



# Bay of Plenty Regional Council Toi Moana

## Governance Structure and Terms of Reference 2022-2025

*Updated Tarawera Awa Restoration Strategy Group Terms of Reference - Adopted 28/02/2023*  
*Updated OHIF Chair, Deputy Chair and Membership 15/03/2023*  
*Updated Rangitāiki River Forum Membership 17/03/2023*  
*Updated Regional Transport Membership 17/04/2023*  
*Updated Rotorua Te Arawa Lakes Membership 17/04/2023*  
*Updated Rotorua Te Arawa Lakes Membership 1/05/2023*  
*Updated Bay of Plenty Civil Defence Emergency Management Group Membership 1/05/2023*  
*Updated Public Transport Membership 02/05/2023*  
*Updated Regional Transport Membership 04/05/2023*  
*Updated Eastern Bay of Plenty Joint Committee Membership 11/05/2023*  
*Updated Tarawera Awa Restoration Strategy Group Membership 22/05/2023*  
*Updated Rangitāiki River Forum Group Membership 08/06/2023*  
*Updated Smart Growth Leadership Group Terms of Reference – 29/06/2023*  
*Updated Regional Transport Membership 05/07/2023*  
*Updated Te Uepu Pāpāmoa Hills Cultural Heritage Regional Park Membership 07/07/2023*  
*Updated Rotorua Te Arawa Lakes Strategy Group Membership 07/07/2023*  
*Updated Te Uepu Pāpāmoa Hills Cultural Heritage Regional Park Membership 02/08/2023*  
*Updated Rangitāiki River Forum Group Membership 04/08/2023*  
*Updated Ohiwa Harbour Implementation Forum Membership 03/10/2023*

**The Governance Structure is to be reviewed no later than 12 months after being adopted on 24 November 2022.**

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# Introduction

## Purpose and role of Local Government

The Local Government Act 2002 (LGA) provides for democratic and effective Local Government that recognises the diversity of New Zealand communities and identifies the general framework and powers under which local authorities operate.

The purpose of Local Government is:

- to enable democratic local decision-making and action by, and on behalf of, communities, and
- to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

The role of a local authority is to:

- give effect, in relation to its district or region, to the purpose of Local Government stated above, and
- perform the duties, and exercise the rights, conferred on it, by or under this Act and any other enactment.

For further details on Local Government, visit the <http://www.localcouncils.govt.nz> website.

The governance structure through which Council carries out its governance functions, and formally delegates its powers and responsibilities in accordance with the provisions and requirements of the LGA, is outlined in this document.

## Delegation to Council committees

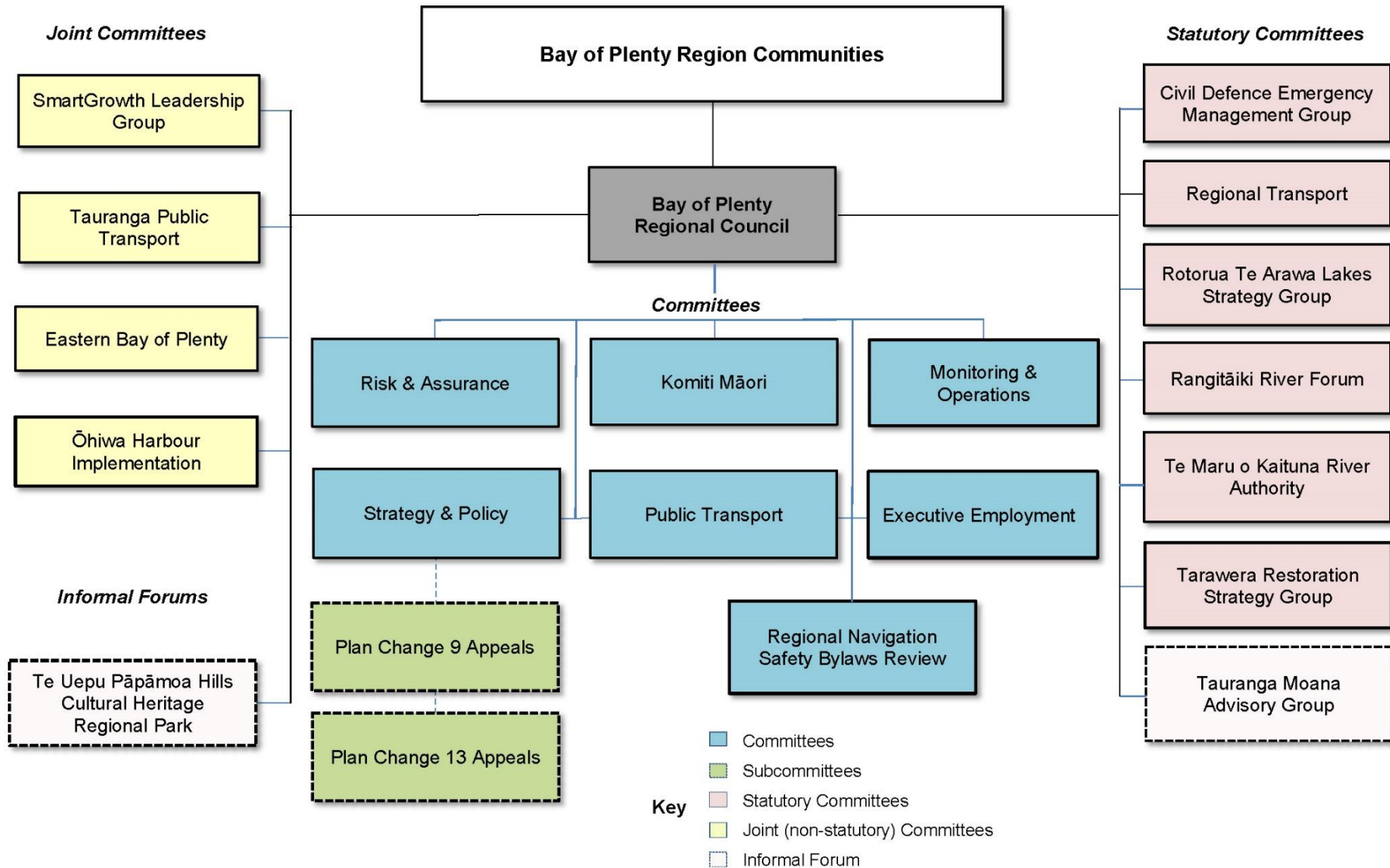
To ensure efficient and effective decision-making, Council makes use of committees and subcommittees. These committees and subcommittees have specific delegated authorities, duties and powers and these are clearly stated in each of the Terms of Reference. Each committee has authority under the LGA 2002 to establish/disestablish subcommittees as the need arises.

Each is empowered to make the decisions within its role identified in its Terms of Reference without needing to go back to Council. Where a matter is beyond its Terms of Reference, committees and subcommittees make recommendations to their parent bodies.

The Chairperson of the Regional Council is an ex officio member of every committee of the Bay of Plenty Regional Council Toi Moana (BOPRC) (including standing, special, joint and subcommittees, excluding co-governance entities) pursuant to Section 41A(5) of the LGA. As such, the Chair has the rights and responsibilities of every other member and may count towards the quorum.

A Council committee, subcommittee or other subordinate decision-making body is, unless Council resolves or it is stated in the Terms of Reference otherwise, deemed to be discharged at the end of a triennium (Clause 30(7) of Schedule 7 of the LGA).

# Draft 2022–2025 Governance Structure



# Council





# Council

## Membership

<b>Chairperson</b>	Chairman Doug Leeder
<b>Deputy Chairperson</b>	Cr Jane Nees
<b>Members</b>	All Councillors
<b>Quorum</b>	Seven members, consisting of half the number of members
<b>Meeting frequency</b>	Six weekly or as required for Annual Plan, Long Term Plan and other relevant legislative requirements

## 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.

## Role

- 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.
- Review and decide the Council's electoral and representation arrangements.
- Consider issues of regional significance which are not the responsibility of any specific standing committee or that are of such regional significance/high public interest that the full Council needs to decide on them.
- Adopt Council's Policy on Significance and Engagement Policy.
- Develop, adopt and implement the Triennial Agreement, Code of Conduct and Standing Orders.
- Consider and agree on matters relating to elected members' remuneration.
- Appoint the Chief Executive, 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.
- Oversee the work of all committees and subcommittees.
- 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.
- Monitor and review the achievement of outcomes for the Bay of Plenty Community.
- 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 Regional Council policy.
- Address strategic corporate matters including property and accommodation.
- Consider and agree on the process to develop the Long Term Plan, Annual Plan and Annual Report.
- Adopt the Long Term Plan, Annual Plan and budgets variations, 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).
- Develop, review, approve and monitor Council's Financial Strategy and funding and financial policies, frameworks and performance.
- 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.

## Delegations from Council to committees

- Council has a role to monitor the functioning of all committees.
- Council will consider matters not within the delegation of any one Council committee.
- 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 LGA, 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 LGA, in association with the Long Term Plan or developed for the purpose of the local governance statement
- Adopt a remuneration and employment policy



# Committees



# Strategy and Policy Committee

## Membership

<b>Chairperson</b>	Cr Paula Thompson
<b>Deputy Chairperson</b>	Cr Kat Macmillan
<b>Members</b>	All Councillors
<b>Quorum</b>	Seven members, consisting of half the number of members
<b>Meeting frequency</b>	Six weekly rotation between committee meetings and strategic sessions

## Purpose

Inform the strategic direction for the Council and implement through approved planning and policy frameworks.

Identify regional issues resulting from emerging trends, providing thought leadership on matters of regional significance, analysing implications and developing a strategic response.

