Leeder (Alternate, Bay of Plenty Regional Council), M MacLeod (Chief Executive), C Naude (Director Emergency Management Bay of Plenty), G Poole (Chair CDEMG Coordinating Executive Group), A Tozer (Communications Partner), R Waugh (Programme Leader Rivers & Drainage), S Cubbon (Committee Advisor)

**Apologies:** Chairman, Mayor G Brownless (Tauranga City Council), Mayor A Bonne (Whakatane District Council), Mayor G Webber (Western Bay of Plenty District Council), Deputy Mayor M Williams (Alternate, Western Bay of Plenty District Council)

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## 1 **Announcement from the Chair**

Deputising as Chairman, Councillor Love advised the extraordinary meeting had been called under urgency and in compliance with Standing Orders and cl. 22(2) Schedule 7, LGA 2002.

## 2 **Apologies**

### **Resolved**

That the Civil Defence Emergency Management Group Joint Committee under its delegated authority:

- 1 **Accepts the apologies of Mayors Brownless, Bonne and Webber and Deputy Mayor Williams.**

Love/Turner  
CARRIED

## 3 **Declaration of conflicts of interest**

Nil declared.

## 4 **Adjournment**

An adjournment was called for at 11.15am and the meeting reconvened at 11.25am.

## 5 **Emergency Appointments and authorisations for the management of the Edgcumbe Flood Event**

*Refer Tabled Document Obj. Ref. A25889*

Clinton Naude, Director Emergency Management Bay of Plenty presented the report explaining that the Edgcumbe Flood event was a significant event which exceeded the current capability of the Eastern Bay of Plenty Local Controllers and necessitated Local Controllers from other Council areas within the Bay of Plenty being deployed to support the response effort. Members were asked to authorise the cross-appointment of all Local Controllers to act as local controllers within the Bay of Plenty Civil Defence Emergency Management Group boundary area.

At the request of Whakatane District Council members were encouraged to appoint Julie Gardyne as a Local Recovery Manager to lead the recovery phase for this event.

In accordance with Section 25 of the Civil Defence Emergency Management Amendment Act 2016, members were required to authorise those persons able to give Notice of a Transition Period.

### **Resolved**

**That the Civil Defence Emergency Management Group Joint Committee under its delegated authority:**

- 1 Receives the report, Emergency Appointments and authorisations for the management of the Edgcumbe Flood Event;**
- 2 Authorises all appointed local controllers to act as local controllers in any district within the Bay of Plenty Civil Defence Emergency Management Group boundaries.**
- 3 Appoints Louise Miller as local controller for the Tauranga City Council**
- 4 Appoints Ken Tarboton and Warwick Murray as Group Controllers for the Bay of Plenty Civil Defence Emergency Management Group**
- 5 Appoints Julie Gardyne as local recovery manager for Whakatane District Council of the Bay of Plenty Civil Defence Emergency Management Group**
- 6 Authorises the following persons to give notice of a Transition Period under Section 25 of the Civil Defence Emergency Management Amendment Act 2016:**
  - a. In accordance with Section 25(5) of the CDEM Act, the mayor of a territorial authority, or an elected member designated to act on behalf of the mayor if the mayor is absent, may give notice of a local transition period that covers the district of that territorial authority.**
  - b. In accordance with Section 25 (1)(b) of the CDEM Act, the BOP CDEM Group authorises the Chairperson of the BOP CDEM Group Joint**

**Committee to give notice of a local transition period for the region, or for one or more districts within the region.**

- c. **In the absence of the Chairperson, the authority to give notice passes to the Deputy Chairperson of the CDEM Group.**
  - d. **In accordance with Section 25(4) of the CDEM Act, if the Chairperson or Deputy Chairperson are unable to exercise the authority to give notice, then a representative of any member of the Group may exercise the power to give notice of a local transition period.**
- 7 Authorises the Bay of Plenty Civil Defence Emergency Group Chairperson to appoint controllers (subject to legal advice) during a State of Emergency:**
- a. **In the absence of the Chairperson, the authority to appoint controllers passes to the Deputy Chairperson of the CDEM Group.**
  - b. **If the Chairperson or Deputy Chairperson are unable to exercise the authority to appoint controllers, then a representative of any member of the Group may appoint controllers.**

**Forbes/Campbell  
CARRIED**

**The meeting closed at 12.00 noon.**





# Joint Committee Minutes



**Minutes of Meeting No. SG17/4 of the SmartGrowth Leadership Group held on  
19 April 2017 in the Tauranga Council Chamber, 91 Willow Street, Tauranga  
commencing at 9.00am**

**Present**

**Independent Chairperson**

W Wasley

**Bay of Plenty Regional Council**

Councillors: J Nees, P Thompson,  
Andrew von Dadelszen (Alternate)

**Tauranga City Council**

Mayor: G Brownless  
Councillors: L Baldock, L Brown, T Molloy

**Western Bay of Plenty District Council**

Mayor: G Webber  
Councillors: M Williams, D Thwaites, J Scrimgeour

**Tangata Whenua Representatives**

M Tapsell, I Walker, B Mikaere, P Ihaka

**NZ Transport Agency**

P McLean Regional Partnerships - Director Waikato and Bay of Plenty

**In Attendance**

**SmartGrowth**

K Tremaine – Strategic Advisor  
K Summerhays – Consultant- People & Place  
V Jones – SmartGrowth Administrator

**Bay of Plenty Regional Council**

M McLeod – Chief Executive

**Western Bay of Plenty District Council**

M Taris – Chief Executive Officer  
Rachael Davie – Group Manager, Policy, Planning and Regulatory  
Services

**Apologies**

Chairman Douglas Leeder, Cr Stuart Crosby

SG17/4.1

**CHAIRPERSON'S REPORT**

Chairperson Bill Wasley welcomed Duarne Lankshear who is going to speak in the public forum on 157 Waikite Road Proposed SHA, Dr Leon Fourie (Chief Executive of Toi Ohomai Institute of Technology), Sir Michael Cullen (Chair of the BoP Tertiary Leadership Group) & Greg Simmonds (Strategic Projects Manager, Priority One)

It was noted that Ken Tremaine is representing Bernie Walsh in her absence.

SG17/4.2

**APOLOGIES**

**Moved Cr Baldock / Seconded Cr Scrimgeour**

**That it be Resolved**

**Receive** the apology from Chairman Douglas Leeder and Cr Stuart Crosby.

**CARRIED**

SG17/4.3

**DECLARATION OF CONFLICTS OF INTEREST**

No declarations of conflicts of interest.

SG17/4.4

**PUBLIC FORUM**

The Chairperson Bill Wasley welcomed Duarne Lankshear to present in the public forum to the committee.

Duarne gave overview of the proposed SHA at 157 Waikite Road, The unique parcel of land is within WBOPDC (north and western boundaries on the WBOPDC/TCC boarder), serviced in all respects by TCC. The land area is 10 ha more or less with 8.0 ha-8500sqm retained by current owner and 1ha of non useable gully. The proposed yield would be 110-130 houses based on 15 lots per hectare. Proposed development would be affordable fee simple retirement house and land packages. (+60 years) \$490,000-\$550,000. The proposed development start date is November 2017 is supported by the SHA process.

Considerations: This parcel is unique in terms of its territorial implications

- Administered by WBOPDC
- Serviced by TCC

This medium sized parcel represents an easy opportunity for urbanisation to support affordable housing supply in the broader Western Bay / Tauranga district without creating a precedent for urbanisation of adjoining parcels.

Seeking SmartGrowth approval to support the proposal for SHA status and public consultation.

Bill opened the meeting for questions and discussion: Key points below:

Cr Nees – Noted with the proposal the retirement target age 60 plus years – We have a lot of young families looking for affordable housing, we may need to review the age limit considering this is a fringe location.

Mayor Webber questioned sanitary and possible upgrades and questioned if Tauranga City Council has given written approval?  
Duarne responded – No.

Buddy raised overflow issues and questioned if considered for this for SHA?  
Duarne - upgrades would be required and we will be looking at this.

Mayor Webber noted stormwater should be managed on site before development what about post development?  
Duarne - Yes this can be managed and it would need to be resolved within the SHA.

Cr Williams noted Western Bay District Council has been approached for support and requested the proposal was presented to SmartGrowth.

Chairperson Bill Wasley thanked Duarne Lankshear for the overview on the proposed SHA at Waikite Road.

SG17/4.5

**CONFIRMATION OF MINUTES – SMARTGROWTH IMPLEMENTATION COMMITTEE (SG17/2) – DATED 15 FEBRUARY 2017**

The Committee considered the minutes of the SmartGrowth Leadership Group (SG17/2) dated 15 February 2017 as circulated with the agenda.

**Moved Cr Thwaites / Seconded Cr Williams**

**That it be Resolved**

***That the minutes of the SmartGrowth Leadership Group (SG17/2) dated 15 February 2017 be confirmed as a true and correct record.***

**CARRIED**

SG17/4.6

**TERTIARY INTENTIONS STRATEGY PRESENTATION**

Chairperson Bill Wasley welcomed Dr Leon Fourie (Chief Executive of Toi Ohomai Institute of Technology) Sir Michael Cullen (Chair of the BoP Tertiary Leadership Group) & Greg Simmonds (Strategic Projects Manager)

Dr Fourie explained to the SmartGrowth committee Toi Ohomai merged on the 1 May 2016 and is the only Institute of Technology in the Bay of Plenty. We have the largest Maori student numbers in the sector, with more than 14,000 students with 150 programmes plus on offer across 5 campuses and 68 delivery sites. We are finishing off the merging that was giving a 2-year term, this will be completed by November 2017.

We will then be working on growth and innovation focusing on the 5 year regional campus development plan to be developed by end of 2017. Looking at the academics portfolios we are setting up investment strategy.

Investment in staff over 2 year period, major key point revised international education. Investment point of view we need to progress into other areas like China and has spoken to chambers of commerce. This is one of our key drivers.

Seven key drivers for the regional success from a tertiary education perspective:

1. Maori success is key to regional success
2. Aligning educational outcomes with future growth areas
3. Establishing a regional footprint for Community-based Delivery Sites
4. Seamless interfaces in the education-to-employment value chain
5. A partnership model in developing Industry Workforce Roadmaps
6. Satisfying project demand through a Skills Exchange Approach
7. Shorter, stackable qualifications and embedding Practice Passports

The answer is setting up a new model and know what the alternatives are for students. We need to target decile 1-3 range. We need the tertiary institutions to connect with each other not compete with each other. We need to talk about occupations rather than qualifications. We need industry specialists to come in and speak to students. We need to offer flexible pathway options that lead to either further educational options or employment outcomes.

**Chairperson Bill Wasley opened the floor for questions and discussion.**

Key points below:

P Mclean questioned in regards to the international strategy and other key drivers how will you prioritise?

Domestic market is shrinking and we are relying on international students and questions what areas do we want them. Huge growth market in internationally and we are chasing the smaller numbers domestically from people who live further out and using the space we currently have like maraes.

P Ihake commended on the planning and the seven key drivers. Refers to driver number 1 – Maori success is key to regional success and questions how are they going to engage and partner up with Iwi, what has been done to achieve the goal?

We are trying to get up and running over the next few weeks, I want the process to be lead, and driven by the Iwi. Forward thinking is that by end of June we should be up and running with full time membership. I have engaged with different Iwi leaders across the region and met 50 in Rotorua. I have 3 Maori Iwi on my council which are guiding through this process.

Cr Von Dadelszen expressed thanks for the presentation refreshing to see change of strategy from what we have seen in the past. Huge gap in our community for trade based training.

Cr Walker noted concern around the gap between school leavers and NCEA Level 2. We need our Maori students engaged in the next level, What is the target/actions for filling that gap?

STP project plan which is across the region, We run 550 places out of Whakatane. We teach at the school level and now changed the strategy we are providing more possibilities. We are concerned as many kids are leaving school early, our approach is engagement with schools, and linking to employment outcomes.

The Chair thanked Dr Leon Fourie for sharing with the committee noting “it’s exceeding refreshing in what you have been outlining with a path going forward.”

**The Chair welcomed Sir Michael Cullen and Greg Simmonds to present to the committee:**

Sir Michael informed the SmartGrowth Leadership Group that the purpose and role of the TIS Leadership Group is to connect people in the region, promote collaboration, and support the delivery of post-secondary education and training, enabling a more prosperous region.

As a guiding principle, the TIS acknowledges the mana whenua of our role, and aims to support better educational outcomes for our Maori students.

We are unique no other model like this in NZ – We have strong support from Central Government/Local Government. We are looking for community-led and informed strategy development, leadership and implementation.

The TIS approach promotes and practices a partnership philosophy with iwi and hapu that recognizes and benefits mana whenua. Align TIS with iwi aspirations to improve Maori achievement and pathways into meaningful employment.

There’s currently a lot happening in the tertiary sector nationally and across the bay of plenty. Key matters noted below were:

TIS Strategy 2014-2019

1. Facilitate collaborative leadership
2. Improve Māori engagement & participation levels
3. Improve education - employment transitions
4. Increase regional innovation & research capability
5. International student growth

Good progress by both the tertiary sector and regional stakeholders in implementing strategy recommendations:

2017 Priorities

1. Improve BOP Māori achievement levels

2. Promote local education to employment pathways by strengthening links with business and Māori entities
3. Develop a practical regional labour market model
4. Deliver relevant and targeted communications to regional stakeholders

**Chairperson Bill Wasley opened floor for questions and discussion:**

Cr Baldock – collaboration becoming the new buzz word- referred back to 1989 act we don't want to lose competition we want outcomes to become around quality but we still need competition.

Sir Michael - Competition is not avoidable, institutions are funded – competition can be about many things. Competition remains but the calibration is crucial and how we can have seamless transitions.

Maru Tapsell – Noted the concern for cross Iwi issues and questioned are multi-lateral discussions taking place?

Sir Michael noted the leadership groups various members working together and now we need discussions to happen across Iwi and Hapu

Cr Walker noted that education strategy always comes up and referred to Maori success is regional success. Believes the education is going to help the Maori In regards to addressing the related issues, where youth are not engaged and the continual issue with housing. The innovation of how we can look at the whole picture, there is another part of our youth that likes to experience other sectors of education. How do we get other parts of our family to support our young ones.

Cr Thompson questioned giving our ageing demographic where and who is doing the strategy and how are we going to support lifetime learning?

Sir Michael noted we need to look at retraining, currently there is no sign of mass unemployment, what is happening is jobs are changing.

The Chair thanked Sir Michael and Greg for the presentation and response to the questions.

**Moved Cr Nees / Seconded Mayor Webber**

**That it be Resolved**

1. Receive the report and the two tertiary education presentations.
2. That the SLG acknowledges and supports the refreshing focus in responding to local needs that Toi Ohomai is taking in respect of tertiary programme delivery, the focus on working with others through collaboration; and the emphasis on vocational and trade based training delivery for the Bay of Plenty; and acknowledges and supports the work being undertaken in respect of implementation of the BoP Tertiary Intentions Strategy.

**CARRIED**



SG17/4.7

**BAY OF PLENTY DISTRICT HEALTH BOARD  
UPDATE – STRATEGIC HEALTH SERVICES PLANNING - 10 YEAR PLAN**

The Chair advised that the Bay of Plenty District Health Board Update Presentation was postponed until 21 June 2017.

