



Tauranga City

GOVERNANCE STRUCTURE

Terms of Reference Manual

2016-19

Tauranga City Council

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INTRODUCTION

This manual includes 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 Local Government Act 2002.

His Worship the Mayor is a member of every committee (including standing, special, joint and sub-committees) of Tauranga City Council pursuant to section 41A(5) of the Local Government Act 2002.

The quorum specified in the terms of reference for each body has been calculated in accordance with the legal requirements for a quorum. If the number of members appointed to a committee changes, the quorum may need to be recalculated.

The legal requirements for a quorum are specified in clauses 23(3) (for committees and subcommittees) and 30A(6) (for joint committees) of Schedule 7 of the Local Government Act 2002, and section 191 of the Sale and Supply of Alcohol Act 2012 (for the District Licensing Committee).

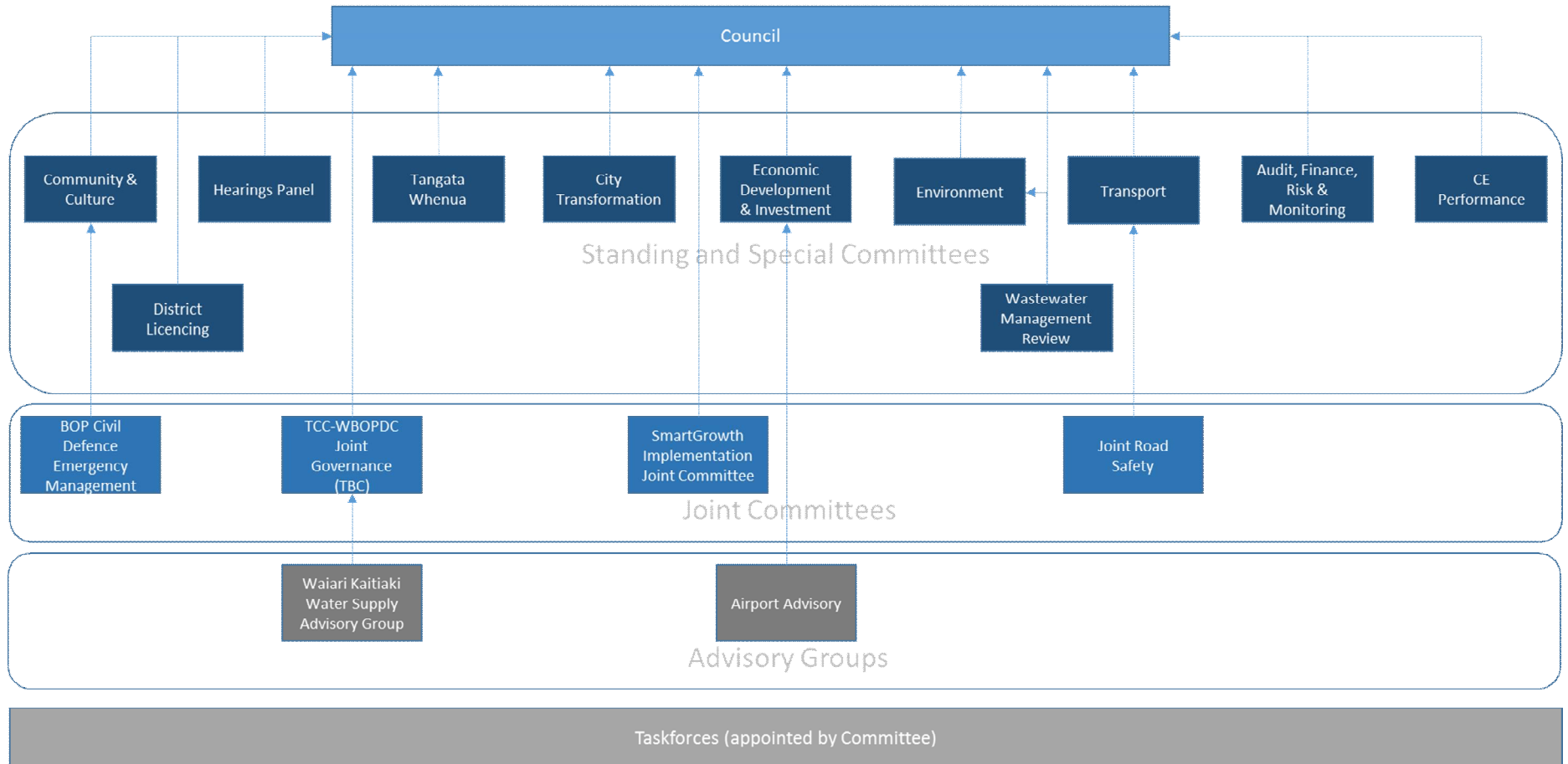
If non-elected members are appointed to a committee, at least one elected member appointed to that committee needs to be present for there to be a quorum. This requirement does not apply to subcommittees or the District Licensing Committee.

A Council committee, subcommittee or other subordinate decision-making body is, unless Council resolves otherwise, deemed to be discharged on the coming into office of the elected members of the Council following the next triennial general election (in accordance with clause 30(7) of Schedule 7 of the Local Government Act 2002).

Where applicable, the appointees of external representatives to Council committees and advisory groups shall be entitled to remuneration under Council's External Representatives' Remuneration Policy.

Governance Structure 2016-19

Committee Structure 2016-2019



Appointments to External Organisations / Internal Working Groups

Please note that these appointments are the subject of agreement between Council and relevant external organisations.

