Council Agenda

Date: Thursday, 28 February, 2019
Time: 10:30 am
Location: Council Chamber
Waikato Regional Council
401 Grey Street
Hamilton East

Members: Cr Livingston - Chairman
Cr T Mahuta - Deputy Chair
Cr J Hayman
Cr J Hennebry
Cr K Hodge
Cr S Husband
Cr S Kneebone
Cr F Lichtwark
Cr D Minogue
Cr B Quayle
Cr R Rimmington
Cr Simcock
Cr Vercoe
Cr K White

Notice of Meeting:
I hereby give notice that an ordinary Meeting of the Council will be held as detailed above.

VRJ Payne
Chief Executive Officer
1. **Apologies**

2. **Confirmation of Agenda**

3. **Disclosures of Interest**

4. **Public Forum**

   A period of up to 30 minutes, or such longer time as the meeting may determine, will be available for the public forum. Requests must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

   Speakers can speak for up to 3 minutes. No more than two speakers can speak on behalf of an organisation during a public forum. Where the number of speakers presenting in the public forum exceeds 6 in total, the Chairperson has discretion to restrict the speaking time permitted for all presenters.

5. **Confirmation of Minutes**

   5.1 **Council Minutes - 11 December 2018**

      Minutes of the Council meeting of 11 December 2018.

   5.2 **Council Minutes - 12 December 2018**

      Minutes of the Council meeting of 12 December 2018.

6. **Committees Reporting to Council**

   6.1 **Hauraki Gulf Forum - 19 November 2018**

      Minutes of the Hauraki Gulf Forum meeting of 19 November 2018 for noting.

   6.2 **Hauraki Gulf Forum - 8 February 2019**

      Minutes of the Hauraki Gulf Forum meeting of 8 February 2019 for noting.

   6.3 **Futureproof Implementation Committee - 5 December 2018**

      Minutes of the Futureproof Implementation Committee meeting of 5 December 2018 for noting.

   6.4 **Waikato Plan Leadership Committee - 3 December 2018**

      Minutes of the Waikato Plan Leadership Committee meeting of 3 December 2018.

   6.5 **Waikato Raupatu River Trust & Waikato Regional Council Co Governance Committee - 7 December 2018**

      Minutes of the Waikato Raupatu River Trust and Waikato Regional Council Co Governance Committee meeting of 7 December 2018.
6.6 **Finance Committee - 11 February 2019**
Minutes of the Finance Committee meeting of 11 February 2019.

6.7 **Hearings Appointment Subcommittee - 12 February 2019**
Minutes of the Hearings Appointment Subcommittee meeting of 12 February 2019.
These minutes will be circulated within separate addendum to the agenda.

6.8 **Strategy and Policy Committee - 12 February 2019**
Minutes of the Strategy and Policy Committee meeting of 12 February 2019.

6.9 **CE Employment and Remuneration Committee - 12 February 2019**
Minutes of the CE Employment and Remuneration Committee of 12 February 2019.

6.10 **Integrated Catchment Management Committee - 13 February 2019**

6.11 **Environmental and Services Performance Committee - 14 February 2019**
Minutes of the Environmental and Services Performance Committee meeting of 14 February 2019.
These minutes will be circulated within separate addendum to the agenda.

7. **Ordinary Business**

7.1 **Health and Safety Report - January 2019**
Report on the monthly health and safety council dashboard and any other topics regarding health and safety of relevance to council.

7.2 **Audit and Risk Chair's Report following November meeting**
Report from the Audit and Risk Committee Chair regarding the November meeting of the Committee.

7.3 **Terms of Reference for Te Kōpua Kānapanapa and Appointment of Members**
To present the proposed Terms of Reference for Te Kōpua Kānapanapa and seek appointment of Waikato Regional Council members and alternate(s) to the committee.

7.4 **Healthy Environments Plan Review Committee**
Report to confirm membership of the Healthy Environments Plan Review Committee and Terms of Reference.
7.5 **Appointment of Alternate Regional On-Scene Commander**

Report to seek approval of James Peter Buell (currently a Regional On-Scene Commander (ROSC) for Bay of Plenty Regional Council) as an Alternate ROSC for Waikato Regional Council’ marine oil spill response function.

7.6 **Request from Hauraki District Council for Councillor participation in Kaiaua Pōkorokoro/Miranda community plan**

Report to seek approval that a Deed of Appointment of a new Trustee to the Martha Trust be executed by Waikato Regional Council.

7.7 **New Martha Trust Trustee**

Report to seek approval that a Deed of Appointment of a new Trustee to the Martha Trust be executed by Waikato Regional Council.

7.8 **Sea Change Hauraki Gulf Marine Spatial Plan – Ministerial Advisory Committee to progress implementation**

Report to seek approval from Council on the content and subsequent lodgement of feedback to the Minister of Conservation on the Draft Terms of Reference for the Ministerial Advisory Committee to help develop the Government Response Strategy for the Sea Change Hauraki Gulf Marine Spatial Plan.

7.9 **Hamilton to Auckland Start-Up Passenger Rail Project – Progress Update**

Report to provide the Waikato Regional Council (WRC) with a progress update on the Hamilton to Auckland Start-Up Passenger Rail Project and to summarise the key issues that staff are currently addressing with the funding partners for this project.

7.10 **Waikato Regional Council submission on the draft National (Kauri dieback) Pest Management Plan and draft Implementation Strategy**

To seek approval from council on the content, and subsequent lodgement, of the Waikato Regional Council’s (the council’s) submission to the draft National (Kauri dieback) Pest Management Plan and draft Implementation Strategy.

8. **Resolutions to Exclude the Public**

8.1 **Council Minutes - 11 December 2018**

8.2 **Council Minutes - 12 December 2018**

8.3 **Strategy and Policy Committee - 12 February 2019**

8.4 **CE Employment and Remuneration Committee - 12 February 2019**

8.5 **Confirmation of Council’s approach on Treaty settlement implementation**
9. **Public Excluded Section**

**8.1. Council Minutes - 11 December 2018**

- To enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (section 7(2)(h)).

- To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or is the subject of the information (section 7(b)(iii)).

**8.2. Council Minutes - 12 December 2018**

- Maintenance of the law and right to a fair trial (Section 6(a)).

- Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))

- Protect information where the making available of the information would disclose a trade secret; or

  - would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Section 7(2)(b))

- In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to Tikanga Māori, or to avoid the disclosure of the location of waahi tapu (Section 7(2)(ba))

- Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or

- would be likely otherwise to damage the public interest (Section 7(2)(c))

- Avoid prejudice to measures that prevent or mitigate material loss to members of the public (Section 7(2)(e))

- Maintain legal professional privilege (Section 7(2)(g))

- Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (Section 7(2)(h))

- Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Section 7(2)(i))

- Prevent the disclosure or use of official information for improper gain or improper advantage (Section 7(2)(j))

**8.3. Strategy and Policy Committee - 12 February 2019**

- Protect information where the making available of the information
(ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information  (Section 7(2)(b))

8.4. CE Employment and Remuneration Committee - 12 February 2019

- Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))

8.5. Confirmation of Council’s approach on Treaty settlement implementation

- Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Section 7(2)(i))
Minutes of a meeting of the Hauraki Gulf Forum held in the Reception Lounge, Auckland Town Hall, 301-305 Queen Street, Auckland on Monday, 19 November 2018 at 1:04pm.