SG17/4.8

**EMPLOYMENT PROJECTIONS – FINAL REPORT FROM MARKET  
ECONOMICS**

The Chair welcomed Lawrence McIlrath from Market Economics to provide update on the employment projections report.

Lawrence noted the keys points and comments raised from the last presentation:

- Level of growth in the kiwifruit industry – Current growth rate of 2.6% per annum over the past 15 years. Instead of using the forecasted growth (10.4% compound growth per year), we used the historic growth rates as basis for estimating the employment totals.
- Economic role and contribution of the Maori economy – How this sits in the wider economy, we have limited information to separate this out, we have some information at bay of plenty level. Lets acknowledge what we have. Economic projections captures across the board and feeds into our model.
- Alternative population growth - How do the different data statistics compare? While the projections have variation, it's not huge and we are comfortable using the current numbers.

**The Chair** opened the floor for questions and comments:

Cr Baldock questioned how we are locating some of the sectors and where we place them? This needs to be clear in order to report back to our members.

Lawrence – They look where the business is registered, they go through the IRD records and look at head office versus branch location.

Mayor Webber – What is the impact on our corridors and our road network, logging industry and forest industry.

Lawrence – The level of employment that is on the ground is important and as part of our process we look at mesh blocks and review google maps. If we see industry trends we can update the model with what is reflecting.

Cr Nees - reflecting this is a picture of what we think we know now – growth can be slow and we are seeing massive explosion of growth right now. We need to

make sure we are responsive to any changes, How do we pick up on these changes in time to help us with planning. We need to be thinking in advance.  
Lawrence – The frequency of the update is important when new information is received we need to record this. Employment numbers we get yearly, census data we get every five years.

Buddy – Maori Contribution to the economy 2013 seems out of date - Can we look at piece of research that will give us better picture is it possible to extend further research in this area?  
Lawrence – Yes it is possible

Maru – Written resolution on the Maori economy from CTWF – A lot to do with transport. If you look at resolution, we need to look at past contributions from key industries.

Cr Von Dadelszen – Raised the statement around being conservative and going with 2.6% with Kiwifruit, suggested that looking at stats NZ is not the best course of action but speaking to Zespri would be more beneficial. It's not just kiwifruit but avocado will probably double in the next year in the region. We need to use the best knowledge base we have. Stats NZ is looking backwards not forward. Bay of Plenty is in a good position to look at the Maori economy. Our job in SmartGrowth is to be prepared and if we are being too conservative this strong growing area will see big step change.

Suggestion: We look at Rangiora and Tauriko West development and use as a case study.  
Summary around the review framework and time – ensuring the Maori are included in this summary.

The Chair expressed thanks to Lawrence & Ayvron for the presentation

**Moved Garry Webber / Seconded Cr Leanne Brown**

**That it be Resolved**

1. **Receive** the report and circulate to all partner councils and strategic partners such as Priority One, Bay of Plenty District Health Board and NZ Transport Agency for their consideration and to ensure it informs ongoing related work and projects including updating the Tauranga Transport Model.
2. **Circulate** the report to the SmartGrowth Technical Implementation Group for their consideration as part of the 30-year business land demand calculations for compliance with the National Policy Statement on Urban Development Capacity.
3. **Publish** the report on the SmartGrowth website and use other communication channels including SmartGrowth Forum meetings to build understanding and knowledge in the Western Bay community of the report and its implications for future thinking and planning.

4. **Request** that the SmartGrowth Strategic (Managers) Group consider the final report and report back to the SmartGrowth Leadership Group with any further advice on any other strategic implications or opportunities for the sub-region arising from this work.

**CARRIED**

10:55am The meeting **adjourned** for morning tea.

11:10am The meeting **reconvened.**

SG17/4.9

**SMARTGROWTH PARTNERSHIP OFFICE BI-MONTHLY PROGRESS REPORT**

Ken Tremaine introduced the SmartGrowth partnership office progress report and expressed thanks to Bernie Walsh for organising and preparing the report offering to take any questions in Bernies absence. No questions raised.

**That it be Resolved**

***Receive the SmartGrowth partnership office progress report***

**CARRIED**

SG17/4.10

**SETTLEMENT PATTERN REVIEW; URBAN DEVELOPMENT AUTHORITIES – DISCUSSION DOCUMENT DRAFT SUBMISSION, AND OTHER MATTERS**

Chairperson Bill Wasley introduced Ken Tremaine to present a PowerPoint on Settlement Pattern Review (SPR): the draft UDA Submission; The Productivity Commissions Paper on Better Urban Planning and the Resource Law Amendment Bill:

In respect of the SPR, Ken informed the committee the four key projects are progressing:

- Compact City
- Western Corridor – Tauriko West
- Western Corridor – Keenan Rd
- Eastern Corridor – Te Tumu

They satisfy the first ten years of the national policy statement land requirements.

- A SmartGrowth SPR-NPS TIG meeting has been held
- Tauriko West – project manager will be appointed to run this project
- Keenan Road – Stormwater modelling progressing

- Eastern Corridor – a relationship agreement between the parties has been signed so structure planning for the area can proceed
- Waikite Road – will be considered as part of the SPR alongside any similar areas both inside and outside the Tauranga City/ Western bay boundary. Need to have a comprehensive picture before individual areas prioritised.

The draft Urban Development Authorities submissions close on 19 May 2017, Legislation to permit the concept expected in the last quarter of 2018.

Chairperson Bill Wasley noted on page 72 of the agenda – The Housing we need initiative is taking place and joined up conversations are happening. Karen Summerhays advised we are in the scoping phase. Chair Bill Wasley will provide update on the next chairs update document.

In respect of the Better Urban Planning document, Ken advised that it recommended a clearer distinction between the built and natural environments; better planning and plans through spatial planning and more responsive infrastructure provision.

Ken also outlined the main changes to the Resource Management Act which had just passed it's third reading.

He also recommended that due to the significant policy and legislative changes that there needs to be a policy reset/rethink to better integrate the diverse reforms; and enable the partnership to provide clear advice/advocacy to an incoming government. He further noted that the emphasis should be on an integrated approach to longer term spatial planning and funding.

**Chairperson Bill Wasley opened the meeting for discussion:**

Key comments:

When looking at Keenan Road we need to look at enforcing the consent conditions and be very conscious of this matter. There is concern that the current Kopurererua Wetlands are not in great shape. They are heavily impacted by silt laden stormwater runoff.

Storm water we need to be careful that we don't have situation arise where there is further contamination. We need to get it right.

What happens when two the National Policy Statements on water quality and urban development capacity are in conflict? Not sure what the legal answer to this is. We need further work / investigation on this real conflict we have. We need to protect natural resources. Values from SmartGrowth from the start was the advocacy - We need to get the two NPS working like they are supposed to.

Concern expressed around putting Waikite Road in the plan causing resourcing issues. Questioned what are we going to take out? It was noted we discover as we investigate further, we need to be flexible and alter our priorities. We need to do everything we can to stop housing becoming more unaffordable like Auckland.

Cr Thwaites believes this committee needs to support urban expansion. We have sufficient land to get on and do it. The eastern corridor has been identified as a key growth area.

Cr Thompson noted it needs to be based on sound evidence.

If we start making exceptions now from the original plan this can cause problems. We need to stick to our plan.

Waikite Road and other areas inside and out needs to be investigated - resource implications that needs to be reported back.

Cr Baldock noted Te Tumu - we will not be swapping Waikite Road (great progress made) always challenges along the way.

Maru – Te Tumu noted managed plan which is evidence based it has taken years to investigate.

Cr Thompson – The TCC Housing Infrastructure fund application is worth a read. It is eye watering and set out the challenges the city is facing. Work is going on. Forums should also receive copy of this paper so they are prepared for future Hui.

Bruce Fraser noted the 'Smart Talk', 'Future Thinking' Event on 9 May held at The Mount Club, Mount Maunganui, 3-4.30pm.

#### **Moved Cr Thompson / Seconded Mayor Webber**

##### **That it be Resolved**

1. **Receive the report and presentation**
2. **That Waikite Road be considered as part of the SPR and to report back on any resource implications that this may have**
3. **That a report be prepared for SLG consideration on highlighting any potential conflicts between the NPS for Freshwater Management; and the NPS for Urban Development Capacity and how any such conflicts may be resolved**
4. **Approve the SmartGrowth submission on the Urban Development Authorities Discussion Document.**
5. **That a scoping paper be prepared on the nature and scope of any policy reset/ re-thinking to achieve better integration of the diverse reforms, and what may be a more appropriate policy/ legislative framework in terms of an integrated approach to longer term spatial planning and funding, with such a paper being one of the elements of any advocacy programme that the SmartGrowth partnership may wish to undertake post the September national elections.**

**As part of preparation of the scoping paper partnership staff undertake**

**engagement with the FutureProof and Greater Christchurch partnerships to ascertain interest in taking a joined up advocacy approach.**

**CARRIED**

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The meeting concluded at 12.49 p.m.

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Confirmed as a true and correct record

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W Wasley  
**Independent Chairperson**

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Date

# Chairman's Report







Receives Only – No Decisions

**Report To:** Regional Council

**Meeting Date:** 01 June 2017

**Report From:** Douglas Leeder, Council Chairman

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## Chairman's Report

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### Executive Summary

Since the preparation of the previous Chairman's Report (for the 20 April 2017 Council meeting) I have attended and participated in a number of meetings and engagements as Chairman on behalf of the Bay of Plenty Regional Council.

This report sets out those meetings and engagements and highlights key matters of interest that I wish to bring to Councillors' attention.

### Recommendations

**That the Regional Council:**

- 1 Receives the report, Chairman's Report.**

#### 1 Purpose

The purpose of this report is to update Council on meetings and engagements I have attended and participated in as Chairman and to highlight key matters that will be of interest to Councillors.

The following section summarises these meetings and engagements. I will provide further detail at the meeting in response to any questions you may have.

#### 2 Meetings and Engagements

Date	Meeting/Engagement	Comment
13 April	Meeting with Minister Anne Tolley, and the Mayor and Chief Executive of Whakatāne District Council – <i>Whakatane</i>	Attended.

<b>Date</b>	<b>Meeting/Engagement</b>	<b>Comment</b>
21 April	Edgecumbe Site Visit - <i>Edgecumbe</i>	A site visit to Edgecumbe to view the affected area following the severe weather from ex-tropical cyclones Debbie and Cook.
	Meeting with Minister Anne Tolley - <i>Whakatane</i>	Attended.
24 April	Otumoetai Rotary Club - <i>Tauranga</i>	Attended and spoke about the role of the Council and its application to the Bay of Plenty and messages for the community.
26 April	Harbour Warden (Safe Boating Advisor) Thank You Dinner - <i>Whakatane</i>	An opportunity to thank and acknowledge the warden's continued support.
1 May	Meeting with Central North Island Iwi Land Management Limited Co-Chairs - <i>Tauranga</i>	Attended.
3 May	Bay of Connections Governance Group meeting – <i>Tauranga</i>	Attended.
5 May	Meeting with Mayor and Chief Executive of Rotorua Lakes Council - <i>Rotorua</i>	Attended.
9 May	Smart Talk event: the future of work in the western Bay, are we well prepared? – <i>Tauranga</i>	A discussion hosted by Smart Growth about the future of work and our workforce in the western Bay of Plenty.
11 May	Meeting with Office of Treaty Negotiations and Whakatōhea's negotiators – <i>Tauranga</i>	Update provided on the progress of the negotiations underway between Whakatōhea and the Crown. Also discussed issues that are important to Whakatōhea, that Council have an interest in.
12 May	Regional Sector Group meeting - <i>Wellington</i>	This is covered in more detail in the following section.
15 May	Meeting with Clayton Mitchell, NZ First MP - <i>Tauranga</i>	Attended.
	Meeting with Chairperson of SmartGrowth and Mayor of Western Bay of Plenty - <i>Tauranga</i>	Attended.
17 May	SmartGrowth Leadership Group Workshop - <i>Tauranga</i>	Attended.

Date	Meeting/Engagement	Comment
	Department of Prime Minister and Cabinet (DPMC) meeting - <i>Tauranga</i>	Meeting with DPMC before their site visit to the Edgecumbe area. DPMC are working with the newly established Technical Advisory Group to identify where improvements in NZ's Civil Defence structure could be made.
23 May	Land and Water Forum - <i>Wellington</i>	Attended.
24 May	Breakfast meeting with Western Bay of Plenty District Council and Tauranga City Council Mayors - <i>Tauranga</i>	Attended.

### 3 Matters of Potential Interest

#### 3.1 Regional Sector Group (RSG)

At the RSG meeting on 12 May 2017, for regional/unitary council Chairs/Mayors and Chief Executives, a variety of topics were discussed with a focus on updates covering:

- Water –
  - Swimmability targets: regional and unitary councils are to report to the Ministers for the Environment and Primary Industries on their proposed targets by October 2017 and the final targets by March 2018.
  - Amendments to the National Policy Statement for Freshwater Management: the Government has received approximately 6000 submissions on the proposed amendments.
  - Havelock North Drinking-Water Independent Inquiry: the recent findings from Stage 1 of the Inquiry Panel's review were discussed.
- Biodiversity – the draft report *Biodiversity and the Role of Regional Councils – Stage 2 of a thinkpiece on the future of biodiversity management in New Zealand* was presented for endorsement by the Regional Sector.
- Environmental Monitoring and Reporting (EMaR) – an update on the EMaR project provided by the Governance group. Issues and opportunities were discussed along with the 3-year work programme.
- Dairy NZ - Barry Harris, Acting Chair and Tim Mackle, Chief Executive of Dairy NZ attended the meeting and discussed engagement with the Regional Sector.
- Environmental Defence Society/Horizons Regional Council Declaratory Judgement – Paul Beverley, Partner at Buddle Findlay presented an overview of the Court's judgement and implications for the Regional Sector.

## **4 Rangitāiki River Scheme Review**

Following the flooding in Edgecumbe on 6 April as a result of the region being inundated with rain and severe weather from ex-Tropical Cyclones Debbie and Cook, we announced that an independent review would take place.

The purpose of the Rangitāiki River Scheme Review (the review) is to understand the circumstances that led to the breach of the Rangitāiki River stopbank at College Road, Edgecumbe, and the resulting flooding through the town on 6 April 2017.

The review Panel is being led by Sir Michael Cullen. On 23 May 2017, Panel membership was announced and the Terms of Reference for the review were released. The review Panel consists of Sir Michael Cullen and technical experts Kyle Christensen (Water Resources Engineer) and Charlie Price (Geotechnical Engineer).

The Review will run until late July and the Panel will be speaking to the community, Iwi, landowners, stakeholders and others who may be able to provide information pertinent to the review.

## **5 Membership Update**

Brett Hewlett has confirmed his acceptance and availability for his appointment as Independent Director of Quayside Holdings Limited commencing on 1 November 2017.

Doug Leeder  
**Chairperson**

**for Council Chairman**

**24 May 2017**

# Chief Executive's Reports





**Report To:** Regional Council  
**Meeting Date:** 01 June 2017  
**Report From:** Shelley Hey, Manager Chief Executive's Office

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## **Update on Bay of Plenty Local Government Futures project**

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### **Executive Summary**

This report summarises the findings from Phase One of the joint Bay of Plenty councils' Local Government Futures project, and notes direction provided by the Bay of Plenty Triennial meeting on 24 February 2017.