External Organisations	Representative
Creative Communities Tauranga Funding Panel	Cr Leanne Brown Cr Catherine Stewart
Envirohub Trustee	Cr Max Mason
Local Government New Zealand	Mayor Greg Brownless Cr Kelvin Clout (Deputy Mayor)
Local Government New Zealand Zone 2	Cr Catherine Stewart Cr Leanne Brown
Nga Poutiri Ao o Mauao (Mauao Joint Administration Board)	Cr Kelvin Clout (Deputy Chairperson) Cr Steve Morris Cr Leanne Brown Cr Bill Grainger
Public Transport Subcommittee (BOPRC)	Cr Terry Molloy
Regional Transport Committee (BOPRC)	Cr Rick Curach Cr Terry Molloy (<i>alternate</i>)
State Highway 1/29 East Coast Main Trunk Line (ECMT) Steering Group	Cr Terry Molloy
Te Awanui Tauranga Harbour Advisory Group	Cr Kelvin Clout Cr Catherine Stewart
Te Maru O Kaituna (Kaituna River Authority)	Cr Steve Morris Cr Terry Molloy (<i>alternate</i>)
Safer Cities Committee	Cr Leanne Brown
Community Development Match Fund Panel	Cr Gail McIntosh Cr Leanne Brown
New Zealand Local Government Funding Agency Limited (LGFA) Shareholders' Council	TCC Treasurer
Tauranga Marina Society	TCC Manager: Property Portfolio Specialist



Council

Council

Membership

CHAIRPERSON	Mayor Greg Brownless
DEPUTY CHAIRPERSON	Cr Kelvin Clout
MEMBERS	Cr Steve Morris Cr Gail McIntosh Cr Max Mason Cr Larry Baldock Cr Leanne Brown Cr Terry Molloy Cr Catherine Stewart Cr Bill Grainger Cr Rick Curach
QUORUM	6
MEETING FREQUENCY	Four weekly or as required for Annual Plan, Long Term Plan and other relevant legislative requirements.

Role

- To ensure the effective and efficient governance of the City
- To enable leadership of the City including advocacy and facilitation on behalf of the community.

Scope

- Oversee the work of all committees and subcommittee
- Exercise all non-delegable and non-delegated functions and powers of the Council.
- The powers Council is legally prohibited from delegating include:
 - Power to make a rate
 - Power to make a bylaw
 - Power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
 - Power to adopt a long-term plan, annual plan, or annual report
 - Power to appoint a chief executive
 - Power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement
 - All final decisions required to be made by resolution of the territorial authority/Council pursuant to relevant legislation (for example: the approval of the City Plan or City Plan changes as per section 34A Resource Management Act 1991).
- Council has chosen not to delegate the following:

- Power to compulsorily acquire land under the Public Works Act 1981
- Make those decisions which are required by legislation to be made by resolution of the local authority.
- Authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council.
- Consider any matters referred from any of the Standing or Special Committees, Joint Committees, Chief Executive or General Managers.

Procedural Matters

- Delegation of Council powers to Council's committees and other subordinate decision-making bodies
- Adoption of Standing Orders
- Receipt of Joint Committee minutes
- Approval of Special Orders
- Employment of Chief Executive
- Other Delegations of Council's powers, duties and responsibilities

Regulatory Matters

Administration, monitoring and enforcement of all regulatory matters that have not otherwise been delegated or that are referred to Council for determination (by a committee, subordinate decision-making body, Chief Executive or relevant General Manager)



Standing Committees

Common Responsibilities and Delegations

The following common responsibilities and delegations apply to all standing committees.

Responsibilities of Standing Committees

- Establish priorities and guidance on programmes relevant to the Role and Scope of the committee
- Provide guidance to staff on the development of investment options to inform the Long Term Plan and Annual Plans
- Report to Council on matters of strategic importance
- Recommend to Council investment priorities and lead Council considerations of relevant strategic and high significance decisions
- Provide guidance to staff on levels of service relevant to the role and scope of the committee
- Establish and participate in relevant task forces and working groups
- Engage in dialogue with strategic partners, such as Smart Growth partners, to ensure alignment of objectives and implementation of agreed actions
- Confirmation of committee minutes

Delegations to Standing Committees

- To make recommendations to Council relevant to the Role and Scope of the Committee
- To develop and consider, receive submissions on and adopt strategies, policies and plans relevant to the role and scope of the committee, except where these may only be legally adopted by Council
- To consider, consult on, hear and make determinations on relevant strategies, policies and bylaws (including adoption of drafts), making recommendations to Council on adoption, rescinding and modification, where these must be legally adopted by Council.
- To approve relevant submissions to central government, its agencies and other bodies
- To develop expectation documents and comment on Statement of Intent for CCOs (and alternative delivery models), where the activity that the CCO undertakes is relevant to the role and scope of the committee
- Engage external parties as required

City Transformation Committee

Membership

CHAIRPERSON	Cr Larry Baldock
DEPUTY CHAIRPERSON	Cr Gail McIntosh
MEMBERS	Mayor Greg Brownless (ex officio) Cr Steve Morris Cr Max Mason Cr Leanne Brown Cr Terry Molloy
QUORUM	5
MEETING FREQUENCY	Monthly

