

**Lake Taupo Protection Project Joint Committee  
Open Agenda**

**Date:** Wednesday, 29 May, 2019

**Time:** 10:30 am

**Location:** Council Chambers  
Taupo District Council Offices  
107 Heuheu Street  
TAUPO

**Members:** T Kingi - Chair (Tuwharetoa Maori Trust Board)  
Cr K Hodge - Deputy Chair (Waikato Regional Council)  
Cr K White (Waikato Regional Council)  
Cr R Jollands (Taupo District Council)  
Cr J Williamson (Taupo District Council)  
M Nepia (Tuwharetoa Maori Trust Board)  
M Workman (Crown Representative - Ministry for the Environment)  
L-K Petersen (Crown Representative - Ministry for Primary Industries)

**Notice of Meeting:**

I hereby give notice that an Extra-Ordinary Meeting of the Lake Taupo Protection Project Joint Committee will be held as detailed above.

VRJ Payne  
Chief Executive Officer

1. **Apologies**

2. **Confirmation of Agenda**

3. **Disclosures of Interest**

Any disclosures of interest relating to the business at the meeting

4. **Transition Principles - Clarification Sought by Waikato Regional Council and Taupo District Council**

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Report to assist the Lake Taupo Protection Project Joint Committee (LTPPJJC) respond to Waikato Regional Council (WRC) and Taupo District Councils' (TDC) letter requesting clarification of one of the transition principles proposed by the Joint Committee.

# Lake Taupō Protection Project Joint Committee

**REPORTING TO:** Waikato Regional Council and Taupō District Council

**CONSTITUTION:** Two (2) members from:

- Her Majesty’s Government (the Crown)
- Waikato Regional Council (WRC)
- Taupō District Council (TDC)
- Tūwharetoa Maori Trust Board (TMTB)

The Joint Committee shall appoint and may remove the Chairperson and Deputy Chairperson (clause 9.3, Project Agreement).

**QUORUM:** Four (4) made up of one (1) member from WRC, TDC, the Crown and TMTB.

**MEETING FREQUENCY:** Quarterly or as required by the Chair or by the Joint Committee (clause 9.1, Project Agreement).

**OBJECTIVE:** Establish the Lake Taupō Protection Trust to implement the Lake Taupō Protection Project in accordance with the Trust Deed.

Provide governance to the Lake Taupō Protection Trust in accordance with the Local Government Act 2002 and The Lake Taupō Protection Project Agreement.

**SCOPE OF ACTIVITY:**

1. Appoint trustees to The Lake Taupō Protection Trust in accordance with the provisions of the Trust Deed relating to the appointment of trustees.
2. Set broad direction, objectives, priorities of the Trust and its expenditure of funds.
3. Monitor/review the strategies developed to achieve The Lake Taupō Protection Project’s objective as set out in The Lake Taupō Protection Trust’s Statement of Intent (clause 2.1, Project Agreement).
4. Review The Lake Taupō Protection Project at five (5) yearly intervals, or as required by The Lake Taupō Protection Trust Joint Committee.
5. Report to the Member Authorities as requested on its decisions and activities (clause 9.5, Project Agreement).

**POWER TO ACT:**

1. Appoint trustees to The Lake Taupō Protection Trust in accordance with the provisions of the Trust Deed relating to the appointment of trustees.
2. Receive information/reports from The Lake Taupō Protection Trust on its decisions and activities.
3. To receive and make comments on the Lake Taupō Protection Trust’s Statement of Intent.

**POWER TO RECOMMEND TO THE MEMBER AUTHORITIES:**

1. Any decision resulting from a review undertaken in (Clause 4 of Scope of Activity) amounts to an amendment to The Lake Taupō Protection Project Agreement and as such, will require the approval/agreement of the Member Authorities.

# Report to Lake Taupō Protection Project Joint Committee

**Date:** 17 May 2019

**Author:** Officials Working Party

**Authoriser:** Neville Williams, Director - Community and Services

**Subject:** Transition Principles - Clarification Sought by Waikato Regional Council and Taupō District Council

**Section:** B (For recommendation to Council)

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## Purpose

1. This report is to assist the Lake Taupō Protection Project Joint Committee (LTPPJC) respond to Waikato Regional Council (WRC) and Taupō District Councils' (TDC) letter requesting clarification of one of the transition principles proposed by the Joint Committee.

