

# TERMS OF REFERENCE

Working Group  
Recovered Water Management Solution

**Capital Delivery Team**  
Organisational Performance & Innovation

**ROTORUA**  
**LAKES COUNCIL**  
Te Kaunihera o ngā Roto o Rotorua

# TERMS OF REFERENCE (TOR) FOR RECOVERED WATER MANAGEMENT SOLUTION PROJECT WORKING GROUP

## 1. PURPOSE OF THE WORKING GROUP

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### *Background*

Previous attempts to find a solution for the disposal of our recovered water from our main wastewater treatment plant have been unsuccessful, but Rotorua Lakes Council is committed to finding a suitable solution. In forming this Working Group, Council will invite Mana Whenua representatives from the district and community representatives, to work collaboratively with Council to find a preferred solution.

### *Working Group*

The Working Group will supply guidance, and support to ensure the successful delivery and recommendation of a preferred solution/s back to Council for approval. The group will monitor progress, address key issues, and make critical decisions to keep the project aligned with its objectives. The group is to utilise the approved Multi Criteria Analysis as a means of assessing solutions and for providing feedback to Council.

### *Working Group Objectives*

In undertaking the project, Council, Mana Whenua and key stakeholders will attempt to achieve consensus in respect of:

- a. Identification of a preferred solution for managing Rotorua's Recovered Water Management Solution, in a manner that works within Councils approved MCA framework.
- b. Development of applications for any resource consents or other necessary approvals, if required, to implement the preferred option identified above.
- c. Support and guide the Council and project staff on engagement and communications to the community.

For the sake of clarity, while the Working Group partners offer direction, advice and recommendations on the preferred option, the final decision on that option remains with Rotorua Lakes Council. Mana Whenua and stakeholders retain the ability to form and express their own views on the preferred option selected, including through any statutory process.

### *Purpose of the Terms of Reference*

The purpose of this Terms of Reference is to describe how Mana Whenua and key stakeholders will work with Council to undertake and supply guidance the project. While the parties agree to participate in this process in accordance with these Terms of Reference, the parties retain the ability to form and express their own views on the preferred option selected, including through any statutory process.

## 2. ACKNOWLEDGEMENT OF PRINCIPLES

The Working Group operates in alignment with the principles of Te Tiriti o Waitangi and the Township Agreement, recognising the importance of partnership, participation, and protection.

In accordance with the **Local Government Act 2002**, the Working Group acknowledges the Council's statutory responsibilities while committing to inclusive governance that reflects both legislative requirements and partnership values.

These Terms of Reference provide clarity on roles, responsibilities, and processes while upholding these guiding principles.

### 3. MEMBERSHIP

The following are considered members of the Working Group:

- Elected members (up to 3).
- Te Tatou O Te Arawa.
- Mana Whenua Nominations (x4).
- Community representatives (x3).
- Project Sponsor.

Chairperson: Deryck Shaw

The following are considered providers of technical assistance and advice to the Working Group:

- Bay of Plenty Regional Council technical expert: provide guidance around statutory requirements
- Stakeholder engagement: Mana Whenua Engagement Lead, presents the views of key stakeholders.
- Finance representative: Finance Business Partner, oversees budget and financial matters.
- Project team lead: Project Manager, Capital Delivery, responsible for delivering the project.
- Subject matter experts: As required, to provide expertise and guidance on specific areas related to the project.
- Others as requested by the Working Group, e.g. technical specialists, mātauranga Māori specialists etc.

#### 3.1. ALLOCATION OF PROJECT DESIGNATIONS

The Working Group will oversee the project and will:

- a. Work collaboratively and collectively to identify a preferred option for managing Rotorua's recovered water
- b. Provide advice, direction, and support to the Project Delivery Team
- c. Seek advice from, and review information presented by, the Project Delivery Team
- d. Assess solutions in accordance with Council's approved MCA framework.
- e. Receive solution options from Mandated Community Groups, aligned with the MCA framework

The Project Delivery Team will be responsible for undertaking the development of the Project, including review and interpretation of technical information, preparation of reports and advice to the working group.

### 4. MEETINGS

Meetings will be held monthly, lasting approximately three hours. Additional meetings may be scheduled as needed. Meetings will be conducted in-person wherever possible or via video conference. Agendas will be circulated three days prior to each meeting, and minutes will be recorded and distributed within one week after the meeting. The Chair will confirm the intent and expected outcomes for each meeting.

Meetings will be scheduled to occur regularly and be booked six months in advance. If an event or date means that any one of the membership are not able to be represented, that member may assign an alternate person to attend that meeting in their place. Representatives on the Working Group are required to report back to their own organisations as appropriate on progress of the Project.

All members of the Working Group are to be remunerated by Council for the time and level of expertise provided to the Project.