## Role

- Develop, implement and review best practice strategy, policy and planning framework for decision making, which enables connection across committees of Council.
- Consider emerging environmental and climate change issues and provide advice on the implications for effective resource management within the region.
- Inform Council's strategic direction, including prioritisation and policy responses.
- Enhance awareness and understanding of emerging issues and trends relating to meeting Council's strategic direction.
- Develop Council's position on regionally significant issues and provide guidance on sub-regional and regional strategy matters such as spatial planning and SmartGrowth.
- Approve submissions on matters relating to the committee's areas of responsibility that are not delegated to staff.
- The provision of governance oversight into the development and review of policies, plans and strategies.
- Approve statutory and non-statutory plans, strategy and policy other than those required to be adopted and consulted on under the LGA in association with the Long Term Plan or developed for the purpose of the local governance statement.
- Develop, review and approve Council's position on regional economic development.
- Consider any issues delegated by Council that have a regional, environmental, social or economic focus.
- Develop and review bylaws.

- Delegate to hearings commissioners under Section 34A of the Resource Management Act 1991 to exercise the powers, functions duties in relation to any authorities that have been delegated by Council to the committee.

## **Power to Act**

To make all decisions necessary to fulfil the role and scope of the committee subject to the limitations imposed.

The Strategy and Policy Committee is not delegated authority to:

- Approve the Regional Policy Statement and bylaws.
- Review and adopt the Long Term Plan and Annual Plan.
- Develop and review funding, financial, Risk and Assurance Policy and frameworks.
- Approve Council submissions on Maori related matters.
- Develop, approve or review non statutory policy for co-governance partnerships.

## **Power to Recommend**

To Council and/or any standing committee as it deems appropriate.



# Monitoring and Operations Committee

## Membership

<b>Chairperson</b>	Cr Kevin Winters
<b>Deputy Chairperson</b>	Cr Ron Scott
<b>Members</b>	All Councillors
<b>Quorum</b>	Seven members, consisting of half the number of members
<b>Meeting frequency</b>	Quarterly

## Purpose

Oversee and monitor the implementation of policies and strategies, promoting effective delivery and coordination between policy and implementation through recommendations to the Strategy and Policy Committee.

Monitor the implementation of Council's activities, projects and services.

## Role

Oversee and monitor:

- Regulatory performance of permitted activities, resource consents and bylaw rules, including compliance and enforcement.
- Delivery of biodiversity, catchment management and flood protection activities in the region.
- Delivery of biosecurity activities, including implementation and monitoring of the Regional Pest Management Plan.
- Effectiveness of navigation safety bylaw responses.
- State of the Environment monitoring.
- Implementation of specific programmes in place such as the Mount Maunganui Industrial Air Programme, and integrated catchment programmes (e.g. Rotorua Lakes and Tauranga Moana).
- Receive information on environmental monitoring and performance monitoring trends and recommend to the Strategy and Policy Committee to inform policy review.
- Monitor Council's actions on climate change.
- Operational activities that implement relevant national and regional plans and strategies, including:
  - Science
  - Flood protection
  - Biosecurity
  - Catchment management
  - Rivers and drainage

- Compliance, monitoring and enforcement
- Resource consents
- Maritime

## **Power to Act**

To make all decisions necessary to fulfil the role and scope of the committee subject to the limitations imposed.

The Monitoring and Operations Committee is not delegated authority to:

- Develop, adopt or review strategic policy and strategy.
- Approve Council submissions on legislation, policy, regulations, standards, plans and other instruments prepared by Central Government, Local Government and other organisations.
- Identify, monitor and evaluate necessary actions by the organisation and other relevant organisations under co-governance arrangements.

## **Power to Recommend**

To the Strategy and Policy Committee on matters necessary for reviewing plans, strategies and policies.

To Council and/or any standing committee as it deems appropriate.

# Komiti Māori

## Membership

<b>Chairperson</b> Notwithstanding the Komiti Māori has an appointed Chairperson, Māori Constituency Councillors may host-Chair committee meetings that are held in the rohe of their respective constituency	Cr Matemoana McDonald
<b>Deputy Chairperson</b>	Cr Toi Iti
<b>Members</b>	All Councillors
<b>Quorum</b>	Seven members, consisting of half the number of members
<b>Meeting frequency</b>	Two monthly

## Purpose

To provide direction and guidance on Council's obligations to Māori in relation to: growth of authentic partnerships with Tangata Whenua, strategic direction, emerging issues, legal requirements, effective engagement, awareness and understanding.

## Role

- First and foremost, to provide leadership to Council on enhancing the kaupapa of shared decision-making with Māori across all aspects of Council's work.
- Drive enhancements to Council's responsiveness to Māori (including monitoring and reporting) and to ensure compliance with its obligations to Maori under legislation.
- Facilitate tangata whenua input into community outcomes, Council policy development and implementation work.
- Formally receive iwi/hapū management plans on behalf of Council.
- Identify and provide direction on any relevant emerging issues for the region relating to the principles of the Te Tiriti o Waitangi, legislative obligations to Māori under different statutes and programmes to build the capability of Māori.
- Provide direction on effective Māori engagement and on actions to enhance Māori capacity to contribute to Council's decision-making, including recommendations for Long Term Plan funding to achieve this.
- Make submissions on Māori related matters, in conjunction with other relevant Council committees where appropriate.
- Support and promote co-governance entities.

- Recommend to Council, the establishment of advisory groups or other governance mechanisms, to represent sub-region or constituency areas and/or to consider specific issues.
- Recommend to Council, and/or appropriate committees, actions to achieve the committee's purpose and roles.

## **Power to Act**

To make all decisions necessary to achieve the purpose and roles of Komiti Māori.

## **Power to Recommend**

To Council and/or any standing committee as it deems appropriate.

Komiti Māori reports directly to the Regional Council.

# Risk and Assurance Committee

## Membership

<b>Chairperson</b>	Cr Stuart Crosby
<b>Deputy Chairperson (Independent)</b>	Bruce Robertson
<b>Members</b>	Cr Ron Scott Cr Andrew von Dadelszen Cr Te Taru White Cr Kevin Winters
<b>Quorum</b>	Three members, consisting of half the number of members
<b>Meeting frequency</b>	Quarterly

## Purpose

Monitor the effectiveness of Council's funding and financial policies and frameworks to ensure the Council is managing its finances in an appropriate manner.

Monitor the effectiveness of Council's performance monitoring framework.

Ensure that Council is delivering on agreed outcomes.

## Role

- Monitor the effectiveness of Council's funding and financial policies and Council's performance monitoring framework (financial and non-financial).
- Review Council's draft annual report prior to Council's adoption.
- Receive and review external audit letters and management reports.
- Approve and review the internal audit plan and review the annual programme report.
- Approve, review and monitor Council's risk framework and policy.
- Review the risk register.
- Monitor Council's legislative compliance and receive reporting on non-compliance matters as part of risk management reporting.

## Power to Act

To make all decisions necessary to fulfil the role and scope of the committee subject to the limitations imposed.

## Power to Recommend

To Council and/or any standing committee as it deems appropriate.

The Risk and Assurance Committee is not delegated authority to:

- Develop, review or approve strategic policy and strategy.
- Develop, review or approve Council's Financial Strategy, funding and financial policies and non-financial operational policies and plans.

The Risk and Assurance Committee reports directly to the Regional Council.

# Public Transport Committee

## Membership

<b>Chairperson</b>	Cr Andrew von Dadelszen
<b>Deputy Chairperson</b>	Cr Lyall Thurston
<b>Members</b>	Cr Malcolm Campbell Cr Jane Nees Cr Ken Shirley Cr Paula Thompson
<b>External Members</b>	
Two Tauranga City Council representatives	Commissioner Stephen Selwood Commissioner Bill Wasley
One representative each: Rotorua Lakes Council	Cr Conan O'Brien <i>Mayor Tania Tapsell (Alternate)</i>
Western Bay of Plenty District Council	Mayor James Denyer <i>Deputy Mayor John Scrimgeour (Alternate)</i>
Whakatāne District Council	Cr Andrew Iles <i>Cr Gavin Dennis (Alternate)</i>
All of whom are voting members.	
One Waka Kotahi NZTA non-voting representative.	Jessica Andrew <i>Sarah Roberts (Alternate)</i>
<b>Quorum</b>	Six members, consisting of more than half the number of voting members of which four must be BOPRC members
<b>Meeting frequency</b>	Quarterly

## Purpose

Set the strategic and operational direction for approved Regional Council Public Transport Policy and Strategy, and monitor how it is implemented.

## Role

- Prepare and review the Bay of Plenty Regional Public Transport Plan.
- Implement, monitor and review operational public transport policy and plans.
- Implement, monitor and review the Western Bay of Plenty Public Transport Implementation Plan.
- Advocate for public transport with New Zealand Transport Association (NZTA), territorial authorities and Central Government.
- Set and monitor targets for public transport in the region.
- Receive reporting on the performance of the Passenger Transport Activity.
- In coordination with the work programme of the Regional Transport Committee, guide and review the public transport components of the Regional Land Transport Plan (RLTP) and make recommendations to Regional Transport Committee for incorporation into the RLTP.

## Power to Act

To make all decisions necessary to fulfil the role and scope of the committee subject to the limitations imposed.

## Power to Recommend

To Council and/or any standing committee as it deems appropriate.

The Public Transport Committee reports to the Regional Council.



# Emergency Committee

## Membership

<b>Chairperson</b>	Chairman Doug Leeder
<b>Deputy Chairperson</b>	Cr Jane Nees
<b>Members</b>	One Councillor as determined by the Chair and Deputy Chair. All Councillors are appointed as alternate members where a member is not available
<b>Quorum</b>	Two members
<b>Meeting frequency</b>	As required

## Purpose

To determine matters within the authority of Council where the urgency of those matters precludes a full meeting of the Council, or emergency legislation is enacted.

## Role

To exercise all functions that cannot be exercised by the Council using its standard processes and procedures due to a pandemic, other natural disaster or state of emergency, except for those that:

- Have been delegated to staff.
- Cannot be delegated pursuant to Clause 32 of Schedule 7 of the LGA, or pursuant to any other legislation.

## Power to Act

- The Emergency Committee can only be activated by resolution of Council for specific events, or where delegated authority has been transferred to the BOPRC Chair and Deputy Chair by resolution of Council.
- Where the Emergency Committee has been activated, all core committees of Council are suspended.

