**Local Government Steering Group Terms of Reference**

29 September 2021 (adopted) 10 July 2023 (updated)

# Purpose of the document

This document defines the Terms of Reference (TOR) for a local government steering group (the Steering Group), convened and serviced by the Ministry for the Environment. The document sets out the purpose and membership of the Steering Group, the scope of the Steering Group’s role, the approach to its work, and support arrangements.

# Background to establishing the Steering Group

The Government commenced a programme of work to repeal the Resource Management Act 1991 (RMA) and enact three new Acts to create a resource management (RM) system.

This Steering Group was established in mid-2021, recognising the role of local government and iwi/Māori in the resource management system and reflecting the need to build a lasting relationship between central and local government and iwi/Māori that would focus initially on the establishment of and transition to the new system, and the basis for a constructive relationship through system implementation.

Establishing this Steering Group, focused on local government, was one of the things that the RM Reform programme has done to recognise local government’s key role in the resource management system and to reflect the Government’s and the Ministry’s desire to form a constructive, enduring and trusted relationship with key leaders of local government organisations.

# Purpose of the Steering Group

Through the policy development process, the Steering Group has provided an important and key point of contact between the Reform Programme and local government and a forum to ensure timely and influential input and feedback directly to Ministers and to officials. The Steering Group will continue to play this key role and in particular to be a key point of contact with Ministers and the Ministry.

The Steering Group will continue to contribute local government expertise and perspectives to the development and implementation of RM Reform policy advice and to the Spatial Planning Reform Board and ministers. The advice on engagement and communications with local government is particularly valuable.

The Steering Group has increasingly turned its attention to providing policy advice regarding the National Planning Framework and the Climate Change Adaptation Bill and implementation of the new RM system. Increasingly during the second half of 2023 and early 2024 the work of the Steering Group will also encompass the development of the updated Emissions Reduction Plan (ERP2) due to be delivered by the end of December 2024. The Steering Group may be requested to increase its scope to wider MfE work programmes.

A Local Government Implementation Group (LGIG) has been established to work with the Ministry on implementation of the new RM system. The LGIG derives its mandate from the Steering Group and will support collaboration at an operational level including working on shared implementation priorities and enabling access to technical expertise within local government to support implementation of the reforms The LGIG will provide regular updates to the LGSG on implementation matters.

As we enter this next phase of RM Reform the scope of the Steering Group will encompass:

* the relationship between local government and iwi/Māori in the context of implementation and giving effect to the Principles of Te Tiriti o Waitangi
* providing strategic direction on climate adaptation and resilience work, including the Climate Change Adaptation Bill (CCAB)
* providing direction on natural hazards under the current RM system
* an over-arching view of implementation, advising on priorities for implementation, and providing the mandate to the Local Government Implementation Group for its work on implementation
* providing advice on the National Planning Framework as it is developed
* wider local government engagement

The Steering Group will hold the relationships at a national level with the national Māori collectives, the SPR Board, the Climate Change Chief Executives Board and Ministers.

# Approach to work

The Steering Group will support the legislative/policy process and effective implementation. This will involve working together openly and constructively to achieve consensus where possible, and to outline and explain differences where not.

Principles for working together

We wish to conduct a working relationship between us throughout the period of the RM Reform programme, including implementation, in good faith and in accordance with the following principles:

1. shared intention: the shared intention of supporting the RM Reform programme, including ensuring a smooth transition and successful implementation of the RM Reform programme
2. mutual trust and respect: build and foster working relationships and communication practices that are based on, and value, mutual respect and high trust, including so as to address any issues and concerns that might arise, early and constructively, to ensure that process expectations are clear and aligned and to act and respond in ways that reflect a fair assessment of the importance or materiality of the matters requiring an action or a response
3. constructive: non-adversarial dealings between the parties, and constructive mutual steps to avoid differences and disputes and to identify solutions that advance the shared interests and objectives of both central and local government with respect to the communities they serve
4. open and fair: open, prompt and fair notification and resolution of any differences or disputes which may arise and the identification of potential risks and/or issues (including potential causes of delay) that could adversely impact the timely completion of the activities within the timeframes specified in any agreed programme of activities
5. no surprises: adopt a ‘no surprises’ approach in respect of their respective communications to stakeholders and their public statements and to ensure they are consistent with the spirit and intent of this Terms of Reference.

Escalation

In the event that a majority of Steering Group members feel that the Ministry is not hearing the group’s advice, or that the Ministry is unresponsive to it, the group may request that the local government co- chair communicates the matter(s) to the Secretary for the Environment, and if it is not resolved at that level, then to the Minister.

# Composition, Chairing and Tenure

The Steering Group comprises local elected members and council chief executives (or other senior officers), staff from LGNZ, Taituarā and Te Uru Kahika the Ministry for the Environment. Other central government and non-governmental staff or representatives will be invited to attend Steering Group meetings as appropriate.

The Steering Group is co-chaired by the Ministry for the Environment and a local government elected member of the Steering Group.