Phase One of the project aimed to establish a robust and independent evidence base to support the nine partner councils and their communities to make informed decisions about how best to deliver council functions and services in the future. A secondary objective was for the functional assessment work streams to inform councils' Local Government Act 2002 section 17A service delivery review requirements.

Independent consultants were engaged to deliver all Phase one work streams, which produced nine reports that were made publicly available in October 2016. Key findings and, where relevant, recommendations from the main Phase One reports are summarised in this Council paper. This includes: the Communities of Interest, Local Government Democracy and Leadership Think Piece, and its associated Opportunities for Improvement supplement; the Transportation functional assessment; and the Water/Wastewater functional assessments.

Phase One was completed with receipt of the Transportation and Water/Wastewater Indicative Business Cases by the Local Government Futures Governance Group on 6 September 2016.

On 24 February 2017, the Bay of Plenty Triennial Meeting discussed the Local Government Futures project and agreed that the project should now be concluded, and that Chief Executives should further investigate working together on integrated water management. There was also discussion on whether the terms of reference for the transportation Regional Advisory Group could be expanded to deliver on some of the opportunities identified through the transportation functional assessment. A report back on any progress in these areas is anticipated to be provided to the next Triennial Meeting on 4 August 2017.

The 24 February 2017 Triennial Meeting also discussed development of a one day workshop to focus on strategic / spatial planning across the region. A proposal for this workshop has been prepared and is currently with the Rotorua Lakes Council Chief Executive to work with the Bay of Plenty Chief Executives as to next steps.

## Recommendations

That the Regional Council:

- 1 Receives the report, Update on Bay of Plenty Local Government Futures project;
- 2 Notes that Phase One of the Local Government Futures project was completed with receipt of the final Indicative Business Case reports for Transportation and Water/Wastewater by the Local Government Futures Governance Group on 6 September 2016;
- 3 Notes that the Bay of Plenty Triennial Meeting of 24 February 2017 directed Chief Executives to prepare a short concluding report for the Local Government Futures project and to further investigate advancing ways of working together on integrated water management, including establishment of a regional forum for waters; and
- 4 Notes that the Bay of Plenty Triennial Meeting of 24 February 2017 directed the Chief Executives of Rotorua Lakes Council and Bay of Plenty Regional Council to develop a strategic / spatial planning workshop for the region.

### 1 Background

The Bay of Plenty Local Government Futures (LGF) project is a collaboration of the eight Bay of Plenty councils plus South Waikato District Council. The project was generated from a Bay of Plenty (BOP) Triennial meeting action in December 2013, with the project brief being signed off by the Mayors and Regional Council Chairman in October 2014.

The project responded to concerns among councils about the lack of robust information to inform debate in the Bay about how best to deliver local government functions and services, both at an activity level and at an overall structural level. At the time, interest in such discussions was heightened by Local Government Act amendments to the reorganisation process and local government reorganisation processes underway in other regions (notably Wellington, Hawke's Bay and Northland).

The primary objective for Phase One of the LGF project was to establish a robust and independent evidence base to support the councils and their communities to make informed decisions about how best to deliver council functions and services in the future. The New Zealand Transport Agency (NZTA) also participated in this phase of the project, particularly for the transportation work stream. A secondary objective for Phase One of the project, particularly the functional assessments work streams, was to inform participating councils' LGA Section 17A service delivery review requirements. These reviews must be undertaken by 8 August 2017.

The overall LGF project plan envisaged a pause point between Phase One and Phase Two of the project, to enable each partner council to make their own decision about continuing to Phase Two of the project.

Those councils electing to continue into Phase Two would then jointly determine action to be taken to improve delivery of council functions and services under their control. Originally, to assist decision-making a Phase Two report was to be prepared that outlined the range of form and function options for local government in the Bay of Plenty, with associated implications for each. But now it is envisaged that possible



next steps could include actions such as proceeding to a detailed business case for Transportation or Water/Wastewater, or undertaking additional functional assessments (i.e. further Phase One-type work).

## **2 LGF project Phase One results**

Phase One of the project focused largely on examining the Bay's communities of interest and delivery of functional assessments for transportation, (potable) water supply and wastewater. The two waters functional assessments were undertaken as one work stream. Independent consultants were engaged to undertake each work stream, working to the LGF Governance Group with advice from a Chief Executive's Steering Group and an implementation management group comprising senior staff from each participating council and NZTA.

The functional assessments followed a modified Better Business Case process, tailored to accommodate the large number of project participants, each with their own governance, and the required phasing of the project.

The BOPRC Chairman and Chief Executive attended the final LGF Governance Group meeting for the Triennium on 6 September 2016. The meeting received the final Indicative Business Case (IBC) reports for the Transportation and Water/Wastewater functional assessments. The meeting resolved that the two IBC reports should lie on the table for consideration by incoming councils and subsequent decision-making at the next, or future, LGF Governance Group meetings.

LGF Governance Group receipt of the two IBC reports effectively completed Phase One of the project.

The full suite of LGF Phase One reports is as follows:

1. **Local Government Service Delivery Models**, by Martin Jenkins – this report outlines seven main service delivery models and was prepared at the outset of the project as a reference document for the consultants undertaking the functional assessments.
2. **Current Situation and Operating Environment Stocktake Information**, by the LGF Implementation Management Group – this report provides links to a range of useful source documents. It was prepared at the outset of the project as a reference document for the consultants undertaking any work on the project.
3. **Communities of Interest, Local Government Leadership & Democracy Think Piece**, by Martin Jenkins – this is a high level assessment report.
4. **Transportation Regional Strategic Assessment (RSA)**, by Rationale.
5. **Water / Wastewater Regional Strategic Assessment (RSA)**, by Castalia and Rationale.
6. **Review of Waikato Waters Business Case**, by Castalia.
7. **Transportation Indicative Business Case (IBC)**, by Rationale.
8. **Water / Wastewater Indicative Business Case (IBC)**, by Castalia and Rationale.

9. **‘Opportunities for Improvement’ Supplement to Communities of Interest Think Piece**, by Martin Jenkins – this additional report, commissioned by the LGF Governance Group, provides the consultants’ observations viewed through a communities of interest ‘lens’.

These LGF Phase One reports were made available to participating councils for information in September 2016, prior to being made publicly available in October 2016.<sup>1</sup> It was envisaged that any wider engagement on these reports would be most appropriately undertaken during Phase Two of the project, should any or all councils elect to proceed to that stage.

Further information about the findings from the functional assessments, the communities of interest, democracy and leadership think piece, and its ‘opportunities for improvement’ supplement, along with staff learnings from undertaking the project to date are summarised in sections 2.1 to 2.5 below.

## 2.1 **Communities of Interest and Local Government Democracy and Leadership Think Piece (Martin Jenkins)**

The main purpose of this report was to look at the various communities that make up the Bay of Plenty region and surrounds (i.e. the area covered by all project participants) and identify where there are common interests, and to also consider some principles to guide future local democracy and leadership in the study area.

This was the only Phase One work stream that included interviews with some external stakeholders, via workshop and interview processes. This was not a comprehensive engagement process however, as this phase of the project was simply about creation of a robust evidence base that would then be tested during Phase Two of the project, should any or all councils proceed to that point.

This report is a high-level ‘think piece’ document which does not include recommendations. Its intent was to inform the functional assessment work streams and provide an overarching set of considerations for any subsequent decision-making.

The Executive Summary from the Communities of Interest and Local Government Democracy and Leadership Think Piece is provided for further information (refer to **Appendix 1** of this report), but the key findings are summarised below.

### 2.1.1 **Key findings**

- **Communities of interest** were identified at five different levels for local government in the Bay of Plenty and surrounds (the study area), being: local; territorial authority; sub-regional; regional; and inter-regional. Different council functions and services are relevant to different levels of communities of interest – one size does not fit all.
- Drawing common themes from international examples where local democracy has been under some pressure, the following **local democracy principles** were identified as a reference point for discussion: sovereignty; subsidiarity; transparency; accountability; participation; partnership; and equity.

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<sup>1</sup> The LGF project Phase One final reports are available at: <https://www.tauranga.govt.nz/localgovernmentfutures/local-government-futures-final-reports.aspx>

- It was also contended that it is less important for representative democracies to directly govern the provision of services in which constituents have primarily a 'customer interest' (for example water supply, wastewater), and of greater importance where there is a strong 'citizen interest' (for example leadership, advocacy, economic development and environmental protection). And further that the idea of differentiating customer and citizen interests may provide some room to address the inherent tension involved in achieving the benefit of economies of scale and scope (which are often of benefit to customers) and retaining the 'local' in local democracy (which generally will benefit local citizens).
- The **leadership of local government elected representatives** is often called on far beyond the scope of local government's primary functions, powers and responsibilities. This aligns well with the notion of Place Shaping – a wider strategic role for local government at the heart of which lies the ability of local government to engage local people on the issues that matter to them.

## 2.2 Transportation Functional Assessment (Rationale)

Rationale Limited was engaged to undertake this functional assessment, which produced the Transportation RSA and Transportation IBC reports. As part of the report development process, the consultants held a number of workshops with subject matter experts from each of the participating councils and NZTA. The findings of the reports, particularly the IBC report, reflect both workshop feedback and the independent consultants' professional expertise.

Components of the transportation function included in scope were: strategic transport planning (local, regional, national), operational transport planning (local, regional, national), and activity management (including: capital/improvements; maintenance, operations and renewals; and passenger transport). The interdependence of the components for the transportation function meant that that the function was addressed as a coherent whole throughout the assessment, rather than examining each component of the transportation function separately as originally planned.

The Executive Summary from the Transportation IBC is provided for further information (refer to **Appendix 2** of this report), but the key findings and recommendations are summarised below.

### 2.2.1 Key findings of the Transport IBC

The IBC noted that the participating councils and NZTA are collaborating well and while there is not a sole driver for change, there are a range of elements stemming from the growing pressure to improve the effectiveness of transportation investments.

The IBC concluded that addressing the key problems identified would achieve the following potential benefits, or **objectives**:

- Compelling investment cases are delivered that demonstrate value for money and linkages to prosperity.
- One Network transportation strategies are delivered improving economic performance.
- High quality planning is delivered efficiently and effectively, achieving aligned outcomes across the BOP.

The IBC provided ranked short-listed options of both service solution (form) and scope (function) which, in descending ranked order, were:

- **Option 3: Transport Centre of Excellence**, mandated by a memorandum of understanding (form). This would deliver a regional standardisation approach to data and analysis, and transport programming (option 2 functions) plus transport and strategic planning. A joint approach to procurement could be included in this option once principles and specifications were aligned.
  - **The IBC noted that this option ranked highest** as it achieves the majority of the benefits, is flexible while being relatively easy to implement, and was supported by the majority of the transport practitioners.
- **Option 4: Combined Business Unit**, with resources applied to a regional group with an ongoing mandate and established form (form). This would deliver all functions within Option 3 (above) plus joint procurement processes, network management and service delivery.
  - **The IBC noted that this option was ranked second highest**, as it achieves the benefits sought, but has greater time and financial costs and greater risk than Option 3. There are also a greater level of dependencies to be considered, and only a medium level of support from the transport practitioners.
- **Option 2: Formal Forum** guided by a terms of reference (form). This would deliver a regional standardisation approach to data and analysis and transport programming.
  - **The IBC noted that this option** was the 'do minimum' option and **was ranked third highest**. This was because it achieves few of the benefits sought, but does have a medium level of support from the transport practitioners along with low cost, time and risk impacts and few dependencies that would need to be managed.
- **Option 5: One Entity, most likely a council controlled organisation (CCO)**, which could be wider than the councils and NZTA and could include public/private partnership approaches (form). This would deliver all transportation functions for the CCO members.
  - **The IBC noted that this option** would require the greatest level of change and **was ranked fourth out of the five options**. This was because, while it achieves the benefits sought, there was a low level of support from the transport practitioners with high cost, time and risk impacts, along with a high level of dependencies.
- **Option 1: Status Quo**, the 'no change' option with all scope continued as at present with existing levels of collaboration.
  - **This option was ranked lowest** of the five options as it would not achieve the potential benefits (objectives) and has a low level of support from the transport practitioners. As this is the current state there are few cost or time impacts, it would minimise risk associated with change, and there are few dependencies to be taken into account.

All options were considered for application at a regional level. At the IBC stage sub-regional or less collaboration was not considered as a viable approach.

## 2.2.2 Recommendations of the Transport IBC

The IBC recommendation was that the LGF project Governance Group proceed with further assessment of the Transport Centre of Excellence and one or two of the lesser ranked options in a detailed business case.

The IBC notes that financial benefits are very difficult to quantify at IBC stage and that further analysis of potential financial benefits (and implicitly costs) would be explored within a detailed business case.

## 2.3 Potable Water Supply and Wastewater Functional Assessments (Castalia and Rationale)

Castalia Strategic Advisors Limited and Rationale Limited were jointly engaged to undertake this functional assessment work stream, which produced the Water and Wastewater RSA and Water and Wastewater IBC reports. Castalia also delivered the Review of Waikato Waters Business Case report, an additional report commissioned to gain any learnings from the Waikato process. The process followed was similar to the Transport functional assessment in that the consultants held a number of workshops with subject matter experts from each of the participating councils. The findings of the reports, particularly the IBC report, also reflect both workshop feedback and the independent consultants' professional expertise.

These two waters functional assessments were able to be undertaken together, as there is a level of dependency between them and also many of the same council staff, particularly at planning and management level, work across both functions.

Key components included in scope were: water collection, treatment and delivery; wastewater collection, treatment and disposal; as well as regulation of the conditions under which these services are provided.

The Executive Summary from the Water and Wastewater IBC is provided for further information (refer to **Appendix 3** of this report), but the key findings and recommendations are summarised below.

### 2.3.1 Key findings of the Waters IBC

The IBC identified the following investment objectives (potential benefits) in response to the common challenges identified in the RSA report and in the context of current arrangements:

- Improved planning certainty
- A resilient, capable and resourced workforce
- Improved value for money
- Informed and engaged communities
- Strong and consistent investment stories
- Increased opportunity for understanding, sharing, innovation
- Strong collective voice

The IBC identified four short-listed options, which are outlined on the following page. It is noted that these differ from the Transportation options in that they do not include a 'status quo' option or a 'one entity/CCO' option.

The four options were assessed against achievement of the investment objectives, along with five critical success factors from the better business case methodology (strategic fit, potential value for money, ability to be implemented and sustained, potential affordability, and potential achievability):

- **Option 1: Formal Forum** with a memorandum of understanding (form) for information sharing (function).
- **Option 2: Formal Forum** with a memorandum of understanding (form) for information sharing (Option 1 function) plus joint standards on data and analysis, joint priorities on strategy, and a joint approach to advocacy.
- **Option 3: Combined Business Unit** (form) for information sharing, joint standards on data and analysis, joint priorities on strategy, and a joint approach to advocacy (Option 1+2 functions) plus a joint approach to procurement.
- **Option 4: Combined Business Unit** (form) for information sharing, joint standards on data and analysis, joint priorities on strategy, a joint approach to advocacy and to procurement (Option 1+2+3 functions) plus jointly undertaking certain skills and resourcing functions.