**PRESENT**

<table>
<thead>
<tr>
<th>Chairperson</th>
<th>John Meeuwsen</th>
<th>Waiheke Local Board (Auckland Council)</th>
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<tbody>
<tr>
<td>Deputy Chairperson</td>
<td>Ms Moana Tamaariki-Pohe</td>
<td>Tangata Whenua</td>
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<td>Members</td>
<td>Mr Andrew Baucke</td>
<td>Department of Conservation</td>
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<td>Mr Jeff Cleave</td>
<td>Aotea Great Barrier Local Board (Auckland Council)</td>
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<td>Cr Paul Cronin</td>
<td>Matamata-Piako District Council</td>
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<td>Cr Hon Christine Fletcher, QSO</td>
<td>Auckland Council</td>
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<td>Mayor Sandra Goudie</td>
<td>Thames-Coromandel District Council</td>
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<td>Mr Steve Halley</td>
<td>Ministry for Primary Industries</td>
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<td>Cr Mike Lee</td>
<td>Auckland Council</td>
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<td>Mr Paul Majurey</td>
<td>Tangata Whenua</td>
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<td>Mr Martin Mariassouce (Alt)</td>
<td>Te Puni Kokiri</td>
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<td>Cr Rob McGuire</td>
<td>Waikato District Council</td>
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<td>Cr Dal Minogue</td>
<td>Waikato Regional Council</td>
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<td></td>
<td>Mr Dean Oligvie</td>
<td>Tangata Whenua</td>
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<td>Cr Wayne Walker</td>
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<td>Cr John Watson</td>
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**ABSENT**

| Cr Richard Hills | Auckland Council |
| Mr Terrence Hohneck | Tangata Whenua |
| Ms Nicola MacDonald | Tangata Whenua |
| Ms Liane Ngamane | Tangata Whenua |
| Ms Marty Rogers | Te Puni Kokiri |
| Mayor John Tregidga | Hauraki District Council |

**ALSO PRESENT**

| Cr Jennie Hayman (Alt) | Waikato Regional Council |
1  **Apologies**

Mr Martin Mariassoucque opened the meeting with a karakia.

Resolution number HGF/2018/45

MOVED by Chairperson J Meeuwsen, seconded by Mayor S Goudie:

**That the Hauraki Gulf Forum:**

a) accept the apologies from Mayor John Tregidga, Cr Richard Hills, Mr Terrence Hohneck, Mr Dean Ogilvie and Ms Nicola MacDonald for absence.

CARRIED

Note: Speaking rights were granted to Cr Jennie Hayman (Alt), Waikato Regional Council.

2  **Declaration of Interest**

There were no declarations of interest.

3  **Confirmation of Minutes**

Resolution number HGF/2018/46

MOVED by Member M Tamaariki-Pohe, seconded by Cr P Cronin:

**That the Hauraki Gulf Forum:**

a) confirm the ordinary minutes of its meeting, held on Monday, 20 August 2018, as a true and correct record.

CARRIED

4  **Public Forum**

4.1  **Public Forum - Lee Short**

Lee Short tabled a copy of his presentation which has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HGF/2018/47

MOVED by Chairperson J Meeuwsen, seconded by Member J Cleave:

**That the Hauraki Gulf Forum:**

a) receive the presentation from Lee Short regarding video recording of Hauraki Gulf Forum meetings, thank him for his attendance and request staff to report back on options at the next meeting.

CARRIED

**Attachments**

A  19 November 2018 - Hauraki Gulf Forum - Item 4.1 - Public Forum - Lee Short - presentation
4.2 Public Forum - James Frankham, New Zealand Geographic Publisher

James Frankham provided a verbal presentation in addition to displaying some demonstrations of virtual reality experiences from the New Zealand Geographic website.

Resolution number HGF/2018/48

MOVED by Chairperson J Meeuwsen, seconded by Member M Tamaariki-Pohe:

That the Hauraki Gulf Forum:

a) receive the presentation from James Frankham regarding virtual reality experiences of the marine environment and thank him for his attendance.

CARRIED

4.3 Public Forum - Brett Butland, Chair of Motutapu Restoration Trust

Brett Butland and Jo Ritchie (joined by Cr Christine Fletcher, a former chair of the Motutapu Restoration Trust) provided a presentation which has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HGF/2018/49

MOVED by Chairperson J Meeuwsen, seconded by Cr P Cronin:

That the Hauraki Gulf Forum:

a) receive the presentation from Brett Butland, Jo Ritchie and Cr Christine Fletcher regarding the restoration programme at Motutapu Island and thank them for their attendance.

CARRIED

Attachments

A 19 November 2018 - Hauraki Gulf Forum - Item 4.3 - Public Forum - Brett Butland, Chair of Motutapu Restoration Trust - presentation

5 Extraordinary Business

There was no extraordinary business.

6 Chairperson's report

The chairperson’s report was tabled at the meeting. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HGF/2018/50

MOVED by Chairperson J Meeuwsen, seconded by Cr C Fletcher:

That the Hauraki Gulf Forum:

a) receive the Chairperson’s written report.

CARRIED

Attachments

A 19 November 2018 - Hauraki Gulf Forum - Item 6 - Chairperson's report - tabled report
7 **Presentation from Fisheries New Zealand**

Steve Halley and Shelton Harley from the Ministry for Primary Industries provided a presentation in support of the report on the agenda. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HGF/2018/51

MOVED by Chairperson J Meeuwsen, seconded by Mayor S Goudie:

That the Hauraki Gulf Forum:

a) receive the report and the presentation from Fisheries New Zealand.

CARRIED

8 **Constituent Party report**

Resolution number HGF/2018/52

MOVED by Chairperson J Meeuwsen, seconded by Cr M Lee:

That the Hauraki Gulf Forum:

a) receive the constituent party reports and congratulate and thank the Department of Conservation for completing the operation to remove rodents from Rakitu Island.

CARRIED

9 **Sediment Management in Long Bay - Weiti**

Resolution number HGF/2018/53

MOVED by Chairperson J Meeuwsen, seconded by Member M Tamaariki-Pohe:

That the Hauraki Gulf Forum:

a) receive the report on sediment management in Long Bay – Weiti.

b) be sent a copy of the Auckland Council report to the 4 December 2018 Environment and Community Committee on region-wide sediment management.

CARRIED

Moved by way of addition:

Resolution number HGF/2018/54

MOVED by Cr W Walker, seconded by Cr J Watson:

That the Hauraki Gulf Forum:

c) recommend that Auckland Council consider implementing a monitoring and testing programme for sediment and heavy metals in the north western tributary of the Okura Stream just downstream of the Envirofill site.