Role

- To ensure that Tauranga's urban form supports economic and social vibrancy
- To enable Tauranga's urban centres to thrive and provide a sense of place
- To enable the development of a vibrant, safe and successful city centre
- To ensure that council and partner investments in Tauranga's built environment are economically and environmentally resilient

Scope

- Development and oversight of urban centres strategies, neighbourhood plans and master-plans
- Development and oversight of the Compact City programme in support of higher development densities and the provision of a greater range of housing options
- Leadership of plans for the city centre, including the Heart of the City programme
- Development of City Plan changes and related matters for adoption by Council

Power to Act

- To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.
- To establish subcommittees, working parties and forums as required.
- To co-opt non-voting members, including one Tangata Whenua or other representatives, to the Committee

Power to Recommend

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

Transport Committee

Membership

CHAIRPERSON	Cr Rick Curach
DEPUTY CHAIRPERSON	Cr Terry Molloy
MEMBERS	Mayor Greg Brownless (ex officio) Cr Steve Morris Cr Gail McIntosh Cr Larry Baldock Cr Bill Grainger
QUORUM	5
MEETING FREQUENCY	Monthly

Role

- To enable safe, healthy, reliable and sustainable movement across the city
- To ensure transport networks and assets enable economic opportunities
- To ensure journey times across the city remain reliable
- To ensure an appropriate balance between freight and people movements

Scope

- Development of plans and investment options to increase public transport use, walking and cycling
- Development of strategic investment partnerships that enhance external land transport connectivity
- Development of plans and partnerships for the efficient and effective management of Tauranga's transport networks and assets
- Recommend transport network and asset investment priorities to Council

Power to Act

- To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.
- To establish subcommittees, working parties and forums as required.
- To co-opt non-voting members, including one Tangata Whenua or other representatives, to the Committee

Power to Recommend

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

Environment Committee

Membership

CHAIRPERSON	Cr Steve Morris
DEPUTY CHAIRPERSON	Cr Kelvin Clout
MEMBERS	Mayor Greg Brownless (ex officio) Cr Max Mason Cr Rick Curach Cr Catherine Stewart Cr Bill Grainger
QUORUM	5
MEETING FREQUENCY	Monthly

Role

- To ensure Tauranga's environment and the services it provides are protected and enhanced
- To ensure water quality and availability are efficiently, equitably and sustainably managed
- To ensure resilience to and appropriate management of environmental risks
- To enable an efficient and sustainable approach to resource management and recovery

Scope

- Consideration of strategic environmental and resource management issues
- Development of climate change and environmental resilience strategies
- Development of strategies, plans and programmes for efficient and sustainable waste minimisation and resource recovery
- Development of efficient and sustainable approaches to the management of the 'three waters'
- Development of council's approach to air quality
- Developing understanding and partnerships in respect of Tangata Whenua environmental interests

Power to Act

- To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.
- To establish subcommittees, working parties and forums as required.
- To co-opt non-voting members, including one Tangata Whenua or other representatives, to the Committee

Power to Recommend

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

Community & Culture Committee

Membership

CHAIRPERSON	Cr Terry Molloy
DEPUTY CHAIRPERSON	Cr Leanne Brown
MEMBERS	Mayor Greg Brownless (ex officio) Cr Kelvin Clout Cr Steve Morris Cr Catherine Stewart Cr Bill Grainger
QUORUM	5
MEETING FREQUENCY	Monthly

Role

- To ensure social and cultural diversity and heritage are recognised and celebrated
- To enable a socially inclusive, vibrant and happy city
- To ensure Tauranga's community assets and spaces can be enjoyed by everyone
- To ensure Council is meeting the changing needs of our communities

Scope

- Overseeing the provision and enhancement of community assets, facilities and spaces
- Enhancing community development partnerships with social sector partners and Tangata Whenua
- Engaging communities on issues of importance to Council, the community and the city
- Participation in partnerships to address community issues and social inclusion
- Supporting arts, heritage and community events
- Developing recommendations on investment options for new community and cultural assets
- Developing positions on the adoption, modification or rescinding of community bylaws and policies

Power to Act

- To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.
- To establish subcommittees, working parties and forums as required.
- To evaluate and resolve applications to Stewart Trust and Carruthers Trust funds.
- To co-opt non-voting members, including one Tangata Whenua or other representatives, to the Committee

Power to Recommend

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

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Economic Development and Investment Committee

Membership

CHAIRPERSON	Cr Max Mason
DEPUTY CHAIRPERSON	Cr Kelvin Clout
MEMBERS	Mayor Greg Brownless (ex officio) Cr Gail McIntosh Cr Larry Baldock Cr Leanne Brown Cr Rick Curach
QUORUM	5
MEETING FREQUENCY	Monthly

Role

- Enabling a city of talent, innovation and economic opportunities
- Ensuring Tauranga can compete, connect and collaborate internationally
- Enabling inward investment in strategic economic assets
- Ensuring Council's delivery models enable inward investment and effective delivery

Scope

- Overseeing Council's strategic approach to economic development and the visitor economy
- Maximising the strategic and economic value of key city assets
- Developing Digital/Smart City opportunities to realise economic and social benefits and enable effective management of Tauranga's assets and networks
- Developing investment propositions for strategic economic assets (e.g. Tertiary Campus, Marine Precinct, i-sites)
- Developing and facilitating public, private sector and lwi co-investment and inward investment opportunities
- Developing options for delivery models that enable co-investment and asset management
- Developing Council's approach to the future of local government
- Developing Council's Brand and Communications strategies

