



Eastern Bay of Plenty Joint Committee Agenda

NOTICE IS GIVEN that the next meeting of the Eastern Bay of Plenty Joint Committee will be held in Tōtara room, Whakatāne District Council, Ground floor, Commerce Street, Whakatāne on:

Friday 15 September 2023 COMMENCING AT 1.00 pm



Fiona McTavish
Chief Executive, Bay of Plenty Regional Council
7 September 2023

Eastern Bay of Plenty Joint Committee

Membership

Chairperson Elected by the Joint Committee at its first meeting each Triennium	
Deputy Chairperson	
Members 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>
Quorum	Four members, being half the number of members
Meeting frequency	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.

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

Agenda

1. **Apologies**
2. **Public Forum**
3. **Items not on the Agenda**
4. **Order of Business**
5. **Declaration of Conflicts of Interest**
6. **Reports**

Decisions Required

- 6.1 **First Meeting Administrative Matters** **6**

7. Presentations

- 7.1 **Port of Tauranga, Connecting New Zealand and the World**

Presented by: Leonard Sampson - Chief Executive, Port of Tauranga

8. Verbal Updates

- 8.1 **Eastern Bay of Plenty - Jiangxi Relationship**

Presented by: Simon Appleton - Chief Executive Officer, Eastern Bridge Global

- 8.2 **Toi EDA Update**

Presented by: Donna Perese - Chief Executive Officer

- 8.3 **Opportunities for Shared Services**

Presented by: Stace Lewer - Chief Executive, Ōpōtiki District Council and Fiona McTavish - Bay of Plenty Regional Council

6. **Consideration of Items not on the Agenda**



Report To: Eastern Bay of Plenty Joint Committee

Meeting Date: 15 September 2023

Report Writer: Amanda Namana, Committee Advisor

Report Authoriser: Namouta Poutasi, General Manager, Strategy and Science
Steve Groom, Governance Manager

Purpose: To complete first meeting matters of the 2022-2025 Triennium for the Eastern Bay of Plenty Joint Committee.

First Meeting Administrative Matters

Executive Summary

This report details the administrative matters for the Eastern Bay of Plenty Joint Committee to confirm, including:

- Appointment of a Chairperson and Deputy Chairperson; and
- An alteration to the meeting frequency to that outlined in the Committee Terms of Reference.

Recommendations

That the Eastern Bay of Plenty Joint Committee:

- 1** Receives the report, First Meeting Administrative Matters.
- 2** Selects System B as the voting system to elect the Chairperson and Deputy Chairperson;
- 3** Elects _____ as the Chairperson for a term of one year;
- 4** Elects _____ as the Deputy Chairperson for a term of one year;
- 5** Changes the meeting frequency for the Eastern Bay of Plenty Joint Committee to biannually;
- 6** Notes that meetings will include local site visits and guest speakers when available;

- 7 Notes that secretariat support will rotate on an annual basis, with Kawerau District Council administering support from January 2024, followed by Ōpōtiki District Council from January 2025;
- 8 Notes that the Terms of Reference will be updated to reflect the new Chair, Deputy Chair and meeting frequency.

1. Introduction

The Purpose of the Eastern Bay of Plenty Joint Committee (the Joint Committee) is to form, explore and make recommendations for strategic collaborative initiatives between the partner councils of Whakatāne District Council, Kawerau District Council, Ōpōtiki District Council and for responding to and managing a range of Eastern Bay of Plenty issues.

As this is the first meeting of the Joint Committee for the 2022-2025 Triennium, and the first meeting of 2023 being administered by Bay of Plenty Regional Council, there are administrative matters to be addressed. This includes the appointment of a Chairperson and Deputy Chairperson and the setting of Joint Committee meeting frequency.

1.1 Legislative Framework

The Joint Committee is established under the Local Government Act 2002 (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).