## Power to Recommend

- The Emergency Committee reports to the Regional Council.

# Executive Employment Committee

## Membership

<b>Chairperson</b>	Cr Jane Nees
<b>Deputy Chairperson</b>	Chairman Doug Leeder
<b>Members</b>	Cr Stuart Crosby Cr Te Taru White
<b>Quorum</b>	Two members, consisting half the number of members
<b>Meeting frequency</b>	As required

## Purpose

Act for and advise Council on matters pertaining to the employment of the Council's Chief Executive Officer.

## Role

- Develop and consult with Council annually on performance targets and key result area weightings for the Chief Executive, including associated methods of measurement and processes of judgement.
- Negotiate annually with the Chief Executive performance targets and key result area weightings, including associated methods of measurement and processes of judgement.
- Conduct an annual review of the Chief Executive's performance and remuneration in accordance with the agreed processes, in April/May of each year or such other time as agreed with the Chief Executive.
- Develop and consult with Council, appropriate amendments or adjustments to the terms and conditions of employment and the remuneration of the Chief Executive arising from the annual review.
- Negotiate and determine any agreed amendments or adjustments to the terms and conditions of employment and the remuneration with the Chief Executive annually.
- Develop and agree with the Chief Executive, an annual development plan to address any training needs or preferences.
- Meet with the Chief Executive at least once each year to discuss progress on performance targets and key result areas and the agreed personal development plan and negotiate any revision or change as is considered necessary.
- Undertake the management of the Chief Executive recruitment process where required.
- Consider and advise Council on all matters relevant to the employment of the Council's Chief Executive.

## Power to Act

To make all decisions necessary to fulfil the role and scope of the committee subject to the limitations imposed.

To negotiate and recommend to Council on performance agreement measures and annual remuneration.

To engage external advisors where required.

The Executive Employment Subcommittee is not delegated authority to:

- approve the Chief Executive's annual remuneration, or
- appoint the Chief Executive.

## Power to Recommend

Executive Employment Committee recommends and reports to the Regional Council

# Bay of Plenty Regional Navigation Safety Bylaws Review Committee

## Membership

<b>Chairperson</b>	Cr Andrew von Dadelszen
<b>Deputy Chair</b>	Cr Toi Kai Rākau Iti
<b>Members</b>	<b>Bay of Plenty Regional Council:</b> Cr Jane Nees Cr Kevin Winters  <b>Tangata Whenua Representatives:</b> Raewyn Bennett Micah Tawhara Patrick Young
<b>Quorum</b>	Four members, consisting of a minimum of two tangata whenua members and two councillors
<b>Meeting frequency</b>	As required in agreed work programme

The Council Chairperson has delegated authority to appoint replacement members to the Hearings Committee if necessary.

## Purpose

The Bay of Plenty Regional Navigation Safety Bylaws Review Committee was established by the Regional Council, 23 June 2022; for the purpose of undertaking engagement, options analysis, submissions, hearings, and deliberations of the review process; and making a final recommendation to Council on a revised Bay of Plenty Regional Navigation Safety Bylaws 2023.

## Role

- Provide a wide range of perspectives on any changes, issues, options, and solutions when reviewing the Navigation Safety Bylaws 2017, especially a Te Ao Māori lens to those changes, issues, and options that directly affect some tangata whenua.
- Prepare and recommend a Bay of Plenty Regional Navigation Safety Bylaws 2023 for adoption by Council, after undertaking engagement and consultation processes under the Local Government Act 2002, by:
  - Developing solutions to issues and options presented to the Committee for inclusion in a draft bylaws document.
  - Undertaking engagement with key stakeholders on specific matters which remain challenging.
  - Developing a Statement of Proposal and a draft Navigation Safety Bylaws 2023 for consultation.

- Undertaking a formal consultation process, including formal Hearings, under ss 83 and 86 of the Local Government Act 2002.
- Undertaking final deliberations to consider all community submissions on a draft bylaws document.
- Recommending to Council, a final *draft* Bay of Plenty Regional Navigation Safety Bylaws 2023 for adoption.

## Power to Recommend

The Bay of Plenty Regional Navigation Safety Bylaws Review Committee will recommend to Regional Council:

- Solutions to issues and options addressed through the review of the Bay of Plenty Regional Navigation Safety Bylaws 2017 through:
  - A Statement of Proposal and a draft Bay of Plenty Regional Navigation Safety Bylaws 2023 for consultation under ss 83 and 86 of the Local Government Act 2002.
  - A final Bay of Plenty Regional Navigation Safety Bylaws 2023 for adoption under schedule 7 s 32(b) of the Local Government Act 2002.

The Bay of Plenty Regional Navigation Safety Bylaws Review Committee reports directly to the Regional Council.

## Decision making

The Committee must seek to achieve consensus.

If the Chair considers that the meeting is unlikely to achieve consensus on a matter, the decision on the matter may be made only by a 75% majority of those present. The Chair may vote but does not have a casting vote.

## Term of the Committee

For the duration of the Bay of Plenty Regional Navigation Safety Bylaws project, unless discharged earlier by Regional Council.



# **Subcommittees**





# Proposed Plan Change 9 (Region-wide Water Quantity) Appeals Subcommittee

## Membership

<b>Chairperson</b>	Cr Jane Nees
<b>Members</b> All members must hold current RMA Commissioner Accreditation	Cr Matemoana McDonald Cr Paula Thompson
<b>Quorum</b>	Two members, consisting more than half the number of members
<b>Meeting frequency</b>	As required

## Purpose and Role

To guide the resolution of Environment Court appeals on the Region-wide Water Quantity Proposed Plan Change 9.

## Power to Act

To make all decisions necessary to fulfil the role and scope of the Subcommittee, subject to the limitations imposed for the duration of Environment Court Appeals on Region-wide Water Quantity Proposed Bay of Plenty Regional Plan Change 9, unless discharged earlier by the Strategy and Policy Committee.

## Power to Recommend

Proposed Plan Change 9 (Region-wide Water Quantity) Appeals Subcommittee recommends and reports to the Strategy and Policy Committee.

Council has delegated the authority to resolve appeals to regional plans to the Chief Executive. She has in turn, delegated her authority to the Freshwater Policy Team Leader to negotiate and resolve appeals, in a manner that is consistent with direction received from the Subcommittee. For the avoidance of doubt, this shall include senior planning staff, on behalf of the Freshwater Policy Team Leader, resolving appeals consistent with direction received from the Subcommittee.

# Proposed Plan Change 13 (Air Quality) Appeals Subcommittee

## Membership

<b>Chairperson</b>	Cr Andrew von Dadelszen
<b>Member</b> All members must hold current RMA Commissioner Accreditation	Cr Matemoana McDonald
<b>Quorum</b>	Two members, consisting of the number of members
<b>Meeting frequency</b>	As required

## Purpose and Role

To guide the resolution of any Environment Court appeals on Proposed Plan Change 13 to the Regional Natural Resources Plan.

## Power to Act

- To make all decisions necessary to fulfil the role and scope of the committee, subject to the limitations imposed for the duration of Environment Court Appeals on Proposed Plan Change 13 to the Regional Natural Resources Plan, unless discharged earlier by the Strategy and Policy Committee.
- The Chief Executive has delegated the authority to resolve Environment Court appeals on Proposed Plan Change 13 to the Regional Natural Resources Plan, subject to the direction of the Appeals Subcommittee. The Chief Executive has delegated the authority to staff according to the Chief Executive Delegations Manual, subject to the direction of the Appeals Subcommittee and Council's legal advisors. For the avoidance of doubt, this shall include senior planning staff resolving appeals consistent with direction received from the Appeals Subcommittee.
- The Strategy and Policy Committee Chair has delegated authority to appoint replacement members to the Appeals Subcommittee if necessary.

## Power to Recommend

Proposed Plan Change 13 (Air Quality) Appeals Subcommittee recommends and reports to the Strategy and Policy Committee.

# **Joint Committees**



# Bay of Plenty Civil Defence Emergency Management Group

## Membership

<b>Chairperson</b>	Mayor Faylene Tunui (Kawerau District Council)
<b>Deputy Chairperson</b>	Mayor James Denyer (Western Bay of Plenty District Council)
<b>Members (Chair and Mayors)</b>	
Bay of Plenty Regional Council	Cr Malcolm Campbell <i>Cr Ron Scott (alternate)</i>
Kawerau District Council	<i>Deputy Mayor Aaron Rangihika (alternate)</i>
Ōpōtiki District Council	Mayor David Moore <i>Cr Tom Brooks (alternate)</i>
Rotorua Lakes Council	Mayor Tania Tapsell <i>Deputy Mayor Sandra Kai Fong (alternate)</i>
Tauranga City Council	Commission Chair Anne Tolley <i>Commissioner Bill Wasley (alternate)</i>
Western Bay of Plenty District Council	<i>Deputy Mayor John Scrimgeour (alternate)</i>
Whakatāne District Council	Mayor Victor Luca <i>Deputy Mayor Lesley Immink (alternate)</i>
<b>Observer</b>	Lily Foulds (Representative from the National Emergency Management Agency)
<b>Quorum</b>	Four members, consisting of the majority of the number of members

## Purpose and Role

The Bay of Plenty Civil Defence Emergency Management Group was established in accordance with Section 12 of the Civil Defence Emergency Management Act 2002, as a joint standing committee of the Bay of Plenty member councils under Clause 30(1)(b) of Schedule 7 of the LGA. Membership includes all local authorities in the Bay of Plenty region. The Group operates pursuant to a Constitution approved by the councils.

## Power to Act

The Civil Defence Emergency Management Group has a constitution and this specifies the functions and powers of the group.

By virtue of Section 12(2) of the Civil Defence Emergency Management Act 2002, this committee is a permanent committee and is not deemed to be discharged at, and continues in existence following local authority triennial elections.

