

# **Community Liaison Group Terms of Reference**

## **Kopeopeo Canal Remediation Project**



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## Document Control

### Document information

<b>Document Name</b>	Community Liaison Group Terms of Reference – Kopeopeo Canal Remediation Project
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### Document history

Author	Description of change	Date	Version
Brendon Love	Initial document	23/03/2015	0.1
Stephanie Fraser	Community Liaison Group meeting feedback	08/04/2015	0.2
Stephanie Fraser	Googledocs feedback and update	27/05/2015	0.3
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Hazel Ryan	Membership changes	26/01/2017	2.0
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### Distribution control

Person	Role	Date of issue	Version
Ken Tarboton	Project Sponsor	23/03/2015	0.1
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### Referenced documents

Document Name	Date of issue	Version	Objective reference
Project Steering Group Terms of Reference	05/05/2017	2.1	A2538242

## Document approval

Signatory	Signature	Date
John Pullar CLG Chair		
Bruce Crabbe (BOPRC as consent holder) Project Director		

Amanda Austrin CS1 representative		
Tui Edwards CS2 representative		
Tani Wharewera Hokowhitu Marae and CS3 representative		
Rene de Jong Whakatane Harbour Care		
Sue Walsh Dairy Companies Association of NZ		
Clint Savage DOC		
TBD Toi Te Ora Public Health		
Shane McGhie WDC		
John Meikle Fish and Game		
Eula Toko Te Rūnanga o Ngāti Awa; SWAP		
Hayden Power Federated Farmers of NZ, Whakatāne Branch		
Scottie McLeod Whakatane Waimana Rivers Scheme Liaison Group		
Andrew Kohlrusch Independent Monitor		

## Introduction

The concept of a Community Liaison Group for the project was developed during the resource consent process and included in the set of consent conditions recommended to the hearings panel considering the resource consent applications. The requirement to establish a Community Liaison Group was subsequently included in the regional council resource consent (67173, condition 27) and the district council consent (LL-2012-8085-00, condition 15).

## Purpose

The Community Liaison Group (CLG) is being established to assist the project team achieve the objectives and goals of the Kopeopeo Canal Remediation project ('the project'). The project will use a staged approach to extract and safely store up to 40,000 cubic metres of contaminated sediment from the canal within three purpose built containment sites. The intention is to use the three sites for the containment and treatment of the sediment removed from the canal. The treatment of the sediment is a separate phase of the project.

The CLG for the project is a group formed to provide two-way information sharing about the project, between the Consent Holder and the community.

This will be achieved by:

- BOPRC (as consent holder) providing information in a timely manner to the CLG.
- CLG members facilitating information flow to and from the wider community.
- CLG meetings providing a forum for discussion of community views.

It is expected that the CLG is a forward looking group that seeks the best outcomes for the project and the community by ensuring the free-flow of information, transparency, and practical advice to the Project.

## Objectives

The role of the CLG collectively, is to support the project by fulfilling the following objectives:

1. To appoint a member of the CLG to the selection panel for the Independent Monitor.
2. With the support of BOPRC (as consent holder), assist with ensuring the community is well-informed with accurate and timely information about the project, including progress, monitoring results and any issues.
3. Provide community feedback to the project team in a co-ordinated manner to enable an effective response to any concerns raised. This will be done by establishing a database and managing the information and actions required of the project team members, and through the approval and auditing of the communications plan.
4. To appoint a member of the CLG to the Project Steering Group.

### Note:

- As appropriate, the project sponsor or CLG may review the CLG composition to ensure the required expertise and interests are represented on the group.

## Chairperson

The Chairperson of the Community Liaison group is to be determined by the CLG. The Chair reserves the right to delegate this role to another CLG member if they are not able to attend a meeting, after having made every effort to attend. A copy of the role summary is provided in Appendix A.

## Community Liaison Group membership

The Kopeopeo Canal Community Liaison Group membership is drawn from stakeholder groups identified within consent (67173) condition (27.2) and consent (LL-2012-8085-00) condition (15.2), other stakeholder group representatives and community members.