#### 4.1. AGENDA SETTING

The Chair is responsible for confirming the intent and expected outcomes for each meeting. Members may propose agenda items or amendments by raising these with the Chair prior to agenda finalisation. Proposed items will be considered in line with project timeframes and the need for efficient Working Group operation.

#### 5. ROLES AND RESPONSIBILITIES

- *Elected members:* Actively supports the project, represents Councils wider stance and assists in reaching consensus decisions to inform recommendations.
- *Te Tatau o Te Arawa:* Responsible for advocating for Te Arawa Whanui into the Working Group.
- *Mana Whenua:* Representatives responsible for advocating for mātauranga Māori and ensure a Māori world view is reflected in the decision making.
- *Community Representatives:* Offer advice and perspectives, with a view to facilitating 'best for project, and organisation' outcomes.
- *Project Sponsor:* Provides strategic direction, approves major decisions day to day within the project team and resolves escalated issues.
- *Chairperson:* Leads the meetings, ensures all voices are heard, and facilitates decision-making to then inform recommendations.

#### 6. DECISION-MAKING

The Working Group will strive for consensus in its decision-making processes. The Working Group will make final recommendations to the Council in terms of the proposed preferred solution to be taken forward. Elected members of the Council may choose to meet with the Working Group to discuss those recommendations.

Any final decision on the project and the commitment of financial resources will be made by the elected members of Council, with a particular focus on the recommendations of the Working Group. Where the Council decision is different to the Working Group recommendations, this will be reported back to members as a decision of Council, or for further discussion.

The Working Group includes representatives from Mana Whenua, nominated by their respective iwi to contribute to the development and refinement of the WWTP Solution. These representatives bring valuable insights, indigenous knowledge, historical context and lived experience to the table. It is acknowledged, however, that participation in the working group does not bind Mana Whenua members to the final decisions or outcomes of the group. Furthermore, their involvement does not imply endorsement or formal support from the iwi or hapū they represent, unless explicitly stated through appropriate iwi decision-making processes and targeted engagement.

##### 6.1 QUORUM

A quorum for meetings of the Working Group shall consist of:

- At least 50% of the total membership, including at least one Mana Whenua representative, one Community representative and one Council representative.
- If quorum is not met, the meeting may proceed for discussion purposes, but no formal recommendations or decisions may be made until quorum is achieved.

#### 7. DISPUTE RESOLUTION

In the event of disagreement or conflict within the Working Group, members commit to resolving issues in a manner consistent with the following values:

- Good faith – engaging honestly, respectfully, and with a shared commitment to the project’s success.
- Transparency – ensuring open communication and clarity in decision-making processes.
- Respect for tikanga and partnership principles – recognising the importance of cultural protocols and Te Tiriti o Waitangi commitments.

Where disputes cannot be resolved within the Working Group, matters will be escalated to the Council for guidance.

## 8. CONFIDENTIALITY

Members of the Working Group commit to maintaining confidentiality regarding sensitive information discussed during meetings. Confidential information includes draft reports, internal deliberations and any material identified as in-confidence by the Project Manager or Council. Permitted communication includes agreed updates, minutes and progress reports that are formally shared with stakeholders and organisations.

Confidentiality will be upheld in good faith and with transparency, ensuring trust within the Working Group while enabling appropriate organisational engagement.

## 9. TECHNICAL ADVISORY GROUP

Rotorua Lakes Council retains responsibility for appointing members to the technical advisory group as required. In recognition of the expertise within the Working Group, members may recommend or nominate subject matter experts for consideration.

## 10. ENGAGEMENT AND COMMUNICATION

Project Team staff, alongside RLC teams, will be responsible for all communications and engagement between Mana Whenua and the community. Working Group members will not be expected to report back to their respective groups or entities. This will be the responsibility of the Secretariat and Project staff.

### 10.1. COMMUNICATIONS PROTOCOL

The Working Group adopts a “no surprises” approach to communications.

- Pre-release awareness: Members will be informed of any public communications (e.g., media releases, newsletters, stakeholder updates) before they are issued.
- Consistency of messaging: Communications will reflect agreed project positions and decisions.
- Transparency: This approach ensures that the Working Group has visibility of messaging and can maintain confidence in how information is shared externally.

## 11. REPORTING AND COMMUNICATION

The Project Manager will provide a monthly progress report, including status updates, risk assessments, and issue logs to the working group. Communication with stakeholders will be managed through regular updates, newsletters, and meetings as required. The Working Group will receive a summary report after each meeting via minutes.

## 12. REVIEW AND AMENDMENTS

The Terms of Reference will be reviewed as needed. Amendments can be proposed by any Working Group member and must be approved by Council. Changes will be documented and distributed to all members.