Under Section 23(1) of the Civil Defence Emergency Management Act 2002, the Bay of Plenty Regional Council is the Administering Authority for the Civil Defence Emergency Management Group.

Bay of Plenty Civil Defence Emergency Management Group reports to the various councils.

# Regional Transport Committee

## Membership

<b>Chairperson (BOPRC)</b>	Cr Lyall Thurston
<b>Deputy Chairperson (BOPRC)</b>	Cr Ken Shirley <i>Cr Andrew von Dadelszen (alternate)</i>
<b>Members</b>	
Kawerau District Council	Mayor Faylene Tunui <i>Cr Berice Julian (alternate)</i>
Ōpōtiki District Council	Mayor David Moore <i>Cr Tom Brooks (alternate)</i>
Rotorua Lakes Council	Mayor Tania Tapsell <i>Cr Conan O'Brien (alternate)</i>
Tauranga City Council	Commission Chair Anne Tolley <i>Commissioner Stephen Selwood (alternate)</i>
Western Bay of Plenty District Council	Mayor James Denyer <i>Deputy Mayor John Scimgeour (alternate)</i>
Whakatāne District Council	Mayor Victor Luca <i>Deputy Mayor Lesley Immink (alternate)</i>
<b>External Members</b>	
Waka Kotahi New Zealand Transport Agency Alternate member to be nominated by Waka Kotahi NZTA appointed member	David Speirs <i>Jessica Andrew (alternate)</i>
<b>External Members (non-voting)</b>	
KiwiRail	Angus Hodgson <i>Lyndon Hammond (alternate)</i>
<b>External Advisors (non-voting)</b>	
Environmental Sustainability Advisor	Glen Crowther
Freight Advisor	Greg Pert
Road Safety Advisor	Acting Inspector Senior Sergeant Fane Troy
Port Advisor	Dan Kneebone – Property and Infrastructure Manager
New Zealand Automobile Association	Stacey Spall

<b>Quorum</b>	Five members, consisting of more than half the number of members
<b>Frequency</b>	Quarterly



## Purpose

Section 105(1) of the Land Transport Management Act 2003 requires every regional council to establish a Regional Transport Committee for its region.

## Role

- Prepare a regional land transport plan, or any significant variation to the plan, for the approval of the Regional Council.
- Approve any non-significant variation to the regional land transport plan.
- Adopt a policy that determines significance in respect of:
  - variations made to regional land transport plans under section 18D of the Land Transport Management Act 2003, and
  - the activities that are included in the regional land transport plan under section 16 of the Land Transport Management Act 2003.
- Monitor implementation of the regional land transport plan.
- Make recommendations in support of land transport activities that are eligible for national funding and align with the regional land transport plan.
- Co-ordinate, integrate and adopt regional transport and land-use strategies and plans.
- Consolidate individual road controlling authority (RCA) speed management plans and prepare the regional speed management plan in accordance with the Land Transport Rule: Setting of Speed Limits 2022
- Provide advocacy on strategic regional and inter-regional transport matters to Central Government and other key stakeholders as appropriate.
- Provide the Regional Council with any advice and assistance the Regional Council may request in relation to its transport responsibilities.
- Approve submissions to Central Government, local authorities and other agencies on Regional Transport Committee matters.
- Monitor and provide advocacy on regional road safety matters.

## Committee procedures

- Membership consists of two representatives of the Bay of Plenty Regional Council, the Mayor of each territorial authority in the region and a representative of the New Zealand Transport Agency.
- In the case of an equality of votes, the chair, or any other person presiding the meeting does not have a casting vote (and therefore the act or question is defeated and the status quo is preserved).
- The Regional Transport Committee may appoint external advisors to assist it in the exercise of its specific responsibilities and delegated authority. For the purposes of clarity, external advisors may be given full speaking rights at the discretion of the committee, but are not entitled to vote on committee matters.
- Under the Local Government Act 2002, the Regional Transport Committee is not defined as a joint committee, however, the provisions of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 concerning the meetings of

committees of regional councils, so far as they are applicable and with the necessary modifications, apply in respect of meetings of the Regional Transport Committee.

### **Power to Act**

To make all decisions necessary to fulfil the role and scope of the committee subject to the limitations imposed.

### **Power to Recommend**

The Regional Transport Committee recommends and reports to the Regional Council.

# SmartGrowth Leadership Group

## INTERIM TERMS OF REFERENCE

### Membership

<b>Independent Chairperson (Acting)</b>	Commission Chair Anne Tolley
<b>Deputy Chair</b>	
<b>Bay of Plenty Regional Council Members (3)</b>	Cr Jane Nees on behalf of Chairman Leeder Cr Stuart Crosby Cr Paula Thompson <i>Cr Ron Scott (alternate)</i>
<b>Tauranga City Council Members (3)</b>	Commissioner Stephen Selwood Commissioner Bill Wasley <i>Commissioner Shadrach Rolleston (alternate)</i>
<b>Western Bay of Plenty District Council Members (3)</b>	Mayor James Denyer Cr Don Thwaites Deputy Mayor John Scrimgeour
<b>Tangata Whenua Representative (4)</b>	Matire Duncan Whitiara McLeod Geoff Rice Riki Nelson <i>Matemoana McDonald (alternate)</i>
<b>Ministers of the Crown (up to 3)</b>	Minister for Local Government Hon. Kieran McAnulty <i>Richard Ward (alternate)</i> Minister for Housing Hon. Dr Megan Woods <i>Brad Ward (alternate)</i> Minister for Transport Hon. David Parker
<b>Additional Ministers (non-voting)</b>	If and when required
<b>Te Whatu Ora - Te Manawa Taki representative – non-voting (1)</b>	
<b>Waka Kotahi NZTA (non-voting) (1)</b>	David Speirs <i>Jessica Andrew (alternate)</i>

<b>Water Services Entity B representative – non-voting (1)</b>	
<b>Transport System Plan representative – non-voting (1)</b>	
<b>Priority One representative – non-voting (1)</b>	
<b>Quorum</b>	Eleven members, consisting of half the total number of voting members
<b>Maximum number of members</b>	22
<b>Meeting frequency</b>	Quarterly or as determined by the Independent Chairperson
<b>Additional Members (non-voting)</b>	The Group may co-opt up to three additional members

The Leadership Group is a formal joint committee pursuant to the LGA (Clause 30 and 30A, Schedule 7). The Leadership Group will not be discharged at the point of the next election period (in line with Clause 30(7) of Schedule 7, LGA 2002).

## Purpose

The purpose of the Joint Committee (SmartGrowth Leadership Group) is to undertake and implement strategic spatial planning across the western Bay of Plenty sub-region<sup>1</sup> in accordance with the SmartGrowth Strategy and the outcomes from the Urban Form and Transport Initiative.

The SmartGrowth Leadership Group carries out its purpose in accordance with the delegations set out in the Agreement.

## Role

The SmartGrowth Leadership Group operates under the following principles:

- Supporting an integrated approach to urban growth and strategic / spatial planning which incorporates cultural, economic, environmental and social well-being.
- Building on the SmartGrowth 'live, learn, work and play' vision.
- Reinforcing an integrated planning approach incorporating land use, all infrastructure and funding.
- Building on existing SmartGrowth work, including the outcomes from Urban Form and Transport Initiative, and the general SmartGrowth arrangements already in place.
- Adopting a shared evidence base so that all parties are using common data.
- Recognising and supporting the existing Urban Form and Transport Initiative which will underpin the development of the 2023 SmartGrowth Strategy.
- Having an integrated SmartGrowth Strategy for the sub-region which includes the requirements for a future development strategy under the National Policy Statement on Urban Development
- Taking account of the Western Bay Transport System Plan and its priorities.
- Acknowledging the benefits of a collaborative approach to urban growth and spatial planning, and to share responsibility for such planning between the parties. Supporting the values, and economic and social aspirations of tāngata whenua while protecting cultural identity.
- Sustaining and improving the natural environment.
- Responding to climate change at a strategic level.
- Promoting affordable housing.

## Monitoring and Review

The SmartGrowth Leadership Group has responsibility for:

- Monitoring and reporting on the implementation of the Urban Form and Transport Initiative, including the key performance indicators

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<sup>1</sup> The 'sub-region' refers to the territorial areas of Tauranga City Council and Western Bay of Plenty District Council.

Reviewing and recommending any changes to the SmartGrowth Strategy if circumstances change.

## **Committee Operations**

- Select and appoint an Independent Chairperson and a Deputy Chairperson.
- Implement any Memorandum of Agreement or Understanding, as adopted by the Leadership Group.
- Establish protocols and arrangements to ensure that implementation, where necessary, is consistent, collaborative and/or coordinated to achieve optimal outcomes.
- Central Government's participation in the SmartGrowth Leadership Group does not constitute endorsement of initiatives in any way, and all financial, policy and other decisions still need to be approved by Central Government.

## **Power to Recommend**

The SmartGrowth Leadership Group reports to Bay of Plenty Regional Council, Tauranga City Council and Western Bay of Plenty District Council.

# Tauranga Public Transport Joint Committee

## Membership

<b>Chairperson</b>	Cr Andrew von Dadelszen
<b>Deputy Chairperson</b>	Commission Chair Anne Tolley
<b>Members</b>  Bay of Plenty Regional Council  Tauranga City Council	Cr Paula Thompson  Commissioner Stephen Selwood
<b>Quorum</b>	Two members, consisting of half the number of members, of which one must be from each respective Council.
<b>Meeting frequency</b>	Bi-monthly or as required by the need for decisions.

*Appointment of the Chair and Deputy Chair and associated administrative support to be rotated between the two partner councils on an annual basis.*

## Purpose

Provide strategic and operational advice and direction for an integrated public transport system for Tauranga city and monitor implementation delivery.

The aim is to ensure that decisions in relation to all relevant parts of the transport system are taken collectively and deliver outcomes that are greater than the sum of these parts. These outcomes are set out in the Urban Form and Transport Initiative (UFTI) Programme Business Case and Tauranga Transport System Plan (TSP).

