



SmartGrowth Leadership Group (Joint Committee) Agreement 2023

1. Purpose

This Agreement is made pursuant to Clause 30A, Schedule 7 of the Local Government Act 2002 ("LGA 2002"). The purpose is to provide for a Joint Committee of Tauranga City Council, Western Bay of Plenty District Council, the Bay of Plenty Regional Council, and tāngata whenua¹ to undertake and implement strategic spatial planning across the western Bay of Plenty sub-region² in accordance with the SmartGrowth Strategy and the outcomes from the Urban Form and Transport Initiative. This joint committee is known as the 'SmartGrowth Leadership Group'.

The Leadership Group has additional public body representation from Waka Kotahi (the New Zealand Transport Agency - NZTA) through its Director of Regional Relationships, and the Bay of Plenty District Health Board (DHB) Te Whatu Ora - Te Manawa Taki and Water Services Entity B. The Leadership Group also has representation from the Transport System Plan through its Independent Chair and from Priority One, the western Bay of Plenty sub-region's economic development organisation. The NZTA, and DHB Te Whatu Ora, Water Services Entity B, the Transport System Plan Chair and Priority One are non-voting members but have speaking rights.

The SmartGrowth Leadership Group has expanded membership for the Urban Growth Management Partnership and associated programmes to include Central Government.

This Agreement focuses on the Leadership Group, including its membership and delegations. Any additional Memoranda of Understanding that are completed will be in addition, and complementary to, this Agreement.

The joint SmartGrowth Leadership Group has been established to focus on strategic spatial planning, including how these connect with the four well-beings (social, economic, environmental, cultural), and growth management in the western Bay of Plenty sub-region. This will occur through developing and implementing plans and strategies and recommending these to the SmartGrowth partners, as well as monitoring and undertaking reviews in accordance with the delegations set out in section 4 and the principles set out in the Terms of Reference attached to this Agreement as Appendix 1.

The Leadership Group is a formal joint committee pursuant to the Local Government Act 2002 (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).

2. Membership

The SmartGrowth Leadership Group is to be comprised of three elected member representatives as appointed by each of the local authorities, for Tauranga City and Western Bay of Plenty District including the Mayors, and four tāngata whenua representatives to be nominated by Iwi or through any other agreed mechanism. The SmartGrowth Leadership Group may at its discretion appoint an additional tāngata whenua representative.

¹ This is a reference to western Bay of Plenty sub-region tāngata whenua.

² The 'sub-region' refers to the territorial areas of Tauranga City Council and Western Bay of Plenty District Council.



In addition, up to three Ministers of the Crown who will have voting capacity, are to be appointed by the Crown. Additional Ministers, if and when relevant and required, can be appointed by the SmartGrowth Leadership Group in a non-voting capacity.

An Independent Chairperson (non-elected member) is to be appointed by the SmartGrowth Leadership Group to chair the Committee. The Independent Chairperson has speaking rights and voting capacity. A Deputy Chairperson is also to be appointed by the SmartGrowth Leadership Group at the beginning of each triennium, from the existing voting membership.

The partners shall also appoint alternates. One nominated alternate shall be appointed by Tauranga City Council, one for Western Bay of Plenty District Council, one for the Bay of Plenty Regional Council, one for tāngata whenua and one for the Crown. These alternates will only attend and participate in Leadership Group meetings if the relevant Mayor, Councillor, tāngata whenua, or Ministerial representative is unavailable. The alternates can only speak or vote when deputising for the respective Mayor, Councillor, tāngata whenua or Ministerial representative.

Waka Kotahi - NZTA is to be represented through its Director of Regional Relationships with speaking rights but in a non-voting capacity. The Te Whatu Ora – Te Manawa Taki is also represented on the Leadership Group, by a nominated person to be nominated by the Board with speaking rights but in a non-voting capacity. Water Services Entity B is also represented on the Leadership Group, by a nominated person with speaking rights but in a non-voting capacity.

The Leadership Group has representation from the Transport System Plan through its Independent Chair, with speaking rights but in a non-voting capacity. Priority One is also represented by a nominated person with speaking rights but in a non-voting capacity.