Members are selected based on:

* their personal experience and expertise, and ability to provide constructive, free and frank advice. Steering Group members do not represent any council or organisation
* a range of council types, geographic locations, environments and communities
* having the support of the local government sector through LGNZ and Taituarā.

Steering Group members are appointed by the Secretary for the Environment after consultation with LGNZ, Taituarā and Te Uru Kahika. The term for appointments will be as agreed. This term will end when required.

Steering Group members who depart from the group for any reason will be replaced after considering the needs of the group and the sector. Advice on new members will be sought from the Steering Group and the Ministry will work with LGNZ, Taituarā and Te Uru Kahika to confirm new members.

At such a time as a new local government co-chair is required, the Steering Group members will work together to agree a replacement. When required, another member of the Steering Group may stand in as co-chair.

# Duration and review periods

It is anticipated that this reform will take between 5 – 10 years to completely embed across sectors. This Steering Group will remain active through the policy development process and to provide advice on transition and implementation planning.

To ensure the Steering Group remains fit-for-purpose, any aspect of the Steering Group including its role, membership, efficacy and ways of working will be reviewed annually or earlier if a majority of members or the Ministry for the Environment requests it.

# Confidentiality

All Steering Group members are expected to agree to confidentiality and conflict of interest requirements to enable participation in policy processes.

# Meeting frequency

The Steering Group will nominally meet monthly but will meet as needed in periods of increased or decreased need.

# Secretariat

The Ministry for the Environment will provide secretariat support to the Steering Group and any associated subgroups and their work. The Ministry for the Environment will lead reporting from the Steering Group to the Minister for the Environment and Ministerial Oversight Group ministers. The Secretariat will lead agreed communications to the local government sector.

# Associated Groups

The RM Reform programme includes a number of governance and operational groups. Others may be established to meet the evolving needs of the programme. The LGSG will connect with these groups as required.

**National Māori collectives**

National Māori collectives have provided advice through the RM Reform policy process to the Ministry and to Ministers. The LGSG will hold the ongoing relationship for local government with the Māori collectives operating at a national level.

**Spatial Planning Board**

The Spatial Planning Board is an interdepartmental executive board set up and responsible for developing the SPA under the Public Services Act. The Board consists of the chief executives of the following agencies; Ministry for the Environment (MfE), The Treasury (TSY), Ministry of Housing and Urban Development (HUD), Department of Internal Affairs (DIA), Ministry of Transport (MoT) and Department of Conservation (DoC).

The Board provides collective advice to the Minister for the Environment and the MOG. The Board reports to the Minister for the Environment on its operation and functions. The Board is chaired by the Secretary for the Environment and has appointed a Director to lead and coordinate the work.

The Steering Group may provide advice to the Spatial Planning Board through statements in papers and/or by being invited to attend relevant parts of Board meetings.

**Climate Change Chief Executives Board**

# An interdepartmental executive board for climate change has been established to provide oversight of the Government’s response to climate change. It monitors and reports on the delivery of actions in the emissions reduction plan (ERP) and national adaptation plan (NAP).

The Board consists of the chief executives of the following agencies: Ministry for the Environment (MfE), The Treasury (TSY), Department of Internal Affairs (DIA), Ministry of Transport (MoT), Department of Conservation (DoC), Ministry for Primary Industries (MPI), Ministry for Business, Innovation and Employment (MBIE) and National Emergency Management Agency (NEMA).

**Climate change practitioners**

The Ministry is working with local government practitioners through the Aotearoa New Zealand - the Climate Adaptation Network (ACAN) and an ACAN reference group. The practitioner network is focused on collaboration across local government on climate adaptation planning and related programmes. The purpose of the reference group is to advise on aspects of the Ministry’s wider natural hazards and climate adaptation related work, including work being accelerated in response to recent severe weather and the Climate Adaptation Bill.

**Responsible ministers** The Steering Group may provide agreed messages in advice to the lead ministers (Minister for the Environment and Minister for Climate Change). Steering Group members may also be invited to attend relevant parts of ministerial meetings.

**Steering Group subgroups and other fora**

The Steering Group may decide to establish sub-groups or advise on separate fora. These could be to enable:

* sufficient technical input from the sector (e.g., on CCAB policy)
* testing and piloting of policy
* clear and regular communications to the sector and ability for them to ask questions and provide feedback through webinars and other channels
* delivering implementation of the reforms to all councils (noting the LG Implementation Group has recently been established as a subgroup of the LG Steering Group)
* avenues for elected members to meet with ministers.

# Accountabilities and decision-making

Participation

Members are expected to attend as many meetings as they can. If a member cannot attend a delegate is not generally able to be sent in their place.

Participation in the Steering Group does not preclude or replace normal decision-making processes by individuals, or their organisations (e.g., through select committees).

Agencies are invited to have the deputy secretary responsible to attend as an observer (delegates will not generally be welcomed). Local Government New Zealand, Taituarā and Te Uru Kahika may choose to be represented on the Steering Group by senior officers and are invited to have an observer attend meetings.

Members are not representative of any sector, organisation or group, but are there as individuals. Decision-making

The Steering Group does not hold decision-making responsibilities on any aspect of the RM Reforms.