## Role

The Tauranga Public Transport Joint Committee is a joint committee of Bay of Plenty Regional Council and Tauranga City Council that report to their respective councils.

The area covered by the Joint Committee extends to the Tauranga City Council boundaries. The role includes:

- Enabling integrated decision making for Public Transport in Tauranga City.
- Preparing and reviewing a Tauranga City Integrated Public Transport Work Programme.
- The Work Programme to include:
  - Projects and business cases as outlined in Annex 1 (and prioritised accordingly).
  - Providing advice and guidance on Tauranga-specific content of the Regional Public Transport Plan (RPTP), for consideration by the Public Transport Committee.
  - RPTP policy implementation in relation to the Tauranga City Council area.

- Tauranga city parking strategy and implementation.
- Travel behaviour management programmes (including The Wednesday Challenge).
- Funding and financing (includes updates on Tauranga road pricing, bus fares, parking charges and third party funding).
- Monitor and review the implementation of the Work Programme.
- Receive reporting on the performance of public transport services and infrastructure, and making recommendations for improvement.
- Provide quarterly implementation updates to the Public Transport Committee.

For the avoidance of doubt, the Joint Committee's role does not include adopting, varying or renewing the Regional Public Transport Plan, which is a function of the Regional Council.

Reports to the Joint Committee will be prepared in partnership between the two councils. Where differences of view at officer level are apparent, these will be clearly set out in order for Councillors and Commissioners to make an objective and balanced decision.

## Power to Act

To make all decisions necessary to fulfil the role and scope of the Joint Committee; with relevant powers delegated from the respective Council committees.

Any recommendations that impose financial commitments to either party are to be referred to the respective councils for approval.

Any variation to the Joint Committee's terms of reference are by formal agreement by both councils.

## Power to Recommend

The Joint Committee has a recommendatory power in relation to Tauranga City public transport matters to be considered as part of the Regional Public Transport Plan (RPTP) process.



# Eastern Bay of Plenty Joint Committee

## Membership

<b>Chairperson</b> Elected by the Joint Committee at its first meeting each Triennium	
<b>Deputy Chairperson</b>	
<b>Members</b> Two representatives from each: Bay of Plenty Regional Council  Kawerau District Council  Ōpōtiki District Council  Whakatāne District Council	Cr Malcolm Campbell Cr Jane Nees <i>Cr Toi Iti (alternate)</i> Mayor Faylene Tunui Deputy Mayor Aaron Rangihika Mayor David Moore Cr Steve Nelson Mayor Victor Luca Cr Andrew Iles <i>Deputy Mayor Lesley Immink (alternate)</i>
<b>Quorum</b>	Four members, being half the number of members
<b>Meeting frequency</b>	Quarterly

## Purpose

To form, explore and make recommendations for strategic collaborative initiatives between the partner councils of Bay of Plenty Regional Council (BOPRC), Kawerau District Council (KDC), Ōpōtiki District Council (ODC) and Whakatāne District Council (WDC) for responding to and managing a range of Eastern Bay of Plenty issues.

For the purposes of the Joint Committee, “Eastern Bay of Plenty” is defined as the Territorial Authority areas of Kawerau District Council, Ōpōtiki District Council and Whakatāne District Council.

## Role

The Eastern Bay of Plenty Joint Committee (EBOPJC) is guided by the Terms of Reference and the Eastern Bay of Plenty Joint Committee Memorandum of Understanding (MOU) as agreed by the partner councils.

To make recommendations on the following:

- Opportunities for joint collaboration on initiatives that support the needs of eastern Bay of Plenty communities.
- Coordination of and encouragement of beneficial interrelationships and connections between activities/services across the eastern Bay of Plenty.
- Mitigation of adverse cross boundary effects of decisions, planning and activities on other regions, cities and districts.
- Resolution of differences and conflicts, and ensuring no surprises, where activities in one district may affect another.
- Sharing of information, expertise, databases and research where there is a mutual interest and benefit.
- Encouraging integration and consistency of planning across the eastern Bay of Plenty.
- Developing agreed positions as appropriate on matters of importance and major Government initiatives and, through each respective council, communicate these positions to Central Government and relevant national organisations.
- Investigating opportunities for achieving cost efficiencies by sharing responsibilities and services.
- Where appropriate and applicable, recommendations must be supported by cost-benefit analyses.

## Joint Committee Procedures

- Eastern Bay of Plenty Joint Committee is established under the LGA and is therefore obligated to the requirements of the LGA and the requirements of the Local Government Official Information and Meetings Act 1987 (LGOIMA).
- A meeting is duly constituted if a quorum is present, whether or not all of the members are voting or entitled to vote.
- Business may not be transacted at any meeting unless at least a quorum of members is present during the whole of the time at which the business is transacted.
- The quorum at a meeting of EBOPJC is half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.
- The members of the joint committee will engage with their respective councils on strategic issues under discussion and all councils will maintain their own operational inter-council relationships as normal.
- The Chief Executive, or the Chief Executive's representative, of each partner Council shall attend meetings and will act as advisors to the Joint Committee.
- Meetings will be coordinated and recorded by staff from the partner Council as scheduled by the Joint Committee.
- Meetings may be attended by further staff support as considered appropriate by their Chief Executive.
- External speakers and participants, including mayors from territorial authorities who are not parties to EBOPJC, with specific interests in the items under discussion, may be invited to attend meetings.
- Meetings will be held at times and in places set out in an agreed schedule.
- Any formal public communications from meetings will be approved by the Joint Committee prior to release.

- The Chairperson and Deputy Chairperson shall be determined, on an annual basis, by the process as set out at Clause 25 of Schedule 7 of the LGA.
- Each Chairperson will have a term of one year.
- A member cannot be appointed as the Chairperson, if either of the previous two Chairpersons were representatives of that member's constituent Council.
- Decisions on recommendations of the Committee shall be made in accordance with Clause 24 of Schedule 7 of the LGA – by vote of majority of members that are present and voting.
- The Chairperson will have a deliberative vote.
- In the case of equality of votes, the Chairperson does not have a casting vote and the status quo is preserved.
- A Deputy Chair shall be determined by the process as set out at Clause 25 of Schedule 7 of the LGA.
- The Deputy Chair shall act in the absence of the Chairperson.
- If a Chairperson resigns from their position before the end of their term, the Deputy Chair shall take their place and will serve out the remainder of the term as Chairperson.
- If a Chairperson resigns and the Deputy Chair becomes Chairperson, Clause 25, Schedule 7, of the LGA does not apply.
- Nothing in this Terms of Reference precludes the Joint Committee from appointing an independent Chairperson.
- If an independent Chairperson is appointed, they will also be appointed as a member and will continue to be a member until the end of their term.

## Power to Act

To make all decisions necessary to fulfil the role of the Joint Committee subject to the limitations imposed.

Each Council participating in a joint initiative will fund its own proportion of that joint initiative as determined by the Joint Committee.

## Power to Recommend

Eastern Bay of Plenty Joint Committee is a joint committee of councils that make recommendations to the constituent councils.

# Ōhiwa Harbour Implementation Forum

## Membership

<p><b>Chairperson</b></p> <p>Elected by the Forum at its first meeting each Triennium</p>	Cr Toi Iti (Bay of Plenty Regional Council)
<p><b>Deputy Chairperson</b></p>	Charlie Bluett (Ngāti Awa)
<p><b>Council Members</b></p> <p>One representative each from:</p> <p>Bay of Plenty Regional Council</p> <p>Ōpōtiki District Council</p> <p>Whakatāne District Council</p>	<p>Cr Toi Iti</p> <p><i>Cr Malcolm Campbell (alternate)</i></p> <p>Cr Dean Peterson</p> <p><i>Cr Steve Nelson (alternate)</i></p> <p>Cr Andrew Iles</p> <p><i>Cr Nándor Tánczos (alternate)</i></p>
<p><b>Iwi and Hapu Members</b></p> <p>One tangata whenua appointee representative each from:</p> <p>Whakatōhea</p> <p>Upokorehe</p> <p>Ngāti Awa</p> <p>Ngāi Tuhoe</p>	<p>Karen Mokomoko</p> <p>Georgina Kohonui</p> <p>Gaylene Kohunui (<i>alternate</i>)</p> <p><i>Tuwhakairiora O'Brien (alternate)</i></p> <p>Hori Hillman</p> <p><i>Marewa Titoki (alternate)</i></p>
<p><b>Quorum</b></p>	Four members, consisting of more than half the number of members
<p><b>Meeting frequency</b></p>	Six monthly

## Purpose

The Ōhiwa Harbour Implementation Forum is a joint committee to oversee and monitor the implementation of the Ōhiwa Harbour Strategy.

## Role

The Ōhiwa Harbour Implementation Forum:

- is the sponsor of the Ōhiwa Harbour Strategy,
- is responsible for overseeing the implementation of the actions in the Strategy,
- has an overall monitoring role in terms of timeframes and deliverables,
- maintains a general awareness of the issues surrounding the Ōhiwa Harbour Catchment, and
- is responsible for reporting back to the strategic partners and to the community.

The Ōhiwa Harbour Implementation Forum will:

- receive reports (including those prepared by staff of the three councils) of what has recently been achieved with regards to implementing the Strategy, and outlining what the next targets for implementation could be,
- provide a sounding board for officers to test implementation ideas against,
- provide recommendations that can be reported back to councils, and
- promote links with the Ōhiwa Harbour Catchment community.

## Forum Procedures

- The establishment and the need for and purpose of the Ōhiwa Harbour Implementation Forum is subject to review every three years following local authority elections.
- Subject to the Forum being re-appointed, member representatives are appointed by their respective appointing entities.
- The Forum may specifically invite attendance by organisations/groups which they believe will be interested (such as the Department of Conservation, Ministry of Fisheries, Nukuhou Salt Marsh Care Group).
- The meetings will also be publicly advertised so that members of the wider community can also attend.
- The Bay of Plenty Regional Council Standing Orders will apply, except as varied by these Terms of Reference, or unless the members of the Forum unanimously agree to vary those standing orders as they apply to the Forum.
- The costs of meeting attendance lie where they fall. The exception to this is that a standard meeting fee will be provided for tangata whenua representation by the Bay of Plenty Regional Council.
- The actions to give effect to the strategy itself and costs associated with reporting to the Forum are funded from within the budgets of participating councils.

