



AGENDA

Tāheke – Bay Waters Joint Committee meeting Friday, 23 October 2026

**I hereby give notice that a Tāheke – Bay Waters Joint Committee
meeting will be held on:**

Date: Friday, 23 October 2026

Time: 9:30 am

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

**Gareth Green
Acting Chief Executive**

Terms of Reference

Tāheke – Bay Waters 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 Tāheke – Bay Waters (“**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 28 August 2026

File Number: A21191741

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 28 August 2026 be confirmed as a true and correct record.

ATTACHMENTS

1. Minutes of the Water Organisation Joint Committee meeting held on 28 August 2026



DRAFT MINUTES

**Water Organisation Joint Committee
meeting**

Friday, 28 August 2026

Order of Business

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5	Confidential business to be transferred into the open	4
6	Change to order of business	4
7	Confirmation of minutes	4
7.1	Minutes of the Water Organisation Joint Committee meeting held on 7 August 2026.....	4
8	Declaration of conflicts of interest	4
9	Business	4
9.1	Review of draft Water Organisation Significance and Engagement Policy.....	4
10	Discussion of late items	5
11	Public excluded session	5
12	Closing karakia	5

**MINUTES OF TAURANGA CITY COUNCIL
WATER ORGANISATION JOINT COMMITTEE MEETING
HELD AT THE TAURANGA CITY COUNCIL CHAMBERS,
L1, 90 DEVONPORT ROAD, TAURANGA
ON FRIDAY, 28 AUGUST 2026 AT 9:30 AM**

MEMBERS PRESENT: Cr Marten Rozeboom (Chair), Mayor James Denyer (Deputy Chair), Cr Rick Curach, Cr Glen Crowther, Cr Graeme Elvin, Cr Margaret Murray-Benge, Tangata Whenua Representative Mr Hakopa Tapiata, Tangata Whenua Representative Hon Kiritapu Allan, Tangata Whenua Representative Ms Kylie Smallman.

IN ATTENDANCE: **Tauranga City Council**

Christine Jones (General Manager: Strategy, Partnerships & Growth), Caroline Irvin (Governance Advisor), Quinn Tawaka (Governance Advisor)

Western Bay of Plenty District Council

Adele Henderson (Director – Water Programme).

Water Organisation

Kevin Lavery (Establishment Chief Executive), Ariell King (Workstream Lead Strategy, Policy and Bylaws)

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 28 August 2026 on [Council's YouTube channel](#).

1 OPENING KARAKIA

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

2 APOLOGIES

APOLOGY

COMMITTEE RESOLUTION WO1CC/26/4/1

Moved: Cr Marten Rozeboom

Seconded: Cr Rick Curach

That the apology for absence received from Cr Kevin Schuler be accepted.

CARRIED

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

Nil

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 7 August 2026

COMMITTEE RESOLUTION WO1CC/26/4/2

Moved: Cr Margaret Murray Bengé

Seconded: Tangata Whenua Representative Mr Hakopa Tapiata

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

CARRIED

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 BUSINESS

Timestamp: 11 minutes and 56 seconds.

9.1 Review of draft Water Organisation Significance and Engagement Policy

Staff Ariell King, LWDW - Workstream Lead Strategy, Policy and Bylaws

PowerPoint Presentation (attached)

Tangata Whenua Representative Mr Hakopa Tapiata provided the committee with tabled item 1 – Draft Water Organisation Significance and Engagement Policy – Tangata Whenua Feedback (attached)

COMMITTEE RESOLUTION WO1CC/26/4/4

Moved: Tangata Whenua Representative Hon Kiritapu Allan

Seconded: Cr Margaret Murray Bengé

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.

CARRIED**Attachments**

- 1 Presentation: Water Organisation Draft Significance and Engagement Policy
- 2 Handout - SEP Feedback - Mana Whenua Amendments 28 August 2026

10 DISCUSSION OF LATE ITEMS

Nil

11 PUBLIC EXCLUDED SESSION

The Chair advised that, due to there being no discussion on, or corrections to, the publicly excluded minutes, they would be taken in the open section of the meeting.

COMMITTEE RESOLUTION WO1CC/26/4/5

Moved: Mayor James Denyer

Seconded: Cr Marten Rozeboom

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

CARRIED**12 CLOSING KARAKIA**

Tangata Whenua Representative Mr Hakopa Tapiata closed the meeting with a karakia.