Power to Act

- To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.
- To establish subcommittees, working parties and forums as required.
- To co-opt non-voting members, including one Tangata Whenua or other representatives, to the Committee

Power to Recommend

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

Audit, Finance, Risk and Monitoring Committee

Membership

CHAIRPERSON	Cr Gail McIntosh
DEPUTY CHAIRPERSON	Cr Max Mason
MEMBERS	Mayor Greg Brownless Cr Kelvin Clout Cr Steve Morris Cr Larry Baldock Cr Leanne Brown Cr Terry Molloy Cr Catherine Stewart Cr Bill Grainger Cr Rick Curach
QUORUM	7
MEETING FREQUENCY	Monthly

Role

- To ensure that the Council is delivering on agreed outcomes
- To ensure that the Council is managing risk in an appropriate manner

Scope

- Monitoring performance against the approved Long Term Plan and Annual Plan
- Overseeing the development of the Council's Annual Report
- Overseeing the development of financial and treasury management strategies and policies
- Considering and approving external audit arrangements and receiving Audit reports
- Consider the outcome of internal and external audit reviews
- Advise Council on matters of finance and risk and provide objective advice and recommendations for its consideration
- Consider matters which are related to the quality assurance and internal controls in Council and ensure the financial management practices and processes comply with the Local Government Act 2002, other relevant legislation and Council's own policies
- Consider, monitor and recommend (where appropriate) in respect to Council's interest in CCOs
- Consider all matters regarding the Local Government Funding Agency (LGFA)
- Monitor key activities, projects and services (without operational interference in the services) in order to better inform the members and the community about key Council activities and issues that arise in the operational arm of the Council

Power to Act

- To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.
- To co-opt non-voting members, including one Tangata Whenua or other representatives, to the Committee
- For the avoidance of doubt, this Committee has **not** been delegated the power to:

- make a rate;
- borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan;
- adopt a Long Term Plan, annual plan, or annual report;
- adopt policies required to be adopted and consulted on in association with the Long Term Plan.

Power to Recommend

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

Chief Executive's Performance Committee

Membership

CHAIRPERSON	Mayor Greg Brownless
DEPUTY CHAIRPERSON	Cr Kelvin Clout
MEMBERS	Cr Steve Morris Cr Gail McIntosh Cr Max Mason Cr Larry Baldock Cr Leanne Brown Cr Terry Molloy Cr Catherine Stewart Cr Bill Grainger Cr Rick Curach
QUORUM	6
MEETING FREQUENCY	6 monthly

Role

- To ensure that the Council is being managed responsibly and to deliver the expected performance.

Scope

- Review the Chief Executive's performance
- To negotiate terms and conditions of the CE's employment including any performance agreement measures and annual remuneration in accordance with the Chief Executive's Employment Agreement.

Power to Act

- Negotiate and implement performance agreement measures and annual remuneration
- Engage external advisors where required.

Power to Recommend

- To Council as it deems appropriate.

Hearings Panel

Membership

CHAIRPERSON	Cr Steve Morris
DEPUTY CHAIRPERSON	Cr Larry Baldock
MEMBERS	Cr Max Mason Cr Terry Molloy Mayor Greg Brownless (ex officio)
QUORUM	Regulatory Matters (other than RMA resource consent matters) A panel of three to be appointed in the first instance allowing for a quorum of two once the hearing has commenced. Plan Changes & Private Plan Changes The number of members to be determined by Council as part of the approval for the Plan Change to be notified for public submission. The quorum shall be half the number of members if even, or the majority of members if the number of members is odd.
MEETING FREQUENCY	As required

Role

- To enable effective decision making with regards to City and Private Plan Changes and other regulatory matters, through specific hearings and decision making.

Scope

City Plan Changes & Private Plan Changes

- To hear matters on plan changes and private plan changes of a quasi-judicial nature as referred to the Committee by Council, subject to compliance with the requirements of the Resource Management Act 1991.
- All functions, duties and obligations as set out in the Resource Management Act relevant to the hearing of submissions on plan changes and private plan changes that have been processed under Schedule 1 of the Resource Management Act.
- To conduct hearings and to recommend to Council decisions on submissions and approval of plan changes and private plan changes that have been processed under Schedule 1 of the Resource Management Act.

Other Regulatory Matters

- To conduct hearings and make decisions of a quasi-judicial nature on behalf of the Council on any regulatory matter that the Council is legally:
 - empowered or obligated to hear and determine;
 - permitted to delegate to a committee of Council under the Local Government Act 2002.
- To exercise this function in accordance with:
 - the applicable legislation;
 - the Council's corporate strategies, policies and plans; and
 - the principles of administrative law and natural justice.

- Regulatory matters include (but are not limited to) dog control matters and matters arising from the exercise of Council's enforcement functions.

Power to Act

Plan Changes & Private Plan Changes

- To make decisions where draft consent orders would represent a minor change in policy direction from the City Plan, and to authorise settlement of those consent orders with the Environment Court, through Council's Solicitors on behalf of Council.

Other Regulatory Matters

- All powers, duties and discretions necessary to conduct hearings and make decisions of a quasi-judicial nature on behalf of the Council on any regulatory matter that the Council is legally empowered or obligated to hear and determine, including (but not limited to):
 - All powers, duties and discretions necessary to hear and make decisions on behalf of the Council in respect of any matter that the Council is empowered or obligated to hear and determine under the Dog Control Act 1996.
- The power to establish and amend hearings protocols relating to the general conduct of hearings and hearings related matters in accordance with the applicable legislation and the principles of administrative law and natural justice.
- The power to co-opt expert advice on an as required basis.