## Power to Act

- To make all decisions necessary to fulfil the role and scope of the Forum subject to the limitations imposed.
- The Ōhiwa Harbour Implementation Forum has no delegated authority for financial expenditure.

## Power to Recommend

The Ōhiwa Harbour Implementation Forum recommends and reports back to the respective organisations.

# **Co-Governance Committees**





# Rotorua Te Arawa Lakes Strategy Group

## Membership

<b>Pou Tākiwaiaora (Independent Chairperson)</b>	Arapeta Tahana
<b>Deputy Chairperson (Appointed by Group)</b>	Cr Kevin Winters (Bay of Plenty Regional Council)
<b>Members</b> Two representatives from each of the partner Councils, one of whom must be the Chair/Mayor:	
Bay of Plenty Regional Council	Chairman Doug Leeder <i>Cr Te Taru White (alternate)</i>
Rotorua Lakes Council	Mayor Tania Tapsell Cr Gregg Brown <i>Phill Thomass – Lakes Community Board (alternate)</i>
Governance representatives from Te Arawa Lakes Trust	Nuki Nicholson Mariana Te Rangi <i>Rangitihī Pene (Alternate)</i> <i>Georgina Whata (Alternate)</i>
<b>Observer from the Ministry for the Environment</b>	Lorena Stephen, Director of Sustainable Land Use Delivery (Observer)
<b>Quorum</b>	One appointed member from each of the partner organisations
<b>Meeting frequency</b>	Quarterly

## Purpose

To contribute to the promotion of the sustainable management of the Rotorua Te Arawa Lakes and their catchments, for the use and enjoyment of present and future generations, while recognising and providing for the traditional relationship of Te Arawa with their ancestral lakes.

## Role

- Provide leadership to the organisations and the community in relation to implementation of the Vision and Strategy for the Lakes of the Rotorua District, originally adopted in 2000 and refreshed version adopted by the Strategy Group in 2013.

- Identify significant existing and emerging issues affecting the Rotorua Te Arawa Lakes and respond appropriately.
- Approve, monitor, evaluate, and review agreements, policies and strategies and all other proposals to achieve integrated outcomes for the Rotorua Te Arawa Lakes.
- Identify, monitor, and evaluate necessary actions by the partner organisations and other relevant organisations.
- Receive reports on activities being undertaken by the partner organisations and other relevant organisations.
- Participate in the preparation of statutory plans in relation to significant issues. Such plans include but are not limited to Iwi and hapū management plans, district and regional plans, reserve management plans and annual plans.
- Participate in applications for activities in relation to significant issues not addressed by existing policies of the partner organisations. Such activities include but are not limited to, resource consents, designations, heritage orders, water conservation orders, restricting access to the lakes (during special events or in particular circumstances), and transferring and/or delegating of statutory authority.

## Strategy Group Procedures

The Rotorua Te Arawa Lakes Strategy Group is a permanent joint committee established under the Te Arawa Lakes Settlement Act 2006 (Te Arawa Lakes Deed of Settlement - Cultural Redress: Lakes Management and Relationships, clauses 9.1 to 9.3 - December 2004), and is not disestablished as a consequence of a Local Government election.

The Group's Terms of Reference, are derived from the Rotorua Lakes Strategy Agreement included in Part 1 of the Relationship Schedule to the Deed of Settlement, December 2004.

## Meanings

*“Organisations” means the Te Arawa Lakes Trust, the Rotorua Lakes Council, and the Bay of Plenty Regional Council; sometimes referred to as “Partner Organisations”.*

*“Rotorua Te Arawa Lakes” means Lakes Rotorua, Rotoiti, Rotoehu, Rotomā, Ōkātina, Tikitapu, Ōkāreka, Tarawera, Rotomahana, Rerewhakaaitu, Ōkaro.*

*“Group” means the Rotorua Te Arawa Lakes Strategy Group, formed as a Joint Committee under Clause 30 of Schedule 7 of the LGA; sometimes referred to as the “Strategy Group”.*

## Membership

- The non-voting Poū Tākiwaiora (Independent Chairperson) is appointed by the members for a three year term in alignment with the Local Government triennium and is to be reviewed and confirmed at the first meeting of the Group, following the Local Government elections.
- The Poū Tākiwaiora is not deemed to be a member of the Rotorua Te Arawa Lakes Strategy Group for the purposes of a quorum.
- The Poū Tākiwaiora shall assume the role and responsibilities as defined in the Rotorua Te Arawa Lakes Strategy Group Poū Tākiwaiora Guidelines.
- The Deputy Chairperson shall be appointed from the membership at the first meeting of the Group following the Local Government elections.

## Quorum

The special quorum for a meeting of the Group will be four members of the Group.

In the event that the ordinary quorum is not satisfied at three consecutive meetings of the Group in circumstances, where in the case of each such meeting:

- It was notified in accordance with the Standing Orders,
- Order papers were sent to each member of the Group in accordance with the Standing Orders, and
- The meeting had not been cancelled for any reason, then the members in attendance may declare the third meeting inquorate according to the Standing Orders and the special quorum will then be substituted.

At any subsequent meeting, the ordinary quorum will be restored.

No matters that were not on the order paper for the meeting at which the special quorum was established can be considered by a special quorum meeting.

## **Power to Act**

To make all decisions necessary to fulfil the role of the Strategy Group subject to the limitations imposed.

Each Council participating in a joint initiative will fund its own proportion of that joint initiative as determined by the Joint Committee.

## **Power to Recommend**

To the partner organisations on any matters within the Strategy Group's delegated functions as it deems appropriate.

The Rotorua Te Arawa Lakes Strategy Group report directly to their respective organisations.

# Te Maru o Kaituna River Authority

## Membership

Chairperson	Dean Flavell (Tapuika Authority Trust)
Deputy Chairperson	Cr Matemoana McDonald (Bay of Plenty Regional Council)
<b>Iwi Members</b> One representative each appointed by: Tapuika Iwi Authority Trust Te Tāhuhu o Tawakeheimoa Trust  Te Pumautanga o Te Arawa Trust	<i>Geoff Rice (alternate)</i> Nicki Douglas <i>Erin Thompson (alternate)</i> Piki Thomas <i>Rawiri Kingi (alternate)</i>
One member jointly appointed by: Tapuika Iwi Authority Trust and Te Kapu o Waitaha	Vacant
<b>Council Members</b> One representative each appointed by: Bay of Plenty Regional Council Rotorua Lakes Council  Western Bay of Plenty District Council  Tauranga City Council	<i>Cr Te Taru White (alternate)</i> Nick Chater – Lakes Community Board <i>Cr Lani Kereopa (alternate)</i> Cr Andy Wichers <i>Cr Grant Dally (alternate)</i> Commissioner Shadrach Rolleston <i>Commissioner Bill Wasley (alternate)</i>
<b>Informal Members</b> Two informal members with voting rights appointed by: Te Komiti Nui o Ngāti Whakaue  Bay of Plenty Regional Council	Maru Tapsell <i>Karena Bird (alternate)</i> Cr Jane Nees
<b>Quorum</b>	The Chairperson or Deputy Chairperson, and two members appointed by iwi and two members appointed by the local authority appointing organisations
<b>Meeting frequency</b>	Quarterly

## Purpose

The purpose of the Authority as set out in the Tapuika Claims Settlement Act 2014 (the Act) is the restoration, protection and enhancement of the environmental, cultural and spiritual health and wellbeing of the geographical area of the Kaituna River Catchment as shown on deed plan OTS-209-79.

This is a permanent joint committee under the LGA and co-governance partnership between local authorities and iwi that share an interest in the Kaituna River and must not be discharged unless all of the appointing organisations agree to the discharge.

## Role

- To prepare and approve the Kaituna River document in accordance with sections 125 and 127 of the Act.
- To monitor the implementation and effectiveness of the Kaituna River document.
- To support integrated and collaborative management of the river.
- To work with local authorities and Crown agencies that exercise functions in relation to the Kaituna River:
  - to monitor the state of the river environment,
  - to monitor the effectiveness of the management of the river, and
  - to engage with iwi in relation to their interests in the river and to consult them on how to manage the river.
- To provide advice and recommendations to local authorities:
  - relating to projects, action or research designed to restore, protect or enhance the health and wellbeing of the river, and
  - on appointment of Commissioners, to hear and decide applications for resource consents under the Resource Management Act 1991 that affect the river.
- To facilitate the participation of iwi in the management of the river.
- To monitor the extent to which the purpose of the Authority is being achieved, including the implementation and effectiveness of the Kaituna River document.
- To gather information, to disseminate information and to hold meetings.
- To take any action that the Authority considers is appropriate to achieve its purpose.
- The Authority may seek to obtain funds to enable it to perform its functions.
- Other iwi and local authorities may join the Authority through consensus of the Authority or through legislation.

## Decision Making

The Authority must make its decisions by a vote at a meeting, and must seek to achieve consensus, be consistent with and reflect the purpose of the Authority and acknowledge the interests of iwi in particular parts of the Kaituna and its catchments.

If the Chair or Deputy Chair considers that the meeting is unlikely to achieve consensus on a matter, the decision on the matter may be made only by a 70% majority of those present. The Chair and the Deputy Chair of the Authority may vote but do not have a casting vote.

## Power to Act

The Authority has discretion except as provided for in Section 116(2) (a) of the Tapuika Claims Settlement Act, to determine in any particular circumstances whether to perform any function specified, and how and to what extent any function specified is performed.

## **Power to Recommend**

To the partner organisations on any matters within the Authority's delegated functions as it deems appropriate.

The Te Maru o Kaituna River Authority members report directly to their respective organisations.