The CLG membership consists of:

Name	Stakeholder Group	Specific responsibility	Date from	Date to
Amanda Austrin	CS1 rep	(see CLG roles and responsibilities)	30.03.15	End of project
Tui Edwards	CS2 rep	(see CLG roles and responsibilities)	30.03.15	End of project
Tani Wharewera	Hokowhitu Marae and CS3 rep	(see CLG roles and responsibilities)		End of project
Rene De Jong	Whakatane Harbour Care	(see CLG roles and responsibilities)		End of project
Clint Savage	DOC	(see CLG roles and responsibilities)	30.03.15	End of project
TBD	Toi Te Ora Public Health	(see CLG roles and responsibilities)		End of project
Shane McGhie	WDC	(see CLG roles and responsibilities)	30.03.15	End of project
Rene De Jong	Whakatāne Harbour Care	(see CLG roles and responsibilities)	30.03.15	End of project
John Meikle	Fish and Game	(see CLG roles and responsibilities)	30.03.15	End of project
Eula Toko	Te Rūnanga o Ngāti Awa; SWAP	(see CLG roles and responsibilities)	30.03.15	End of project
Hayden Power	Federated Farmers of NZ, Whakatāne Branch	(see CLG roles and responsibilities)	30.03.15	End of project
Scottie McLeod	Whakatāne Waimana Rivers Scheme Liaison Group	(see CLG roles and responsibilities)		End of project
Andrew Kohlrusch	Independent Monitor	(see CLG roles and responsibilities)	03.06.15	End of project

## Community Liaison Group roles and responsibilities

- 1 Approve the Terms of Reference for the CLG.
- 2 Appoint a CLG member to the Project Steering Group (PSG).
- 3 Approve the Communications Plan.
- 4 Provide input to the steering group through the PSG representative.
- 5 Review reports from the Independent Monitor.
- 6 Refer issues and disputes raised by the group to BOPRC compliance.
- 7 Meet at least once every two months
- 8 Discuss issues arising from the information provided by BOPRC (as consent holder) and the Independent Monitor and provide feedback on:
  - The remediation process and the activities authorised by this consent
  - Results and details of sampling and monitoring undertaken including monitoring and validation of the treatment phase of the project
  - Any accidental spills, discharges, or other unforeseen events associated with implementing the project
  - Remedial actions taken to rectify any accidental spills, discharges, or other unforeseen events
  - The project generally and the timing and duration of activities
- 9 Provide a forum for the community to provide feedback to the consent holder on the implementation of the project.

## Membership expectations

That each Community Liaison group member:

- Has read and understood the member role description in this document.
- Is able to provide constructive input and advice to the project.
- Is responsive to capturing and dealing with community issues and is solutions focussed.
- Is committed to the project and understands the importance of their personal contribution to the project's success.
- Is committed to prepare for and attend CLG meetings for the duration of the project lifecycle.
- Provides input into the preparation of the Communications Plan.
- Is involved in appointing a member of the CLG to the selection panel for the Independent Monitor.
- Meets regularly with the project team to receive information and provide feedback. The exact frequency will be determined by the group and is expected to vary depending on the status of the project.
- Receives and reviews update reports from the Project Manager and other project team members as appropriate.
- Disseminates information provided to the group to key stakeholders and the general community.

- Attends site visits as required to observe activities and liaise with the Engineer to the Contract, Project Manager and other project team members.
- Has read and agrees to abide by the code of conduct in Appendix B.
- Has formally accepted this Community Liaison Group Terms of Reference by signing in the Document Approval section.

## Reimbursement and Honorarium

The cost of members attending meetings will be borne by the relevant organisation. Honoraria will be made to members for time attending meetings where members are not being paid, or are not entitled to be paid by another organisation.

Reimbursement shall be considered for the actual costs incurred attending CLG meetings, where those costs are not paid for, or entitled to be paid for, by another organisation.

Not-for-profit sector interests and community interests will be eligible to receive honorarium and reimbursements, however all payments will occur at the discretion of the Project Manager.