## Executive Summary

2. The Officials Working Party (OWP) has considered the request for clarification from WRC and TDC of the transition principle proposed by the LTPPJC indicating a preference for a co-governance model with the current partners.
3. The OWP is comfortable that this principle does not preclude alternative governance arrangements in future.
4. It is also recommended that the proposed transition principles could be strengthened by the addition of a principle relating to periodic reviews of the governance model.

### OWP Recommendations:

1. That the report "Transition Principles - Clarification Sought by Waikato Regional Council and Taupō District Council" (Doc #14297698 dated 17 May 2019) be received.
2. That the letter to the Lake Taupō Protection Project Joint Committee from Waikato Regional Council and Taupō District Council (Doc #14216886 dated 17 May 2019) titled the Proposed Transition Principles be received.
3. That the Lake Taupō Protection Project Joint Committee confirm for Waikato Regional Council and Taupō District Council that the draft transition principles do not preclude other entities' participation as a result of any future review of the project partnership membership.
4. That the Lake Taupō Protection Project Joint Committee recommend to the councils that the proposed transition principles be amended to include a new principle as follows:
  - *Periodic reviews (three yearly, or sooner if required) of the governance model to ensure flexibility, adaptiveness and effectiveness on an ongoing basis.*

## Background

5. At their respective council meetings on 30 April 2019, the WRC and TDC considered the proposed transition principles for the Lake Taupō Protection Project, recommended by the Lake Taupō Protection Project Joint Committee (LTPPJJC).
6. The resolutions of the respective councils are set out below.

### **Waikato Regional Council:**

**WRC19/92**

**Moved by:** Cr B Simcock

**Seconded by:** Cr S Kneebone

THAT the minutes of the Lake Taupo Protection Project Joint Committee open meeting held on 11 March 2019 be received.

THAT council leave the Lake Taupo Protection Project Joint Committee's recommendation LTJC19/10 lying on the table; and

Option 3 - write to the Lake Taupo Protection Project Joint committee to:

- i. Acknowledge the value of the current partnership
- ii. Seek clarification that the preference for a co-governance model with the current partners does not preclude alternative arrangements in the future to provide for efficient, effective and appropriate catchment/local governance.
- iii. Clarify that when applying the principles and recommending a governance structure for the project, provision be made for regular reviews of the model to ensure that it is appropriate for the needs of the catchment and takes in to account any changes in local relationships.

### **Taupo District Council:**

**TDC201904/C04 RESOLUTION**

Moved: Cr Rosanne Jollands

Seconded: Cr John Boddy

That Council:

- 1) Leaves the Lake Taupō Protection Project Joint Committee's (LTPPJJC) recommendation LTJC19/10 lying on the table; and
- 2) Writes to the LTPPJJC to:
  - a. Acknowledge the value of the current partnership;
  - b. Clarify that the preference for a co-governance model with the current partners does not preclude alternative arrangements in the future to provide for efficient, effective and appropriate catchment/local governance; and
  - c. Clarify that when applying the principles and recommending a governance structure for the project, provision be made for regular reviews of the model to ensure that it is appropriate for the needs of the catchment and takes into account any changes in local relationships.

7. A copy of the letter sent by WRC and TDC to the LTPPJJC is attached to this report (refer attachment one).

## Issue

8. WRC and TDC have sought clarification that the following draft transition principle<sup>1</sup> does not preclude alternative governance arrangements in the future:

*Proposed Principle*

*Preference for a co-governance model with the current partners – Taupo District Council, Waikato Regional Council, Tūwharetoa Maori Trust Board, and the Crown.*

9. The clarification sought is to confirm that if, at some time in future, any governance partner wishes to change their participation, or a new governance partner is identified, such changes can be accommodated.
10. WRC and TDC seek to ensure that their current obligations are satisfied, including Treaty settlement legislative obligations. Where there are any overlapping areas of interest in the Taupo catchment, WRC and TDC wish to ensure these are addressed and managed appropriately by all parties concerned to ensure effective and efficient use of resources and to avoid duplication of representation, committees and other such structures.