CARRIED
Resolution number HGF/2018/55
MOVED by Cr W Walker, seconded by Cr J Watson:

That the Hauraki Gulf Forum:

d) recommend that the relevant constituent parties of the Forum report on the
options available for more stringent control of sediment run-off especially for
catchments with sensitive receiving environments such as marine reserves.

CARRIED

10 Hauraki Gulf Forum 2019 Meeting Dates and Venues

Note: The chairperson advised the meeting that this item was to be withdrawn as attempts
were being made to have the three relevant Ministers present at an early meeting in
the new year and the likelihood was that the date would be different to the one
recommended in the report.

11 Strategic issues / forward work programme report

Resolution number HGF/2018/56
MOVED by Cr R McGuire, seconded by Cr W Walker:

That the Hauraki Gulf Forum:

a) receive the report.

b) consider the forward work programme of the Hauraki Gulf Forum (Attachment A
of the agenda report).

c) request that the Executive Officer work with Technical Officers to bring forward
to the next meeting a Terms of Reference and budget for the establishment of a
multi-agency working party to scope and advance marine protection initiatives
in the Hauraki Gulf Marine Park.

d) allocate $15,000 from the Forum’s accumulated surplus (currently $101,566) to
develop a communications and publicity strategy for the Hauraki Gulf Forum.

CARRIED
12 Executive Officer report

An updated version of Attachment A Financial report to end of October 2018 was tabled at the meeting. A copy has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HGF/2018/57

MOVED by Cr W Walker, seconded by Cr R McGuire:

That the Hauraki Gulf Forum:

a) receive the Hauraki Gulf Forum Interim Executive Officer’s report.

b) rescind part of the resolution from its 21 August 2017 meeting as follows:

   Resolution Number HGF/2017/33

   Moved by Deputy Chairperson L Ngamane, seconded by Chairperson Mayor J Tregidga:

   That the Hauraki Gulf Forum:

   c) request the Administering Authority to report its findings of the review of the Forum’s standing orders as in resolution b) above, to a future meeting of the Forum in 2018, for its consideration.

   CARRIED

Attachments

A 19 November 2018 - Hauraki Gulf Forum - Item 12 - Executive Officer report - Attachment A

13 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

Mr Martin Mariassouc closed the meeting with a whakawatea.

4.38pm The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A MEETING OF THE HAURAKI GULF FORUM HELD ON

DATE:..................................................................................................................

CHAIRPERSON:.............................................................................................
### OPEN MINUTE ITEM ATTACHMENTS

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**Note:** The attachments contained within this document are for consideration and should not be construed as Council policy unless and until adopted. Should Councillors require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
Request for video recording of the Hauraki Gulf Forum meetings, presented to the Hauraki Gulf Forum, 19 November 2018

Good afternoon Chair, Deputy chair, and members of the Hauraki Gulf Forum.

Thank you for the opportunity to address you. I will not take up much of your time, for I have a simple request.

I am here today on behalf of all who treasure the Gulf but do not have the opportunity to attend the Forum’s meetings, and yet are very keen to keep up-to-date with developments affecting the Hauraki Gulf.

I am aware there is a need to improve the public’s knowledge of the issues affecting the Gulf – and that the various matters that the Gulf Forum are considering need to be more widely known.

To this end I am requesting that the meetings of the Forum be video recorded, so that they are available for a wider audience to view at more convenient times.

The location of the meetings, and that they are held during business hours, does not allow many to attend who might like to do so, especially so for those who live outside Auckland City.

I believe this initiative would go a long way to informing more people, and hopefully inspiring them to become involved with caring for and protecting the Gulf. For instance, the presentations scheduled for today cover very interesting matters which deserve a wider audience, which could be tapped into if the meetings were video recorded and made available for public viewing.

Members of the Forum, thank you for your time, and for your consideration of my request.

Lee Short
Vision

To re-establish the natural and historic landscapes of Motutapu.
About

- Established in February 1994 to restore and enhance the natural, historic and recreation values of Motutapu.
- Restoration plan was prepared by the Department of Conservation in consultation with Ngai Tai ki Tamaki and interested groups. The plan was approved by the Auckland Conservation Board in August 1994.
- Activities include creating native forest, restoring wetlands, translocating native species and historic site protection and restoration.
- The aggregate value of the Trusts contribution to Motutapu has been independently calculated as exceeding $70million.
- Volunteer-led project with significant benefits to the Hauraki Gulf Marine Park and New Zealand.
Achievements

- Established and maintain an on-island nursery that produces c15,000 stems each year.
- Planted +500,000 stems to create +100 ha of planted native forest.
- Rescued large areas of native forest from invasive weeds.
- Fenced off forest remnants on the coastal fringe and inland sites to protect habitat.
- Enabled bellbird, kākāriki, Coromandel brown kiwi, takahe, tieke, pateke, whitehead, shore plover, koura and red-finned bully to establish and thrive.
- Restored the historic Reid Homestead in Home Bay for use as a visitor centre.
Achievements

- Restored the wharf at Home Bay to allow public ferry sailings.
- Restored and interpreted some of the many military and farming buildings and sites.
- Developed the 'Walk Motutapu' network of walking tracks and bridges. Volunteers continue to maintain these tracks to Department of Conservation standards.
- Established the annual DUAL multisport event.
- Built up a database of more c4,000 volunteers.
- Volunteers contributed 32,000 hours to restoration in 17/18 year.
- Established an on-island Ranger role.
Plans: Ecological restoration

- Species translocations
- Weed control and eradication
- Increase nursery productivity and planting rate
- Biodiversity monitoring and research
- Remote sensing biosecurity network
Plans: Historic heritage

- Plotting room complex restoration
- Gun emplacement restoration
- Restore military features
- Establish a heritage orchard
- Protect archaeological sites
- Maintain the Reid Homestead as a visitor & education centre
- Interpretation and stories
Plans: Volunteers

- Provide accommodation for volunteers
- Increase volunteer opportunities
- Grow volunteer base
- Increase youth volunteering
- Establish a Youth Ambassador programme
- Training programme in key areas to expand volunteer leadership
Proud moments

- NZ Association of Event Professionals
  Best Partnership award, 2015
- Society for Ecological Restoration
  Australia award, 2016
- Designers Institute of NZ, Best Design
  Awards, bronze, 2017
- NZ TV Awards 2018, Best Sports
  Programme - TBC
- The passion demonstrated by
  volunteers every day
Acknowledgements

- Department of Conservation
- Rotary Club of Newmarket and other clubs
- Philanthropic and business sector
- Volunteers from Auckland and around the world
- Other conservation trusts
- On-island partners
- Our trustees

Auckland's Ancient Island Sanctuary | mojopi.co.nz
Hauraki Gulf Forum – Chairperson’s Report

Te take mō te pūrongo / Purpose of the report
1. To provide an update from the Chairperson on recent and upcoming activities of the Forum.

