



AGENDA

Water Organisation Joint Committee meeting Friday, 28 August 2026

**I hereby give notice that a Water Organisation Joint Committee meeting
will be held on:**

Date: Friday, 28 August 2026

Time: 9:30 am

**Location: Tauranga City Council Chambers
L1, 90 Devonport Road
Tauranga**

**Marty Grenfell
Chief Executive**

Terms of Reference

Water Organisation Joint Committee

Membership:

Independent Chair	None
Chair (if no Independent Chair)	TCC Chair: Cr Marten Rozeboom (19 June 2026 – 30 November 2027) <i>If no Independent Chair is appointed, then the Chair will be appointed by the Committee being a member of TCC or member of WBOPDC on a rotational basis. Frequency of the rotation to be approved by the Committee.</i>
Deputy Chairs	WBOPDC Deputy Chair: Mayor James Denyer (19 June 2026 – 30 November 2027) <i>Where an Independent Chair is appointed, then the Deputy Chair will be appointed by the Committee being a member of TCC or member of WBOPDC on a rotational basis. Frequency of the rotation to be approved by the Committee.</i> <i>Where the Chair is a TCC or WBOPDC member, then the Deputy Chair will be a member of the other Council, with the rotation on the same cycle as the Chair.</i>
Members	Total of 9 members: 3 TCC representatives (must be appointed via TCC Council resolution and must be elected members of TCC) - Cr Marten Rozeboom - Cr Kevin Schuler - Cr Glen Crowther - Cr Rick Curach (alternate) - Cr Steve Morris (alternate) - Cr Hautapu Baker (alternate) 3 WBOPDC representatives (must be appointed via WBOPDC Council resolution and must be elected members of WBOPDC) - Mayor James Denyer - Deputy Mayor Margaret Murray Bengé - Cr Graeme Elvin - Cr Rodney Joyce (alternate) - Cr Tracey Coxhead (alternate) - Cr Darlene Dinsdale (alternate) 3 Tangata Whenua (TW) representatives (nominated by TW and appointed by TCC by Council resolution acting as administrative agent for the partnership.) - Mr Hākopa Tapiata - Hon Kiritapu Allan

	○ Ms Kylie Smallman ○ <i>Mr Shadrach Rolleston (alternate)</i> ○ <i>Ms Rohario Murray (alternate)</i> ○ <i>Ms Roana Bennett (alternate)</i> Each appointing or nominating party has the ability to appoint or nominate up to three alternates. An alternate may attend and participate in place of an appointed member only when that appointed member is absent. At no time may the number of representatives acting for an appointing or nominating party exceed the number of appointed members
Quorum	A minimum of two persons each from TCC, WBOP, and TW
Meeting frequency	Bi-monthly or as otherwise determined by the Committee or the Councils.

Role:

- The purpose of this Committee is to provide recommendations to the TCC & WBOPDC (“**Councils**”) to assist their decision-making as shareholders in [insert name of water organisation (“**WO**”)]. The Committee will provide recommendations regarding the subject matter set out below under the sub-heading “Scope” (or other matters that may be directed by the Councils from time to time).
- The TW representatives on the Committee are to represent the Iwi and Hapū whose rohe falls within the local government areas of TCC and WBOPDC.

Scope:

- Statement of Expectations (“**SOE**”). Responsibilities to include:
 - Review draft SOE prepared by staff.
 - Provide feedback and comments on draft documents to staff and require amendments to achieve a version of the SOE that the Joint Committee is content to endorse to the Councils.
 - Present SOE to both Councils for consideration and approval.
- WO’s Water Services Strategy (“**WSS**”). Responsibilities to include:
 - Review draft WSS provided by WO.
 - Prepare proposed comments on the WSS for the Councils to raise with the WO.
 - Present the proposed comments to Councils for consideration and approval.
- Any WO policies that require shareholder input (such as significance and engagement policy or director appointment policy). Responsibilities to include:
 - Review draft policies prepared by WO (or prepared by Council staff if relevant).
 - Provide feedback and comments on draft documents to WO / to staff and require amendments to achieve a version of the relevant policy that the Joint Committee is content to endorse to the Councils.
 - Present policies to Council(s) for consideration and approval.
- Service Level Agreements between the WO and the relevant Council. Responsibilities to include:

- Provide high-level oversight of the performance of obligations agreed under SLAs between the WO and either Council.
- Receive reports from the WO and Council Chief Executives as to whether the SLA's are within the approved budgets.
- Receive reports from the WO and Council Chief Executives how transition off SLA's is proposed to be managed over time.
- Significant contracts (sections 23 and 24 of the Local Government (Water Services) Act 2025 (“**Act**”). Responsibilities to include:
 - Review WO’s proposal for a significant contract, and WO’s assessment of options.
 - Form a recommendation for the Councils to consider, and present to Councils.
- Appointment of Board of Directors. Responsibilities to include:
 - Review candidates against Director Skills Matrix and any policies of the respective Councils.
 - Form a view on proposed Director appointment roles that the Joint Committee is content to endorse to the Councils.
 - Consideration of succession planning, rotation and future skill requirements.
 - Oversee Board performance review.
 - Present recommendations to both Councils for consideration and approval.
- Director remuneration. Responsibilities to include:
 - Review remuneration policies.
 - Review market data benchmarking information.
 - Prepare recommendations and present to both Councils for consideration and approval.
- Director Skills Matrix. Responsibilities to include:
 - Review Director Skills Matrix periodically to align term of appointment to Board.
 - As the Joint Committee sees fit, prepare amendments of the Matrix and present to both Councils for consideration and approval
- Annual review of the WO in accordance with s 250 of the Act. Responsibilities to include:
 - Prepare a written annual assessment with the Joint Committee’s perspective on the performance of the WO including the WO’s performance in giving effect to the SOE and WSS.
 - Present annual report to both Councils for consideration and approval
- WO’s Water services annual report. Responsibilities to include:
 - Review WO’s annual report
 - Prepare comments on the WO’s annual report.
 - Provide comments to Councils for consideration and approval.
- WO’s half-yearly water services report under s 248 of the Act. Responsibilities to include:
 - Review WO’s half-yearly report.
 - Prepare comments on the report
 - Provide comments to Councils for consideration and approval.
- WO’s annual budget. Responsibilities to include:

- Review WO's draft annual budget.
- Prepare comments on the WO's draft annual budget.
- Provide comments to Councils for consideration and approval.
- Any other plans or reports that the Councils require from the WO under section 249 of the Act. Responsibilities to include:
 - Review WO's plans or reports.
 - Prepare comments and provide to Councils for consideration and approval.
- Any other functions (and responsibilities related to such functions) assigned to the Joint Committee by the Councils in writing over time (whether those functions are initially raised by the Councils, or initially raised by the Joint Committee for recommendation and approved by the Councils).

Power to act:

- The Committee is not a decision-making body (and has no formal voting rights on behalf of the Councils). The Councils will make final decisions on all matters addressed by the Committee. The role of voting in the context of the Committee is to inform recommendations to the Councils.
- Recommendations to the Councils will be made on the following basis:
 - Where possible, the Committee will make recommendations to the shareholding Councils on a consensus basis. For clarity, consensus is where all parties on the Committee agree on the same recommendation. The consensus recommendation will be recorded and presented to the shareholding Councils for a decision.
 - Where a consensus is not possible, the respective positions of each party on the Committee will be recorded and presented to the shareholding Councils for a decision.
- Where reference is made to consensus, it refers to a consensus of parties on the Committee (being TCC, WBOPDC and TW), rather than a consensus of each individual member of the Committee. In other words, there can still be a consensus of the parties with a minority dissenting view within one or more parties. Nevertheless, should any individual wish to formally note their disagreement, even when the parties have reached a consensus, they retain the right to have their dissenting perspective recorded.

Procedural matters:

- Format: Meetings may be held in person or virtually, as required and will be open to the public.
- Agenda: Agendas and supporting documentation will be circulated at least two working days in advance of each meeting when possible. TCC, as administrative agent for the establishment of the WO, will distribute the agenda until such time that the WO undertakes these activities.
- Meeting outcomes and direction: Direction and Action points will be recorded and maintained.

- Standing Orders: The Committee is a public committee which operates under TCC's standing orders and pursuant to Clause 30 and 30A of Schedule 7 of the Local Government Act 2002

Power to recommend:

- To make recommendations to TCC and WBOPDC as it deems appropriate.

Power to sub-delegate:

- The Committee has no power to sub-delegate any of its functions, duties or powers.

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- 1 OPENING KARAKIA**
- 2 APOLOGIES**
- 3 PUBLIC FORUM**
- 4 ACCEPTANCE OF LATE ITEMS**
- 5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**
- 6 CHANGE TO ORDER OF BUSINESS**

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Water Organisation Joint Committee meeting held on 7 August 2026

File Number: A20989318

Author: Quinn Tawaka, Governance Advisor

Authoriser: Sarah Holmes, Team Leader: Governance & CCO Support Services

RECOMMENDATIONS

That the Minutes of the Water Organisation Joint Committee meeting held on 7 August 2026 be confirmed as a true and correct record.

ATTACHMENTS

1. Minutes of the Water Organisation Joint Committee meeting held on 7 August 2026



DRAFT MINUTES

**Water Organisation Joint Committee
meeting**

Friday, 7 August 2026

Order of Business

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**MINUTES OF TAURANGA CITY COUNCIL
WATER ORGANISATION JOINT COMMITTEE MEETING
HELD AT THE TAURANGA CITY COUNCIL CHAMBERS, L1,
90 DEVONPORT ROAD, TAURANGA
ON FRIDAY, 7 AUGUST 2026 AT 1:00 PM**

MEMBERS PRESENT: Cr Marten Rozeboom (Chair), Mayor James Denyer (Deputy Chair), Cr Kevin Schuler, Cr Glen Crowther, Cr Margaret Murray Benge, Cr Rodney Joyce, Tangata Whenua Representative Mr Hakopa Tapiata, Tangata Whenua Representative Hon Kiritapu Allan (on Teams), Tangata Whenua Representative Ms Kylie Smallman (on Teams).

IN ATTENDANCE: **Tauranga City Council**

Christine Jones (General Manager: Strategy, Partnerships & Growth) (on Teams), Wally Potts (Head of City Waters), Lucy Reed (Team Leader: Strategic Community Relations), Tyler Buckley (Commercial Solicitor), Charles Lane (Team Leader: Commercial Legal), Sarah Holmes (Team Leader: Governance & CCO Support Services), Quinn Tawaka (Governance Advisor), Maria Ashford (Strategic Creative Lead) (on Teams), Wikus van Preen (Application Support Specialist).