Power to Recommend

City Plan Changes & Private Plan Changes

- To Council for decisions on recommendations and the approval of plan changes and private plan changes.

For the avoidance of doubt, the Hearings Panel does not have the power to hear matters relating to the sale and supply of alcohol.

District Licensing Committee(s)

Membership

CHAIRPERSONS

DLC 1 – Chairperson: Murray Clearwater

DLC 2 – Chairperson: Mary Dillon

DLC 3 – Chairperson: Robert Cross

MEMBERS

Murray Clearwater (Commissioner)

Mary Dillon (Commissioner)

Robert Cross (Commissioner)

Shaun Cole

David Stewart

QUORUM

Chairperson plus two members (for a Hearing)
Chairperson (where no objection to an application has been filed and no matters of opposition raised in respect of an application for a licence or manager's certificate or renewal of a licence or a manager's certificate).

Role

- To consider applications and matters as set out in the Sale and Supply of Alcohol Act 2012.

Scope

- Hear and/or determine matters of a quasi-judicial nature in accordance with the Sale and Supply of Alcohol Act 2012.
- Undertake all functions, duties and obligations as set out in the Sale and Supply of Alcohol Act 2012 relevant to the District Licensing Committee

Power to Act

- Conduct hearings and make decisions on behalf of the Council in a quasi-judicial manner pursuant to the Sale and Supply of Alcohol Act 2012
- Exercise the powers of a Commission of Inquiry under the Commissions of Inquiry Act 1908.
- All responsibilities, duties and powers of a District Licensing Committee conferred by the Sale and Supply of Alcohol Act 2012.

NB: The Council will appoint and maintain a sufficient pool of members on the District Licensing Committee Members List to enable applications relating to alcohol licensing under the Sale and Supply of Alcohol Act 2012 to be heard within the statutory timeframes wherever possible. This may include running three District Licensing Committees concurrently.

Tangata Whenua / Tauranga City Council Committee

Membership

INDEPENDENT CHAIRPERSON	Mr Huikakahu Kawe
DEPUTY CHAIRPERSON	To be determined by the committee
TAURANGA CITY COUNCIL MEMBERS	Mayor Greg Brownless Cr Kelvin Clout Cr Larry Baldock Cr Terry Molloy Cr Catherine Stewart Cr Bill Grainger
TANGATA WHENUA MEMBERS 6 members from the Tauranga Moana Tangata Whenua Collective	Mrs Irene Walker Mr Maru Tapsell Mr Whitiara McLeod Mr Hayden Henry Mr Puhirake Ihaka Mr Pine McLeod
QUORUM	7
MEETING FREQUENCY	Formally three times per year at Council Chambers Informally meet three times a year on marae with all members of both the Council and all members from the Tangata Whenua Collective

**Rapua te huarahi whanui hei ara whakapiri
i nga iwi e rua i te whakaaro kotahi**

**Seek the broad highway that will unite the two peoples
toward a common goal.**

Membership

Partners Tauranga City Council and "nga hapu me nga iwi o Tauranga Moana" representing Tangata Whenua within the Tauranga City Council rohe (boundaries).

Tangata Whenua representatives are to be those with signed hapu protocols. One of the six Tangata Whenua representatives is to be a Kaumatua. Kaumatua representation is to have the ability to be shared between two Kaumatua if required.

Background

Council is committed to establishing and monitoring appropriate links with Tangata Whenua to enable effective relationships to develop and meet a number of legislative requirements including those under the Resource Management Act 1991 and the Local Government Act.

1. Tangata Whenua are deemed to be the respective Iwi and Hapu of Tauranga Moana.
2. The Local Government Act 1974 and Local Government Act 2002 contain provisions relating to the exercise of the powers, functions and duties of the Tauranga City Council.

Principles of the Partnership

The Partners:

- Recognise the Treaty of Waitangi as the founding document of Aotearoa NZ.
- Will work with respect, goodwill, honesty, trust and integrity toward the other party and celebrate cultural diversity.
- Recognise that the relationship is a mutual two-way relationship and any changes of the agreement need to involve discussions and agreement between the partners.
- Recognise the need for Tauranga City Council to work within a legislative framework.
- Recognise the independence of each partner, including
 - a) The tangata whenua representatives as a voice for the Maori communities;
 - b) Recognise the independence of hapu and iwi;
 - c) The Council as a democratic decision maker, responsible to the community as a whole.

Role and Scope

- To forge an ongoing effective and meaningful partnership between the Tauranga City Council and Tangata Whenua.
- To facilitate meaningful understanding of future impacts on key issues affecting Tangata Whenua and Māori that Council can influence.

The functions and key tasks are:

- (a) To bring to the other partner's attention issues / concerns in respect of existing strategy or policy.
- (b) To exchange information of mutual interest.
- (c) To discuss new initiatives approaches and directions.
- (d) Agree agenda topics for the following 3 consecutive meetings.

Communication

- To educate the wider community on Tangata Whenua issues.
- To establish and maintain communication and consultation channels within the Council organisation and Tangata Whenua groups.