The meeting closed at 10:44am.

The minutes of this meeting were confirmed as a true and correct record at the Water Organisation Joint Committee meeting held on 23 October 2026.

8 DECLARATION OF CONFLICTS OF INTEREST

9 BUSINESS

9.1 Project update to the Joint Committee

File Number: A21222434

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. To provide the Joint Committee with an update on the establishment of Tāheke – Bay Waters Limited.

RECOMMENDATIONS

That the Tāheke – Bay Waters Joint Committee:

- (a) Receives the report "Project update to the Joint Committee".
-

EXECUTIVE SUMMARY

2. The report provides an update against the key establishment milestones previously reported to the Joint Committee, including the Joint Committee's role and proposed timing. The update is included as **Attachment One**.
3. The timing of the project has been affected by delays in resolving the Shareholders Agreement, finalising the name of the water organisation and consequential implications on the incorporation of the organisation. This has condensed the timeframe that the Board of Directors will have to make decisions prior to the 'go-live' date of 1 July 2027. Other delays have occurred due to the change in approach to both Phase 1 and 2 of the digital readiness workstream. In response to these delays the project team have amended the overall programme of work to ensure that the project is still on track to meet the milestones within the required timeframes.
4. The report is assessed as low significance, has no specific financial or statutory compliance implications, and recommends that the Joint Committee receives the update.

BACKGROUND

5. Tauranga City Council (TCC) and Western Bay of Plenty District Council (WBOPDC) are establishing a new water organisation - Tāheke – Bay Waters Limited. This included the establishment of a Joint Committee.
6. The Joint Committee provides an important forum for providing strategic direction on matters where council expectations must be aligned at an early stage, including pricing and charging principles, transfer principles, key scope assumptions, iwi and hapū expectations, and the appropriate balance between establishing operational independence for the Tāheke – Bay Waters Limited and managing ongoing council interfaces.
7. At the Joint Committee meeting on 19 June 2026, it was noted that the Establishment Plan would form part of the Transition Agreement (now known as the Establishment Plan Agreement) and that would be presented at the end of July. Completing the Establishment Plan Agreement requires the water organisation to be incorporated.

DISCUSSION

8. As Tāheke – Bay Waters Limited is not yet incorporated this project update will be based on the key milestones that were presented to the Joint Committee on 19 June 2026. It outlines the role of the Joint Committee, the relevant decision-maker and proposed timing.
9. The role of the Joint Committee in the table below reflects the scope set out in the Terms of Reference (TOR). The TOR includes a number of requirements post the successful establishment of Tāheke – Bay Waters Limited from July 2027 e.g. annual review of the water organisation in accordance with s250 of the Local Government (Water Services) Act, the review of the water organisations annual budget, half-yearly report and annual report.
10. The project update is provided in **Attachment One**.

STATUTORY CONTEXT

11. The matters in this report form part of Council's overall response to the government's Local Water Done Well programme via the Local Government (Water Services) Act 2025. There are no specific statutory compliance matters to be considered in respect of this report.

STRATEGIC ALIGNMENT

12. Council's overall response to the Local Water Done Well reforms support delivery of the following community outcomes.

	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	☐

13. This report, and the wider water programme, are part of ensuring Tauranga and Western Bay of Plenty has water services that are sustainable, affordable, well-planned and maintained, and of high quality.

OPTIONS ANALYSIS

14. No options are identified as this report is for information only.

FINANCIAL CONSIDERATIONS

15. There are no specific financial considerations in respect of this report as it is for information only.
16. The year-to-date expenditure is tracking as expected against the forecast budget (noting that the initial budget was \$8.8 million)

RISKS AND LEGAL IMPLICATIONS

17. The establishment of Tāheke – Bay Waters Limited requires completion of a substantial legal workstream, including preparation of a Transfer Agreement. The primary risk is that this work is not sufficiently resourced, and the Establishment Plan and transition arrangements are key to mitigating this risk.

TE AO MĀORI APPROACH

18. The Establishment Plan for Tāheke – Bay Waters Limited reflects the commitment of the shareholder councils to uphold relationships with iwi and hapū, including existing obligations

and expected engagement arrangements. Collectively, these principles provide the basis for engagement activities, governance decisions, and transition choices throughout the establishment phase.