Western Bay of Plenty District Council

Cr Darlene Dinsdale, Cr Grant Dally, Cr Shane Beech (on Teams), Adele Henderson (Programme Director - Water Organisation), Chris Nepia (Strategic Kaupapa Māori Manager)

Water Organisation

Kevin Lavery (Establishment Chief Executive) (on Teams), Ariell King (Workstream Lead, Strategy, Policy and Bylaws), Cathy Davidson (Establishment Programme Manager), Rachel McLeod (Senior Communications and Engagement Specialist: Water Organisation)

Timestamps are included at the start of each item and signal where the agenda item can be found in the recording of the Water Organisation Joint Committee meeting held on 7 August 2026 on [Council's YouTube channel](#).

1 OPENING KARAKIA

Tangata Whenua Representative Hakopa Tapiata opened the meeting with a karakia.

2 APOLOGIES

APOLOGY

COMMITTEE RESOLUTION WO1CC/26/0/1

Moved: Cr Margaret Murray Bengé

Seconded: Cr Glen Crowther

That the apology for absence received from Cr Graeme Elvin be accepted.

CARRIED

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

COMMITTEE RESOLUTION WO1CC/26/0/2

Moved: Cr Rodney Joyce

Seconded: Tangata Whenua Representative Mr Hakopa Tapiata

That the document 'SoE - Proposed Amendments - Tangata Whenua 070826' be accepted as an attachment to item 9.1.

CARRIED

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO ORDER OF BUSINESS

Nil

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Water Organisation Joint Committee meeting held on 29 June 2026

COMMITTEE RESOLUTION WO1CC/26/0/3

Moved: Cr Margaret Murray Bengé

Seconded: Cr Kevin Schuler

That the Minutes of the Water Organisation Joint Committee meeting held on 29 June 2026 be confirmed as a true and correct record.

CARRIED

7.2 Minutes of the Water Organisation Joint Committee meeting held on 19 June 2026

COMMITTEE RESOLUTION WO1CC/26/0/4

Moved: Cr Margaret Murray Bengé

Seconded: Cr Glen Crowther

That the Minutes of the Water Organisation Joint Committee meeting held on 19 June 2026 be confirmed as a true and correct record.

CARRIED

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 BUSINESS

Timestamp: 4 minutes and 48 seconds

9.1 Statement of Expectations

Staff	Adele Henderson	(Programme	Director	-	Water	Organisation)
	Charles Lane	(Team	Leader:		Commercial	Legal)
	Tyler Buckley (Commercial Solicitor)					

Attachments:

- Presentation –Statement of Expectations
- SoE - Proposed Amendments - Tangata Whenua 070826 (late item)

At 2.51pm, Tangata Whenua Representative Hon Kiritapu Allan withdrew from the meeting.

COMMITTEE RESOLUTION WO1CC/26/0/5

Moved: Cr Margaret Murray-Benge

Seconded: Cr Marten Rozeboom

That the Water Organisation Joint Committee:

- (a) Receives the report "Statement of Expectations ".
- (b) Notes that the Local Government (Water Services) Act 2025 requires the shareholders of a Water Organisation to:
 - (i) Prepare a Statement of Expectations;
 - (ii) Provide the draft Statement of Expectations to the Water Organisation for review and comment; and
 - (iii) Then adopt the Statement of Expectations.
- (c) Notes that the draft Statement of Expectations has been prepared for Tauranga City Council and Western Bay of Plenty District Council as shareholders of the Water Organisation and that the Water Organisation must give effect to the Statement of

Expectations, including through the Water Organisation's decisions, actions and preparation of its Water Services Strategy.

- (d) Notes that an additional item will be added to the Tangata Whenua work plan to create a list of Treaty Settlement Obligations that are relevant to the Water Organisation and the Water Organisation's delivery of water service operations.
- (e) Notes that the draft Statement of Expectations has been prepared to comply with the Local Government (Water Services) Act 2025, the current draft Shareholders' Agreement and the Commercial Term Sheet adopted by Tauranga City Council and Western Bay of Plenty District Council in March 2026.
- (f) Requests that the draft Statement of Expectations is circulated to the Joint Committee by 14 August 2026 for confirmation ahead of the next available Tauranga City Council and Western Bay of Plenty District Council meetings.
- (g) Notes that the draft Statement of Expectations approved by Tauranga City Council and Western Bay of Plenty District Council is to be provided to the Water Organisation for review and comment, and that comments received from the Water Organisation (if any) will be considered by Tauranga City Council and Western Bay of Plenty District Council before the Statement of Expectations is finalised and issued to the Water Organisation.
- (h) In the event the Joint Committee requests any amendments to the Statement of Expectations, the Joint Committee notes that staff, Tauranga City Council and Western Bay of Plenty District Council will work together in good faith to resolve any such amendments before the final draft of the Statement of Expectations is presented to Tauranga City Council and Western Bay of Plenty District Council for final approval to be presented to the Water Organisation in draft for comment.
- (i) Recommends that the shareholding Councils undertake public engagement on the Statement of Expectations.

CARRIED

Attachments

- 1 Statement of Expectations
- 2 SoE - Proposed Amendments - Tangata Whenua 070826

10 DISCUSSION OF LATE ITEMS

The late item was considered as part of item 9.1.

11 PUBLIC EXCLUDED SESSION

Resolution to exclude the public at 3:11pm.