The standing membership of the Leadership Group shall be limited to 22 members (including the Independent Chairperson), but with the power to co-opt up to a maximum of three additional non-voting members where required to ensure effective planning and implementation. In accordance with Clause 30A of Schedule 7 to the Local Government Act 2002, the quorum at a meeting of the Leadership Group shall be 11 voting members.

Other representatives of voting and non-voting organisations are permitted to attend meetings of the Leadership Group. Speaking rights of other representatives at Leadership Group meetings (whether in public session or not) shall only be granted with the prior approval of the Chairperson. In respect of SmartGrowth Leadership Group workshops, all members of partner governance groups can attend and participate.

3. Meeting Frequency

Quarterly, or as necessary and determined by the Independent Chairperson.

Notification of meetings and the publication of agendas and reports shall be conducted in accordance with the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 and will be undertaken by the agreed administration authority.

4. Delegations

The SmartGrowth Leadership Group is delegated the following functions in support of its overall purpose:

Co-ordinating Sub-regional Spatial Planning

- Providing sub-regional leadership on spatial planning, growth, infrastructure planning and development, focusing on how these relate to the four well-beings³ and the sustainable management of natural resources.
- Undertaking high-level spatial or strategic planning and dealing with cross boundary matters.
- Overseeing and coordinating National Policy Statement on Urban Development implementation, including incorporating the future development strategy requirements into the SmartGrowth Strategy.
- Reviewing and updating the SmartGrowth Strategy and the SmartGrowth Settlement Pattern, including adopting any drafts for public consultation.
- Overseeing infrastructure / facilities and the funding necessary to implement the Settlement Pattern.
- Setting overarching sub-regional policy, actions and approaches relevant to the SmartGrowth Strategy.
- Sharing the challenges of implementation and overcoming the barriers moving forward.

Urban Growth Partnership

- Overseeing, including any reviews and monitoring, a joint urban growth or implementation programme.
- Ensuring organisation systems and resources support implementation of the SmartGrowth Strategy and any associated urban growth programme.
- Addressing cross-boundary matters within the western Bay of Plenty sub-region, as well as with other neighbouring regions.
- Addressing housing affordability matters.
- Monitoring the implementation of the SmartGrowth Strategy and the Urban Form and Transport Initiative, along with any associated work streams.
- Reviewing and recommending changes to the Strategy if circumstances change.
- Ensuring alignment with existing council plans, strategies and policies, and with existing evidence.
- Ensuring alignment with existing programmes such as the Urban Form and Transport Initiative.
- Facilitating consultation with the partners, key stakeholders and the wider community where relevant.

³ The four well-beings refer to cultural, economic, environmental and social matters.

Future Thinking and Advocacy

- Having a united voice where issues require joint advocacy.
- Development and leadership of any agreed sub-regional advocacy programme.
- Engagement on intra and inter-regional matters where there are impacts beyond the sub-region, including matters of Upper North Island or national importance.
- Facilitating community understanding and discussions/conversations.
- Facilitating as agreed, specific consultation with the community on SmartGrowth implementation matters.
- Establishing working groups / forums when considered appropriate.
- Communicating and engaging with key stakeholders where a sub-regional level view is required.
- Identifying and resolving any consultation inconsistencies between the SmartGrowth strategies and subsequent public consultation processes of the partner Councils.

SmartGrowth Strategy Development, Implementation and Alignment Monitoring

- Overseeing the development and implementation of the 2023 SmartGrowth Strategy (which incorporates the requirements of a future development strategy), in particular the Implementation Plan, including adopting any drafts for public consultation.
- Reviewing and recommending adjustments to the strategy if circumstances change.
- Undertaking any comprehensive reviews or updates to the Strategy.
- Ensuring organisation systems and resources support strategy implementation.
- Taking responsibility for progressing those actions specifically allocated to the SmartGrowth Leadership Group in the strategy implementation plan and making sure implementation does occur.
- 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.
- Monitoring of the strategic outcomes and ensuring a joined-up approach to strategy implementation, including monitoring and reporting implementation progress against key milestones.
- Overviewing the management of the risks identified in implementation.
- Making specific recommendations to partners on the joined-up thinking needed for resolving issues.