Whakarāpopototanga matua / Executive summary
2. The past three months have seen quite a lot of activity that Deputy Chair Moana and I have been involved in, representing the Forum.

3. Broadly our focus reflects the first of the Strategic Issues 2018 document Members approved at our last meeting. Work continues among constituent parties on the second and third strategic issues - 'Restoring water quality values', particularly sedimentation, and we have our first focused presentation on 'Recognising those critical marine values and ecosystems through advocating for protection, restoration and enhancement' from Fisheries New Zealand at this meeting.

Improving integrated management - Central government engagement
4. I am very hopeful that the meeting we held jointly with the Ministers of Conservation and Fisheries on 29 October marks a new commitment to gaining more systematic and fulsome participation in the Forum’s work by central government. Thanks to Andrew Baucke for helping to arrange that meeting after a very productive meeting we had with him somewhat earlier.

5. You have heard the Minister of Conservation say she is keen to attend Forum meetings from time to time and this was echoed by the Minister of Fisheries. We made our expectation of greater commitment by central government very clear and senior officials were there to witness the Ministers’ agreement with this expectation.

6. In discussing the state of marine life and fisheries in the Gulf, the Minister of Fisheries noted that he had been adjusting quotas downwards for some relevant species recently. We pointed out that it has been a long time since scientific evaluation of the state of fish stocks via tagging had been undertaken in the Gulf and that, in any case, the Gulf needed to provide systematic protection of entire habitats / eco-systems if we are to have any prospect of restoring stocks to levels sufficient to return to sustainable use by all interested stakeholders. We noted the importance of healthy stocks of natural predators such as snapper and crayfish for that to be possible. This led to a discussion about marine reserves and protected areas that we hope will be continued next year. Minister Sage was particularly supportive of greater areas of marine protection.

7. As noted, Fisheries NZ will present to the Forum at this November meeting, and I’ve requested a further, more detailed presentation about the direction of the Ministry in February.

8. The Minister of Conservation advised that a paper to Cabinet was “imminent” recommending the setting up a Ministerial Advisory Group as a response to Sea Change – Tai Timu Tai Pari. We have no further details yet other than an assurance from Minister Sage that there was no intention for the Advisory Group to pick up responsibilities already held by the constituent parties to the Forum – i.e. no intent to duplicate effort. We will advise Forum members as soon as we know more on this.
Improving integrated management – Tangata whenua participation

9. Deputy Chair Moana led a meeting with senior management of Te Puni Kokiri in the Auckland region on 12 November. We discussed more effective support for tangata whenua members of the Forum to assist all of us to fulfil our objective to recognise the "historic, traditional, cultural and spiritual relationship of tangata whenua with the Hauraki Gulf". TPK will be fully supportive in the task of facilitating and supporting tangata whenua participation in our strategic issues.

10. Meanwhile Deputy Chair Moana has also been considering how to more effectively utilise tangata whenua technical officer support hours to create greater capacity for participation in projects, meetings etc.

Improving integrated management – Forum Operations

11. Interim Executive Officer Katina Comos has been tireless in her work for the Forum and her attention to both detail and strategy is excellent. She has assisted Moana and I and Jacques Victor, GM Strategy for Auckland Council in the task of finding a new Executive Officer. If all goes well in that regard, I will be able to announce an appointment to that role at our meeting on 19 November or in the following few days.

12. In preparation for the agenda items around marine management, Katina organised a meeting of technical officers from the Waikato Regional Council, Auckland Council and DOC. As Katina has outlined in the work programme report, we will reinstate regular meetings of the Technical Officers to help plan for each Forum meeting from here forward. We will expect Fisheries NZ to attend these meetings in future and call on District Council technical staff when appropriate to particular topics.

Communications by the Forum with the organisations represented

13. The Forum is made up of people from different positions and levels in the organisations they represent – politicians, appointees and officials who are representatives of their agency. While communicating with the Forum Membership is straightforward, I am mindful that the Executive Officer and I sometimes need to communicate with the agency as an entity separately. We have had staff of some constituent organisations tell us there is scope for confusion in communications among staff as things stand. When our new Executive Officer is in place we will work on a clarifying communication channels between the "Forum" and its "Constituent Parties".

Stakeholder engagement

14. Deputy Chair Moana and I have been putting effort into meeting with a variety of stakeholders – reactively and proactively. I have included a schedule of our meeting activity at the end of this report.

15. We have met with Kelly Tarltons and Auckland Whale and Dolphin Safari. We met with Nick Hill, CEO of Auckland Tourism, Events and Economic Development to raise his awareness of the Forum and its role. We discussed using the Americas Cup as an opportunity to highlight sustainability and showcasing the potential of the Gulf.

16. On 31 October I had the opportunity to spend a day on Sanford's Tengawai trawler in the outer Gulf to see first-hand some of their commercial fishing practices, and there will be a follow up meeting to discuss my impressions with Sanford's Operations Manager on 23 November.

17. Deputy Chair Moana facilitated the *Stories of the Noises* event on 25 November attended by approximately 60 people, which presented findings from recent scientific studies on and around the Noises islands. Speakers included botanist Ewan Cameron, Chris Gaskin from Northern New Zealand Seabirds Trust, Don McFarlane from the Auckland Zoo, Louis Furmy from the Auckland Museum, and Tim Haggitt from Leigh Marine Laboratory. Richelle Kahui-McConnell presented alongside a number of rangatahi who had experienced a day on the Noises working alongside a number of scientists.
18. At the Forum’s meeting on 20 August, Ross and John Duder suggested that a copy of the Sea Change summary document be distributed to the recreational boating clubs in an effort to get them to be more active in promoting the health of the Gulf. Work has continued on that suggestion to build engagement between the Hauraki Gulf Forum and the recreational boating community with collaboration of the details of the boating and yacht clubs in a database and the development of communications for use by the clubs.

19. In October, Minister of Conservation Eugenie Sage and Auckland Mayor Phil Goff launched “Pest Free Waiheke”, a 7-year, $11m project funded jointly by their organisations and Foundation North to help the community to rid Waiheke of mammalian pests, notably stoats and rats [there are no possums]. Apart from its intrinsic value in restoring flora and fauna on Waiheke, success will contribute to reducing the risk of re-infestation on neighbouring pest free islands.

Hauraki Gulf Marine Park Seminar
20. The annual seminar hosted by the Auckland War Memorial Museum on 5 September was considered very successful by all the folk I spoke to afterwards. There were some marvellous presentations around “Finding a Voice” for the Gulf – some of the most powerful being those with very visual or aural messages from the heart. I particularly recommend Mike O’Donnell and Jamie McDell among the presentations which are now available online at [http://gulfjournal.org.nz/seminar-talk/?seminar-name=2018-finding-a-voice](http://gulfjournal.org.nz/seminar-talk/?seminar-name=2018-finding-a-voice)

21. Congratulations again to those awarded Holdaway Awards - former Chair of the Forum, John Tregidga and father and daughter, Steve and Riley Hathaway.