COMMITTEE RESOLUTION WO1CC/26/0/6

Moved: Tangata Whenua Representative Mr Hakopa Tapiata

Seconded: Mayor James Denyer

That the public be excluded from the following parts of the proceedings of this meeting, with the exception of staff from Tauranga City Council, Western Bay of Plenty District Council, and the Water Organisation.

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
11.1 - LWDW - Water Organisation Name and Identity - Progress Update and Next Steps	s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

CARRIED

At 4:52pm the meeting resumed in open.

12 CLOSING KARAKIA

Josh Te Kani closed the meeting with a karakia.

The meeting closed at 4:53pm.

The minutes of this meeting were confirmed as a true and correct record at the Water Organisation Joint Committee meeting held on 28 August 2026.

8 DECLARATION OF CONFLICTS OF INTEREST

9 BUSINESS

9.1 Review of draft Water Organisation Significance and Engagement Policy

File Number: A20918108

Author: Ariell King, Workstream Lead, Strategy, Policy and Bylaws

Authoriser: Kevin Lavery, Establishment Chief Executive Officer for the Water Organisation

PURPOSE OF THE REPORT

1. For the Joint Committee to consider the Water Organisation's (WO) draft Significance and Engagement Policy (SEP).

RECOMMENDATIONS

That the Water Organisation Joint Committee:

- (a) Receives the report "Review of draft Water Organisation Significance and Engagement Policy".
- (b) Provides feedback on the draft Significance and Engagement Policy for consideration by the Water Organisation Board of Directors.

EXECUTIVE SUMMARY

2. The Local Government (Water Services) Act requires the Water Organisation to prepare a Significance and Engagement Policy (SEP). The SEP is intended to help the Water Organisation, its shareholders, consumers, communities, Tangata Whenua and stakeholders understand how significance will be assessed and what level and form of engagement will be undertaken for key issues, proposals, decisions, activities and water services infrastructure.
3. When preparing the SEP, the Water Organisation must engage with its shareholders, consumers, communities within shareholder districts or regions, and any particular communities identified by shareholders, including iwi, hapū and other Māori organisations. Shareholder approval of the proposed policy is also required.
4. The Joint Committee's terms of reference include a role in reviewing Water Organisation policies that require shareholder input, providing feedback and comments, and presenting relevant policies to Councils for consideration and approval. This report seeks the Joint Committee's feedback on the draft SEP so it can be considered by the Board of Directors.
5. Due to establishment timeframes, the draft SEP has not yet been considered by the Board of Directors. The policy development process is therefore being progressed in parallel, rather than sequentially, with Joint Committee and Council engagement occurring alongside legal review and Board consideration.
6. Legal advice is being sought to confirm the draft SEP complies with the legislative requirements. The Board will also consider and confirm the specific financial thresholds and values to be included in the policy.
7. Feedback from the Joint Committee will be provided to the Board of Directors. The final draft SEP is proposed to be provided to Councils for approval in October, before the Board adopts the draft policy for consultation. It is proposed to undertake consultation alongside the draft Water Services Strategy in March/April 2027.

8. Engagement with Tangata Whenua is being progressed through Te Kāhui Mana Whenua o Tauranga Moana, Te Rangapū Mana Whenua o Tauranga Moana Partnership, and Te Ihu o te Waka o Te Arawa.
9. The preferred option is for the Joint Committee to provide feedback on the draft SEP. This will support the Board's consideration of the policy and help ensure the draft reflects legislative requirements, shareholder expectations, Tangata Whenua perspectives, and locally appropriate engagement arrangements.

JOINT COMMITTEE – TERMS OF REFERENCE

10. Pursuant to the terms of reference, the Joint Committee (JC) has responsibilities in relation to any WO policies that require shareholder input such as the Significance and Engagement Policy. Responsibilities reviewing the draft policy, providing feedback and comments and presenting policies to Councils for consideration and approval.

BACKGROUND

11. The Local Government (Water Services) Act (LGWSA) requires the Water Organisation to prepare a Significance and Engagement Policy (SEP).
12. The purpose of the SEP is set out in s35 of LGWSA as follows:

‘to enable the organisation, its shareholders, its consumers, and its communities to identify the degree of significance attached to particular issues, proposals, water services infrastructure, decisions, and activities; and to enable the organisation to develop a flexible and locally appropriate approach to engagement, which recognises and accommodates the preferences and expectations of Tangata Whenua, stakeholders, and the community’.
13. When preparing a SEP a Water Organisation (WO) must engage with:
 - a. *its shareholders; and*
 - b. *the consumers in its service area; and*
 - c. *the communities in the districts or regions of those of its shareholders that are territorial authorities; and*
 - d. *any particular communities identified by shareholders (for example, iwi, hapū, and other Māori organisations in the organisation's service area).*
14. The WO must also obtain its shareholders' approval of the proposed policy.
15. The LGWSA requires the Water Organisation (WO) to prepare a SEP in accordance with the requirements set out in s35 – 38. The WO has sought legal advice on the content of the draft policy to ensure that it is legally compliant.
16. Due to timing constraints, the draft SEP has not been discussed with the Board of Directors (noting that the first meeting is set down for September). The discussion on the draft policy will take place over September/October and will provide the opportunity for the Board to confirm the specific financial thresholds and values in the draft SEP.
17. The final draft SEP will be provided to the Councils in October for their approval before the Board formally adopts the draft policy for consultation (which is proposed for March/April 2027). The Board will be able to adopt the final policy following consideration of any feedback received.
18. WBOPDC and TCC are also required to review and amend their SEPs to reflect the establishment of a WO. The legislation requires that the WO and its shareholders must consider respective roles and responsibilities and agree on amendments to the SEPs that minimise unnecessary duplication and inconsistency. This process is underway with the respective staff at both Councils.