CLIMATE IMPACT

19. This report has no direct climate impacts; however, the proposed water organisation will enable an integrated sub-regional approach to the management and delivery of water, wastewater and stormwater services, providing opportunities for improved climate and environmental outcomes over time.

SIGNIFICANCE

20. 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. It is acknowledged 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.
21. In making this 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.
22. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the matter is of low significance. This is because this report primarily provides an update on the proposed workplan for the establishment of Tāheke – Bay Waters Limited. It does not seek any decisions.

ENGAGEMENT

23. Taking into consideration the above assessment, that the decision is of low significance, officers are of the opinion that no engagement is required prior to the Joint Committee making a recommendation.

ATTACHMENTS

1. **Attachment 1 - Joint Committee project update 23 Oct 2026 - A21296730**  

Milestone	Joint Committee role	Decision-maker(s)	Timing	Update
Digital Readiness Phase 1 delivery (system development - Asset Management, Work Order Management, GIS, O&M Contractor Integration)	Not included in JC TOR	Decision made Dec 25	Nov 2026	Timeframes extended due to change in approach to Digital Phase 2. Expected completion in February 2027
Constitution and Shareholder's Agreement	Make comments for Council to consider	Council	June 2026	The Constitution is now agreed via resolutions from TCC and WBOPDC. The Shareholder Agreement has not been finalised yet. There is one outstanding matter for TCC and WBOPDC to work through. This relates to the discretion of each Council to transfer assets to the Water Organisation (or not), particularly in the context of cross-boundary development and funding matters. This matter is being worked through. Incorporation is expected in November 2026.
Draft Statement of Expectations	Make comments for Council to consider	Council	Sept 2026	The draft Statement of Expectations is agreed by both TCC and WBOPDC and is currently with the Water Organisation for feedback / comments. The two Councils also intend to undertake a brief round of consultation of the SOE. Final SOE expected to be completed in xxx
Provide comments to the Board on the draft Water Services Strategy	Make comments for Council to consider	Board	Nov 2026	Workshop is set down for 7 December 2026
Draft Transfer Agreement	Not included in JC TOR	Councils and Board	Dec 2026	Draft document and schedule planned for December 2026 with endorsement in February 2027
Draft Transitional Service Agreements (TSAs) and Shared Interest Agreements (SIAs) Note – these were previously named Service Level Agreements	JC role is to provide oversight of the agreed agreements (post 1 July 2027)	Councils and Board	Dec 2026	Work has commenced on identifying what may be included in the TSAs and SIAs. Once agreement is reached between the WO and respective Councils these agreements will be signed prior to 1 July 2027.

Milestone	Joint Committee role	Decision-maker(s)	Timing	Update
Final Water Services Strategy and Investment Delivery Plan	Approval of the final WSS is not included in the JC TOR.	Board	May 2027	Will now be adopted at end June 2027. This is to align with the Councils' decisions on Long-term Plans.
Digital Readiness Phase 2	Not included in JC TOR	Council	July 2026	Amended decision by Councils in Sept 2026 to reflect updated approach to Phase 2 Digital
Prepare SAMP/AMP/IDP, Policies and Bylaws (if required)	Feedback on any policies that require shareholder input e.g. Significance and Engagement Policy (SEP)	Board	Feb to Jun 2027	On track Note that draft SEP was discussed by the JC on 28 August 2026)
Organisation Design, Staff Pathways	Update to be provided by the WO CEO	CE & Board	Sept 2026	People and Workforce workstream focusing on several key milestones in next quarter including staff pathways, organisational design and development of position descriptions. Likely that this work will be completed in Jan 2027.
Staff Transition Readiness – Draft Individual and Collective Employment Agreements, Union Negotiations	Update to be provided by the WO CEO	CE & Board	Feb to Jun 2027	No change to proposed timing
Compliance Readiness (Operations and Regulators)	Update to be provided by the WO CEO	Board	April 2027	No change to proposed timing
Capital Programme Readiness	Update to be provided by the WO CEO	Board	Nov 2026	No change to proposed timing
Customer / Operational Readiness (Business Continuity, Water Operations, 24/7 service delivery)	Update to be provided by the WO CEO	CE & Board	Feb to Jun 2027	Customer journey mapping is underway. The objective is to minimise customer disruption on Day 1.

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 - Draft Statement of Expectations - Comments from incoming Board of Directors	s7(2)(h) - The withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(i) - The withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	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