The four options were not ranked as part of the IBC process, however the IBC noted that:

- The options increase in both expected benefits but also associated costs and time impacts as well as level of risk from Option 1 (least change) through to Option 4 (most change).
- Option 4 was most likely to meet all investment objectives but Options 2 and 3 have lower costs and risks, allow for potential further evolution as greater evidence is developed (i.e. through detailed business case assessment), and may be more achievable and affordable.
- Comparative assessment of the four options showed that the benefits outweigh the costs for all four options, signalling that any of these options are likely to be more beneficial than the status quo.
- All four options are scalable to different project members participating. Benefits are typically maximised by full participation, but opportunities may be most likely with those neighbouring councils or those within a sub-region. No option involves a minimal critical scale, but benefits should increase with wider membership (as may coordination costs).

### 2.3.2 Recommendations of the Waters IBC

The IBC recommendation was that the LGF project Governance Group proceeds with a detailed business case to further develop the four short-listed options. Consideration could also be given to including a CCO involving asset management planning if a wider set of options were sought.

It was noted that at the IBC stage it is easier to quantify the costs of the options than the benefits, which would require a more detailed analysis to reduce the uncertainty. Further analysis was considered to be needed to develop the options and plan how they may be implemented, should they proceed to implementation stage, and it was noted that this detailed planning may modify the options slightly.

It was recommended that an implementation group be put together to work with an appointed project manager to develop the detailed business case.

## 2.4 Opportunities for Improvement supplement (Martin Jenkins)

While preparing the Communities of Interest think piece, Martin Jenkins was asked by the LGF Governance Group to make observations about where they saw opportunities to improve on local government structure and arrangements. This supplementary report summarises those observations.

Martin Jenkins notes that their observations are made primarily on the basis of their assessment of the region's various communities of interest, and that before making any definitive conclusions about the future, other perspectives would also need to be incorporated such as the functional assessments and other possible drivers for change such as cost efficiency.

The Executive Summary from the Opportunities of Improvement supplement is provided for further information (refer to **Appendix 4** of this report), but the key findings and recommendations are summarised below.

### 2.4.1 Key findings

On the basis outlined above, Martin Jenkins considered that there were opportunities to improve on existing local government arrangements in the study area, particularly:

- At sub-regional level in respect of natural resource management, water supply / wastewater provision, land use policy and planning, and economic development; and
- Potentially to enhance inter-regional arrangements for the governance and management of, and investments in, transport networks across the Waikato and Bay of Plenty regions.

Martin Jenkins' view was that communities of interest appear generally well served by current democratic and leadership arrangements. The report noted one area of apparent disconnect where localised interests in community and social development may not be that well served by the normally much larger geographic areas of governance for these services (for example events, community halls and centres, and local parks).

In preparing the Communities of Interest think piece, Martin Jenkins also sought perspectives from a number of local Māori and iwi representatives from across the study area. Those interviewed considered there to be opportunities to improve Māori representation at territorial authority level.

### 2.4.2 Recommendations

Martin Jenkins recommended that participating councils consider the opportunities identified (as outlined above), and suggested options to consider in giving effect to those opportunities, alongside the other work being undertaken in the LGF project.

Martin Jenkins said it is important to note that the opportunities and options had been developed through a communities of interest lens, based on available information and lessons from recent reorganisation processes and proposals from around New

Zealand, and that other considerations such as cost-effectiveness and matters of financial sustainability may lead to different conclusions.

Martin Jenkins' final note within their recommendations was that the suggested options for giving effect to the opportunities identified are based on what is available under current legislation, but that more recent comments from the Minister of Local Government indicated that there may be room for innovation if that will enable councils to more effectively serve the needs of communities.

## **2.5 LGF project Phase One – learnings and benefits**

In addition to the evidence base created, a key benefit from the work to date was a greater level of understanding and collaboration between on-the-ground staff across the partner councils.

Working together, particularly during the transportation and water/wastewater workshops, enabled a greater shared understanding of the challenges being faced and opportunities that exist for addressing them.

Signals are that some opportunities for collaboration will be progressed, particularly in more operational areas of the transportation and water/wastewater functions, regardless of whether the project continues in some form.

## **3 Direction from the 24 February 2017 BOP Triennial Meeting**

### **3.1 Triennial meeting direction on the LGF project**

The LGF project was generated from a BOP Triennial meeting, and operated under the BOP Triennial umbrella. Additionally, the LGF Project Governance Group members are also the BOP Triennial forum representatives, including the Mayor of South Waikato District Council.

As noted earlier in this report, at its September 2016 meeting the LGF Project Governance Group received the IBC reports for transportation and water/wastewater, which effectively completed Phase One of the project. The Governance Group deferred decisions on any next steps for the project until after the October 2016 local government elections, considering it more appropriate for new councils to make these decisions. As the intended LGF Project Governance Group meeting on 5 December 2016 did not eventuate, the project was discussed at the 24 February 2017 Triennial Meeting.

The view of the Triennial Meeting participants was that the LGF project should be concluded now that Phase One has been completed, and that the investment in the project has been worthwhile. The Triennial Meeting participants directed the Chief Executives to further investigate advancing ways to work together on integrated water management, including establishment of a formal staff forum for waters, similar to the transport Regional Advisory Group (RAG). There was also discussion on whether the terms of reference for the RAG could be expanded to deliver on some of the opportunities discussed during the LGF transportation workshops.

It is anticipated that any progress on the transportation and waters work will be reported back to the next Triennial Meeting on 4 August 2017, along with a short concluding report for the LGF project.



### **3.2 Triennial meeting direction on spatial planning**

At the 24 February 2017 Triennial Meeting, development of a one day workshop to focus on spatial planning across the region was also discussed. It was suggested that this workshop could be facilitated by Ree Anderson, who has undertaken similar work for Auckland Council and Rotorua Lakes Council (RLC). It was agreed that the Chief Executives of RLC and the Bay of Plenty Regional Council would work together to prepare a top down strategic / spatial planning workshop for the region, ideally to be delivered before August 2017.

A proposal for this workshop has been prepared and is currently with the Rotorua Lakes Council Chief Executive to work with the chief executives as to next steps forward.

## **4 Council's Accountability Framework**

### **4.1 Community Outcomes**

Council's interest in the matters in this report contributes to the Regional Collaboration and Leadership Community Outcome in the Council's Long Term Plan 2015-2025.

### **4.2 Long Term Plan Alignment**

This work is provided for in the Governance Services activity in the Long Term Plan 2015-2025.

#### **Budget Implications**

There are no budget implications arising from this report.

Anne Payne  
**Principal Advisor**

**for Manager Chief Executive's Office**

**24 May 2017**



# **APPENDIX 1**

## **Executive Summary - LGF Communities of Interest, Local Government Democracy and Leadership, 21 September 2016**



# EXECUTIVE SUMMARY

The Bay of Plenty Local Government Futures Project is a collaborative project between all of the councils in the Bay of Plenty region, and South Waikato District Council (because of its close relationship with parts of the Bay of Plenty region). The project will gather evidence and analysis (phase 1) to support the councils and their communities to make informed decisions about the future shape of their councils (phase 2).

The project is being governed by the region's mayors and the Chair of the Bay of Plenty Regional Council.

This report is part of phase 1, and is only one input into the wider project. The main purpose of our report is to look at the various communities that make up the Bay of Plenty region, identify where there are common interests, and consider some principles to guide future local democracy and leadership in the region. We were also asked to advise on what lessons may be derived for the region from other investigations into local government reorganisation – such as the creation of the Auckland Council, and the Local Government Commission's investigations into arrangements in the Northland, Hawke's Bay and Wellington regions.

Alongside this report, a series of 'functional assessments' are also being undertaken. These assessments analyse some key functions performed by local government – such as transport, fresh and waste water services – and will assess whether there is room for improving how they are delivered.

## Communities of interest

Our research and interviews undertaken to inform this think-piece have identified communities of interest at five different levels, from a local government perspective:

**Local:** It is apparent that a sense of highly-localised, place-based identity is felt strongly in smaller, sometimes more isolated communities - settlements such as Katikati in the West and Murupara in the East. Local communities with a strong sense of place are also observable in larger urban areas where separate settlements have grown together over time to form an urban centre.

**Territorial Authority (TA) Level:** Current municipal boundaries are the product of a history of merging and amending administrative boundaries - most recently in 1989 - that reflect a history in settlement patterns and shared interests. In most cases, TA boundaries continue to broadly represent catchments of communities serviced by town or urban centres within those boundaries. However, in some places in the region TA boundaries/community catchments are blurring because of demographic changes (growth and decline) and also because of increased mobility due to transport and technology change. This is particularly the case for Western Bay and Tauranga, due to strong population growth and urban expansion into rural areas.

**Sub-regional:** This level relates to communities of interest that exist within the region but where interests do not align with TA boundaries such as surface water catchments and labour markets. While there are strong linkages throughout the Bay of Plenty and between districts and settlements, the biophysical characteristics of the study area - creating barriers to the movement of people and goods,



differentiating land uses, influencing local climate and informing historical settlement patterns – means that sub-regional interests tend to coalesce around three distinct geographic areas that are commonly referred to as the Bay of Plenty's sub-regions:

- Central Plateau (Rotorua/Taupō/South Waikato)
- Western Bay (Western Bay of Plenty/Tauranga)
- Eastern Bay (Whakatāne/Kawerau/Ōpōtiki)

This finding is supported by live-work patterns, population demographics and the settlement hierarchy within the study area.

It is at this sub-regional level where there appear the greatest opportunities to strengthen existing arrangements to advance collective interests across the study area.

**Regional:** A key regional interest is in the need to ensure the equitable management of freshwater resources in balancing the competing needs of municipal, agricultural and recreational uses while maintaining environmental quality and cultural values. With this comes a region-wide interest in the expertise required to work through complex natural resource management questions, and possibly to support the investments required to deliver sustainable, quality water services (waste and potable) across the region.

In spite of the relatively small movement of people to work between sub-regions, the movement of people and goods (transport) remains of significant regional interest. This particularly relates to the servicing of the rural economy from the main centres of Tauranga, Rotorua and Whakatāne, the arrival and movement of domestic and international tourists through the region's airports, the Port of Tauranga and the regional road network, and the access for primary products to the Port of Tauranga by road and rail.

**Inter-regional:** The primary inter-regional community of interest exists between the Bay of Plenty and Waikato regions in relation to the flow of goods and services/transportation (e.g. access to key domestic markets and international ports). Other inter-regional interests may include the provision of tertiary level health care and education and the provision of some professional and financial services.

## Lessons from recent local government reorganisation work

### Auckland

The scale and nature of the issues that led central government to intervene and reform local government in Auckland are not strongly evident in the Bay of Plenty. Growth pressures in the Bay of Plenty region are largely centred around Tauranga (and flowing into Western Bay of Plenty), and are currently being managed successfully by a joint strategy between the relevant councils (Smart Growth).

To our knowledge, there has not been any fundamental review or assessment of the effectiveness of the changes to Auckland's governance - the jury is perhaps still out given that only five years have passed since its establishment.



## Council Controlled Organisations

One key feature of the Auckland Governance reforms however is the significant role of Council Controlled Organisations (CCOs) in the governance, management and delivery of functions and services on behalf of Auckland Council and its residents and businesses.

While it is outside the scope of this think-piece to provide an assessment of the effectiveness of Auckland's CCOs arrangements, we make some general observations about CCOs in local government:

- Benefits of CCOs can include specialist governance and management expertise (e.g. commercial and sector-based); a singular operational focus, an ability to attract external funding in some cases (e.g. visitor attractions, tourism and events); and a separation from direct political decision-making. In cases where CCOs manage activities on behalf of a number of councils (e.g. Wellington Water), there are also significant management-related economies of scale – allowing both greater specialisation of expertise and also developing more attractive career pathways for professionals
- Disadvantages can include - councils, as elected representatives, owners and funders are never completely free of the reputational and operational risks carried by the CCOs. CCOs can take the notion of legal independence very seriously, sometimes without due consideration being given to the ownership and funding interests of councils. Where significant interdependencies exist between council functions and a CCO's business (e.g. planning and delivery of infrastructure by CCOs, and land use planning undertaken by councils), maintaining coordination, incentives and alignment is challenging
- Holding companies can be a very useful structure for council to manage a suite of CCO interests, in particular where those interests are primarily commercial in nature, but they can also make it harder to influence the activities of entities sitting underneath the holding companies. The Council's primary accountability relationship is with the holding company, not its subsidiaries – giving potential for conflict when there is disagreement between the council and the holding company about the direction or performance of a subsidiary entity, despite the likelihood that council effectively holds a significant ownership and possibly funding interest in the subsidiary
- While generally a last resort, the key performance management tool for Councils is the ability and willingness to hire and fire members of the board. This has implications for council appointments to the boards of CCOs.

## Lessons from Northland, Hawke's Bay and Wellington

Recent reform proposals for Northland, Wellington and Hawke's Bay do provide some useful lessons for the Bay of Plenty region in thinking about future structures for local government:

- A 'one size fits all' governance structure is not appealing to communities where significant local and regional differences are perceived. The preservation of local identity and voice is critical, and structures need to fit the circumstances and needs of specific communities
- Any case for change needs to be very clear, compelling and go beyond arguments about financial efficiency. Aside from Auckland Council, which was the result of direct central government



intervention, only one reorganisation proposal in the form of amalgamation has succeeded since 1989 – all others have either been rejected by voters or set aside without going to a poll

- Proposed communities of interest, which collectively make up a council area, need to be collectively logical – each community needs to see that they have enough in common with the other communities in the council area to give it legitimacy as a collective whole. For example, most residents in the Wairarapa did not consider that Wairarapa had enough in common with metropolitan Wellington to be part of a region-wide ‘super city’ council
- While many communities have rejected amalgamation proposals, they are not necessarily against change – particularly in the form of more shared services and/or more integrated functions<sup>1</sup>. Communities are often comfortable with councils sharing services with others, where it makes sense, to be more efficient or effective in what they deliver to residents and businesses. This means there is significant scope for councils to improve the way that their functions and duties are provided, while retaining local representation and influence over decisions
- Uncertainty about the impact of proposed changes on an individual’s rates is an issue for many voters, particularly for older populations who are often on fixed incomes
- In the amalgamation context, there is often concern about the possible impacts of wealth transfers – e.g. redistributing debt, assets and rates burdens amongst communities.

## Democracy and leadership

While democracy and leadership are often strongly connected, they have some distinct characteristics and purposes. This is evident in the apparent mismatch between the matters over which local authorities have formal democratic decision making responsibilities (Democracy), and those matters over which civic leaders are called on to provide a sense of common cause, influence others or provide a focus for community solidarity in a time of crisis (Leadership).