Committee Operations

- Selecting and appointing an Independent Chairperson and a Deputy Chairperson.
- Implementing any Memoranda 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.



The Standing Orders of the SmartGrowth Administration Authority will apply to the SmartGrowth Leadership Group.

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.

5. Variation of this Agreement

This agreement may be varied from time to time, but only with the agreement of each of the partners.

Execution

Bay of Plenty Regional Council by:

Jane Nees

Jane Nees (Jul 13, 2023 10:21 GMT+12)

Cr. Jane Nees

Dated: 13/07/2023

Tauranga City Council by:

Anne Tolley

Anne Tolley (Jul 21, 2023 10:23 GMT+12)

Commissioner Anne Tolley
Chair

Dated: 21/07/2023

Western Bay of Plenty District Council by:

James Denyer

Mayor James Denyer

Dated: 17/07/2023

Tangata Whenua Representatives by:

M Duncan

M Duncan (Jul 18, 2023 15:34 GMT+12)

Matire Duncan

Dated: 18/07/2023

Central Government by:

Megan Woods

Hon. Dr Megan Woods

Dated: 10/08/2023

Appendix 1: SmartGrowth Leadership Group Terms of Reference

SmartGrowth Leadership Group (SLG)

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-region⁴ 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.

General Principles: 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.

⁴ The 'sub-region' refers to the territorial areas of Tauranga City council and Western Bay of Plenty District Council.

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.

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

Membership:

That representation of the SmartGrowth Leadership Group be comprised of:

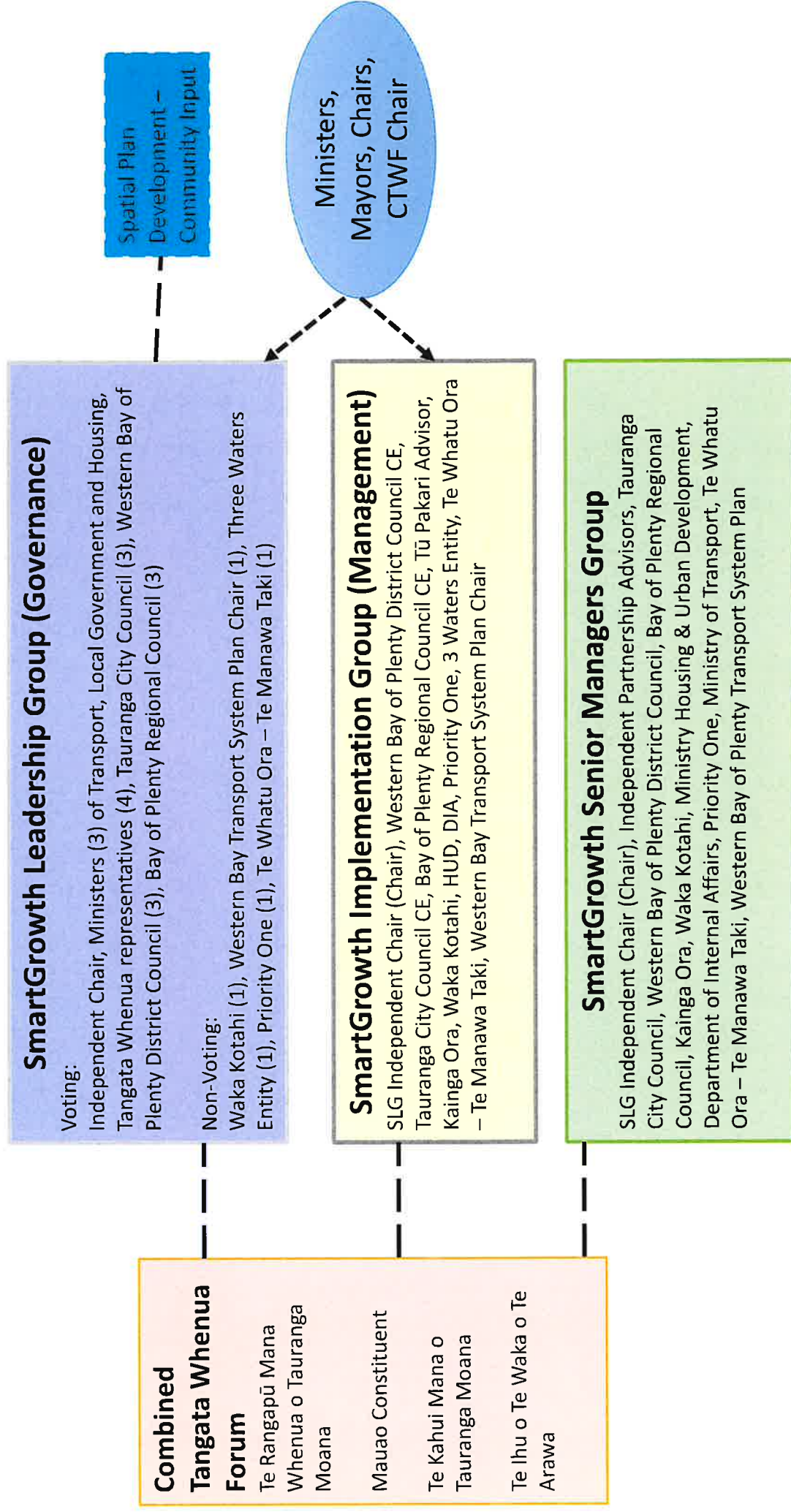
- Three elected member representatives each as appointed by the contributing local authorities, including the Mayors of Tauranga City and Western Bay of Plenty District – voting.
- Four representatives to be nominated by tāngata whenua – voting.
- An Independent Chairperson, to be appointed by the Leadership Group, to chair the Group – voting.
- Up to three Ministers of the Crown – voting.
- Additional Ministers, if and when relevant and required – non-voting.
- One Te Whatu Ora - Te Manawa Taki representative – non-voting.
- One NZTA representative – non-voting.
- One Water Services Entity B representative – non-voting.
- One Transport System Plan representative – non-voting.
- One Priority One representative – non-voting.
- One alternate member per voting organisation.