Coastal Resources Ltd dumping consent
22. As Members are aware, the Environmental Protection Authority requested advice from the Forum in relation to the Coastal Resources Ltd. dumping consent. I did a summary of input from Forum members and supported the submission made by the Aotearoa Great Barrier Local Board.

23. While we have just been invited to present at the hearing, which is scheduled to commence on Wednesday 28 November 2018, we do not yet know exactly when we will be called. Any Forum Members who wish to join us for the presentation are welcome to do so. The hearing will be held in the Kiwi Ballroom on the ground floor, Jet Park Airport Hotel and Conference Centre, 63 Westney Road, Mangere, Auckland until 31 November and then from Monday 3 December 2018 it will continue in Central Auckland until the hearings are completed.

Schedule of meetings attended by the Chairperson and Deputy Chairperson
24. This table outlines the meetings that Deputy Chair Moana and I have been involved in since our last formal Forum meeting.

<table>
<thead>
<tr>
<th>Date</th>
<th>Meeting</th>
<th>Attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday, 31 July 2018</td>
<td>When did John meet with Kelly Tarltons</td>
<td>John</td>
</tr>
<tr>
<td>Monday, 27 August 2018</td>
<td>Meeting with Brad Kirner and Cat Lea from Auckland Whale and Dolphin Safari for briefing on research activity that occurs onboard.</td>
<td>John, Moana, Katina</td>
</tr>
<tr>
<td>Monday, 27 August 2018</td>
<td>Meeting with Fiona MacMillan, General Manager Corporate Communications, Sandford to discuss Sandford’s operations in the Gulf.</td>
<td>John, Katina</td>
</tr>
<tr>
<td>Monday, 27 August 2018</td>
<td>Meeting with Chris Gaskin, Northern New Zealand Seabirds Trust to discuss new publication regarding Seabirds Threats, and upcoming Seabirds seminar.</td>
<td>John, Katina</td>
</tr>
<tr>
<td>Date</td>
<td>Meeting</td>
<td>Attendees</td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Tuesday, 4 September</td>
<td>Forward planning meeting with Executive Officer.</td>
<td>John, Moana,</td>
</tr>
<tr>
<td>2018</td>
<td></td>
<td>Katina</td>
</tr>
<tr>
<td>Tuesday, 4 September</td>
<td>Meeting with Marine Park Posters creative team to discuss poster projects and concepts.</td>
<td>John, Katina</td>
</tr>
<tr>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wednesday, 5</td>
<td>Facilitation of Hauraki Gulf Marine Park Seminar at Auckland War Memorial Museum.</td>
<td>John, Moana,</td>
</tr>
<tr>
<td>September 2018</td>
<td></td>
<td>Katina</td>
</tr>
<tr>
<td>Sunday, 16</td>
<td>Attended Pest Free Waiheke launch at the pan tribal Piritahi Marae.</td>
<td>John</td>
</tr>
<tr>
<td>September 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thursday, 20</td>
<td>Meeting with Raewyn Peart, EDS to discuss contents of EDS report.</td>
<td>John, Moana</td>
</tr>
<tr>
<td>September 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thursday, 20</td>
<td>Meeting with Nick Hill, CEO of ATEED</td>
<td>John, Moana</td>
</tr>
<tr>
<td>October 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuesday, 2</td>
<td>Forward planning meeting with Executive Officer.</td>
<td>John, Moana,</td>
</tr>
<tr>
<td>October 2018</td>
<td></td>
<td>Katina</td>
</tr>
<tr>
<td>Tuesday, 2</td>
<td>Meeting with Auckland Council staff to discuss recruitment processes.</td>
<td>John, Moana,</td>
</tr>
<tr>
<td>October 2018</td>
<td></td>
<td>Katina</td>
</tr>
<tr>
<td>Saturday, 6</td>
<td>The Hauraki Gulf Watershed Launch</td>
<td>Moana</td>
</tr>
<tr>
<td>October 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wednesday, 10</td>
<td>Meeting with Andrew Baucke, DOC, to discuss tangata whenua appointment and remuneration processes.</td>
<td>John, Moana,</td>
</tr>
<tr>
<td>October 2018</td>
<td></td>
<td>Katina</td>
</tr>
<tr>
<td>Wednesday, 24</td>
<td>Meeting with Auckland Council staff for shortlisting of Executive Officer applicants.</td>
<td>John, Katina</td>
</tr>
<tr>
<td>October 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wednesday, 24</td>
<td>Meeting with Technical Officers to scope and discuss reports for 19th November Forum meeting.</td>
<td>John, Katina</td>
</tr>
<tr>
<td>October 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thursday, 25</td>
<td>Stories of the Noises event; hosted by Foundation North.</td>
<td>Moana, Katina</td>
</tr>
<tr>
<td>October 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monday, 29</td>
<td>Meeting with Minister of Conservation and Minister of Fisheries and senior officials.</td>
<td>John, Moana,</td>
</tr>
<tr>
<td>October 2018</td>
<td></td>
<td>Katina</td>
</tr>
<tr>
<td>Wednesday, 31</td>
<td>Spend a day on Sanford’s Tengawai trawler in the Hauraki Gulf.</td>
<td>John</td>
</tr>
<tr>
<td>October 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wednesday, 7</td>
<td>Executive Officer interviews conducted</td>
<td>John, Moana</td>
</tr>
<tr>
<td>November 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monday, 12</td>
<td>Meeting with Marty Rogers and Martin Mariassouce from Te Puni Kōkiri to discuss the forward work programme of the Forum.</td>
<td>John, Moana</td>
</tr>
<tr>
<td>November 2018</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ngā tūtohunga / Recommendation/s

That the Hauraki Gulf Forum:

a) receive the written report from the Chairperson.
### Ngā kaihaina / Signatories

| Author | John Meeuwen – Chairperson, Hauraki Gulf Forum |

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Hauraki Gulf Forum
19 November 2018
Inshore Fisheries Management

System overview and Update on the Status of fish stocks in the Hauraki Gulf Region

Steve Halley
Fisheries Manager Inshore
Tini a Tangaroa
Overview

1. Fisheries New Zealand established 2018 - scope, purpose and structure
2. Fisheries Management historical context
3. Overview of the current fishery management system
4. Fishery management tools and how they are used
5. Fisheries management planning
6. What we know about Hauraki Gulf stock levels and updates to sustainability measures
1. Fisheries New Zealand: high-level structure

Fisheries New Zealand established 2018 - scope, purpose and structure

a. Compliance
   - Operations
   - Fisheries Compliance
   - Compliance Team

Aquaculture & Branch Support
- Aquaculture Process Improvement

Fisheries Science & Information
- Fisheries Science Management
- Fisheries Science Monitoring
- Principal Advisor: Data Transformation

Fisheries Management
- Office of Fisheries
- Customer Fishery & Spatial Allocations