Monitoring

- To regularly monitor projects, policies and strategies managed or under development by Council which affect Tangata Whenua.
- To regularly monitor progress of key issues identified by Tangata Whenua through reporting of Council and the Tangata Whenua Collective.
- To monitor the on-going development and process of the Standing Committee.

Power to Recommend

- To Council or any Standing Committee as it deems appropriate.
- Reports to Council.



Special Committees

Wastewater Management Review Committee

Membership

CHAIRPERSON	Cr Kelvin Clout
DEPUTY CHAIRPERSON	To be determined by the committee.
MEMBERS	Cr Steve Morris Cr Max Mason Cr Rick Curach Ms Matire Duncan – Nga Potiki Mr Tama Hovell - Nga Potiki Mr Whitiora McLeod - Ngai Te Rangī Mr Carlton Bidois - Ngati Ranginui Mayor Greg Brownless (ex-officio)
QUORUM	5
MEETING FREQUENCY	A minimum of twice yearly

The Committee has a membership of eight, four of whom are Elected Members and four who are appointed as representatives of the Ngati Ranginui and Te Runanga o Ngaiterangi Iwi Trust and two members as representatives of the Nga Potiki Kaitiaki Resource Management Unit.

The Wastewater Management Review Committee is established as a committee of Council by the Mayor under section 41A of the Local Government Act 2002 and conditions imposed on Bay of Plenty Regional Council Coastal Permit # 62878.

Role

To ensure Wastewater operations are in accordance with the Wastewater Management Review Committee Management Plan.

Scope

- (a) To receive reports on the operation of the Wastewater Scheme, including reports in relation to monitoring and permit compliance, and to make recommendations to the Permit Holder on the development of Tauranga City Council's policies in relation to wastewater management, treatment and disposal, particularly following the review of wastewater treatment in light of new technologies and standards addressed in the Monitoring, Upgrade and Technology Review Report required by Condition 20 of Coastal Permit N^o 62878.
- (b) To make decisions about the application of the Environmental Mitigation and Enhancement Fund established in accordance with Condition 19 of Coastal Permit N^o 62878.
- (c) To make recommendations to the Permit Holder as to physical measures and initiatives to address or compensate for actual or potential effects of the Tauranga City Wastewater Scheme (in the broadest environmental sense).
- (d) Without limiting the generality of function (c) above, to make recommendations to the Permit Holder as to the implementation of the works to be undertaken in accordance with Permit N^o 62881, namely:
 - (i) Decommissioning of the Te Maunga Sludge Pond and the future use of the pond.
 - (ii) Conversion of the Te Maunga Oxidation Ponds to wetlands.

- (e) To make recommendations to the Permit Holder in relation to the independent consultant to be appointed to undertake the Monitoring, Upgrade and Technology Review Report required by Condition 20 of Coastal Permit N^o 62878.
- (f) To make recommendations to the Permit Holder as to enhancing the involvement of tangata whenua in sampling, testing and monitoring.
- (g) Assessment of the scope and adequacy of sampling and monitoring.
- (h) Notification to appropriate parties of activities that may have adverse effects.
- (i) To receive, review and recommend action following receipt of wastewater reports.
- (j) To recommend the commissioning of reports and future Tauranga City Council actions on wastewater management, treatment and disposal issues and options, including:
 - (i) Development of alternatives to waterborne wastewater systems;
 - (ii) Options for further treatments;
 - (iii) Options for methods of disposal;
 - (iv) Monitoring effects on the environment.
- (k) To co-ordinate and oversee education of the community on wastewater management, treatment and disposal issues.
- (l) To identify and make recommendations to the Permit Holder as to sources of funding which may be available to supplement the Environmental Mitigation and Enhancement Fund established pursuant to Condition 19 of Coastal Permit N^o 62878 hereof and to be applied for the purposes specified in that condition.
- (m) To make recommendations to the Permit Holder as to changes to conditions of these permits pursuant to section 127 of the Resource Management Act 1991, in light of the exercise of the Review Committee's functions, including reports received and information received as a result of monitoring, etc, or to avoid, remedy or mitigate actual or potential adverse effects associated with the operation of the Wastewater Scheme.
- (n) To foster robust relationships and dialogue between the Review Committee, the Permit Holder, the Western Bay of Plenty District Council and Bay of Plenty Regional Council in relation to wastewater management, treatment and disposal, particularly following the review of wastewater treatment in light of new technologies.
- (o) To make recommendations to Bay of Plenty Regional Council as to amendments to the conditions of these permits which could be implemented via a review under section 128 of the Act in accordance with Condition 22 of Coastal Permit N^o 62878.
- (p) Prior to making any:
 - i) Decisions as to the allocation of the Environmental Mitigation and Enhancement Fund in accordance with Condition 18.3(b) of Coastal Permit N^o 62878 hereof or,
 - (ii) Recommendations to the Permit Holder in relation to physical environmental mitigation or enhancement or mitigation works in accordance with Condition 18.3(c) of Coastal Permit N^o 62878 hereof; -

the Review Committee will exercise its best endeavours to ascertain the existence of any persons or bodies who may have a particular interest or stake in the ecological health of the Tauranga Harbour (particularly the Upper Harbour/Rangataua Bay area) and to consult with those bodies or persons as to appropriate initiatives and measures to be so recommended (in accordance with Condition 18.3(b) of Coastal Permit N^o 62878) or undertaken (in accordance with Condition 18.3(c) of Coastal Permit N^o 62878). As a minimum, the Review Committee shall consult with