STATUTORY CONTEXT

19. The LGWSA requires the water organisation to prepare a SEP.

STRATEGIC ALIGNMENT

20. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	✓
We value, protect and enhance the environment	☐
We are a well-planned city that is easy to move around	☐
We are a city that supports business and education	☐
We are a vibrant city that embraces events	☐

21. The purpose of a Significance and Engagement Policy is to provide clarity to Tangata Whenua, consumers, communities, and stakeholders regarding the decision-making process of the Water Organisation, including the level and form of engagement. This purpose aligns with the outcome of an inclusive city.

OPTIONS ANALYSIS

22. The JC has the following options in respect of the draft SEP:
- (a) Provide feedback for the Board of Directors to consider in respect of the draft SEP
 - (b) Do not provide feedback for the Board of Directors to consider in respect of the draft SEP
23. The preferred option is that the JC provides feedback to the Board of Directors for consideration. The final draft SEP will be presented to the Council's for approval in October (as required by legislation).

FINANCIAL CONSIDERATIONS

24. There are no specific financial considerations in respect of the purpose of this agenda paper. There are likely to be specific financial thresholds and values included in the draft SEP which will be proposed by the Board of Directors.

RISKS AND LEGAL IMPLICATIONS

25. There are no specific risks associated with this agenda paper. The legal implications are noted above in respect of the requirement that the WO prepare a SEP, that the Council's approve the draft and that consultation occurs with consumers, the community and Tangata Whenua.

TE AO MĀORI APPROACH

26. The draft SEP includes specific requirements in respect of engagement with Tangata Whenua. These requirements reflect feedback provided in regard to the Statement of Expectations by the Tangata Whenua representatives on the JC. The draft policy also includes components of the existing Council Significance and Engagement policies.
27. Specific engagement on the draft policy (prior to the formal consultation process) is to be undertaken with Te Rangapū Mana Whenua o Tauranga Moana Partnership on 10 Sept (pending confirmation) and Te Kāhui Mana Whenua o Tauranga Moana on 3 September. The next Te Ihu o te Waka o Te Arawa forum hui is not scheduled until 18 November, so it is proposed that a panui is provided to this forum seeking direct feedback.

CONSULTATION / ENGAGEMENT

28. As noted above consultation with consumers and the community is proposed to align with the consultation on the draft Water Services Strategy in March/April 2027.

SIGNIFICANCE

29. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
30. The purpose of this report is for the Joint Committee to provide feedback on the water organisation's draft SEP. This feedback will inform the finalisation of the draft policy before further engagement with Tangata Whenua, consumers, the community, and shareholders.
31. In making this significance assessment, consideration has been given to the likely impact, and likely consequences for:
- (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the matter.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
32. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the Joint Committee providing feedback to the water organisation is of low significance.

NEXT STEPS

33. Provide the feedback from the Joint Committee on the draft SEP to the BOD.

ATTACHMENTS

1. **Draft Significance and Engagement Policy - A20997859** [↓](#) 

Significance and Engagement Policy

Status	Draft for Discussion
Owner	Water Organisation Board of Directors
Legislation	Local Government (Water Services) Act 2025
Review period	Every 3 years, or following relevant legislative change, or in accordance with section 37(5) and 37(6) of the Local Government (Water Services) Act, or as directed by the Water Organisation Chief Executive Officer.
Effective date	1 July 2027

1. Purpose

1.1 The purpose of the policy is:

- (a) to enable the water organisation, its shareholders, its consumers, and its communities to identify the degree of significance attached to issues, proposals, water services infrastructure, decisions, and activities; and
- (b) to enable the water organisation to develop a flexible and locally appropriate approach to engagement, which recognises and accommodates the preferences and expectations of shareholders, consumers, our shareholders' communities and Tangata Whenua; and
- (c) to provide clarity about how and when communities can expect to be engaged in decisions about different issues, water services infrastructure, or other matters; whether the engagement will be undertaken by the water organisation or its shareholders; and how the organisation will take account of consumer and community views on matters on which the organisation's shareholders have expressed a view; and
- (d) to inform the water organisation from the beginning of a decision-making process about the level, form or type of engagement that is expected before a particular decision is made and with whom the engagement occurs.

1.2 The water organisation recognises that statutory consultation and engagement requirements may arise under legislation independently of this policy and that a decision assessed as having low significance under this policy may still require engagement, consultation or formal processes under other legislation or agreements e.g. Treaty settlement legislation, resource consent obligations, statutory acknowledgements.