In considering democracy, it does not necessarily follow that an unelected body is undemocratic, or that a representative body behaves in a democratic manner. It is therefore important to consider democratic principles that go beyond considerations of representation alone. Drawing common themes from international examples<sup>2</sup> where local democracy has been under some pressure, the following principles are provided as a reference point for discussion:

- **Sovereignty:** power lies with people and communities who give some of that power to governments and local governments, not the other way round
- **Subsidiarity:** decisions should be taken as close to the community as capability exists to make well informed decisions
- **Transparency:** democratic governance and decision making process should be open and transparent, and able to be understood by communities

<sup>1</sup> While 89% of submitters on the Local Government Commissions reorganisation proposal for the Greater Wellington region opposed amalgamation, 40% of submitters supported greater shared services

<sup>2</sup> Scottish Commission on Strengthening Local Democracy 2014 and Aberdeen Agenda: Commonwealth principles on good practice for local democracy and good governance in particular



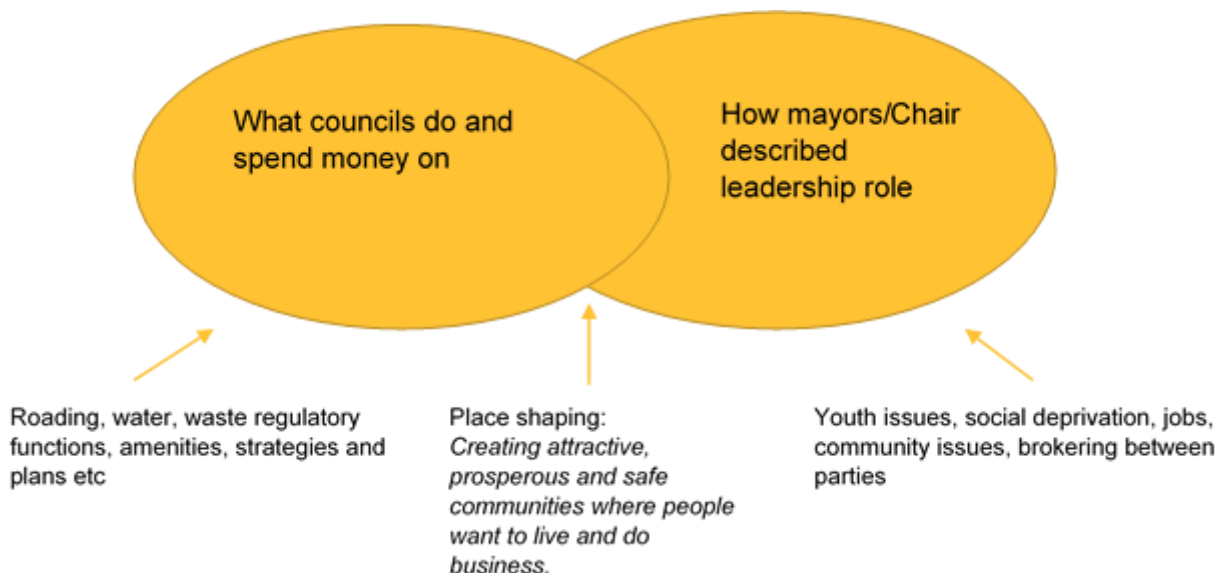


- **Accountability:** local government should be accountable to the community it serves
- **Participation:** all communities must be able to participate in the decision making that affect them
- **Partnership:** there should be cooperation and partnership among local, regional/provincial and national spheres of government whose roles relate to their capabilities and competencies. None can be, or should seek to be, self-contained and self-sufficient
- **Equity:** the distribution of services and resources should reflect and respond to the needs of the local community.

We would also contend that it is less important for representative democracies to directly govern the provision of services in which constituents have primarily a ‘customer interest’, and of greater importance where there is a strong ‘citizen interest’. This idea of differentiating customer and citizen interests may provide some room to address the inherent tension involved in achieving the benefits of economies of scale and scope (which are often of benefit to customers) and retaining the ‘local’ in local democracy (which generally will benefit local citizens).

The leadership of local government elected representatives is often called on far beyond the scope of local government’s primary functions, powers and responsibilities. As described by Figure 1 below, this aligns well with the notion of Place Shaping - a wider strategic role for local government at the heart of which lies the ability of local government to engage local people on the issues that matters to them.

**Figure 1: Local government leadership in place-shaping**



In his work that made popular the use of the term Place Shaping, Sir Michael Lyons contends that leadership is as fundamental to the role of local government as is the exercise of its powers:

*Whatever the legal and constitutional arrangements for the provision of a service or function, if it has impacts on local people, then the local authority should have a role in representing the community interest and influencing that service. That requires not just the joining-up of resources and activities, but also a leadership and influencing role to ensure that the efforts of all agencies are focused on the outcomes of greatest importance to local people. Local government is well-placed to play this convening role.*



## **APPENDIX 2**

# **Executive Summary - LGF Transportation IBC, August 2016**



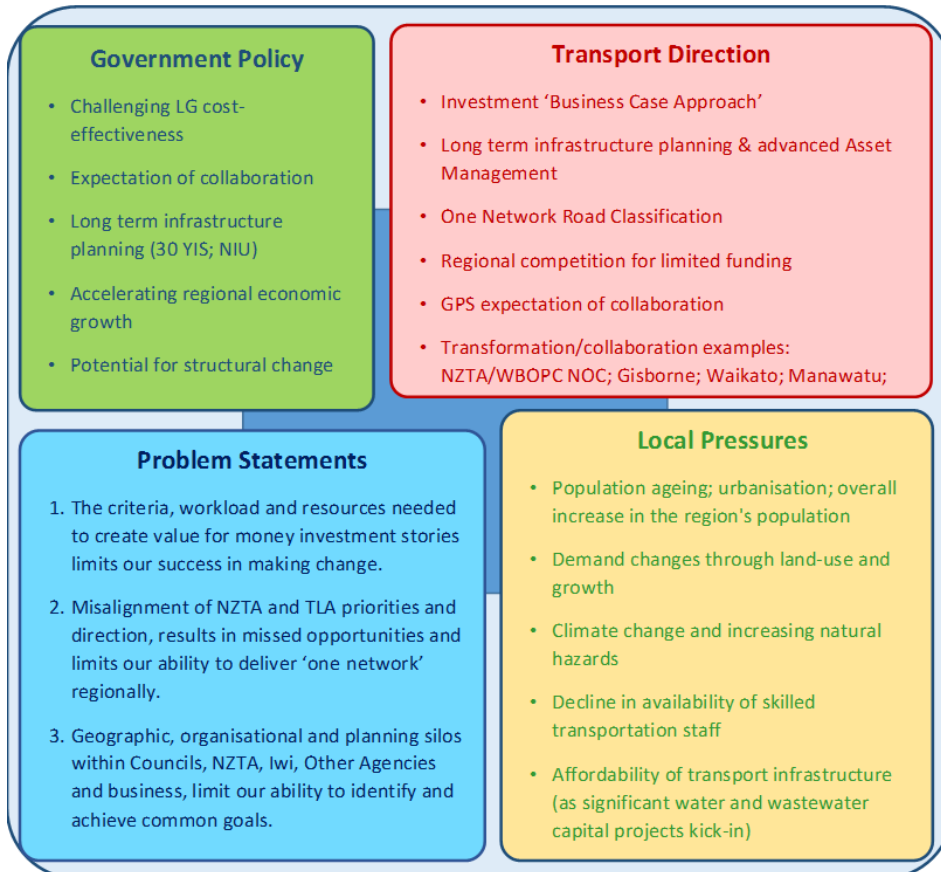
## Executive Summary

Since the government’s reform programme termed ‘Better Local Government’ was introduced in 2012, the Bay of Plenty councils, along with neighbouring Waikato district councils Taupō and South Waikato, together with the New Zealand Transport Agency (NZTA), have been investigating how they can best contribute to the long term prosperity and wellbeing of the wider region and its communities. In November 2014, the Local Government Futures project was formed to explore options for improving local government efficiency and effectiveness. The project involves work streams examining the communities of interest, democracy and leadership across the region, as well as functional assessments for transportation and separately for water and wastewater.

This transportation functional assessment indicative business case sets out the case for developing a more collaborative response and provides an indication of longlist scope and service solution options, which were refined to a ranked shortlist of options including a preferred option.

This indicative business case seeks formal approval to progress the preferred way forward by considering the Transport Centre of Excellence model and one or two of the lesser ranked options in a detailed business case.

The wider Bay of Plenty councils and NZTA are collaborating well in defined areas such as growth planning, land use and transport integration and freight logistics. There is not a sole driver that is suggesting change, but a growing accumulation of elements stemming from the pressure to improve the effectiveness of transportation investments. The existing management and operation of the transportation networks has served the Bay of Plenty (BoP) well in the past, but change is inevitable if the region is to continue to compete and prosper in the face of longer term strategic challenges. The drivers of change have been summarised below.



*Elements contributing to the need for change*

The potential benefits of successfully addressing the problems identified above are defined as:

**Benefit 1:**

Compelling investment cases are delivered that demonstrate value for money and linkages to prosperity.

**Benefit 2:**

One Network transport strategies are delivered improving economic performance.

**Benefit 3:**

High quality planning is delivered efficiently and effectively, achieving aligned outcomes across the BoP.

Following a longlist of options of both scope (function) and service solution (form) developed through facilitated workshops, a recommended shortlist for further assessment is as follows:

- Option 1: **Status quo option** (do nothing option). All scope continued as at present with existing levels of collaboration. This option could still be retained if there is limited stakeholder endorsement of the proposal.
- Option 2: **Formal Forum** (do minimum option). Regional standardisation approach to data and analysis and transport programming guided by a terms of reference.
- Option 3: **Transport Centre of Excellence** (less ambitious option). The functions cover all aspects of Option 2 plus transport and strategic planning, mandated by a memorandum of understanding (MoU). Joint approach to procurement could be included in this option once there is alignment of principles and specifications.
- Option 4: **Combined Business Unit** (intermediate option). The scope covers all aspects of Option 3 and includes joint procurement processes, network management and service delivery. Resources are applied to a regional group with an ongoing mandate and established form.
- Option 5: **One Entity**, most likely a Council Controlled Organisation (more ambitious option). One entity delivering full service and scope or aspect on behalf of councils in the region. This could be wider than the TLAs & NZTA and include public-private partnerships approaches.

The 15 August 2016 shortlist option workshop confirmed the strength of the case for change and agreed the benefits being sought against the risks, dis-benefits, costs and timeframes. This has been summarised in the following table.

*Summary Table of Assessment Rankings*

Assessment Criteria	Option 1 Status Quo	Option 2 Formal Forum	Option 3 Transport Centre of Excellence	Option 4 Combined Business Unit	Option 5 One Entity / CCO
Benefits (objectives)	Low	Low	Med	High	High
Cost	Low	Low	Med	Med-High	High
Time	Low	Low	Low- Med	Med-High	High
Risks	Low	Low	Low	Med	High
Other Benefits	Low	Low	Med	High	High
Dependencies	Low	Low	Low	Med	High
Stakeholder Support	Low	Med	High	Med	Low
Rank	5	3	1	2	4

The Transport Centre for Excellence came out as the highest ranked option since it achieves the majority of the benefits, is flexible whilst being relatively easy to implement, and was supported by the majority of the transport practitioners. Indicative financial benefits of the shortlist options are compared and discussed in the report, however this is very difficult to quantify at this stage. Further analysis of the potential financial benefits would be explored within the detailed business case.

On the basis of the preferred option workshop, previous practitioner workshops feedback, strategic assessment and analysis contained in this report, the recommended preferred way forward is to consider the Transport Centre of Excellence and one or two of the lesser ranked options in a detailed business case.

**Next Steps**

This indicative business case seeks formal approval at chief executive and governance group level to commence development of the detailed business case, based on the preferred way forward and the shortlisted options. Following approval, separate reports seeking endorsement of the suggested approach would need to be undertaken by the individual council participants and NZTA.

## Purpose of this document

This indicative business case seeks formal approval to invest in the development of a detailed business case that further explores options for delivery of the transport function to improve the efficiency and effectiveness of transport outcomes in the Bay of Plenty.

The business case process is organised around a five case structure designed to systematically ascertain that the proposal:

- is supported by a compelling case for change - the 'strategic case'
- optimises value for money - the 'economic case'
- is commercially viable - the 'commercial case'
- is financially affordable - the 'financial case', and
- is achievable - the 'management case'.

The purpose of this indicative business case is to:

- confirm the strategic context and fit of the proposed change
- confirm the need to invest and the case for change
- identify a wide range of potential options
- recommend a preferred way forward for further development of the options for delivery, supported by a limited number of ranked options for further analysis
- seek the early approval of the Governance Group to develop a Detailed Business Case, based on the preferred way forward.



## **APPENDIX 3**

# **Executive Summary - LGF Water and Wastewater IBC, August 2016**



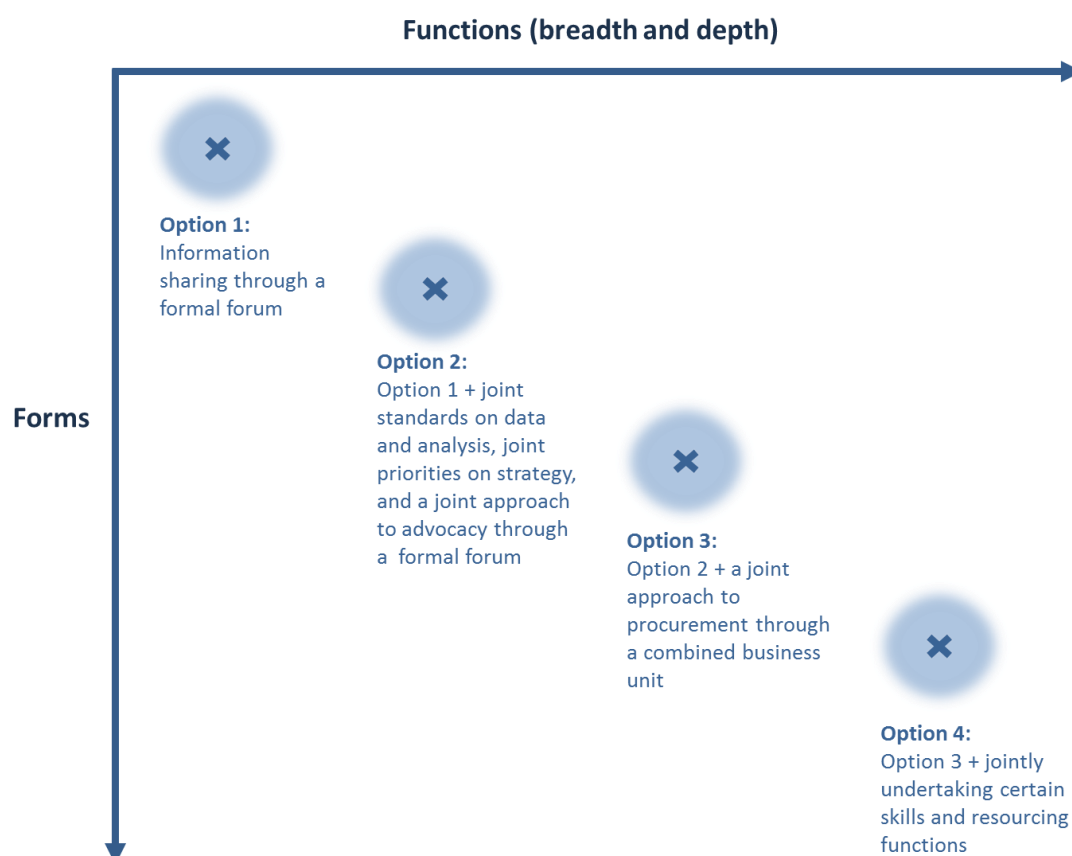
## Executive Summary

Nine councils in the wider Bay of Plenty region have sought to review whether key services are being delivered as efficiently and effectively as possible and identify if there is potential for improvement. Castalia, together with Rationale, has been engaged to advise on the water and wastewater functions across councils using the better business case approach.