- Nga Potiki Kaitiaki Resource Management Unit hapu and iwi of Te Runanga o Ngaiterangi Iwi Trust, Ngati Ranginui and Ngati Pukenga and Te Arawa and their respective hapu which hold kaitiaki status over the wider Tauranga Moana district, including any Working Group established by those hapu or iwi;

- Bay of Plenty Regional Council and the Western Bay of Plenty District Council in relation to issues which may affect those councils in accordance with their function under Condition 18.3(m) of Coastal Permit N^o 62878 hereof.
- (q) Not later than one month following the first anniversary of the commencement of these permits and on each anniversary thereafter, the Wastewater Management Review Committee shall forward to the General Manager, Bay of Plenty Regional Council, a report on the exercise of its activities and functions, including where appropriate a report on the effectiveness of measures undertaken pursuant to the Environmental Mitigation and Enhancement Fund.
- (r) Not less than six months following the first anniversary of this permit and each fifth anniversary thereafter, the Wastewater Management Review Committee's annual report shall contain a review of its activities over the previous five-year period and recommendations for appropriate initiatives over the next five-year period, including any recommendations for changes to conditions of these permits which may be considered necessary or desirable. This report shall be available at least three months prior to the date on which Bay of Plenty Regional Council is entitled to review the conditions of these permits in accordance with Condition 22 of Coastal Permit N^o 62878 hereof.
- (s) A copy of this report shall also be provided to the Chief Executive, Tauranga City Council.
- (t) As set out in Condition 18.1.3 of Coastal Permit N^o 62878, the Wastewater Management Review Committee Management Plan may be amended with the written approval of the Chief Executive of Bay of Plenty Regional Council or delegate.
- (u) Confirmation Committee minutes

Reports to Council and the Chief Executive of Bay of Plenty Regional Council.



Joint Committees

SmartGrowth Implementation Joint Committee

Membership

INDEPENDENT CHAIRPERSON	Bill Wasley
TAURANGA CITY COUNCIL MEMBERS	Mayor Greg Brownless Cr Larry Baldock Cr Leanne Brown Cr Terry Molloy
WESTERN BAY OF PLENTY DISTRICT COUNCIL MEMBERS (4)	Mayor Garry Webber Cr Mike Williams Cr Don Thwaites Cr John Scrimgeour
BAY OF PLENTY REGIONAL COUNCIL MEMBERS (4)	Chair Cr Doug Leeder Cr Jane Nees Cr Paula Thompson Cr Stuart Crosby
TANGATA WHENUA REPRESENTATIVE (4) <i>Nominated by the Combined Tangata Whenua Forum</i>	Puhirake Ihaka Buddy Mikaere Maru Tapsell Irene Walker
QUORUM	9
MEETING FREQUENCY	At least bi-monthly

Pursuant to Clause 30 Schedule 7 of Government Act 2002, a joint Committee of Tauranga City Council, Western Bay of Plenty District Council and Bay of Plenty Regional Council be retained to implement the SmartGrowth Strategy and Implementation Plan. The joint SmartGrowth Implementation Committee be delegated authority to implement the SmartGrowth Strategy and Implementation Plan in accordance with the following functions:

Role and Scope

- Overseeing the implementation of the 2013 SmartGrowth strategy update in particular the strategy actions.
- Ensuring organisation systems and resources support the strategy implementation.
- Taking responsibility for progressing those actions specifically allocated to the “SmartGrowth Implementation Committee” in the strategy and making sure the implementation does occur.
- Monitoring and reporting progress against milestones and budget.
- Overseeing the management of the risks identified in implementation.
- Approving an annual implementation plan with a three-year horizon.
- Champion integration and implementation through partner strategies, programmes, plans and policy instruments (including the Regional Policy Statement, Regional and District Plans, Long Term

Plans (LTPs), Annual Plans, transport plans and triennial agreements) and through partnerships with other sectors such as health, education and business.

- Approving submissions to Local Authorities, Central Government and other agencies on SmartGrowth related matters.
- Reviewing and recommending adjustments to the strategy if circumstances change.
- Identifying and resolving any consultation inconsistencies between the SmartGrowth strategies and subsequent public consultation processes of the partner Councils.
- Facilitating consultation with the community.
- Establishing and maintaining the SmartGrowth Partner Forums.
- Agreeing any memorandum of agreements between SGIC and any forums.

Powers to Act

- Selecting and appointing an Independent Chairperson and a Deputy Chairperson.
- Implementing a Memorandum of Agreement, as adopted by the Committee for each triennial period, to provide and maintain partnership relationships and provide for the resolution of any conflict.
- Establish protocols to ensure that implementation, where necessary, is consistent, collaborative and/or coordinated to achieve optimal outcomes.

Membership

- That representation be comprised of four elected member representatives as appointed by the contributing authorities, including the Mayors and Regional Council Chairperson, and four representatives to be nominated by tangata whenua.
- That an Independent Chairperson, to be appointed by the Committee, chair the Committee; and the appointment of a Deputy Chair from the committee membership.
- That the standing membership be limited to seventeen members, but with the power to co-opt up to a maximum of three additional non-voting members where required to ensure the effective implementation of any part or parts of the Strategy.
- That NZTA be represented through its Regional Director as an observer with speaking rights but in a non-voting capacity.

Reports to Council.

