

This document sets out the operating procedures for the interdepartmental executive board to develop the Strategic Planning Act as part of the resource management reforms.

Strategic Planning Reform Board Operating Procedures April 2021

Operating Procedures for the Strategic Planning Reform Board

Approved by the Board on 28 April 2021

Purpose of this document

1. This document sets out the working arrangements between the Strategic Planning Reform Board (Board) members and other parts of government.

Scope of this document

2. The Board is required to develop operating procedures to be published online.¹
3. These procedures may include responsibilities of the Chairperson, delegation, Board decisions, meeting approach, meeting quorum, setting agendas and conflict resolution.²

Responsibilities of the Board Chairperson

4. The Chairperson is responsible for presiding over meetings of the Board.
5. The Chairperson, supported by the Secretariat, is also responsible for determining the agenda for each Board meeting, approving the meeting schedule and the meeting minutes.

Delegations

6. Members are expected to attend all meetings of the Board.³ If they cannot attend a meeting, they may send a delegate in their place provided the Chairperson approves in writing.
7. A delegate must be given full authority for decision-making on behalf of the Member.⁴ A Board member may nominate a delegate on an ongoing basis.⁵

¹ See Public Service Commission, 'Machinery of Government Supplementary Guidance Note: Inter-departmental Executive Board', p.7: <https://www.publicservice.govt.nz/assets/SSC-Site-Assets/SAPG/Guidance-Interdepartmental-Executive-Board.pdf>

² Ibid.

³ Proposed meeting dates are set out at appendix 1.

⁴ Delegations need to be in writing, see Schedule 6 of the Public Service Act 2020.

⁵ By delegating to another, the Board member is not relinquishing their role because persons with functions and powers still retain them even after they have delegated them.

8. The Board may appoint a Vice chairperson. The Vice Chairperson must chair Board meetings if the Chairperson is unable to attend and will have the same responsibilities as the Board Chairperson.

Decisions of the Board

9. Board members may make decisions on the strategic direction of New Zealand's resource management reforms relating to the proposed Strategic Planning Act, consequential amendments to other enactments required to implement the Strategic Planning Act, and the making of associated secondary legislation.
10. Board members must consider the wider system design when making decisions on the SPA.
11. The Board should aim to make decisions by consensus. In circumstances where unanimous decisions are not possible, the Board must make decisions by a majority. Where advice to the Ministerial oversight Group (MOG) is based on a majority decision then it should be made clear this is a majority (not unanimous) decision and the minority view must also be included. It is discouraged that dissenting members brief their Minister on a minority view without this being expressed in the MOG report.
12. Board members continue to be responsible for leading their departments and, if applicable, sectors. Board members must, however, consider how decisions made in their individual capacities affect the collective decisions of the Board.

Approach to meetings

13. The Chairperson may invite non-members to attend a Board meeting. In those circumstances, the invited party may participate in discussions at the discretion of the Chairperson but is not a member of the Board and does not form part of the quorum.
14. Board members may bring in other government agency chief executives as needed, including to ensure engagement with Māori and that Māori perspectives inform the development of the SPA.⁶

⁶ This reflects the decision by chief executives at the Resource Management Chief Executives' Board on 28 January 2021. In attendance was Vicky Robertson (MfE), Lil Anderson (Te Arawhiti), Hannah Cameron (Public Service Commission), Stephanie Rowe (Housing and Urban Development), Paul James (Department of Internal Affairs), Peter Mersi (Ministry of Transport), David Samuels (Te Puni Kōkiri), Bruce Parkes (Department of Conservation), Peter Lorimer (Treasury).

15. The Board will meet no less than once every month for up to two hours. The Board, however, can meet out of session as required when the Chair deems it necessary.
16. The Chairperson is responsible for determining the schedule of meetings in consultation with the other Board members.
17. Any variation to the meeting schedule, including any departure from the fortnightly frequency of meetings, must be approved by the Chairperson.
18. Meetings may be held virtually if a Board member is unable to attend in person.
19. If a Board member is aware of an issue to be raised by either a Minister or Officials, that Board member should follow a “no surprises” approach and inform the Chairperson.