This report provides an indicative business case that considers potential options to improve the delivery of water and wastewater functions through consistent collaboration across the region.

We have assessed four shortlisted options (illustrated in Figure E.S.1) to address the identified common challenges in the region and deliver the investment objectives agreed by project participants.

**Figure E.S.1: Short-Listed Options**



We found that as options increase in breadth and depth there is an increase in benefits as well as costs, risks, and time to implement. Option 4 is most likely to meet all investment objectives but Options 2 and 3 seek a balance with lower costs and risks, allow for potential further evolution as greater evidence is developed, and may be more achievable and affordable.

All short-listed options are scalable to different project members participating. Benefits are typically maximised by full participation, but opportunities may be most likely with those neighbouring councils or those within a sub-region. While, no option involves a

minimal critical scale, benefits should increase with wider membership (as may coordination costs).

### **A Detailed Business Case is recommended**

We therefore recommend that the project’s Governance Group agrees to proceed with a detailed business case to further develop these short-listed options. The Governance Groups could also consider including a CCO involving asset management planning if it wants to keep a wide set of options open. Option 1 has the lowest impact in terms of expected benefits and the lowest risks and costs. We note that Option 1 may not fit the criteria for requiring a detailed business case if this is the only option progressed.

The short-listed options should deliver on the agreed investment objectives and meet the critical success factors and better business case requirements. At this stage it is easier to quantify the costs of the options than the benefits which require a more detailed analysis to reduce the uncertainty. Further analysis is needed to develop these options and plan how they may be implemented (until such time a firm decision to proceed is not required). Detailed planning of options and their implementation may modify the options slightly.

As next steps we suggest an implementation group be put together to work with an appointed project manager to develop this detailed business case.

### **Comparative assessment of short-listed options shows that the benefits outweigh the costs**

The Table E.S.1 below provides the summary assessment across the four short-listed options against the critical success factors. Green shading represents the objective or critical success factor being achieved, while orange means there may be little difference. The darker the shading, the greater the magnitude of achievement, with the highest scoring option for each aspect described in bold.

**Table E.S.1: Summary Assessment of Short-Listed Options**

Assessment Criteria	Option 1	Option 2	Option 3	Option 4
<b>Investment Objectives</b>				
Improved planning certainty	Minor influence on own but enables this to be achieved	Greater influence from agreed data analysis standards, joint strategic priorities, and joint advocacy	Adding a joint procurement approach and moving to a combined business unit may improve further	<b>Likely as jointly undertaking advocacy may further assist with planning certainty.</b>
A resilient, capable and resourced workforce	Possible	Possible, particularly in relation to data analysis and advocacy	Possible with joint strategic priorities and procurement approaches may also help	<b>Joint HR and training will significantly assist with this</b>
Improved value for money	If savings or enhancements can be identified as a result	As with option 1 though appears more likely	<b>As with Options 1 and 2 though appears more likely</b>	<b>As with other options and similar likelihood to Option 3</b>
Informed and	May identify	Agreed data	Joint strategic	<b>As with Option 3</b>

engaged communities	opportunities to improve engagement	analysis standards should assist with informing communities	priorities, analysis, and procurement approaches would make informing and engaging with communities easier	<b>though joint HR functions may also assist with identifying a developing the skills to do this well</b>
Strong and consistent investment stories	Should strengthen over time	Agreed data analysis standards and joint strategic priorities should further strengthen	Going to a combined business unit if likely to increase proactive story-telling	<b>As with Option 3 though joint HR functions can ensure these skills are developed and honed</b>
Increased opportunity for understanding, sharing, innovation	Greater understanding and sharing at least	Enabling consistency on key aspects should assist with innovation	The expanded scope of joint analysis and combined business unit makes more likely	<b>The additions of specific HR and advocacy function and combined business unit make most likely</b>
Strong collective voice	May enable	Should enable	Would enable	<b>Joint advocacy ensures this is delivered on</b>
<b>Critical Success Factors</b>				
Strategic fit	Fits	Fits	Fits	<b>Fits</b>
Potential value for money	If savings or enhancements can be identified as a result	As with Option 1 though appears more likely.	<b>As with Options 1 and 2 though appears more likely.</b>	<b>As with other options and similar likelihood to Option 3.</b>
Ability to be implemented and sustained	Implementable at lowest cost and sustainable if ongoing gains	Implementable at low cost and sustainable	<b>Implementable with some cost and time, potentially more sustainable than Options 1 and 2</b>	<b>Implementable at reasonable cost and sustainable given wider commitment</b>
Potential affordability	<b>Affordable</b>	Affordable	Affordable	Affordable
Potential achievability	<b>Achievable</b>	Achievable	Achievable	Achievable

The options increase in both expected benefits but also associated costs, timing, and some risk as we move from Option 1 to 4. This is why earlier options are deemed the most achievable and affordable but latter options have higher expected benefits. Balancing these considerations, Options 2 and 3 limit potential risks, but also limit potential benefits. Option 4 is more ambitious and Option 1 the most incremental.



# **APPENDIX 4**

## **Executive Summary - LGF Opportunities for Improvement, 18 April 2016**





# EXECUTIVE SUMMARY

The Bay of Plenty Local Government Futures Project is a collaborative project between all of the councils in the Bay of Plenty region, and South Waikato District Council (because of its close relationship with parts of the Bay of Plenty region). The project will gather evidence and analysis (phase 1) to support the councils and their communities to make informed decisions about the future shape of their councils (phase 2).

The project is being governed by the region's mayors and the Chair of the Bay of Plenty Regional Council.

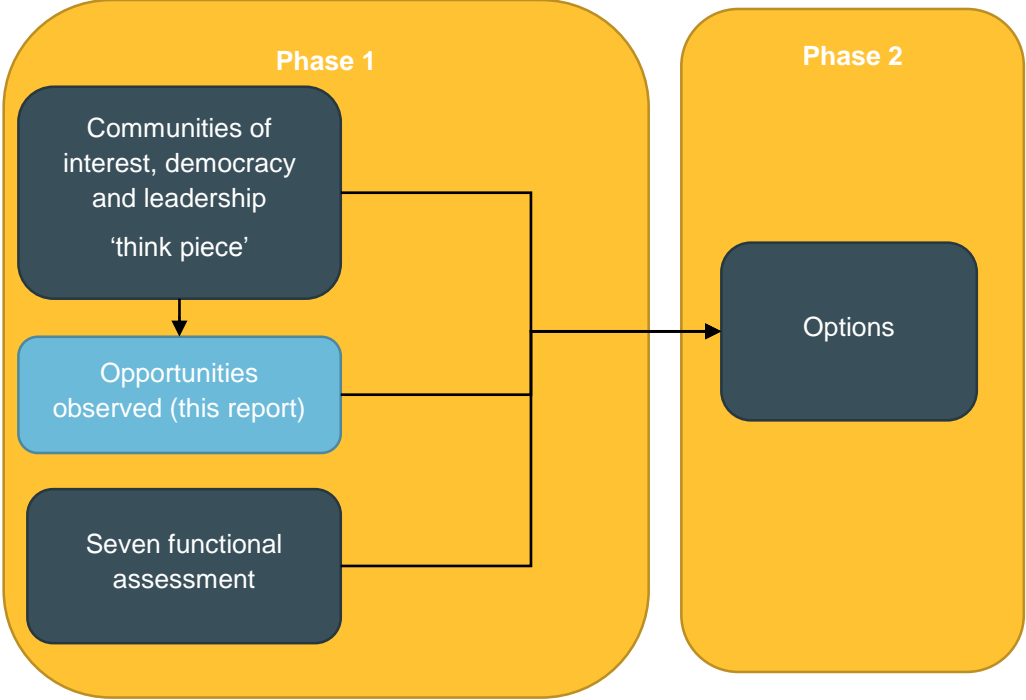
As part of phase 1 of the project MartinJenkins was commissioned to examine and prepare a 'think piece' looking at the communities that make up the Bay of Plenty region, identifying where there are common interests and considering some principles to guide future local democracy and leadership in the region.

Alongside the 'think piece', a series of 'functional assessments' are being undertaken. These assessments analyse some key functions performed by local government – such as transport, fresh and waste water services – and will assess whether there is room for improving how they are delivered.

While preparing our phase 1 report, we were asked to make a number of observations about where we see opportunities to improve on current local government structures and arrangements which are outlined in this report. We make these observations primarily on the basis of our assessment of the region's various communities of interest. Before making any definitive conclusions about the future, other perspectives will also need to be incorporated - such as the assessments of key council functions, and other possible drivers for change such as cost-efficiency.



**Figure 1: Project phases and context for this report**



We consider there are opportunities to improve on existing local government arrangements in the study area. This is particularly so at the sub-regional level, in respect of natural resource management, 2-waters service provision (mainly an issue of investment affordability and the potential to realise economies of scale), land use policy and planning, and economic development activities. There may also be an opportunity to enhance inter-regional arrangements for the governance and management of, and investments in, transport networks across the Waikato and Bay of Plenty regions.

Communities of interest appear generally well served by current democratic and leadership arrangements. One area of potential disconnect is at the Territorial Authority (TA) and local levels where there are localised interests in community and social development - the governance of these services tend to operate at a much larger geographical scale than the localised communities of interest.

In preparing the think-piece, perspectives from Tangata Whenua were also sought. Those interviewed considered there to be opportunities to improve Māori representation at the Territorial Authority level, provide greater consistency in handling matters of interest to Māori, improve policy advice on matters of interest to Māori and support Māori engagement and participation in council processes.



## Recommendations

Table 1 and 2 below outline the opportunities we have identified and options to consider in giving effect to those opportunities. These will need to be considered by councils alongside the other work they are undertaking in this project, in particular the assessment of key councils functions and how they might be delivered in future.

The opportunities are described in further detail from page 7. It is important to note that these have been developed through a communities of interest lens, based on available information and lessons from recent reorganisation processes and proposals from around New Zealand. Other considerations, such as cost-effectiveness and matters of financial sustainability, may lead to different conclusions.

The options we provide for giving effect to opportunities for improvements are based on a menu of some of the current options available under legislation. More recent comments from the Minister of Local Government indicates that there is however room for innovation where it will support the ability of local government to be more effective in serving the needs of communities.



**Table 1: Summary of opportunities, options and priorities**

Level	Opportunity identified	Option to consider	Suggested priorities
<b>Local / Territorial Authority</b>	Community and social development	Advocating for a functional role in the coordination and/or delivery of social and community development services	<ul style="list-style-type: none"> <li>• Dialogue with Government on the role of local government in social service/provision coordination in light of productivity commission and social sector trials.</li> <li>• Stocktake of existing council involvement community and social development activities and capacity.</li> <li>• Evaluate models and options for service delivery and or coordination.</li> </ul>
<b>Sub-regional (Eastern Bay, Western Bay and Central Plateau)</b>	Natural resource management	Improve the consistency (where appropriate) and coverage of arrangements that provide for sub-regional interests in natural resource management	<ul style="list-style-type: none"> <li>• Forecast sub-regional participatory and co-management arrangements in the BOP region to identify likely gaps.</li> <li>• Undertake a stock-take of lessons learnt, strengths and weaknesses of existing sub-regional participatory and co-management models.</li> <li>• Develop/refine models for engagement of sub-regional interests in natural resource management.</li> </ul>
<b>Sub-regional</b>	Land use policy and planning	Sub-regional district plans and joint hearing committees in the Western and Eastern Bay of Plenty sub-regions	<ul style="list-style-type: none"> <li>• Stocktake of existing district plan timetables for review.</li> <li>• Undertake comparative review of existing policies and plans to understand the shift required in structure and content to move to sub-regional district plans.</li> </ul>
<b>Sub-regional</b>	2-waters service provision	<p>Joint CCOs</p> <p>Transfer of responsibilities between councils</p> <p>Co-funding arrangements with regional council support</p>	<ul style="list-style-type: none"> <li>• Undertake an analysis of options for 2-waters service provision that bring together community of interest with economies of scale and financial sustainability considerations from the relevant functional assessments.</li> </ul>
<b>Sub-regional</b>	Economic Development	Review existing EDAs and RTOs and consider a joint EDA and/or RTO for Rotorua, Taupō and South Waikato	<ul style="list-style-type: none"> <li>• Rotorua, Taupō and South Waikato district council to establish a dialogue around the opportunities for a shared EDA/RTO to leverage and promote common economic and tourism opportunities</li> <li>• Initiate an effectiveness and efficiency review of existing EDAs and RTOs.</li> </ul>
<b>Inter-regional</b>	Land transport network planning	Establishing an inter-regional transport forum	<ul style="list-style-type: none"> <li>• Dialogue with NZTA, Waikato (and potentially Auckland) Regional Transport Committees on opportunities for a combined land transport forum, and possibly for more integration in the delivery of some transport functions.</li> </ul>

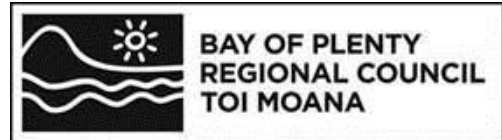


**Table 2: Serving Maori interests (Tangata Whenua perspectives)**

Opportunity identified	Option to consider
Strengthened representation in Territorial Authorities	<ul style="list-style-type: none"> <li>• Māori Constituencies at the Territorial Authority level</li> <li>• Adopting partnership models similar to the Te Arawa Partnership Model.</li> </ul>
A shared Māori policy, engagement and advisory service to support greater Māori participation and engagement	<ul style="list-style-type: none"> <li>• Build on existing capacity, particularly that of the BOPRC, to form a collectively resourced Māori policy, engagement and advisory service.</li> </ul>
Local Authority collaboration towards greater consistency in approach on matters of interest to Māori	<p>Establish consistent approaches to:</p> <ul style="list-style-type: none"> <li>• Consultation and engagement of matters of interest to tangata whenua</li> <li>• Identification and protection of sites and places of significance and value to Mana Whenua</li> <li>• Constraints on and enablement of the use and development of Māori land</li> <li>• Requirements for cultural impact assessment, tangata whenua engagement and notification in resource consent processes</li> <li>• Protocols for consultation for resource management processes and strategic planning.</li> </ul>







**Report To:** Regional Council

**Meeting Date:** 01 June 2017

**Report From:** Mat Taylor, General Manager, Corporate Performance

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## **Service Delivery Reviews under section 17A of the Local Government Act 2002**

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### **Executive Summary**

Section 17A service delivery reviews are a new requirement under the Local Government Act (2002) (LGA), introduced as part of the Better Local Government reform programme.

Councils across New Zealand have been developing their approach to meet the new requirements. Through the development of our approach, we have shared information and ideas with other Councils and followed the sector guidance to understand how the sector is meeting the requirements of the legislation.