Policy
- Policy and Trade
- Agriculture, Water and Food Policy
- Fisheries

Digital Monitoring
- Programme Management & Change
- Stakeholder Engagement
- Digital Monitoring Transformation

CROSS-CUTTING SERVICES
- Integrated and Strategic Partnerships
- Fisheries Science Strategy Development
- Fisheries Science Investment Program
Key Change Initiatives for Fisheries New Zealand

- Improved public access to information
- Review of stakeholder engagement in fisheries management
- Delivery of Digital Monitoring Program
- Review of strategies and plans to mitigate the environmental effects of fishing (seabirds, Hoïho, set nets)
- Fisheries planning – national frameworks & local area plans
2. Fisheries Management historical context

- 1960s and 70s policy encouraged expansion of the NZ fishing industry and the introduction of more efficient trawl technologies saw inshore fisheries depleted by the 1980s
- Early 1980s - needed to find a better way to manage commercial fisheries
- Setting catch limits and allocation of 'individual harvest rights' to fisheries was designed to alleviate classical problems and foster incentives to look after the resources
- Individual transferable quota (ITQ) for deep-water in 1983 and important inshore species in 1986
- System leads to reduction of the fleet over time
- ITQ to Maori under fisheries settlement 1992
- ITQs now cover 100 species groups in 600+ stocks/units
3. Overview of Fisheries Management System

Our fishery management framework is provided by the Fisheries Act 1996. A 'use' statute – obligation to provide for use of resources while ensuring sustainability.

Act defines Utilisation – to enable people to provide for their social, economic, and cultural well-being (conserving, using, enhancing, developing).

Fishing in the Hauraki Gulf provides total economic value of $122M and employment in the commercial fishing sector for 1200 (Barbera 2012).
**Sustainability** – to meet future needs and avoid, remedy, mitigate adverse effects of fishing on the aquatic environment.

Fisheries are renewable resources and can continue to produce for future generations.

Two constraints on renewability -

- Sustainable management of harvest
- Ensuring the environment remains productive
Sustainable use can be maximised by managing fish stocks at a level of a population that provides an optimal level of catch for the long term—the MSY.

Theoretically MSY is between 20-40% of the unfished biomass but by introducing the Harvest Strategy Standard we now target higher levels of biomass typically 35-50%. Achieving these targets will benefit the ecosystem.

(note pristine biomass levels allow no fishing)
The Total Allowable Catch (TAC) is the sustainable annual catch for each fishstock that can be taken collectively by all fishing sectors. The TAC is set so to maintain fishstock at or above a level that can produce the maximum sustainable yield (so consistent with international obligations). The TAC is allocated between fishing sectors – commercial, recreational and customary fishers.
4. Fishery management tools and how they are used

- The principal Fisheries Management tool is the setting of catch limits and is supported by:
  - Closed areas – Protect areas of importance to fisheries management by minimising catch of juvenile fish and reduce inter-sector conflict eg Harbours, inner Hauraki Gulf and 2 nm trawl closures
  - Closed seasons – conflict resolution and to restrict harvest to when in peak condition.
  - Prohibited species – protects rare or endangered species from the impacts of intentional fishing.
  - Gear restrictions – protects young fish and reduce the effects of fishing on the environment eg mesh sizes – 150 mm trawl cod end compared with general 100 mm cod end.
  - Tools such as mataaitai reserves to provide for Maori customary use and management.
Protected species – Black Petrel / Takoketai

NZ seabird risk assessment -
- Takoketai - species at Highest risk from fishing activities
- Risk - mainly from commercial long lines, particularly in HGMPA

Black Petrel Working Group formed 2014 –
- "work together to ensure black petrels and other seabirds thrive alongside fishing operations in the Hauraki Gulf."
- Action plan – to improve mitigation on board vessels - instituted Seabird Smart Training – Seabird Liaison officers work with fishers to develop Seabird Management Plan’s for each vessel
- Performance monitored through voluntary on-board cameras and observers
Benthic protection areas

A Benthic Protection Area (BPA) is a form of marine protection intended to protect the benthic habitat from fishing by restricting bottom-impacting fishing activities.

BPAs cover about 28% of New Zealand’s marine area, noting that most are almost entirely in deep-water.

Protection may be necessary because

- How unique or rare are the benthic communities
  (case study Spirits Bay)
- The function they serve in marine production

We are aware of concerns particularly concerning marine production and are considering a new objectives based framework to better address benthic fishing impacts.
Impact of fishing on marine production is complex. The development of Ecosystem Approaches to Fisheries has been long on the wish list both in New Zealand and overseas.

The problem is the multi-jurisdictional nature of the issue and that the information needs to directly incorporate ecosystem or community dynamics into stock assessments are largely beyond what can practically be achieved at the current time, this as much true in New Zealand as anywhere else in the world.
5. Fisheries management planning

Fisheries management policy in New Zealand is implemented through a series of National Fisheries Plans. These specify high-level and operational objectives for fisheries. Objectives are used as a basis for specifying required services including management, research and compliance activities. Performance against targets and objectives is reviewed annually. Protected and vulnerable species are managed through risk-based plans:

- NPOA-seabirds
- NPOA-sharks
6. What we know about Hauraki Gulf stock levels and updates to sustainability measures

**Status of Stocks relevant to HGMP**

- **Below target**
  - Snapper, tarakihi, John dory, crayfish
  - Actions: ongoing monitoring; TAC reduction for flatfish in 2018 to align with recent catch levels; assessment for trevally in 2020

- **At or above target**
  - Skipjack tuna, kahawai, blunnd, barracouta
  - Actions: include ongoing catch and effort monitoring

- **Not known**
  - Trevally, jack, mackerel, English, mackeral, flatfish, leatherjacket, grey mullet, rig, parute
Case study – Snapper

2013 Stock assessment

- accepted biomass target of 40% $B_0$ which is double the previous target
- stock is rebuilding (>60% increase in biomass (red line) since QMS entry) but still not at target
- uncertainty about longer-term biomass trajectory because recruitment influenced by factors out of our control

By stock

<table>
<thead>
<tr>
<th>Stock</th>
<th>$B_0$ (′000 t)</th>
<th>$B_{2011}$ (%$B_0$)</th>
<th>$B_{2013}$ (%$B_{2011}$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENLD</td>
<td>66 (53, 79)</td>
<td>24 (18, 30)</td>
<td>137 (108, 176)</td>
</tr>
<tr>
<td>HAGU</td>
<td>220 (192, 246)</td>
<td>24 (19, 29)</td>
<td>168 (137, 206)</td>
</tr>
<tr>
<td>BOP</td>
<td>86 (63, 112)</td>
<td>6 (3, 9)</td>
<td>148 (104, 209)</td>
</tr>
<tr>
<td>HAGUBOP</td>
<td>306 (288, 325)</td>
<td>19 (15, 23)</td>
<td>167 (139, 201)</td>
</tr>
</tbody>
</table>

By area

<table>
<thead>
<tr>
<th>Area</th>
<th>$B_0$ (′000 t)</th>
<th>$B_{2011}$ (%$B_0$)</th>
<th>$B_{2013}$ (%$B_{2011}$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>EN</td>
<td>96 (85, 111)</td>
<td>20 (16, 25)</td>
<td>130 (108, 159)</td>
</tr>
<tr>
<td>HG</td>
<td>211 (197, 227)</td>
<td>21 (17, 26)</td>
<td>167 (136, 204)</td>
</tr>
<tr>
<td>BP</td>
<td>64 (53, 74)</td>
<td>7 (5, 10)</td>
<td>145 (114, 185)</td>
</tr>
<tr>
<td>HGHP</td>
<td>276 (258, 292)</td>
<td>18 (15, 22)</td>
<td>165 (136, 199)</td>
</tr>
</tbody>
</table>

$B_{\text{min}}$ was taken as $B_{1999}$ for ENLD and EN, and as $B_{1999}$ for other stocks and areas.