1.2 Alignment with Strategic Framework

A Healthy Environment	We work cohesively with volunteers and others, to sustainably manage and improve our natural resources.
Freshwater for Life	We collaborate with others to maintain and improve our water resource for future generations.
Safe and Resilient Communities	We work with our partners to develop plans and policies, and we lead and enable our communities to respond and recover from an emergency.
A Vibrant Region	We contribute to delivering integrated planning and growth management strategies especially for sustainable urban management.
The Way We Work	We look to partnerships for best outcomes.

1.2.1 Community Well-beings Assessment

Dominant Well-Beings Affected			
<input checked="" type="checkbox"/> Environmental Low - Positive	<input checked="" type="checkbox"/> Cultural Low - Positive	<input checked="" type="checkbox"/> Social Low - Positive	<input checked="" type="checkbox"/> Economic Low - Positive

2. Election of a Chairperson and Deputy Chairperson

At the first meeting of the year, the Joint Committee must elect a Chairperson and Deputy Chairperson for a term of one year. The election process is determined by Clause 24, Schedule 7, of the Local Government Act 2002 (LGA), which states the acts of a local authority must be done and the questions before the local authority must be decided at a meeting by -

- (a) vote; and
- (b) the majority of members that are present and voting.

The Process

- (a) The Joint Committee must resolve to adopt a voting system and the procedure in the event of a tie
- (b) Nominations for Chairperson are called for (nominated and seconded)
- (c) Nominees may be allowed up to 10 minutes to make a presentation
- (d) Voting for the election of the Chairperson as per agreed system
- (e) The Chairperson is declared elected and presides over the meeting
- (f) Steps (b) - (e) are repeated for the Deputy Chairperson appointment.

2.2 Voting Systems

Under Clause 25, Schedule 7 of the LGA, when electing a Chairperson, a committee must resolve to use one of the following two voting systems:

System A

- (a) Requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and
- (b) Has the following characteristics:
 - (i) there is a first round of voting for all candidates; and
 - (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
 - (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
 - (iv) in any round of voting if two or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

System B

- (a) Requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
- (b) Has the following characteristics:
 - (i) there is only one round of voting; and
 - (ii) if two or more candidates tie for the most votes, the tie is resolved by lot.

It is recommended that the Joint Committee selects System B as its voting system.

In agreeing the voting process, ground rules must also be agreed.

2.2.1 Ground Rules

- (a) A member may nominate or second themselves
- (b) A member cannot be appointed as the Chairperson, if either of the previous two Chairpersons were representatives of that member's constituent Council (as per the Joint Committee Terms of Reference)
- (c) Any member can call for a division
- (d) Standing Orders apply - Divisions will be carried out with names called in random order
- (e) Any member can abstain from voting.

3. Meeting Frequency

The Joint Committee meeting frequency is currently quarterly, as set out in the Joint Committee Terms of Reference. However, members have acknowledged the preferred meeting frequency be six monthly.

Once frequency is agreed by resolution of the Joint Committee, staff will make the necessary changes to the Terms of Reference and the meeting schedule.

4. Site Visits and Guest Speakers

The meetings will provide an opportunity for members to visit locations of interest and hear from guest speakers.

5. Rotation of Administrative/Secretariat Support

The administrative support will rotate annually between partner councils. Bay of Plenty Regional Council will provide administrative support for 2023 followed by Kawerau District Council in 2024, and Ōpōtiki District Council in 2025.

6. Considerations

6.1 Risks and Mitigations

This report contains matters of a procedural nature, there are no known risks.

6.2 Climate Change

This report contains matters of a procedural nature, there are no known climate change impacts.

6.3 Implications for Māori

This report contains matters of a procedural nature.

6.4 Community Engagement



Engagement with the community is not required as the recommended proposal / decision is of a procedural nature

6.5 Financial Implications

There are no material unbudgeted financial implications and this fits within the allocated budget.

7. Next Steps

Following the conclusion of the meeting, staff will make the necessary administrative changes.