That the standing membership of the Leadership Group shall be limited to 22 members (including the Independent Chairperson), but the SmartGrowth Leadership Group has 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 SmartGrowth Strategy.

Meeting Frequency:

Quarterly, or as necessary and determined by the Independent Chairperson.

SMARTGROWTH ARRANGEMENTS



SmartGrowth Leadership Group

Key responsibilities:

- ✓ Oversight of Growth Management Partnership with the Crown
- ✓ Sub-regional spatial plan development
- ✓ Sub-regional Future Development Strategy development
- ✓ Tangata Whenua spatial plan development
- ✓ Determination of partnership project priorities e.g PDAs
- ✓ Determines key sub-regional inputs into spatial plan
- ✓ Ensure community engagement occurs
- ✓ Responds to legislative change
- ✓ Responds to regional spatial strategy initiatives and provides input & ensuring alignment between RSS & Spatial Plan
- ✓ Oversight of monitoring and ensuring collaboration and delivery against strategic measures - reporting by Implementation Group

Meets 3 monthly

SmartGrowth Implementation Group

Key responsibilities:

- ✓ Oversight of implementation, funding and delivery of approved plans & strategies- (Urban Form & Transport Initiative, Western Bay Transport System Plan, Housing Action Plan, Priority Development Areas, Emissions Reduction Plan etc.)
- ✓ Political and management buy-in
- ✓ Accountability for delivery by all parties
- ✓ Allocation of resources
- ✓ Develops and prioritises work programme
- ✓ Resolves implementation issues
- ✓ Reporting on implementation to governance - SLG