## Discussion

11. It is noted that, in drafting the proposed principles the LTPPJ were deliberate in the use of the term 'preference' to allow changes from the listed parties if circumstances necessitated a change.
12. As a result the OWP are comfortable that the draft transition principles do not preclude alternative governance arrangements in future.
13. It is also anticipated that there will be a written agreement for the governance of the project post June 2021 and that, as in any agreement between parties, it is generally standard practice to include review provisions in the establishment documents (i.e. terms of reference or similar). Such provisions are logical and sensible and enable flexibility to react to changing circumstances.
14. To provide more explicit direction in that regard, the OWP consider that it would be beneficial to add a further transition principle that requires periodic reviews of the ongoing governance model for the project. On that basis the OWP suggest that the proposed transition principles be amended to include a new principle as follows (proposed addition in red underline):

### Who?

- Preference for a co-governance model with the current partners – Taupō District Council, Waikato Regional Council, Tūwharetoa Māori Trust Board, and the Crown.
- Periodic reviews (three yearly, or sooner if required) of the governance model to ensure flexibility, adaptiveness and effectiveness on an ongoing basis.

## Conclusion

15. The OWP consider that the LTPPJ can respond to the clarifications sought by WRC and TDC with a confirmation that both matters will be accommodated in the governance model. It is also considered that the proposed principles could be strengthened by the addition of a principle providing for periodic reviews.

## Attachments:

**Attachment One:** Letter from Waikato Regional Council and Taupō District Council to the Lake Taupō Protection Project Joint Committee Re: Transition Principles (Doc #14216886 dated 17 May 2019)

**Attachment Two:** Proposed Transition Principles

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<sup>1</sup> The complete set of Proposed Transition Principles is provided in Attachment Two to this report.

## Attachment 1

File No: 03 04 20  
Document No: 14216886  
Enquiries to: Anne McLeod, Tanya Wood



17 May 2019

Tangonui Kingi  
Chair  
Lake Taupō Protection Project Joint Committee  
C/- Waikato Regional Council



Tēnā koe Tangonui

### Proposed Transition Principles

Thank you for the work you and your committee members have undertaken to prepare the transition principles for the Lake Taupō Protection Project.

Waikato Regional Council and Taupō District Council received the proposed principles at their respective meetings on 30 April 2019. After deliberation the councils decided to leave the joint committee's recommendation lying on the table and write to the committee with respect to the first principle which was:

*Preference for a co-governance model with the current partners – Taupō District Council, Waikato Regional Council, Tūwharetoa Māori Trust Board, and the Crown.*

First, the councils acknowledge that much of the strength of the project is as a consequence of the effectiveness of the current partnership. This is supported by the various reviews that have been undertaken of the project and its structure.

Specifically, the councils seek clarification from the joint committee that:

- i. the preference for a co-governance model with the current partners does not preclude alternative arrangements in the future.
- ii. when applying the principles and recommending a future governance structure for the project, provision will be made for regular reviews of the model to ensure that it is appropriate for the needs of the catchment and takes in to account any changes in local relationships.

Thank you again for the work you and your committee have achieved, not only in relation to the principles but also for the ongoing governance of the project.

Ngā mihi

  
Vaughan Payne  
Chief Executive  
Waikato Regional Council

  
Gareth Green  
Chief Executive  
Taupō District Council

cc Topia Rameka, CEO, Tūwharetoa Māori Trust Board



**Lake Taupō Protection Project**  
**Principles for Future Governance and Management**

Who?

- Preference for a co-governance model with the current partners – Taupō District Council, Waikato Regional Council, Tūwharetoa Māori Trust Board, and the Crown.

What?

- The model adopted will provide:
  - a) Oversight and enhancement of all aspects of lake water quality
  - b) Long term protection and good management of the public investment.
  - c) Formal and long term oversight of the obligations and accountabilities of all parties to the project
  - d) An ability to build on the knowledge, experience and lessons learned from the project.

How?

- Delivery of the project will ensure:
  - e) The continuation of the independent, commercial management of the nitrogen reduction agreements.
  - f) Strong, ongoing connection with the community and landowners in the Taupō Waters catchment.
  - g) Continuation of methods that promote innovation.