The approach outlined in this paper is consistent with available guidance material, and with the approach of a number of Councils we have been in contact with. It takes a pragmatic approach that balances the cost of a review against the perceived benefit, while meeting the need to comply with the legislation and manage the Councils operational resources.

The purpose of section 17A reviews is to encourage councils to explore opportunities to improve the cost-effectiveness of service delivery for the community.

A review of service delivery under Section 17A must consider options for governance, funding and delivery. These options include whether it is cost effective to retain all three functions, retain governance and funding but delegate delivery to another body, or delegate all three functions to another body.

While s17A reviews provide a formal mechanism to review the cost effectiveness of service delivery, in practice, there are a number of ways to progress this outside the application of s17A, including seeking out opportunities to build greater collaboration between councils.

All services that a council delivers must be assessed to determine if a s17A review is required. Assessments have been carried out for 35 services, based on the 35 activities listed in the Long Term Plan 2015-2025. These assessments include considering the availability of willing partners for collaboration, or suitable commercial providers, as key 'principles for success' in the assessment of a service for a review as they would be critical to the implementation of any review findings.

This paper provides a summary of the assessment of whether s17A reviews should be undertaken by our Council for our activities and if not, why not. In most cases, the assessments indicate that the potential benefits of doing a review do not outweigh the cost

of the review. This is broadly consistent with what has been found by other councils that BOPRC have been in contact with.

Areas for review are Transportation, where a review was initiated through the Local Government Futures project, and an opportunity for a joint review with Waikato Regional Council for Geothermal services is currently being considered by both councils.

Work is in progress to ensure appropriate controls or triggers are included in internal Council processes to meet ongoing s17A requirements beyond August 2017 and a report back to council will be made later this calendar year.

## Recommendations

### That the Regional Council:

- 1 Receives the report, Service Delivery Reviews under section 17A of the Local Government Act 2002;**
- 2 Approves that section 17A review requirements have been met for Transport through the Local Government Futures project, with any future steps arising from the LGF project work on Transport to be closely monitored and,**
- 3 Notes that Geothermal Services is currently being assessed for a review with Waikato Regional Council,**
- 4 Approves that for the first tranche of reviews which are due by 8 August 2017, no other service reviews have a favourable cost benefit ratio,**
- 5 Notes that a report back to Council on future s17A delivery (beyond August 2017) will be made later this calendar year.**

## 1 Background/Context

In 2012, the Government made a number of changes to the Local Government Act LGA as part of the Better Local Government reform programme. These changes included the introduction of section 17A of the LGA which places an obligation on councils to conduct service delivery reviews to:

*Review the cost-effectiveness of current arrangements for meeting the needs of communities within its district or region for good-quality local infrastructure, local public services, and performance of regulatory functions.*

The purpose of Section 17A of the Local Government Act (2002) (LGA) is to encourage councils to explore opportunities to improve the cost-effectiveness of service delivery for the community. In practice, there are a number of mechanisms available to move towards this goal.

The reviews must consider the cost-effectiveness of funding, governance and service delivery arrangements, and include consideration of alternatives such as: council-controlled organisations (CCOs), collaboration with another local authority or agency, or through the private or community sector. The reviews do not consider whether councils should provide a particular service or the level of service.



The legislation also provides for exemption from, or deferral of, a review if certain conditions are met. These conditions are that:

- There is a contract or other agreement in place that cannot reasonably be changed within two years.
- The Council is satisfied that the potential benefits of doing a review do not justify the cost of the review.

As a result, conducting a s17A review is not mandatory for every Council activity, however, carrying out an assessment of whether a s17A review should be undertaken is required.

Councils across New Zealand have been working to develop processes to meet the requirements of s17A. Through the development of our approach, we have shared information and ideas with other Councils and followed the sector guidance to understand how the sector is meeting the requirements of the legislation.

The first s17A reviews are due to be completed by 8 August 2017, with an ongoing requirement to review services at such times as the local authority considers desirable, but not later than 6 years following the last s17A review (or assessment). This new requirement to regularly review services is being embedded in council operational processes.

A Bill is currently before Select Committee to make changes to the LGA. If enacted, the proposed changes would have given the Local Government Commission the power to create multiply-owned council-controlled organisations (CCOs) without the agreement of all affected local authorities. The Minister has recently stated that this provision will be removed from the proposed legislation. The select committee has delayed its report back to 16 June 2017.

## 1.1 Principles for Success.

Key 'principles for success' were developed to assist in determining whether the benefits of a review outweighed the costs. These principles considered the ability to be able to implement potential review findings as well as the core legislative requirements. The 'principles for success' are:

- Availability for 'willing partners' when considering sub or inter regional collaborations on service delivery reviews.
- Availability of a competitive market for delivery of services if considering an alternative mechanism to in house delivery.
- A clear opportunity to at least maintain existing level or quality of service e.g. external expertise is at least equal to current in house expertise?
- Understanding the expectations of other key parties and legislative restrictions, e.g. NZTA rules regulations around funding they provide.
- Potential for economies of scale
- Ensuring compliance with the legislation (Local Government Act 2002, s 17A)

Mechanisms already exist to encourage and build collaboration between local government entities both at sub-regional and inter-regional level. Selected shared services are delivered through BOPLASS. S17A is another tool available to councils to

be used to help ensure opportunities for collaboration are identified and realised and to help ensure these opportunities are considered or reviewed on a regular basis.

## **2 Developing a s17A review process**

During 2016, work was undertaken to develop a section 17A review process that was suitable for BOPRC. This process development drew on guidance material, Local Government Futures work and investigating opportunities for collaboration with other Councils and through BOPLASS.

### **2.1 Guidance material and expert advice**

Independent expert guidance was identified and reviewed, including:

- The New Zealand Society of Local Government Managers (SOLGM) 'best practice' guide for delivery of service delivery reviews: this guide discusses the requirement to conduct a review of service delivery under section 17A of the Local Government Act 2002.
- Giblin Group's 'Service Delivery Review Guidance for the Regional Sector': building on the SOLGM guidance, this document is tailored to Regional Councils and provides advice on meeting the legislative requirements of section 17A.

The SOLGM and Giblin group expert guidance provided the basis for designing our approach to delivering s17A reviews. In particular they provided advice on the requirements of the legislation, how to identify services, assessment criteria and considerations to help determine whether a review was warranted as well as key considerations for delivering the actual reviews.

Additional useful sources of information included:

- SOLGM 2016 Community Plan Forum: included presentation and discussion of section 17A case studies and some of the challenges and opportunities encountered through the delivery of reviews.
- Morrison Low Service Delivery Review Webinar: providing insight into the application of similar reviews required under Australian local government legislation.

### **2.2 Identifying opportunities for collaboration**

#### **2.2.1 Sharing information with other Territorial Authorities**

With s17A reviews being a new requirement of the LGA there is no definitive body of completed reviews to reference against or provide a benchmark for Council. BOPRC staff contacted (and were contacted by) other councils to share information, ideas and experiences, to help inform the approach to delivering reviews. In addition to TLAs in the Bay of Plenty, this included Waikato Regional Council and Greater Wellington Regional Council.

Information shared included examples of draft approaches for developing a review programme, draft assessments comparing the functions of local and regional councils to help understand opportunities for collaboration, draft tools for cost benefit analysis and assessment of services for the purpose of section 17A reviews.

In addition, the collaboration around s17A has provided another trigger for conversations between councils to keep exploring opportunities for improving collaboration and information sharing. While these may or may not result in formal s17A reviews being undertaken, they do contribute towards the overall intention behind s17A of exploring opportunities to improve service arrangements for our communities where there may be benefits in doing so.

## 2.2.2 Local Government Futures

In November 2014, the Local Government Futures project was formed to explore options for improving local government efficiency and effectiveness in the Bay of Plenty and surrounds. Meeting the requirements of section 17A service delivery reviews was one consideration when establishing the project. Table 1 lists the nine councils participating in the project.

**Table 1: Councils participating the Local Government Futures**

Bay of Plenty Region	Taupō District	Rotorua District
Tauranga City	South Waikato District	Whakatāne District
Western Bay of Plenty District	Ōpōtiki District	Kawerau District

To date, the project has produced a number of reports that are relevant to BOPRC's s17A review approach, these include:

- Local Government Service Delivery Models: this explores the opportunities presented through a range of service delivery models, such as those required to be considered through s17A service delivery reviews.
- Opportunities for improvement: this report discussed and identified a number of types of service where an opportunity was thought to exist to improve the efficiency and effectiveness of the services delivered. Transportation was included in the group of services identified.

The LGF project has contributed towards collaboration between councils as a means to deliver improvements to service efficiency and effectiveness for our shared communities. Further information on the Local Government Futures project, is set out in the separate paper 'Update on Bay of Plenty Local Government Futures project' on this Council agenda.

## 2.2.3 BOPLASS led section 17A project

The overall objectives and vision for BOPLASS continue to be supported by council. The shared service opportunities and joint procurement exercises run by BOPLASS is expected to provide on-going savings and value to BOPLASS councils. BOPRC will continue to explore further shared service opportunities with BOPLASS Councils where opportunities and willing partners are identified. In February 2016, BOPLASS contacted BOPRC to discuss the option of participating in, and helping fund, a project for Bay of Plenty Councils to collaborate on section 17A reviews. A key purpose of the project was to identify activities that would provide opportunities for joint reviews.

Through internal analysis coupled with discussion with Waikato Regional Council, it became evident that clear opportunities for collaboration exist for TLAs within a region, however fewer opportunities for collaboration between TLAs and regional councils exist. Because of this, BOPRC decided to manage the s17A separately from the BOPLASS project.

In January 2017, an update on the project was received from TLAs in the region advising that BOPLASS engaged consultants for the project in conjunction with the Councils who elected to be a part of the initiative. This includes Tauranga City Council, Western Bay of Plenty, Gisborne, Whakatāne, Ōpōtiki and Kawerau District Councils.

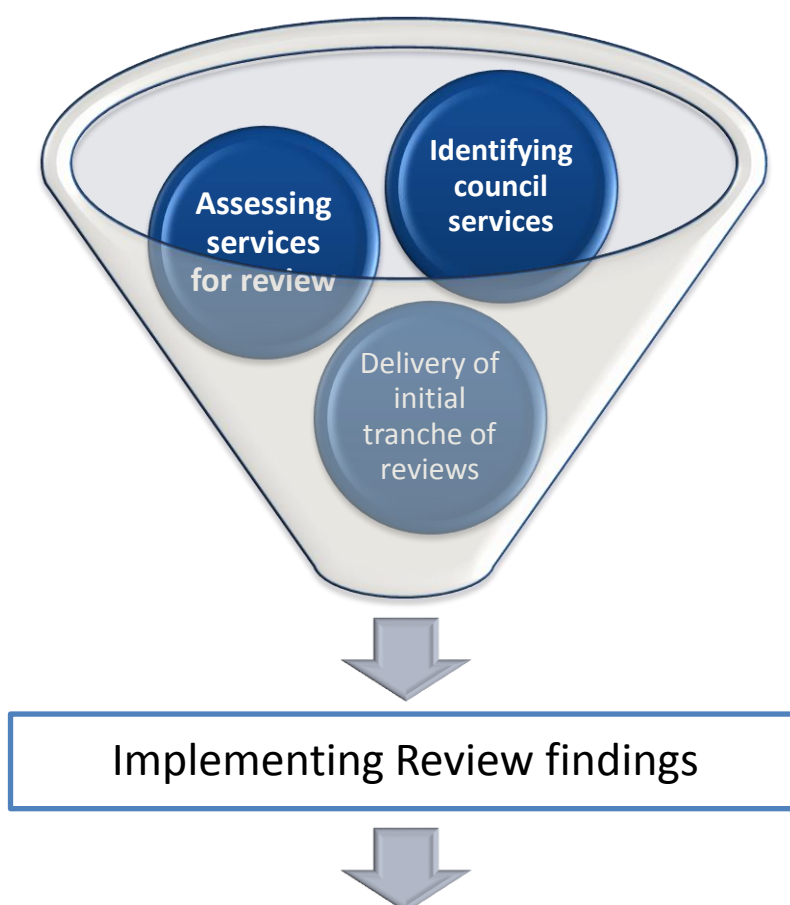
The project identified three potential areas for collaboration between TLAs in the region: waste (led by Ōpōtiki), regulatory services (led by Tauranga), and recreational services (led by Western Bay). Transport and water services were excluded from the review process because of work being undertaken through Local Government Futures.

This supported BOPRCs initial view that the likely opportunities identified through the BOPLASS project as collaborative services were typically restricted to services delivered by TLAs alone. While there may have been opportunity around regulatory services, this would have been limited by the different legislative roles that councils fulfil.

### 3 Approach to delivering s17A Service Delivery Reviews

After completing analysis of the available guidance material, discussions and information with other councils and internal discussions, an approach was prepared for delivering a service delivery review programme to meet the requirements of section 17A. This approach is summarised below and a detailed description is included in Appendix 1.

Figure 1: Approach to delivering s17A service delivery reviews



## Delivery of reviews beyond 2017

This approach is based on five key phases:

1. **Identifying council services** – Bay of Plenty Regional Council's activities are listed in the Long Term Plan 2015-2025. For the purposes of the s17A reviews, the 35 activities described in the Long Term Plan 2015-25 are considered as the services to be potentially reviewed.
2. **Assessing services for review** – A template was developed based on available SOLGM and Giblin Group guidance material to provide an assessment as to whether a review was likely to deliver improvements to the cost effectiveness of the service to the community. This assessment includes:
  - a. The nature of the governance and funding arrangements for a service.
  - b. Critical success factors likely to impact the deliverability of a review and implementation of review findings.
  - c. Overall funding levels and the potential for improving service delivery.
  - d. Legislative requirements.
3. **Delivery of initial tranche of reviews** - by August 2017. Reviews would make a recommendation on any identified ways to improve the cost effectiveness of the service through considering governance, funding, and delivery of the service.
4. **Implementing review findings** – Any approved review findings would need to be implemented. It is possible that initial reviews may identify the requirement for a more detailed business case to confirm costs, benefits and the required change management.
5. **Delivery of reviews beyond 2017** - Development of a forward calendar and identifying and amending key Council policies to ensure s17A requirements are met beyond August 2017.

This approach is designed to balance the need to comply with the legislation together with a pragmatic view of the need to manage Council's resources. It is useful to note that we have been advised that s17A reviews are not going to be formally externally audited.

## 4 Identification and Assessment

An assessment of the 35 services, based on the 35 activities listed in the Long Term Plan 2015-2025, was completed.

The assessment of delivering section 17A service delivery reviews was conducted using the 'Approach to delivering service delivery reviews' included in Appendix 1. This is based on SOLGM and Giblin Group guidance material, consideration of the approaches being developed by other council's and includes consideration of the 'principles for success' in section 1.1.

### 4.1 Assessment of Services for Review

Two services have been assessed as benefitting from a review in the first tranche of reviews to be delivered by 8 August 2017. These are Transportation and Geothermal.

The Transportation review is being delivered through the Local Government Futures project, and Geothermal is a potential joint review with Waikato Regional Council. Services have been grouped together in the table below, and further detail outlining the rationale for reviewing, or not, individual services can be found in Appendix 2.