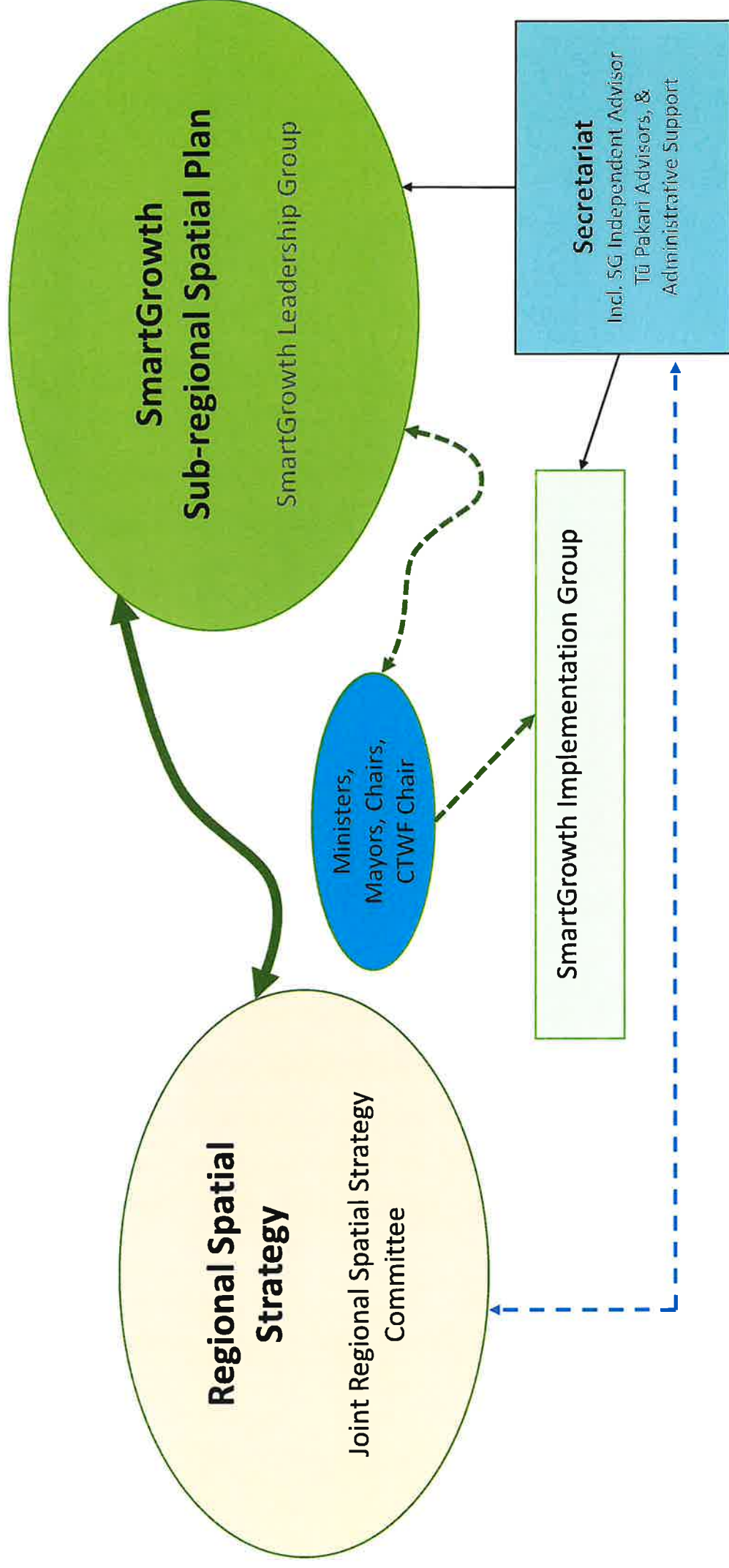
Meets 2 monthly

SmartGrowth Secretariat

Independent Advisor, Tū Pakari Advisors, SG Programme Manager, & others (term contracts, secondment)

Key responsibilities:

- Development of strategic documentation
- Programme management
- Monitors and reports on delivery
- Co-ordination of community engagement
- Advice/support to SLG members
- Managing governance meetings & administrative support (Administration Agency)



Spatial Planning Relationships