# Rangitāiki River Forum

## Membership

<b>Chairperson</b>	Terewai Kalman (Te Rūnanga o Ngāti Manawa)
<b>Deputy Chairperson</b>	Te Taute Taiepa (Te Rūnanga o Ngāti Whare)
<b>Tangata Whenua Members</b> One appointed representative each: Te Rūnanga o Ngāti Manawa Te Rūnanga o Ngāti Whare Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust Te Rūnanga o Ngāti Awa  Hineuru Iwi Trust  Tūhoe Te Uru Taumatua Te Kotahitanga o Ngāti Tūwharetoa	<i>Karito Paul (alternate)</i> <i>Jane Nicholas (alternate)</i> Katishe McCauley  Miro Araroa <i>Mihipeka Sisley (alternate)</i> Ngawai Crawford <i>Tracy Bush (alternate)</i> Ngapera Rangiaho Whakaeke Ritete <i>Ngatoru Wall (alternate)</i>
<b>Council Members</b> Up to five appointed members: Bay of Plenty Regional Council  One appointed member each: Whakatāne District Council  Taupō District Council	Cr Malcolm Campbell Cr Toi Iti Cr Kat Macmillan Cr Ken Shirley Cr Kevin Winters  Cr Tuwhakairiora O'Brien <i>Cr James Wilson (alternate)</i> Cr John Williamson <i>Cr Yvonne Westerman (alternate)</i>
<b>Quorum</b>	Three iwi members and three Council members and must include a Ngāti Whare member and a Ngāti Manawa member.
<b>Meeting frequency</b>	Quarterly

Other iwi and local authorities through consensus of the Forum, may join the Forum

## Vision

Te Mana o Te Wai – The First Right to Water is to the Water.

## Mission

Te Reo o Te Wai - Te Mana – The voice of the Water, restoring Te Mana o Te Wai.

## Purpose

To protect and enhance the environmental, cultural, and spiritual health, wellbeing and sustainable use of the Rangitāiki River and its resources, for the benefit of present and future generations.

## Scope

The Rangitāiki River Forum's scope covers the geographical area of the Rangitāiki River Catchment including the Rangitāiki River, Whirinaki River, Wheao River and Horomanga River as referenced in the following Settlement Acts: Ngāti Whare Claims Settlement Act 2012; Ngāti Manawa Claims Settlement Act 2012; Tūhoe Claims Settlement Act 2014; Hineuru Claims Settlement Act 2016; Ngāti Tūwharetoa Claims Settlement Act 2018.

This is a permanent joint committee under the Local Government Act 2002 (LGA), and co-governance partnership between local authorities and iwi that share an interest in the Rangitāiki River and must not be discharged unless all of the appointing organisations agree to the discharge.

## Role

- Prepare and approve the Rangitāiki River document for eventual recognition by the Regional Policy Statement, Regional Plans and District Plans.
- Promote the integrated and coordinated management of the Rangitāiki River.
- Engage with and provide advice to:
  - Local Authorities on statutory and non-statutory processes that affect the Rangitāiki River, including under the Resource Management Act 1991.
  - Crown agencies that exercise functions in relation to the Rangitāiki River.
- Monitor the extent to which the purpose of the Rangitāiki River Forum is being achieved including the implementation and effectiveness of the Rangitāiki River document.
- Gather information, disseminate information and hold meetings.
- Take any other action that is related to achieving the purpose of the Forum.

## Decision Making

The Forum must make its decisions by a vote at a meeting and must seek to achieve consensus, be consistent with and reflect the purpose of the Forum and acknowledge the interests of iwi in particular parts of the Rangitāiki and its catchments.



## **Power to Act**

The Forum has the discretion to determine, in any particular circumstance, whether to exercise any function identified and to what extent any function identified is exercised.

## **Power to Recommend**

To the partner organisations on any matters within the Forum's delegated role as it deems appropriate.

Rangitāiki River Forum members report directly to their respective organisations.

## Tarawera Awa Restoration Strategy Group

<b>Chairperson</b>	Leith Comer (Te Mana o Ngāti Rangitihī Trust)
<b>Deputy Chairperson</b>	Pourotō Ngaropo (Te Rūnanga o Ngāti Awa)
<b>Tangata Whenua Members</b> One appointed representative each: Te Mana o Ngāti Rangitihī Trust Ngāti Mākino Iwi Authority  Te Rūnanga o Ngāti Awa Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust	<i>Tiipene Marr (alternate)</i> Awhi Awhimate <i>Laurance Tamati (alternate)</i> <i>Manurere Glen (alternate)</i> Jim Schuster
<b>Council Members</b> One appointed member each: Bay of Plenty Regional Council  Kawerau District Council  Rotorua Lakes Council  Whakatane District Council	Chairman Doug Leeder <i>Cr Malcolm Campbell (alternate)</i> Mayor Faylene Tunui <i>Deputy Mayor Aaron Rangihika (alternate)</i> Cr Gregg Brown <i>Phill Thomass – Lakes Community Board (alternate)</i> Mayor Victor Luca <i>Deputy Mayor Lesley Immink (alternate)</i>
<b>Quorum</b>	Five members comprising: The Chairperson or Deputy Chairperson; and two Iwi members and two Council members.
<b>Meeting frequency</b>	Quarterly

### Purpose

To support, co-ordinate and promote the integrated restoration of the mauri of the Tarawera Awa catchment.

### Scope

The Strategy Group's scope covers the geographical area of the Tarawera River catchment, including its tributaries within the catchment area, as shown further below on map OMCR-102-032.

The Strategy Group is deemed to be a co-governance joint committee of the Bay of Plenty Regional Council; and is a permanent committee and must not be discharged unless all appointing organisations agree to the discharge.

## Role

The functions of the Strategy Group are to —

- (a) develop a restoration strategy for the catchment, to be known as the Tarawera Awa Restoration Strategy Document; and
- (b) monitor the implementation and effectiveness of the Strategy Document; and
- (c) run and oversee restoration projects as required under the Strategy Document; and
- (d) seek funding for the restoration projects as required by the Strategy Document; and
- (e) communicate with stakeholders and the wider community to explain how decisions made or activities affecting the catchment align, or could be aligned, with the common vision, objectives, and desired outcomes for the catchment; and
- (f) establish 1 or more technical advisory groups as required, as outlined in section 134<sup>2</sup>; and
- (g) seek the advice of a technical advisory group or the relevant local government in support of restoration activities; and
- (h) link stakeholders together so that activities that take place in the catchment, or that affect the mauri of the catchment, are compatible as far as possible with the common vision, objectives, and desired outcomes for the catchment; and
- (i) provide a framework to assist central government agencies and local government so that they may have regard to the common vision, objectives, and desired outcomes for the catchment; and
- (j) undertake any other function required to achieve the purpose of the Strategy Group.

## Decision Making

The Strategy Group must make its decisions by vote at a meeting and strive to achieve consensus; and approach decision making in a manner that is consistent with, and reflects its purpose; and acknowledges, as appropriate, the interests of iwi in particular parts of the catchment.

The Chairperson and Deputy Chairperson may vote on any matter, but do not have a casting vote.

## Power to Act

Except as provided for in the purpose above, the Strategy Group has discretion to determine in any particular circumstances whether to perform any function specified and how, and to what extent, any function specified is performed.

## Power to Recommend

To the partner organisations on any matters within the Strategy Group's delegated role as it deems appropriate.

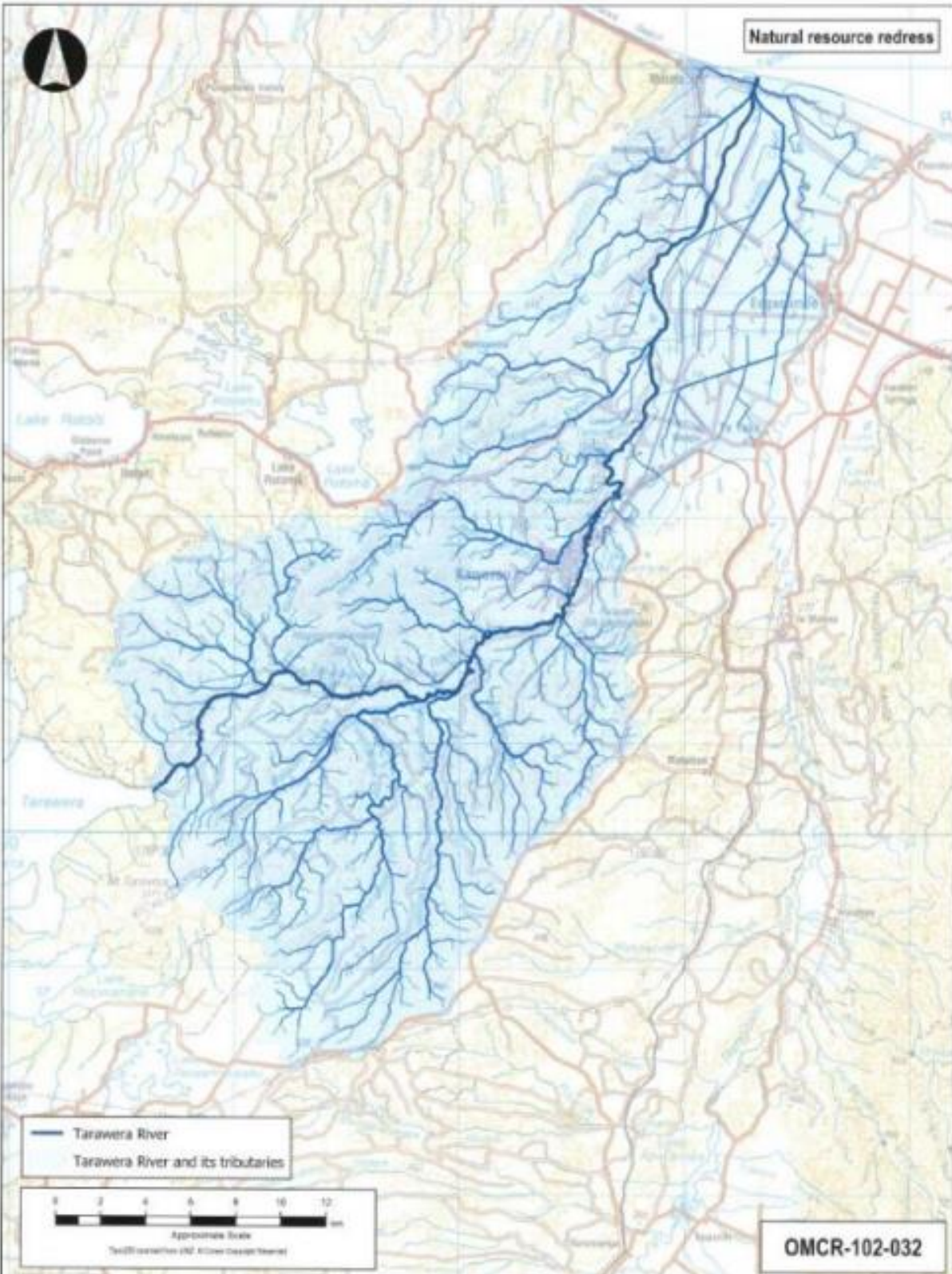
Strategy Group members report directly to their respective appointing organisations.