Summary of Services for the purpose of section 17A service Delivery Reviews			
Group of Activity/Services included	No review	Small/medium review	Large Review
<b>Integrated Catchment Management</b>	X		
<b>Flood Protection and Control</b>	X		
<b>Resource Regulation and Monitoring</b>	X		
<b>Transportation</b>			
<i>Passenger transport</i>			X
<i>Transport Planning</i>			X
<b>Regional Development</b>	X		
<b>Regional Parks</b>	X		
<b>Emergency Management</b>	X		
<b>Regional Planning and Engagement</b>	X*		
<i>*Geothermal</i>		X (TBC - see below)	
<b>Technical Services</b>	X		
<b>Corporate Services</b>	X		

## 5 Initial Reviews

### 5.1 Passenger Transport and Transport Planning

The Local Government Futures Project commissioned work focused on improving the efficiency and effectiveness of transport network services in the region. Work produced that directly relates to the s17A review requirement includes:

- Revised Draft Transportation Regional Strategic Assessment (in conjunction with the New Zealand Transport Agency (NZTA)): this document considers the strategic case for changing our approach to delivering transportation outcomes.
- Transportation Functional Assessment: Indicative Business Case (in conjunction with the NZTA): this business case establishes the basis for developing a more collaborative approach to the management and operation of transportation networks in the Bay of Plenty and identifies a list of options recommended for further assessment through the development of a detailed business case.

It is recommended that Council confirms that the section 17A review requirements have been met for Transport through the Local Government Futures project, with any future steps arising from the LGF project work on Transport to be closely monitored.

### 5.2 Geothermal

The potential for a collaborative review of services related to Geothermal has been discussed and is currently being explored with Waikato Regional Council. Waikato and

Bay of Plenty Regional Council currently collaborate closely in relation to Geothermal services.

Once the opportunity is scoped, a decision will be made on whether a joint review is likely to deliver sufficient benefits to warrant a joint review is undertaken. The initial assessment by both Waikato Regional Council and Bay of Plenty Regional Council indicated that a review carried out individually was unlikely to deliver significant cost effectiveness improvements for our communities.

## **6 Next Steps**

### **6.1 Implementation of initial tranche of reviews**

A driver for delivering the initial tranche of s17A reviews is to ensure any relevant reviews are completed in order to input into the development of the LTP 2018-2028.

Any future steps arising from the LGF project work on Transport will be closely monitored to ensure it is appropriately fed into the development of the 2018-2028 Long Term Plan.

Pending the outcome of the assessment of a Geothermal services review, any review required will be completed to ensure it can be an input into the development of the 2018-2028 Long Term Plan.

### **6.2 Ongoing implementation of s17A - beyond August 2017**

The legislation requires that each service must be reviewed at least once every six years. In addition to this, two triggers exist within the legislation that may prompt a s17A review earlier:

- When a local authority is considering a significant change to a level of service
- When a contract or other binding agreement is within two years of expiration.

To ensure these requirements are met a forward calendar of reviews will be established post August 2017 and key Council and processes will be amended to consider whether changes trigger a s17A review.

## **7 Council's Accountability Framework**

### **7.1 Community Outcomes**

The Local Government Act Service Delivery Reviews programme of work directly contributes to the Regional Collaboration & Leadership Community Outcome in the council's Long Term Plan 2015-2025.

### **7.2 Long Term Plan Alignment**

S17A service delivery reviews are a legislative requirement of the Local Government Act 2002, with the first series of reviews required to be completed by early August 2017.

This work is planned under the Organisation Planning and Reporting Activity in the Long Term Plan 2015-2025.

### **Current Budget Implications**

This work is being undertaken within the current budget for the Organisational Planning and Reporting Activity in Year 2 and 3 of the Long Term Plan 2015-2025. An increase in the number or size of reviews to be completed would require increased expenditure.

### **Future Budget Implications**

Future work on Local Government Act Service Delivery Reviews is provided for in Council's Long Term Plan 2015-2025. An increase in the number or size of reviews proposed would require increased expenditure.

Graeme Howard  
**Senior Planner (Council Strategy)**

**for General Manager, Corporate Performance**

**24 May 2017**



# **APPENDIX 1**

## **Approach to delivering service delivery reviews**



## **Appendix 1: Approach to delivering service delivery reviews**

### **BOPRC approach to delivery of services under section 17A of the LGA**

#### **What are the requirements of the legislation?**

In 2012, the Government made a number of changes to the Local Government Act (2002) (LGA) as part of the Better Local Government reform programme; this included the introduction of s17A of the Local Government Act.

Section 17A requires councils to conduct service delivery reviews to:

*Review the cost-effectiveness of current arrangements for meeting the needs of communities within its district or region for good-quality local infrastructure, local public services, and performance of regulatory functions.*

The reviews must consider the cost-effectiveness of funding, governance and service delivery arrangements and include looking at alternatives such as; council-controlled organisations (CCOs), collaboration with another local authority or agency or through the private or community sector.

The reviews do not consider whether councils should provide a particular service, only how the services are delivered and associated costs.

The intent of the legislation is to encourage efficiencies as well as collaboration between councils. In addition to being a legal requirement, reviews provide an opportunity to improve the delivery of services to our residents, ratepayers and visitors.

A copy of the section is available at: [LGA section 17A](#)

#### **When is a review required?**

The first reviews are due to be completed by 8 August 2017, with an ongoing requirement to review services at such times as the local authority considers desirable, but not later than 6 years following the last s17A review.

In addition, there are two additional triggers for a section 17A review:

1. When council is considering a significant change to a level of service.
2. When a contract or other binding agreement relating to the delivery of that infrastructure, service, or regulatory function is within two years of expiration.

#### **Exceptions to carrying out a review under s17A**

However the legislation does provide for exemption from, or deferral of, a review if certain conditions are met, these are if:

- There is a contract or other agreement in place that cannot reasonably be changed within two years.
- The Council is satisfied that the costs of doing a review outweigh the benefits of doing a review.

## Determining services for the purposes of s17a of the LGA

Bay of Plenty Regional Council's activities are listed in the Long Term Plan 2015-2025. For the purpose of the s17A reviews, the 35 activities described in the Long Term Plan 2015-25 are considered as the services to be reviewed. These services are

<b>Services for the purpose of section 17A service Delivery Reviews</b>	
<b>Number</b>	<b>Activity/services</b>
<b>Integrated Catchment Management</b>	
1	Kaituna
2	Tauranga Harbour
3	Rotorua Lakes
4	Rangitāiki
5	Other Eastern Catchments
<b>Flood Protection and Control</b>	
6	Rivers and Drainage Schemes
7	Regional Flood Risk Coordination
<b>Resource Regulation and Monitoring</b>	
8	Biosecurity
9	Rotorua Air Quality
10	Resource Consents
11	Pollution Prevention
12	Maritime Operations
<b>Transportation</b>	
13	Transport Planning
14	Passenger Transport
<b>Regional Development</b>	
15	Regional Infrastructure
16	Regional Economic Development
<b>Regional Parks</b>	
17	Regional Parks
<b>Emergency Management</b>	
18	Emergency Management
<b>Regional Planning and Engagement</b>	
19	Regional Planning
20	Māori Policy
21	Geothermal
22	Kotahitanga/Strategic Engagement (Incl. EEF)
23	Governance Services
24	Organisational Planning & Reporting
25	Land and Water Framework
<b>Technical Services</b>	
26	Geospatial
27	Engineering
28	Data Services
29	Science
30	Information Technology

Corporate Services	
31	Communications
32	People and Performance
33	Support Services
34	Corporate Property
35	Finance

### **Assessment of services for review**

In order to determine if a review is required and the extent of the review, an assessment is carried out. This assessment considers the nature of the governance and funding arrangements for an activity, overall funding levels and the potential for improving service delivery, as well as principles and success factors for undertaking a review (see below).

This approach is designed to balance the need to comply with the legislation and the need to manage our resources and is informed by SOLGM's 'best practice' advice on service delivery reviews, Giblin Group's 'Service Delivery Review Guidance for the Regional Sector' and consideration of approaches being adopted by other Councils.

A template has been developed to assist with the assessment, and ensure a consistent approach.

#### Key principles and success factors for undertaking a review

Bay of Plenty Regional Councils assessment of services for the purpose of section 17A includes the consideration of the following principles and success factors.

- Availability of competitive market for delivery of services if considering an alternative mechanism to in house delivery.
- A clear opportunity to improve an existing service exists e.g. external expertise is better than current in house expertise?
- Potential for economies of scale
- Understanding the expectations of other key parties and legislative restrictions, e.g. NZTA rules regulations around funding they provide.
- Need for 'willing partners' when considering sub or inter regional collaborations on service delivery reviews.
- Ensuring compliance with the legislation (Local Government Act 2002, s 17A)

### **Delivery of reviews**

Pending the result of the assessment, a service delivery review may be required. The scale of the review will be indicated through the assessment.

A template for an internal desktop review is being developed and can be provided.

For more comprehensive reviews, in particular collaborative reviews, this will require further input from relevant parties, however the minimum requirements of the review are provided for in the assessment and desktop review templates.



# **APPENDIX 2**

## **Summary of assessments**





## Appendix 2: Summary of assessments

This section provides further detail on the assessment of activities/services and the rationale for delivering or not delivering in the first tranche of reviews (by 8 August 2017).

Summary of Services for the purpose of section 17A service Delivery Reviews			
Review #	Activity/services included	Decision	Rationale
<b>Integrated Catchment Management</b>			
1	Kaituna	No Review	A recent reorganisation of how services are delivered was completed in 2015.
2	Tauranga Harbour	No Review	A recent reorganisation of how services are delivered was completed in 2015.
3	Rotorua Lakes	No Review	A recent reorganisation of how services are delivered was completed in 2015.
4	Rangitāiki	No Review	A recent reorganisation of how services are delivered was completed in 2015.
5	Other Eastern Catchments	No Review	A recent reorganisation of how services are delivered was completed in 2015.
<b>Flood Protection and Control</b>			
6	Rivers and Drainage Schemes	No Review	Contractor panel agreements in place through to 2019. Cost of a review would outweigh benefits at this time.
7	Regional Flood Risk Coordination	No Review	Limited scope for cost savings - cost of a review would outweigh benefits.
<b>Resource Regulation and Monitoring</b>			
8	Biosecurity	No Review	This is a core service where retaining capability and capacity in house is valuable. Contractor panel agreements in place through to 2019. Assessment indicated the cost of a review would outweigh benefits at this time.
9	Rotorua Air Quality	No Review	This is a core service where retaining capability and capacity in house is valuable. Assessment indicated the cost of a review would outweigh benefits at this time.
10	Resource Consents	No Review	This is a core service where retaining capability and capacity in house is valuable. Assessment indicated the cost of a review would outweigh benefits at this time.
11	Pollution Prevention	No Review	This is a core service where retaining capability and capacity in house is valuable. Assessment indicated the cost of a review would outweigh benefits at this time.
12	Maritime Operations	No Review	This is a core service where retaining capability and capacity in house is valuable. Assessment indicated the cost of a review would outweigh benefits at this time.
<b>Transportation</b>			
13	Passenger Transport	Large Review	Service selected by the Local Government Futures project for a review.
<b>Regional Development</b>			
14	Regional Infrastructure	No Review	Limited scope for cost savings - cost of a review would outweigh benefits at this time.
15	Regional Economic Development	No Review	Limited scope for cost savings - cost of a review would outweigh benefits at this time.
<b>Regional Parks</b>			
16	Regional Parks	No Review	Limited scope for cost savings - cost of a review would outweigh benefits at this time
<b>Emergency Management</b>			
17	Emergency Management	No Review	Recently reviewed - cost of a review would outweigh benefits at this time.
<b>Regional Planning and Engagement</b>			
18	Regional Planning	No Review	This is a core service where retaining capability and capacity is valuable to retain in house. The cost of a review

			would outweigh benefits.
19	Māori Policy	No Review	This is a core service where retaining capability and capacity in house is valuable. Assessment indicated the cost of a review would outweigh benefits at this time.
20	Geothermal	TBC as at 31/03/17	The potential for a collaborative service delivery review of services related to Geothermal is currently being explored with Waikato Regional Council. Once the opportunity is properly scoped, a decision will be made on whether a joint review, an individual review, or no review will be undertaken.
21	Kotahitanga/Strategic Engagement (Incl. EEF)	No Review	This is a core service where retaining capability and capacity in house is valuable. Assessment indicated the cost of a review would outweigh benefits at this time.
22	Governance Services	No Review	Considered out of scope of review – refer to Corporate services.
23	Transport Planning	Large Review	Service selected by the Local Government Futures project for a review
24	Organisational Planning & Reporting	No Review	This is a core service where retaining capability and capacity in house is valuable. Assessment indicated the cost of a review would outweigh benefits at this time.
25	Land and Water Framework	No Review	This is a core service where retaining capability and capacity in house is valuable. Assessment indicated the cost of a review would outweigh benefits at this time.
<b>Technical Services</b>			
26	Geospatial	No Review	This is a core service where retaining capability and capacity in house is valuable. Assessment indicated the cost of a review would outweigh benefits at this time.
27	Engineering	No Review	This is a core service where retaining capability and capacity in house is valuable. Assessment indicated the cost of a review would outweigh benefits at this time.
28	Data Services	No Review	This is a core service where retaining capability and capacity in house is valuable. Assessment indicated the cost of a review would outweigh benefits at this time.
29	Science	No Review	This is a core service where retaining capability and capacity in house is valuable. Assessment indicated the cost of a review would outweigh benefits at this time.
30	Information Technology	No Review	Considered out of scope of review – refer to Corporate services.
<b>Corporate Services (Internal)</b>			
31	Communications	No Review	These services are considered out of scope of review – Section 17A refers to 'local infrastructure, local public services, and the performance of regulatory functions'. The focus is on public-facing services.
32	People and Performance	No Review	
33	Support Services	No Review	BOPRC are committed to exploring and taking advantage of shared service opportunities across the Bay of Plenty where they make sense from a cost effectiveness and/or an improved customer experience. BOPRC currently provide shared services for Ōpōtiki and Kawerau District Councils which include: GIS, Communications, Human Resources and ICT Infrastructure and people support.
34	Corporate Property	No Review	
35	Finance	No Review	

# **APPENDIX 3**

## **Key documents informing the report**



## **Appendix 3 – Key documents informing this report**

### **Local Government Act 2002 – Section 17A guidance**

- Service delivery reviews: Conducting a service delivery review under section 17A of the Local Government Act 2002, SOLGM, September 2015.
- Service Delivery Reviews - Guidance for the Regional Sector, Giblin Group, December 2015.

### **Local Government Futures Reports – available on Stellar**

- Bay of Plenty Local Government Futures Project: Local Government Service Delivery Models, Martin Jenkins, 30 April 2015.
- Bay of Plenty Local Government Futures Project: Opportunities for improvement, Martin Jenkins, 18 April 2016.
- Bay of Plenty Local Government Futures Project: Revised Draft Transportation Regional Strategic Assessment, Rationale Limited, 24 February 2016.
- Bay of Plenty Local Government Futures Project: Transportation Functional Assessment: Indicative Business Case, Rationale Limited, August 2016.