Bay of Plenty Civil Defence Emergency Management Group

Membership

TAURANGA CITY COUNCIL MEMBER

Mayor Greg Brownless
Cr Kelvin Clout (Alternate)

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 BOP member Councils under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002. Membership includes all local authorities in the Bay of Plenty region. The Group operates pursuant to a Constitution approved by the Councils.

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

Reports to Council.

Joint Road Safety Committee

Membership

TAURANGA CITY COUNCIL MEMBER	Cr Bill Grainger
WESTERN BAY OF PLENTY DISTRICT COUNCIL MEMBER	To be confirmed

The Joint Road Safety Committee is to be comprised of 10 members as follows:

Tauranga City Council - One elected member and one member of the Transportation Staff

Western Bay of Plenty District Council – One elected member and one member of the Transportation Staff

Bay of Plenty Regional Council - One elected member and one member of the Transportation Staff

New Zealand Police	One member as nominated by the Police
Travel Safe Programme Leader	As appointed
New Zealand Transport Agency	One member as nominated by the agency
Accident Compensation Corporation	One member as nominated by the Corporation
New Zealand Automobile Association	One member as nominated by the Association
Co-opted Members	

The Committee may co-opt other members from organisations involved in road safety provided that these co-options are endorsed by the Councils.

Role

Provide administration of the annual road safety programme and co-ordination of the work of various community groups concerned with road safety, with the power to co-opt other members as necessary.

Reports to Transport Committee.

Advisory Groups

Waiari Kaitiaki Water Supply Advisory Group

Membership

CHAIRPERSON	Cr Steve Morris
DEPUTY CHAIRPERSON	To be confirmed
TAURANGA CITY COUNCIL MEMBERS	Cr Leanne Brown Cr Kelvin Clout Cr Terry Molloy
WESTERN BAY OF PLENTY DISTRICT COUNCIL MEMBERS	Cr Kevin Marsh Cr Mike Williams
IWI REPRESENTATIVES	Teia Williams - Tapuika Iwi Maria Horne - Ngati Whakaue ki Maketu Maru Tapsell - Waitaha-a-Hei Iwi
BOP REGIONAL COUNCIL	General Manager – Environmental Management
TAURANGA CITY COUNCIL STAFF ADVISORS	Chief Executive General Manager: Growth and Infrastructure Manager: City Waters Manager: Asset and Infrastructure Planning
WESTERN BAY OF PLENTY DISTRICT COUNCIL STAFF ADVISORS	Chief Executive Group Manager: Engineering Utilities Manager
BOP REGIONAL COUNCIL STAFF ADVISOR	Consents Manager
MEETING FREQUENCY	As required by the group.

Role

- Monitor and provide advice to Tauranga City Council and Western Bay of Plenty District Council as the joint consent holders in relation to matters covered under Resource Consent #65637 being to take water from the Waiari stream for municipal supply.

Scope

- Consider and report on the monitoring requirements and outcomes of the resource consent
- Discuss the results of other monitoring undertaken by the group, which may include monitoring the adverse effects on environmental, heritage, cultural, economic and recreational aspects
- Determine the actions to be taken in response to monitoring reports as appropriate
- To inform the Bay of Plenty Regional Council of the effects of the water take authorised under the consent on the mauri and mauriora of the Waiari Stream
- Review and provide feedback to Tauranga City Council and Western Bay of Plenty District Council on the Water Conservation Strategy required to be submitted as a condition of the consent
- Discuss any other relevant matters that may be agreed by the group.

This group reports to the Tauranga City Council/Western Bay of Plenty District Council Joint Governance Committee, however if this is not in place, this group will report to the individual Councils.

NB: *The Waiari Kaitiaki Water Supply Advisory Group shall cease if all members of the group agree the group is to be disbanded. In such case Tauranga City Council and Western Bay of Plenty shall give written notice of this to the Chief Executive of the BOP Regional Council.*

For the avoidance of doubt, the Advisory Group is informal in nature and is NOT established as a committee, subcommittee or other subordinate decision-making bodies of Council under clause 30(1) of Schedule 7 of the Local Government Act 2002 and does not have any delegated decision-making powers

Airport Advisory Group

Membership

MEMBERS

Mr Philip Thompson
Mr Andrew Gormlie
Mr Frank Wright

MEETING FREQUENCY

Quarterly

Role

- To ensure a nationally and internationally connected city.

Scope

- Provide advice on all operational, management and development functions, expenditure and contracts for the Airport (being a business unit of Council) in accordance with the approved Business Plan;
- Provide advice and support to assist the Manager: Airport to:
 - Oversee all Council assets which are part of the function of the Airport for the purpose of prudent asset management and in accordance with the relevant legislative, policy and business plan provisions;
 - Ensure all decisions on pricing and charging for the goods and services of the Airport are made by the Manager: Airport in accordance with the Council's Revenue and Financing Policy and legislative requirements;
 - Operate the Airport as required by the Airport Authorities Act;
 - Operate the Airport in accordance with key Council strategies and in compliance with all relevant statutory provisions and Council policies.
 - Provide a written annual report of performance against targets for physical and financial outcomes in a form required by Council.
- May utilise external expertise to ensure business-like inputs are achieved.
- The Advisory Group members shall not be permitted to provide professional goods or services to the Airport Business Unit.

NB: *For the avoidance of doubt, the Advisory Group is informal in nature and is NOT established as a committee, subcommittee or other subordinate decision-making bodies of Council under clause 30(1) of Schedule 7 of the Local Government Act 2002 and does not have any delegated decision-making powers*