Fisheries New Zealand

Tīkia Tāonga
SNA continued....

Rebuilding plan

- Aim to rebuild to 40% $B_o$ by 2040, with intermediate milestone of 30% $B_o$ by 2025
- Signalled moving towards equivalent allocation between commercial and rec sectors
- Next Assessment in 2022 to check progress
- Research trawl surveys (abundance of young snapper) and catch sampling to understand recruitment
- Based on sea surface temperatures, it is likely there were several strong recruitment years recently
- Industry have adopted a move-on rule to reduce catch of undersized snapper
- Mandatory reporting of sub-legal snapper to quantify potential waste
- Reporting by skippers validated by cameras and we are confident undersized catch is within the allowance set

The future

- DM will improve knowledge of catch and enable better monitoring and assessment
- More timely info will enable more responsive management
- Current allocation of ITQ as proportion of the catch limit means that management adjustments for sustainability purposes do not require buying back quota and catch limit changes can be responsive to the science
Hauraki Gulf Forum Financial Report
as at end of October 2018

Accumulated funds as at 30 June 2018
$ 381,540

<table>
<thead>
<tr>
<th>Expenditure</th>
<th>Forecast</th>
<th>Actual to end of October</th>
</tr>
</thead>
<tbody>
<tr>
<td>State of the Environment report (assumes 3 x annual contributions of $10,000)</td>
<td>$ 59,000</td>
<td>$ 20,073</td>
</tr>
<tr>
<td>Communications: annual report, seminar, website, gulf journal</td>
<td>$ 45,000</td>
<td>$ 31,445</td>
</tr>
<tr>
<td>Education project: Marine park posters</td>
<td>$ 10,000</td>
<td>$ -</td>
</tr>
<tr>
<td>Facilitation of response to issues</td>
<td>$ 10,000</td>
<td>$ -</td>
</tr>
<tr>
<td>Administrative and travel expenses</td>
<td>$ 5,000</td>
<td>$ 1,254</td>
</tr>
<tr>
<td>Administrative authority expenses</td>
<td>$ 147,210</td>
<td>$ 108,999</td>
</tr>
<tr>
<td>2018/2019 Auckland Council contribution offset (as received 20 Aug 2018)</td>
<td>$ -</td>
<td>$ 21,914</td>
</tr>
<tr>
<td><strong>Total expenditure</strong></td>
<td>$ 261,270</td>
<td>$ 107,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Revenue</th>
<th>Forecast</th>
<th>Actual to end of October</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constituent Party contributions (2018/19)</td>
<td>$ 261,270</td>
<td>$ 261,270</td>
</tr>
<tr>
<td>Sponsorship (towards the Gulf Forum project)</td>
<td>$ 20,000</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>Total revenue</strong></td>
<td>$ 281,270</td>
<td>$ 261,270</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Revenue less expenditure</th>
<th>Forecast</th>
<th>Actual to end of October</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 20,000</td>
<td>$ 155,196</td>
<td></td>
</tr>
</tbody>
</table>

Accumulated funds as at end of October 2018
$ 356,736

Reconciliation
- Funds required for remainder of 2018/2019 (assumes 100% of budgeted expenditure for 2018/2019 is committed)
  $ 155,170
- Uncommitted funds as at end of October 2018
  $ 101,556
- Accumulated funds as at end of October 2018
  $ 256,736

All costs are presented exclusive of GST
Minutes of a meeting of the Hauraki Gulf Forum held in Room 1, Level 26, 135 Albert Street, Auckland on Friday, 8 February 2019 at 2.00pm.

PRESENT

Chairperson
Mr John Meeuwsen
Waiheke Local Board (Auckland Council) – Until 3.20pm Item 4.1

Deputy Chairperson
Ms Moana Tamaariki-Pohe
Tangata Whenua

Members
Mr Andrew Baucke
Department of Conservation

Mr Jeff Cleave
Great Barrier Local Board (Auckland Council)

Cr Paul Cronin
Matamata-Piako District Council

Cr Christine Fletcher
Auckland Council

Mayor Sandra Goudie
Thames-Coromandel District Council

Mr Steve Halley
Ministry for Primary Industries – Until 3.03pm Item 7

Cr Richard Hills
Auckland Council – From 2.06pm Item 6

Mr Terrence Hohneck
Tangata Whenua

Cr Mike Lee
Auckland Council – Until 4.09pm Item 9

Ms Nicola MacDonald
Tangata Whenua – From 2.30pm Item 6

Mr Paul Majurey
Tangata Whenua

Cr Rob McGuire
Waikato District Council – Until 4.09pm Item 9

Cr Dal Minogue
Waikato Regional Council

Ms Liane Ngamane
Tangata Whenua

Mr Dean Ogilvie
Tangata Whenua

Ms Marty Rogers
Te Puni Kōkiri – Until 2.43pm Item 6

Mayor John Tregidga
Hauraki District Council – Until 4.09pm Item 9

Cr Wayne Walker
Auckland Council – From 2.17pm Item 6

ABSENT

Cr John Watson
Auckland Council

ALSO PRESENT

Cr Jennie Hayman (Alt)
Waikato Regional Council

Mr Martin Mariassouc e (Alt)
Te Puni Kōkiri – Until 2.43pm Item 6

IN ATTENDANCE

Hon Nanaia Mahuta, Minister for Māori Development – Until 2.43pm Item 6
Dean Martin, Principal Advisor Māori Relations & Governance opened the meeting with a mihi whakatau to the Minister of Māori Development.

Note: From this point forward, agenda items were taken in the following order:

Item
6 Kōrero by the Minister for Māori Development
1 Apologies
2 Declaration of Interest
3 Confirmation of Minutes
7 Chairperson’s Report
4.1 Public Forum – Sustainable Business Network – GulfX Project
4.2 Public Forum – Auckland Whale and Dolphin Safari
5 Extraordinary Business
8 Development of budget for 2019/2020
9 Executive Officer’s report
10 Meeting dates and venues for 2019
11 Filming of Forum meetings
12 Consideration of Extraordinary Items

6 Kōrero by the Minister for Māori Development

The Minister for Māori Development, Hon Nanaia Mahuta addressed the meeting and responded to questions and issues raised by members.