2. Definitions

Term	Definition
community	A group of people living in the same place or having a particular characteristic in common. Includes interested parties, affected people and key stakeholders.
consumer	means a person who consumes, uses, is provided with, or benefits from the provision of, water services
decisions	refers to all the decisions made by or on behalf of water organisation, including those made by officers under delegation.
engagement	a term used to describe the process of seeking public input to inform decision making. There is a continuum of community engagement (see Attachment Two of this policy).
joint water service provider arrangement	means an arrangement entered into by two or more water service providers for one or both of the following purposes: (a) providing water services or any aspect of water services in the providers' combined service areas; (b) providing for any matters relating to providing water services (for example, a shared service agreement for technical or administrative support)
public-private partnership	means a long-term contract for delivering a water service, where— (a) providing the service requires constructing new water services infrastructure or enhancing existing water services infrastructure; and (b) the construction or enhancement is financed from external sources on a non-recourse basis; and (c) the water service provider acquires or retains full ownership of the infrastructure.

Term	Definition
Shareholders	Tauranga City Council and Western Bay of Plenty District Council
significance	in relation to any issue, proposal, decision, or other matter that concerns or is before the water organisation, means the degree of importance of the issue, proposal, decision, or matter, as assessed by the water organisation, in terms of its likely impact on, and likely consequences for, — (a) the current and future social, economic, environmental, or cultural well-being of the water organisation's service area, or relevant part of the service area; (b) any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter; (c) the capacity of the water organisation to perform its role, and the financial and other costs of doing so.
significant	in relation to any issue, proposal, decision, or other matter, means that the issue, proposal, decision, or other matter has a high degree of significance.
significant contract	as provided for in sections 22, 23 and 24 of the LGWSA, a contract which is determined to be significant under the criteria set out in the policy.
strategic water services asset	means water services infrastructure or another asset or group of assets without which the provider is unable i. to meet its regulatory requirements; or ii. to maintain its capacity to achieve the outcomes set out in its water services strategy; and includes an asset or group of assets listed as strategic water services assets in this significance and engagement policy.
subgroup	means an assortment of people commonly recognized as a relatively large group/collection within the subregion i.e. residents of a recognised suburb, ward or area (e.g. households/businesses along the length of a major road, high water users)
subregion	the area over the Tauranga District Council and the Western Bay of Plenty District Council that the water organisation provides services to

Term	Definition
water services infrastructure From LGWSA	(a) means infrastructure that is associated with, or necessary for, providing water services; and (b) includes the capability and capacity of that infrastructure to perform necessary processes, including the attenuation, treatment, and conveyance of water

3. Engagement with Mana Whenua

- 3.1 The WO recognises that Mana Whenua has unique relationships with wai (water), whenua (land), taonga, cultural heritage, and traditional and customary interests.
- 3.2 The WO acknowledges that Mana Whenua are not simply another stakeholder group and engagement approaches may differ from standard public engagement processes.
- 3.3 When assessing engagement requirements, consideration will be given to:
- Treaty settlement obligations
 - Statutory acknowledgements
 - Mana whenua interests
 - Cultural impacts
 - Freshwater interests
 - Resource consent requirements
 - Iwi and Hapū Management Plans
 - Potential impacts on wāhi tapu and cultural values.
- 3.4 The water organisation may enter into specific protocols with iwi/hapu that will guide and inform engagement. (these are not specifically set out in this policy). In addition, the water organisation may develop a Kaupapa Māori framework over time. When developed, this framework will also be considered when assessing significance and engagement on specific matters.

Commented [AK1]: Discussion point - draft table regarding who to engage with to be included here. Captures the request from the Tangata Whenua JC reps in respect of the draft SOE.

- 3.5 Operational issues may be addressed directly with relevant staff and input to processes such as policy development provided for at an early stage.
- 3.6 Where a relevant resource consent stipulates engagement with, or participation of, specific Māori groups, whether identified as iwi, hapū, marae, or named advisory bodies, those consent conditions continue to apply to the water organisation.

4. Approach to Determining Significance

- 4.1 Significance is the degree of importance of an issue, proposal, decision or other matter that concerns or is before the water organisation. Significance affects the level of consideration and engagement required as part of the decision-making process.
- 4.2 Under this policy, significance is classified as low, medium, or high. Following the assessment of significance the engagement framework guides the level and form of engagement (if any) that is most appropriate. In general, the higher the level of significance, the greater the extent and need for community engagement.
- 4.3 Not all decisions within a process relating to a proposal, issue or matter will have the same level of significance or require engagement.
- 4.4 Attachment One sets out the criteria to be used by the water organisation when assessing the extent to which issues, proposals, water services infrastructure, decisions or activities are significant or may have significant consequences.
- 4.5 There are specific matters to be considered when determining if a water services contract or a joint water service provider arrangement is considered significant and therefore subject to additional requirements under s31 and s32 of the LGWSA. See sections 5 and 6 of this policy.

Commented [AK2]: BOD discussion on matters and determination of the overall significance of the issue or decision. For example how many "high" significance considerations = high overall. Are there any specific matters that if they were considered high then that would automatically make the issue or decision significant?

5. Contracts to Provide Water Services

5.1 Before entering into a proposed contract to perform any aspect of providing water services (refer s22 of LGWSA), the water organisation must determine if it is a significant contract in accordance with s24 of the Act.

5.2 To determine if the proposed contract is significant the following criteria must be considered:

- (a) whether the proposed contract is of high value relative to the revenue that the provider receives from providing the water service to which the contract relates; and
- (b) whether the proposed contract will create a public-private partnership; and
- (c) all matters that are essential to the provider's ability to meet its obligations under the LGWSA in relation to the water service to which the contract relates; and
- (d) any relevant thresholds (for example, the value of the contract).

5.3 The water organisation will determine whether a proposed contract is significant after consideration of all the criteria in 5.2 and the overall impact on the water organisations operations, finances, or strategic direction.