Meeting quorum

20. A meeting of the Board may be held by a quorum of its members assembled at the appointed time and place of the meeting. No business (including approved minutes) may be transacted if there is no quorum.
21. A quorum for a meeting is a majority (5) of Board members in attendance, one of which must be either the Chairperson or Vice Chairperson.

Conflict resolution

22. If a breakdown in relationships occurs, the Public Service Commissioner may assist in the resolution of conflict.⁷

Advisers

23. The Board may contract services from adviser(s) on specific areas of expertise to bolster capability or provide an external or required additional perspective on an area within the resource management system reforms.
24. For the avoidance of doubt, these advisers will not hold decision-making authority.

Servicing department

⁷ See Public Service Commission, ‘Machinery of Government Supplementary Guidance Note: Inter-departmental Executive Board’, p.7: <https://www.publicservice.govt.nz/assets/SSC-Site-Assets/SAPG/Guidance-Interdepartmental-Executive-Board.pdf>

25. The Board can employ staff to a dedicated unit to support the Board's functions and allow it to meet its objectives.⁸
26. The staff will provide co-ordination across the various departmental policy areas and support it to develop coherent strategic advice that balances various sector perspectives and trade-offs.
27. The Board can appoint a director to lead the work of this unit.
28. The Board can also delegate administrative tasks (such as financial and annual reporting) to the servicing department to reduce administrative burden on Board staff.⁹
29. The Ministry for the Environment is the servicing department for the Board.¹⁰

Director

30. The Public Service Commission intends for the Director role to have a degree of independence and oversee the operations of the resource management reforms.
31. The Director may have oversight over the functions of the Secretariat and the SPA cross-agency team.
32. The Board may decide that the day-to-day relationship with the Minister is managed by the Chairperson or the Director.¹¹
33. In summary, the Board may appoint a director to:
 - lead the work of the Secretariat and SPA cross-agency team.¹²
 - manage the day-to-day relationship with the Minister¹³
 - make decisions if delegated to the director where appropriate.¹⁴

Secretariat

34. The Secretariat will support the Board to operate efficiently to develop the SPA. It will be provided by the Ministry for the Environment.

⁸ Ibid. p. 5.

⁹ Ibid, p. 5.

¹⁰ Section 26(2) of the Act.

¹¹ See Public Service Commission, 'Machinery of Government Supplementary Guidance Note: Inter-departmental Executive Board', p.4: <https://www.publicservice.govt.nz/assets/SSC-Site-Assets/SAPG/Guidance-Interdepartmental-Executive-Board.pdf>

¹² Ibid., p. 5.

¹³ Ibid, p. 5.

¹⁴ Ibid. p. 4.

35. The Secretariat is responsible for completing all reasonable requests made by the Chairperson of the Board on behalf of the Board. This work includes supporting with agenda setting, minutes, actions and meeting support (including meeting schedules and co-ordination across the various departmental policy areas) and logistics.¹⁵
36. The Secretariat is also responsible for co-ordinating consultation and engagement across central government agencies, Crown entities, local government and Māori in the course of the development of the SPA.

SPA cross-agency policy team

37. The Board will also be supported by a dedicated SPA cross-agency team that will provide it with policy support (research capability, technical analysis and policy advice for the proposed Act).
38. The SPA cross-agency policy team will be hosted at the Ministry for the Environment. To deliver the required skills and expertise, the unit will be supported by co-located and seconded resources from member agencies [DEV-21-MIN-0019 refers]. The Director will advise the Board of ongoing resourcing needs from contributing agencies to deliver the SPA.
39. The cross-agency policy team will consist of a mix of agencies and local authorities including:
- Ministry for the Environment
 - Housing and Urban Development
 - Ministry of Transport
 - Department of Internal Affairs
 - Department of Conservation
 - Treasury
 - Bay of Plenty Regional Council.
40. The SPA cross-agency policy team will ensure engagement and consultation with local government and Māori/iwi, when appropriate, to draw on their knowledge and expertise as part of the team's high quality policy support to the Board. This will be co-ordinated with the wider RM reform engagement programme.

¹⁵ Meeting logistics could include travel bookings, room bookings, refreshments, expense claims, and other areas to help the Board function and meet its objectives.