

Appointment of Commission to Tauranga City Council

Appointment

1. Pursuant to section 258F of the Local Government Act 2002 (“Act”), the Minister of Local Government (“Minister”) gives notice of her appointment of a Commission, comprising the following commissioners, to Tauranga City Council (“Council”) to perform and exercise its responsibilities, duties and powers:

Anne Merrilyn Tolley (Chairperson)

William (Bill) Thomas Wasley

Shadrach Wepiha Rolleston

Stephen Neville Selwood

together referred to as “commissioners”.

2. Pursuant to section 258G(2) of the Act, the Minister gives notice of her appointment of Anne Merrilyn Tolley as chairperson of the Commission.

Term of Commission’s Appointment

3. The term of the Commission begins on **9 February 2021**.

4. The term of the Commission will end on the day after the date on which members of the Council are declared elected, following the general election scheduled for 8 October 2022.

Terms of Reference and Conditions of Appointment

5. Pursuant to section 258F of the Act, the Minister of Local Government appoints the Commission on the following terms and conditions:

5.1 the Commission must perform any functions or exercise any powers directly conferred on the mayor, or any other member of the Council, provided for under the Act, the Resource Management Act 1991 and any other Act which imposes powers, duties or obligations on the Council;

5.2 the Commission may exercise all the powers of the local authority to set, assess, and collect rates and charges within the district or region and expend their proceeds;

5.3 the Commission may appoint members of the local authority to a committee or subcommittee established under Schedule 7 of the Act;

5.4 the Commission must ensure, as far as practicable, that the existing organisational capability of the local authority is not diminished; and

5.5 the Commission is bound by all relevant statutory provisions that are applicable to Crown appointees.

6. The Commission is required to perform the following tasks as outlined below:

6.1 determine a mechanism for engaging with the community, iwi, elected representatives and other stakeholders to rebuild confidence and trust in the Council;

6.2 deliver a robust and fit-for-purpose 2021–31 Long-term plan that adequately prioritises the needs of the community, city and region;

6.3 continue to identify the extent of the problems faced by the Council and engage in existing Council initiatives or other actions to address these issues;

6.4 continue to work with the Council’s chief executive to build capability and capacity within the Council organisation;

6.5 actively seek to collaborate and co-operate with other local authorities to further achieve the objectives of agreed plans and strategies to manage transport and urban development in a high-growth region (including, but not limited to, Smart Growth, the Urban Form and Transport initiative, and the Western Bay of Plenty Transport System Plan);

6.6 develop a clear and comprehensive exit plan to facilitate a smooth transition back to an elected Council; and

6.7 any other tasks the Commission determines to be necessary to restore the trust and confidence of the community in the Council.

Remuneration

7. The remuneration of commissioners will be paid from funds belonging to the Council. Remuneration will be paid in accordance with the daily rates set by the Minister of Local Government under section 258V of the Act and the Fees and Travelling Allowances Act 1951. Reasonable and necessary expenses incurred by the commissioners will be reimbursed from Council funds in accordance with the Fees and Travelling Allowances Act 1951.

8. The Chairperson is responsible for ensuring the commissioners’ remuneration stays within approved levels and that any expenses claimed by commissioners are reasonable and necessary.

Advice and Administrative Support to the Commission

9. As the governing body of the Council, the Commission will be supported by its Chief Executive. The Commission can engage such other support or advice they may require.

Reporting Requirements

10. The Commission will report quarterly to the Minister of Local Government on its progress performing the tasks outlined in its terms of reference.

11. Subject to section 258U of the Act, the Commission will deliver a final report at the end of its term which includes:

- a description of the activities the Commission undertook in relation to its Terms of Reference;
- the progress on addressing the problems for which the Commission was appointed; and
- a recommendation on whether the Minister should take any further action in relation to the Council.

Dated at Wellington this 5th day of February 2021.

HON NANAIA MAHUTA, Minister of Local Government.