5.4 If the contract is significant then the water organisation will undertake consultation in a way that is consistent with s31 and s32 of the LGWSA.

5.5 The water organisation will:

- 5.5.1 give persons who will or may be affected by, or who have an interest in, the proposal to enter into the contract an opportunity to present their views on the proposal to the water organisation;
- 5.5.2 make information publicly available in a way which is consistent with s 32 of the LGWSA, as adapted appropriately to the proposal in question

Commented [AK3]: These are the mandatory matters required from s 24(4). BOD discussion - any other criteria to be added?

Commented [AK4]: BOD discussion - Determine on a contract basis or a % value

Commented [AK5]: BOD discussion - list of matters to be considered e.g. could consider matters in Attachment One

Commented [AK6]: Question for discussion - what should these thresholds be - see other WO examples e.g. IAWAI, Selwyn

Commented [AK7]: These are generally set out in 5.5, BOD discussion as to whether to specify a particular process e.g. SCP as per LGA or other specific requirements

6. Joint water service provider arrangements

6.1 A water service provider may enter into a joint water service provider arrangement with one or more other water service providers, including providers operating outside the service area in which the first provider operates.

6.2 When considering and negotiating a joint water service provider arrangement, the water organisation must determine whether the proposed arrangement is a significant joint water service provider arrangement using the criteria set out in Attachment One.

6.3 If the water organisation determines that the proposed arrangement is a significant joint water service provider arrangement, the provider must:

- (a) undertake consultation on the proposal in a way which is consistent with sections 31 and 32 of the LGWSA; and
- (b) consult its shareholders and obtain their approval of the proposed arrangement.

Commented [AK8]: BOD discussion - any additional matters to be considered when determining significance? Is there any expectation that by default a joint agreement would be significant and require engagement as per s30 - 32?

Commented [AK9]: Note earlier comment - specify process which would be considered to comply with these requirements

7. Engagement Framework

7.1 Engagement Framework

7.1.1 In general, the water organisation will carry out its own engagement under this policy, except where the nature of the issue or other factors make it more appropriate or efficient for the shareholders to do so (for example where they are already carrying out engagement on a related matter).

7.1.2 The following framework sets out the water organisation's general approach to engaging with its consumers and communities in regard to issues, proposals, water services infrastructure, decisions, and activities.

7.1.3 The WO will use engagement methods that are proportionate to the significance of the matter.

7.1.4 The table in Attachment Two sets out the levels and types of possible engagement and how this relates to the level of significance of the issue or decision.

- 7.1.5 Engagement will be carried out in a way which is:
- Meaningful and based on an open mind and willingness to listen
 - Respectful with the aim of building relationships
 - Supported by the provision of reasonable information which is balanced, sufficient and in plain language
 - Inclusive and endeavours to reach all those affected
 - Flexible and, where reasonably possible, in accordance with the needs and preferences of those who are being engaged
 - Coordinated across the service area of the water organisation to minimise duplication and engagement fatigue
 - Pragmatic, efficient and provides value for money.

7.2 When must consultation be undertaken?

- 7.2.1 Public consultation must be undertaken when a draft Water Services Strategy includes a proposal to:
- (a) transfer ownership or control of a strategic water services asset (under section 20(3) of the LGWSA); or
 - (b) receive a transfer of ownership or control of a strategic water services asset; or
 - (c) make a significant change to the level of service provided in relation to any water service.
- 7.2.2 The criteria in Attachment One will be used to determine if a proposed change to the level of service is significant (i.e. has a high degree of significance).
- 7.2.3 If the shareholders of the water organisation direct it to carry out consultation on proposals identified in 7.2.1, this will be undertaken at the **consult** level in Attachment Two.
- 7.2.4 If the shareholders of the water organisation require it to consult on any other proposals contained in a draft water services strategy, the water

Commented [AK10]: Question for discussion - where s236(9) applies consultation is mandatory (matters listed in 7.2.1). The Act notes that the WO SEP is to note whether consultation on a WSS is required or not and if so what would the expectations be e.g. meet s30 - 32, SCP under the LGA?

Commented [AK11]: See earlier question - may be more specific requirements

organisation must consult in accordance with the **consult** level in Attachment Two.

- 7.2.5 The water organisation will apply this policy to determine what (if any) engagement to carry out in relation to a proposed amendment to the Water Services Strategy, based on the significance of the amendment.

7.3 When the Water Organisation will not engage

- 7.3.1 There are times when it may not be appropriate to engage with consumers, the community or stakeholders on certain issues, proposals, decisions, or matters including where the water organisation:
- (a) Is considering organisational decisions (e.g. staff changes and operational matters) that do not materially affect a level of service
 - (b) Decisions and contracts that are consistent with the Water Service Strategy, or another policy or plan that has already been subject to consultation, or directives from central government
 - (c) Is protecting the privacy and safety of individuals (as provided for in the Privacy Act 2020 and the Local Government Official Information and Meetings Act 1987)
 - (d) Is maintaining confidentiality and/or commercial sensitivity to enable the water organisation to carry out commercial activity or negotiations without prejudice (as provided for in the Local Government Official Information and Meetings Act 1987)
 - (e) Is acting with urgency (for example under the Civil Defence Emergency Management Act 2002)
 - (f) Decisions to act where it is necessary to: comply with the law; save, or protect life, health or amenity and prevent serious damage to property; avoid, remedy or mitigate an adverse effect on the environment; protect the integrity of existing and future infrastructure and amenity.
 - (g) Decisions in relation to regulatory and enforcement activities, such as water restrictions under the water alert level system;
 - (h) Other cases where there is insufficient time to engage before the decision is made.