## Project Steering Group

The CLG is required to nominate a member to sit on the PSG. The following outlines the role of the project steering group and its respective roles and responsibilities.

### Project Steering Group members

The steering group consists of the following:

Bruce Crabbe	Project Director (Chair), BOPRC Rivers and Drainage Manager
Kereama Akuhata	Sawmill Workers Against Poisons (SWAP)
Scottie McLeod	Whakatāne Waimana Rivers Scheme Liaison Group
Bruce Croucher	Ministry for the Environment
Dr Phil Shoemack	Toi Te Ora Public Health
Dr Chris Anderson/Dr Joanne Kelly	Bioremediation Experts
Tui Edwards	Community Liaison Group
Jeff Farrell	Whakatāne District Council
Tracey Godfery	Te Wānanga o Awanuiārangi

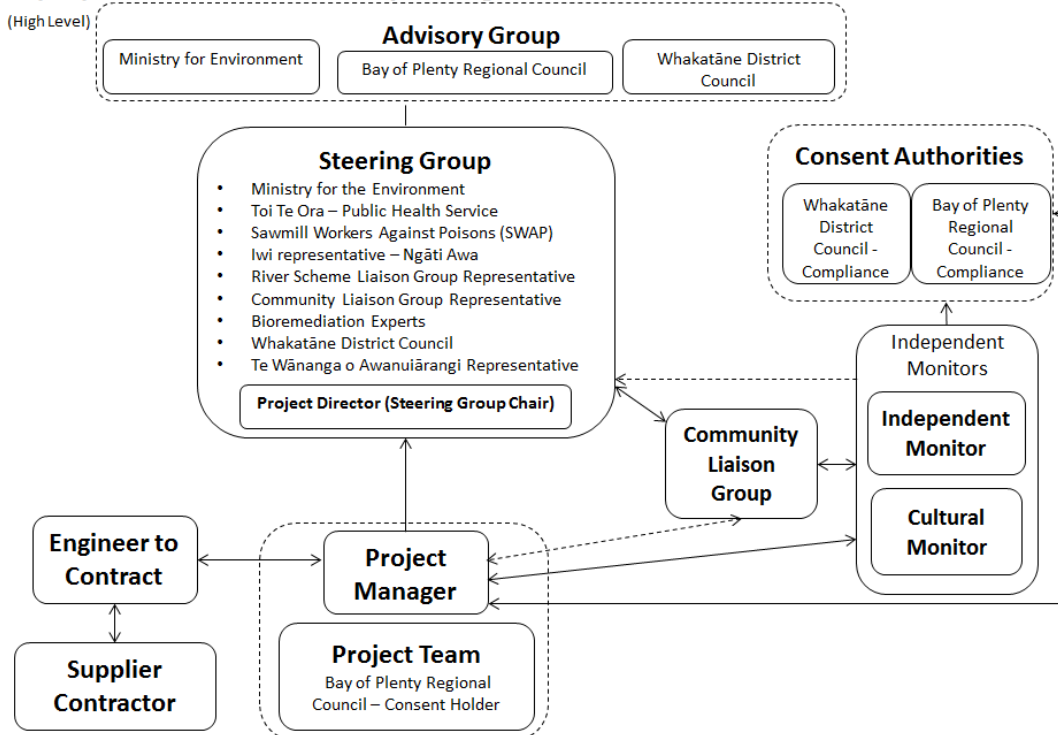
### Project Steering Group roles and responsibilities

- Receiving and reviewing the Project Management Plan, including its component plans, and providing to the project manager and/or project executive (as applicable) recommended changes to those plans,

- receiving and reviewing regular project reports from the project manager and providing recommendations to assist to deliver the project successfully according to the objectives, scope, time, quality and cost in accordance with the Project Management Plan,
- providing opinion and advice on specific technical areas of the project,
- making recommendations to the Community Liaison group, project manager and/or project executive to support any decision that will have a material impact on the project,
- providing assistance or information to the parties in relation to Ministerial and Parliamentary questions and requests under the Official Information Act 1982, and Local Government Official Information and Meetings Act 1987,
- acting as a key professional forum to communicate appropriate project information back to key stakeholders, within or relevant to their own organisation;
- providing guidance and direction to the project,
- ensuring that appropriate project assurance activities occur for the most critical aspect of the project’s performance and deliverables,
- providing advice on decisions that will have a material impact on the project, and on key documents and issues,
- agreeing management arrangements and milestones,
- approving the Project Management Plan, other key documents and such as project schedules, risk registers and cost estimates,
- managing high level risks,
- committing the resources required to deliver a successful project outcome, and
- meeting on a regular (approximately monthly) basis.