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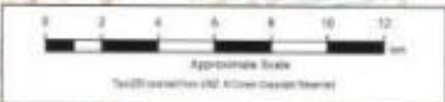
<sup>2</sup> [s134 Ngāti Rangitahi Claims Settlement Act 2022](#)



Natural resource redress



— Tarawera River  
— Tarawera River and its tributaries



OMCR-102-032

South Auckland Land District  
Territorial Authority: Waikato Bay of Plenty  
Historical, Whakato and Waikato Districts  
Compiled as a public representation  
Source: NZ Topographic Database  
  
**To Arawhiti**

**Tarawera River catchment area**  
Areas referred to in the deed of settlement between  
Ngāti Rangitīhi and the Crown

Approved as to boundaries  
*[Signature]* 9.7.20  
for Ngāti Rangitīhi  
*[Signature]* 9.7.20  
for and on behalf of the Crown

# **Advisory Forums, Working and Community Groups**



# Tauranga Moana Advisory Group

## Membership

<p><b>Chairperson</b> (Appointed by the Group)</p>	Cr Matemoana McDonald (Bay of Plenty Regional Council)
<p><b>Deputy Chairperson</b> (Appointed by the Group)</p>	Charlie Tawhiao (Ngāi Te Rangī)
<p><b>Tangata Whenua Members</b> Two appointed representative each: Ngāti Ranginui  Ngāti Pūkenga  Ngāi Te Rangī</p>	<p>Te Pio Kawe Vacant Rehua Smallman Keepa Smallman Charlie Tawhiao Pia Bennett</p>
<p><b>Council Members</b> Four appointed representatives from: Bay of Plenty Regional Council  Two appointed representatives each: Tauranga City Council  Western Bay of Plenty District Council</p>	<p>Cr Matemoana McDonald Cr Kat Macmillan Cr Paula Thompson <i>Cr Andrew von Dadelszen (alternate)</i>  Commissioner Shadrach Rolleston Commissioner Bill Wasley  Cr Murray Grainger Cr Allan Sole</p>
<p><b>Raponi Wilson</b></p>	Raponi Wilson
<p><b>Quorum</b></p>	The Advisory Group is not required to follow Standing Orders
<p><b>Meeting frequency</b></p>	Quarterly

The Tauranga Moana Advisory Group acts under a partnership agreement, between iwi and local authorities and the Tauranga Moana Advisory Group Statement of Purpose. The Tauranga Moana Iwi Collective Deed of Settlement, once passed into law, will require a Tauranga Moana Governance Group to be established. To prepare for the Governance Group, this Tauranga Moana Advisory Group has been established. The Advisory Group meet, share information and provide direction to staff of partner agencies until replaced by the Governance Group.

## He aha ai - Purpose

Whanaungatanga and kaitiakitanga are the basis on which we want to move forward together.

To continue building strong working relationships to support and enhance the health of our harbour and catchments.

## Ngā turanga - Role

The role of participants in the Advisory Group is to:

- **Whakataurite - *coordinate***: oversee and contribute to the work that partners do in the harbour and catchments.
- **Whakarongo - *listen***: ensure the views of the hapu, iwi and wider community are represented in the work we do.
- **Whakawhanaungatanga - *involve***: promote and support hapū, iwi, and the wider community participating in our work.
- **Whakatohatoa - *share***: provide regular updates to, and share information with, partners.
- **Whakakotahi - *integrate***: promote the integration of our work so we can achieve our purpose together.

## Power to Recommend

To the partner organisations on any matters within the Advisory Group's delegated role as it deems appropriate.

Tauranga Moana Advisory Group members report directly to their respective organisations.



# Te Uepu Pāpāmoa Hills Cultural Heritage Regional Park Advisory Group

## Membership

<b>Co - Chairpersons</b>	Cr Kat Macmillan and Maru Tapsell
(Appointed by the Group for a three year term in line with the Local Government triennium, one Chair being a Council member and one Chair being a Tangata Whenua member)	
<b>Iwi/hapū Members</b> One appointed representative each: Waitaha  Ngā Potiki  Ngāti He  Ngāti Pūkenga	Maru Tapsell Mokoera Te Amo (Alternate) Spencer Webster Les Millard (Alternate) Aroha Ririnui  Sam Mikaere Rehua Smallman (Alternate)
<b>Council Members</b> Bay of Plenty Regional Council	Cr Stuart Crosby Cr Jane Nees Cr Kat Macmillan Cr Matemoana McDonald
Alternate members may be appointed at the discretion of the partner entity.	
<b>Quorum</b>	Half the number of members: two being iwi/hapū members and two being Regional Council members.
<b>Decision Making</b>	Consensus
<b>Meeting Frequency</b>	Six monthly

Te Uepu is a formal partnership arrangement between Ngā Pōtiki, Waitaha, Ngāti He and Ngāti Pūkenga and Bay of Plenty Regional Council - Toi Moana.

## He aha ai – Purpose

- Protect and preserve the mauri of the Pāpāmoa Hills to ensure the natural, historical and cultural integrity of the Pāpāmoa Hills is maintained.

- Ensure that the Bay of Plenty community can enjoy the natural, cultural and historical features of Pāpāmoa Hills Cultural Heritage Regional Park now and into the future, while preserving those taonga which make the park a significant place.

In achieving this, Te Uepu will:

- Act in accordance with the guidance from the iwi/hapū members on matters relating to mauri and tikanga of Te Uku o Takakopiri/Te Rae o Pāpāmoa/Pāpāmoa Hills Cultural Heritage Regional Park.
- Act consistently with the principles of Te Tiriti o Waitangi/the Treaty of Waitangi and its statutory obligations under the LGA Act 2002.
- Cooperate in partnership with a spirit of good faith, integrity, honesty, transparency and accountability.
- Actively work together using shared knowledge and expertise.
- Engage early on issues of known interest to either of the parties.
- Enable and support the use of te reo and tikanga Māori.
- Acknowledge that the parties' relationship is evolving.
- Have regard for the interests of the Bay of Plenty community.

## Role

### *Advisory*

- Consider emerging cultural and environmental issues and provide guidance and advice to partner organisations on the implications for effective management of Pāpāmoa Hills Cultural Heritage Regional Park.
- Consider and recommend to BOPRC - Toi Moana on all land acquisition and disposal proposals in relation to Pāpāmoa Hills Cultural Heritage Regional Park.

### *Financial*

- In conjunction with BOPRC - Toi Moana staff, review Pāpāmoa Hills Cultural Heritage Regional Park's section of the Regional Park Activity budget, including both capital projects and operational expenditure for consideration in BOPRC - Toi Moana's Long Term/Annual Plans.

### *Monitoring*

- Monitor the implementation of Pāpāmoa Hills Cultural Heritage Regional Park activity and budget and major capital works or contract procurement.

## Decision Making

The opportunity for Iwi/hapū members to meet together to discuss matters of relevance to the purpose of Te Uepu is recognised as an importance aspect of co-governance decision making.

Where consensus cannot be reached, or matters remain unresolved regarding the management of the regional park, then the matter will be referred to the Regional Council to determine.

## Power to Appoint

Te Uepu may appoint observers who may participate in meeting discussions, however, such appointees do not have voting rights.

Extending full membership to other parties requires full agreement of the original partner entities identified in the Memorandum of Understanding.

## **Power to Recommend**

To the partner entities on any matters within the Te Uepu Group's delegated role as it deems appropriate.

Te Uepu Group members report directly to their respective entities.

## River Schemes Advisory Groups

The Regional Council has the following river scheme advisory groups, whose role is to enable effective communication and liaison between Scheme ratepayers, stakeholders, and BOPRC Councillors and staff:

River Scheme	Representative
Kaituna Catchment Control Scheme	Cr Ken Shirley, Cr Toi Iti
Rangitaiki – Tarawera Rivers Scheme	Cr Toi Iti, Cr Ken Shirley
Whakatāne – Tauranga Rivers Scheme	Cr Toi Iti, Cr Ken Shirley
Waioeka – Otara Rivers Scheme	Cr Toi Iti, Cr Ken Shirley

## Working Parties

Working Parties	Representative
Rotorua Air Quality Working Party	Cr Lyall Thurston Cr Te Taru White Cr Kevin Winters
Rotorua Geothermal Liaison Group	Cr Lyall Thurston Cr Te Taru White Cr Kevin Winters
Ngongotahā Community Group	Cr Lyall Thurston
Mount Maunganui Air Quality Working Party	Cr Matemoana McDonald Cr Paula Thompson
Eastern Bay Road Safety Group	Cr Malcolm Campbell

## Appointments to external organisations

External Organisations	Representative
Tauranga Tertiary Campus Charitable Trust	Cr Andrew von Dadelszen