- 7.3.2 Where the water organisation already holds sufficient information about community views, for example as a result of earlier or related consultation, it may choose not to undertake further engagement, even where the proposal or decision is assessed as having a high level of significance.

7.4 Informal engagement

- 7.4.1 The water organisation may seek to develop ongoing relationships with consumers, the community and stakeholders on general matters, rather than purely on issues that require a decision. This will also allow consumers to raise matters that are not currently under consultation.

8. Strategic water service assets

- 8.1 The following are strategic water services assets of the water organisation:
- Reservoirs and water supply network as a whole
 - Stormwater network as a whole
 - Wastewater network as a whole
- 8.2 Over time the water organisation may identify other strategic water services assets, and these will be added to the list in 8.1.
- 8.3 The water organisation takes a whole of asset approach to the strategic water services assets in 8.1. This means that part of a network or asset group will not be regarded as a strategic water services asset in its own right unless:
- (a) It is integral to the functioning of the whole i.e. where the rest of the group or network (without that part) would not enable the water organisation to meet its strategic outcomes;
 - (b) in the case of a decision to transfer ownership or control of that part, doing so would significantly alter the level of service provided by the water organisation.

9. Deviation from the policy

Commented [AK12]: Note to be included in the BOD decision paper template (s233(4) - inconsistent decisions

9.1 This policy is subject to any specific requirements or provisions in legislation relating to consultation or other engagement by the water organisation. Such legislation prevails over this policy.

9.2 In accordance with section 38 of the LGWSA:

If a decision of a water organisation is significantly inconsistent with, or is anticipated to have consequences that will be significantly inconsistent with, its significance and engagement policy, the organisation must, when making the decision, clearly identify—

(a) the inconsistency; and

(b) the reasons for the inconsistency; and

(c) any intention of the organisation to amend its significance and engagement policy to accommodate the decision.

9.3 Inconsistent decisions (in accordance with s233(4) of the LGWSA) will be included in the relevant water organisation Board agenda papers.

Attachment One – Level of significance

Level of engagement 			
Consideration	Low	Medium	High
Financial impact <i>Implications for capital and operational expenditure</i>	Less than \$xxM capex Less than \$xxx opex	Unbudgeted capex of between \$xxM and \$xxM Unbudgeted opex of between \$xxM and \$xxM	Unbudgeted capex of more than \$xxM Unbudgeted opex of more than \$xxM
Strategic impact	Low consequences for the subregion Low impact on the water organisation being able to perform its role	Moderate consequences for the subregion Moderate impact on the water organisation being able to perform its role	Large consequences for the subregion Large impact on the water organisation being able to perform its role
Impact on Tangata Whenua <i>Note additional matters to be considered in the policy</i>	Low or no impact on wai (water), whenua (land), taonga, cultural heritage, and/or traditional and customary interests.	Moderate impact on wai (water), whenua (land), taonga, cultural heritage, and traditional and/or customary interests.	High impact on wai (water), whenua (land), taonga, cultural heritage, and/or traditional and customary interests.
Impact on consumers and community interest	Affects individuals Low or no general public interest	Affects subgroup Moderate public interest	Affects wide range of people High public interest

Consideration	Low	Medium	High
Alignment with previous decisions	Has a strong and logical flow from a prior decision	Flows from a previous decision, but has some notable variations	Does not have a strong and logical flow from a prior decision
Can the decision be reversed	Able to be reversed	Moderately difficult to reverse	Highly difficult to reverse

Level of engagement

Attachment Two – Level of engagement

Spectrum Level	Intention	Example Techniques ¹
Inform <i>Whakamōhio</i>	To provide balanced and objective information to assist consumers and the community in understanding the problem, alternatives, opportunities and/or solutions	- Media (Māori and mainstream) - Social media - Open days/drop-in sessions/Māori initiated events
Consult <i>Whakauia</i>	To obtain feedback on analysis, alternatives and/or proposed decisions To provide feedback on how input influenced the decision	- Feedback forms/surveys/submissions - Focus groups - Community hui/public meetings - Hearings
Involve <i>Whakaura</i>	To work directly with the consumers and community throughout the process to ensure concerns and aspirations are consistently understood and considered To provide feedback on how input influenced the decision	- Community workshops - Partnership Forums
Collaborate <i>Mahi ngatāhi</i>	To partner with the community on a proposed decision including the development of alternatives and the identification of the preferred solution	- Citizen Advisory Committees - Partnership Forums
Empower <i>Whakamanahia</i>	To place final decision making in the hands of the community	- Citizen juries - Polls



Level of significance

¹ Note that these are examples only and the form of engagement is not limited to these. Also, as the level changes it is expected that techniques from the previous level would be utilised as appropriate.

10 DISCUSSION OF LATE ITEMS

11 PUBLIC EXCLUDED SESSION

Resolution to exclude the public

RECOMMENDATIONS

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
11.1 - Public Excluded Minutes of the Water Organisation Joint Committee meeting held on 7 August 2026	s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(j) - The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	s48(1)(a) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

12 CLOSING KARAKIA