The following diagram highlights the overall management structure for the Kopeopeo Canal Remediation Project.

**Kopeopeo Canal Remediation Project : Organisation & Structure**





## Community Liaison Group meeting mechanics

### Apologies

The expectation is that Community Liaison Group members will attend the group meetings with the ability to send a proxy, if need be. The expectation will be supported by scheduled group meeting appointments for the remainder of the project. It is expected that the project manager and project director, will also attend Community Liaison Group meetings and report to the Project Steering Group. Group members can attend meetings remotely by teleconference if required.

### Meeting structure

Below are standing agenda items for CLG meetings.

Agenda item	Responsibility	Approximate duration
Apologies	Project Administrator	3 minutes
Opening comments	Chair	5 minutes
Minutes and actions	Chair	10 minutes
Community Feedback	CLG members	10 minutes
Project Status Report/Methodology Trials	Project Manager	10 minutes
Risk update	Project Manager	5 minutes
Health and Safety	Project Manager	5 minutes
Independent Monitor Report	Independent Monitor	20 minutes
Cultural Monitor Report	Cultural Monitor	5 minutes
Compliance/Complaint Summary Report	BOPRC as Consent Authority	10 minutes
Discussion on Project Updates	Chair/CLG members	20 minutes
Other business	Chair	15 minutes
Next meeting	Chair	2 minutes

### Meeting packs

The project administrator, on behalf of the CLG Chair, will be responsible for distributing the Community Liaison group meeting packs to the Community Liaison group, a minimum of five full working days prior to the meeting. Nominated CLG representatives will receive meeting packs and associated information and will be responsible for distributing to a proxy, if required. Late papers will not be accepted for discussion or approval at the meeting.

## Minutes

The project administrator will be responsible for formally recording CLG discussions. Those minutes will be circulated for comment within seven working days after the completion of the meeting and, subject to any matters in dispute, be signed off as a true and correct record of the meeting by the members of the Community Liaison group, prior to the next meeting.

## Out of cycle meetings/escalations

If it is necessary to have an out of cycle meeting to escalate urgent issues, the CLG Chair will contact the project manager/project sponsor to request the out of cycle meeting. The Chair will issue an out of cycle meeting request to all Community Liaison group members and will schedule the meeting for the nearest available time. Due to the likely nature of any out of cycle meetings, all Community Liaison group members must attend out of cycle meetings.

## Meetings of the Community Liaison group

The CLG must hold meetings to carry out the functions specified in these terms of reference.

The CLG should seek consensus on all matters which it must consider, but if any business in group meetings is to be voted on, the decision will be determined by a majority vote of the members of the CLG. It is envisaged that there will be two key opportunities for voting: nomination of PSG representative and selection panel representative for Independent Monitor.

## Meeting dates/times

Routine meetings must be held:

- every six weeks during the term of the project, or otherwise as agreed by the CLG, and
- by either assembling together at the date, time and place appointed for the meeting and/or meeting by means of audio and visual communication by which all members can simultaneously hear each other throughout the meeting.

## Appendix A –Role Summary

### Chairperson – Community Liaison Group – Kopeopeo Canal Remediation Project

#### Overall

- Leading the Community Liaison Group to enable it to fulfil its purpose.
- To ensure an effective relationship between:
  - the group and the project team
  - the group and the community
- Acting as a media spokesperson and figurehead as appropriate.

