

Termination of the Current Commission and Appointment of a Further Commission to the Tauranga City Council

Termination of the Current Commission and Postponement of the Local General Election

1. Pursuant to section 258F of the Local Government Act 2002 (“Act”) in February 2021, the Minister of Local Government appointed a Commission to the Tauranga City Council (“Council”).
2. The term of the Commission was due to end on the day after the date on which members of the Council were declared elected, following the general election scheduled for 8 October 2022.
3. The Minister has determined that the provisions of Part 10 of the Act will continue to be met beyond October 2022. In order to facilitate the appointment of a Commission for a further term, the Minister gives notice that the current Commission is terminated with effect from 25 April 2022, in accordance with section 258X of the Act.
4. In accordance with section 258I of the Act, the Minister gives notice that the next triennial general election due to be held at the Council in October 2022, is postponed.

Appointment of a New Commission to the Council

5. Pursuant to section 258F of the Act, the Minister gives notice of her appointment of a Commission, comprising the following commissioners, to the 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”.

6. 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 the Commission’s Appointment

7. The term of the Commission begins on **26 April 2022**.
8. The term of the Commission will end on the day after the date on which members of the Council are declared elected, following a general election in 2024. The Minister will notify and call the general election for the Council in the *New Zealand Gazette* before the Commission’s term of appointment ends in July 2024.

Terms of Reference and Conditions of Appointment

9. Pursuant to section 258F of the Act, the Minister appoints the Commission on the following terms and conditions:
 - 9.1 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;
 - 9.2 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;
 - 9.3 the Commission may appoint members of the local authority to a committee or subcommittee established under Schedule 7 of the Act;
 - 9.4 the Commission must ensure, as far as practicable, that the existing organisational capability of the local authority is not diminished; and
 - 9.5 the Commission is bound by all relevant statutory provisions that are applicable to Crown appointees.
10. The Commission is required to perform the following tasks as outlined below:
 - 10.1 deliver a 2024–34 Long-term plan that prioritises the needs of the community, city and region;
 - 10.2 ensure programmes of work identified in the Commission’s exit plan dated 25 November 2021 are progressed and sufficiently resourced for delivery;
 - 10.3 continue to identify issues faced by the Council and engage in existing Council initiatives or other actions to address these issues;
 - 10.4 work with the Council’s chief executive to build capability, capacity and resilience within the Council organisation;
 - 10.5 support the Council to develop a comprehensive induction programme to ensure incoming elected councillors are enabled to practice good governance;
 - 10.6 work with the Council to encourage quality candidates to stand for election; and
 - 10.7 any other tasks the Commission determines to be necessary to maintain the trust and confidence of the

community in the Council.

Remuneration

11. The fees for commissioners will be paid from funds belonging to the Council. Fees 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.

12. 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

13. 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

14. The Commission will report quarterly to the Minister of Local Government on its progress performing the tasks outlined in its terms of reference. The first quarterly report is due to the Minister of Local Government by 30 June 2022.

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

15.1 a description of the activities the Commission undertook in relation to its Terms of Reference;

15.2 the progress on addressing the problems for which the Commission was appointed; and

15.3 a recommendation on whether the Minister should take any further action in relation to the Council.

Dated at Wellington this 4th day of April 2022.

HON NANAIA MAHUTA, Minister of Local Government.