#### Specifically

- Plan and prepare the group meetings with others as appropriate.
- Receive and collate feedback from key stakeholders and the general community and provide to the Project Manager and project team.
- Chair committee meetings ensuring:
  - A balance is struck between time-keeping and space for discussions.
  - Business is dealt with and the community is informed.
  - Minutes are accurately kept.
  - Any actions are clearly assigned and monitored for completion.
- Advising those in attendance at open meetings that it is necessary to comply with the group code of conduct.
- Has the authority to eject any member of the public from a meeting that does not comply with the code of conduct.
- Commit to the role for the length of the project.
- To act with impartiality at all times regardless of own personal opinion.

#### Qualities

- A willingness to lead the Community Liaison Group
- Possesses tact and diplomacy
- Possesses relevant knowledge
- Good facilitator; has the relevant skills to run a meeting well.
- A deep interest in the outcomes of the project

- A respected public profile in the Whakatāne community
- Experience with media liaison and speaking
- Has an independent relationship with BOPRC i.e. isn't currently commissioned by the consent holder (BoPRC) on any contracts

### **Remuneration and project duration**

- Anticipated to be for 12 months for the physical works portion of the project
- Six-weekly meetings
- Remuneration set at \$100 (excl. GST) per hour to a maximum of 6 hours a month for the duration of the physical works

### **Secretarial Support**

- Secretarial support will be provided by Bay of Plenty Regional Council consent holder to prepare Agendas, complete minutes and co-ordinate meetings.

## Appendix B – Code of Conduct

# **Kopeopeo Canal Remediation Project Community Liaison Group Code of Conduct**

## 1. Purpose

The Community Liaison Group for the Kopeopeo Canal Remediation Project is a group formed to provide two-way information sharing about the project, between the Consent Holder and the community.

This Code of Conduct ('the Code') sets out the principles of good conduct and standards of behaviour expected of members of the Community Liaison Group (CLG).

CLG members have agreed to comply with these principles and standards when carrying out their roles and functions as community and stakeholder representatives.

## 2. Code development

The CLG has developed the Code to provide clear expectations for behaviour during meetings. This Code may be amended or replaced at a meeting of the full Group, provided that the motion to amend or replace, duly moved and seconded, receives a vote in support of not less than 75% of the Group members.

This Code of Conduct cannot be revoked without replacement.

## 3. General Principles

CLG members represent various community groups and are accountable to their representative organisations. They are obliged to act in good faith and conscientiously perform their duties in a professional manner with honesty and integrity, as well as with reasonable care and diligence.

General Principles that apply:

### 3.1 Acting in a fair, honest and proper manner

A CLG member must act in a fair, honest and proper manner by:

- 3.1.1 Undertaking all actions in good faith and not for improper or ulterior motive
- 3.1.2 Not making improper use of information acquired, or of their position as a Group member

### 3.2 Care and diligence in performing duties

A CLG member must act with responsible care and diligence in the performance of his or her duties and responsibilities by:

- 3.2.1 Equitably balancing the interests of communities against the rights of the individual
- 3.2.2 Giving proper consideration to the business of the CLG and ensuring that they are informed on the matters requiring decision
- 3.2.3 Undertaking judicial and quasi-judicial aspects of their work in accordance with natural justice principles

3.3 Giving careful and responsible consideration to the allocation of resources

### **3.4 Relationship with the public**

As participants from the community, CLG members must be honest and fair in their dealings with individuals and organisations and behave in a manner that facilitates constructive communication between the CLG and communities by:

- 3.4.1 Being honest and open in dealing with all members of the community
- 3.4.2 Behaving in a courteous and even-handed manner
- 3.4.3 Not misusing their positions to gain an advantage for themselves or anyone else
- 3.4.4 Recognising that an individual Group member has no authority to make decisions, direct staff or commit CLG resources without specific delegated authority
- 3.4.5 Not soliciting, demanding or requesting any gift or benefit for themselves or anyone else

### **3.5 Relationship with Support staff**

CLG members in their relationships with support staff will seek to achieve a team approach in an environment of mutual respect, trust and acceptance of their different roles in achieving the Groups objectives. They will do this by:

- 3.5.1 Showing courtesy and respect
- 3.5.2 Giving appropriate weight to staff professional opinion and expertise

### **3.6 Representing the CLG**

When representing the CLG in the community or at meetings, members will:

- 3.6.1 Provide an accurate and fair representation of CLG information
- 3.6.2 Respect CLG decisions and directions
- 3.6.3 Behave in a manner that maintains and enhances the image of the CLG

### **3.7 Relationship between CLG Members**

Members will establish a working relationship with fellow Members that maintain public confidence and achieves the best possible outcomes for communities by:

- 3.7.1 Demonstrating courtesy toward, and respect for their fellow CLG members
- 3.7.2 Respecting the diversity of opinion that may exist and the right of different points of view to be heard

### **3.8 Use of Information**

Information obtained by a CLG member in the course of his or her duties must be respected and used in a careful and prudent manner, therefore:

- 3.8.1 Information obtained by CLG members in the course of their duties will not be used for any purpose other than CLG business
- 3.8.2 CLG members will not withhold any information that relates to the ability of the CLG to meet its obligations under the terms of reference, however they will respect and maintain confidentiality as and when required
- 3.8.3 When discussing CLG business with the media, CLG members will emphasise that they are putting forward personal views and not those of the CLG, unless they have been authorised by the CLG to be a spokesperson and are conveying a particular position to the media.

### **3.9 Confidentiality of Information**

During the course of the business of the CLG, a CLG member will from time to time be privy to confidential information which may affect CLG activities. The confidentiality of this information will be protected and not disclosed until a resolution of the CLG to release the information has been made.

## 4. Meeting Attendance

- 4.1 CLG members will attend and participate in all meetings unless they have submitted an apology or obtained a leave of absence in advance for non-attendance. CLG members will abide by the Terms of Reference of the CLG.

## 5. Compliance

Where a CLG member is found to be in breach of the Code of Conduct the CLG will consider what sanctions are available and whether they should be applied. The behaviours listed below are examples of breaches of the Code of Conduct; however this is not an exhaustive list:

- Disruptive or irresponsible behaviour.
- Being discourteous.
- Being aggressive or unreasonably argumentative.

Compliance with the Code of Conduct extends to any members of the public or representatives of stakeholder groups in attendance at CLG meetings.

## 6. Relationship with Legislation

There is specific legislation for some aspects of CLG business over and above a Code of Conduct:

### **6.1 Local Government Official Information and Meeting Act 1987**

This Act obliges Local Government committees to make official information available unless there is a good reason to withhold it. It provides for:

- 6.1.1 Access by members of the public to information held by the CLG, including information on the public themselves (unless there is a good reason for withholding information)
- 6.1.2 Transparency and accountability in decision-making through providing for public awareness of, and admission to, meetings of local authorities (unless there is a good reason to restrict public admission)

The grounds for *withholding* information are generally set out in sections 6 and 7 of this Act.



## 6.2 Crimes Act 1961

Under this Act, it is unlawful for a CLG Member to:

- 6.2.1 Accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of the CLG
- 6.2.2 Use information gained in the course of their duties for their, or another person's, monetary gain or advantage

These offences are punishable by a term of imprisonment of 7 years or more. CLG members convicted of these offences will be automatically ousted from office.

## 7. Signatures of CLG Members

Stakeholder Group	Name	Signature	Date
CLG Chair	John Pullar		
The Department of Conservation	Clint Savage		
Toi te Ora – Public Health Service	TBD		
Sawmill Workers Against Poisons	Eula Toko		
Whakatāne District Council	Shane McGhie		
Whakatāne Harbour Care Group	Rene De Jong		
Fish and Game	John Meikle		
Te Whakatāne o Whakatāne Awa	Eula Toko		
Whakatāne Waimana Rivers Scheme Liaison Group	Scottie McLeod		
Community-appointed members	Tui Edwards		
	Amanda Austrin		
Hokowhitu Marae and CS3	Tani Wharewera		
The Independent Monitor	Andrew Kohlrusch		
Federated Farmers	Hayden Power		