Resolution number HGF/2019/1

MOVED by Chairperson J Meeuwsen, seconded by Cr C Fletcher:

That the Hauraki Gulf Forum:
a) thank the Minister for Māori Development, Hon Nanaia Mahuta, for her attendance at the meeting.

CARRIED

Cr R Hills entered the meeting at 2.06pm.
Cr W Walker entered the meeting at 2.17pm.
Ms N MacDonald entered the meeting at 2.30pm.
Ms M Rogers and Mr M Mariassouce retired from the meeting at 2.43pm.

1 Apologies

Resolution number HGF/2019/2

MOVED by Chairperson J Meeuwsen, seconded by Member M Tamaariki-Pohe:

That the Hauraki Gulf Forum:
a) accept the apologies from Ms N MacDonald for lateness, Cr J Watson for absence and Mr J Meeuwsen for early departure.

CARRIED

Note: Speaking rights were granted to Cr J Hayman (Alt), Waikato Regional Council.
2 Declaration of Interest

There were no declarations of interest.

3 Confirmation of Minutes

Resolution number HGF/2019/3
MOVED by Chairperson J Meeuwsen, seconded by Cr W Walker:
That the Hauraki Gulf Forum:
a) confirm the ordinary minutes of its meeting, held on Monday, 19 November 2018, as a true and correct record.
CARRIED

7 Chairperson's Report

The Chairperson spoke to his report and responded to questions from members.

Resolution number HGF/2019/4
MOVED by Cr C Fletcher, seconded by Cr W Walker:
That the Hauraki Gulf Forum:
a) receive the written report from the Chairperson.
CARRIED

Note: Ms L Ngamane abstained from voting.

Mr S Halley retired from the meeting at 3.03pm.

4 Public Forum

4.1 Public Forum – Sustainable Business Network – GulfX Project
Rachel Brown, Sustainable Business Network Chief Executive Officer provided a presentation regarding GulfX Project. A copy of the presentation has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number HGF/2019/5
MOVED by Cr W Walker, seconded by Cr R McGuire:
That the Hauraki Gulf Forum:
a) receive the presentation from Rachel Brown, Sustainable Business Network Chief Executive Officer regarding GulfX and thank her for her attendance.
CARRIED
4.2 Public Forum – Auckland Whale and Dolphin Safari

Brad Kirner, Auckland Whale and Dolphin Safari General Manager provided a video presentation regarding the marine biology research being undertaken by his company.

Resolution number HGF/2019/6

MOVED by Deputy Chairperson M Tamaariki-Pohe, seconded by C P Cronin:

That the Hauraki Gulf Forum:

a) receive the presentation from Brad Kirner, Auckland Whale and Dolphin Safari General Manager regarding their marine biology research and thank him for his attendance.

CARRIED

5 Extraordinary Business

There was no extraordinary business.

8 Development of budget for 2019/2020

Resolution number HGF/2019/7

MOVED by Mayor J Tregidga, seconded by Cr W Walker:

That the Hauraki Gulf Forum:

a) receive the report, and

b) note that the Chairperson, Deputy Chairperson and Executive Officer will, prior to the next Forum meeting, undertake a full round of consultations of all Members on a draft forward work programme and associated budget, and

c) note that a proposed budget for 2019 / 2020 will be presented to the next Forum meeting for approval.

CARRIED

9 Executive Officer's report

Alex Rogers, Executive Officer provided a presentation in support of his report. A copy of the presentation has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.
Resolution number HGF/2019/8
MOVED by Cr W Walker, seconded by Ms L Ngamane:
That the Hauraki Gulf Forum:
a) receive the Executive Officer's report.

CARRIED

Attachments
A 8 February 2019 - Hauraki Gulf Forum - Item 9 - Executive Officer's report - presentation

Cr M Lee, Cr R McGuire and Mayor J Tregidga retired from the meeting at 4.09pm.

10 Meeting dates and venues for 2019
Following discussion, and with the agreement of the mover and seconder, the recommendations in the report were changed to retain the status quo.

Resolution number HGF/2019/9
MOVED by Ms L Ngamane, seconded by Mr J Cleave:
That the Hauraki Gulf Forum:
a) confirm that the remaining meetings for 2019 will be held as follows:
   • from 1pm Monday 20 May, Auckland Town Hall
   • from 1pm Monday 19 August, Auckland Town Hall.

CARRIED

11 Filming of Forum meetings

Resolution number HGF/2019/10
MOVED by Ms L Ngamane, seconded by Mr J Cleave:
That the Hauraki Gulf Forum:
a) agree not to film its meetings, unless determined otherwise by the Chairperson in accordance with the Standing Orders and existing Amendments thereto.

CARRIED

Note: Pursuant to Standing Order 3.14.5 Cr W Walker requested that his dissenting vote be recorded.

12 Consideration of Extraordinary Items
There was no consideration of extraordinary items.
4.32pm

The Deputy Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A MEETING OF THE HAURAKI GULF FORUM HELD ON

DATE: ..............................................................................................................

CHAIRPERSON: ..............................................................................................
Date: Friday, 8 February 2019
Time: 2.00pm
Meeting Room: Room 1,
Venue: Level 26, 135 Albert Street
Auckland  

### Hauraki Gulf Forum

#### OPEN MINUTE ITEM ATTACHMENTS

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Note: The attachments contained within this document are for consideration and should not be construed as Council policy unless and until adopted. Should Councillors require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
Introducing GulfX from The Sustainable Business Network

A major new regional business engagement programme to protect and restore the Hauraki Gulf.

This project has received funding from:
What’s it all about?

GulfX focuses the Sustainable Business Network's membership, resources and established national programmes on the land based ecological restoration of the Hauraki Gulf and its catchment waterways.

The aim of GulfX is to connect more people with Tikapa Moana (The Hauraki Gulf) and in doing so work to restore the relationship between the gulf and those who live around, rely on, and impact upon her waters.
What we are doing

**STRATEGIC GOAL**
**Reducing plastic in our harbours**
This will be done through SBN's Circular Economy Accelerator, particularly its Plastic Packaging Innovation Programme (PIP). PIP provides expert support for businesses looking to reduce and redesign problematic plastic packaging, tackling the marine plastic pollution problem at source.

**INITIAL BUSINESS ENGAGEMENT**
**Installing litter traps in business around the Hauraki Gulf catchment**
We will be advocating and supporting participating business to install litter trap devices in storm water drains on their properties. These devices help prevent litter from entering the sea. This process will be used as an opportunity to increase awareness of on-site activity and marine pollution.
STRATEGIC GOAL
Accelerating Auckland's smart transport transition
One of the key ways to cut pollution from transport in and around the Hauraki Gulf is to accelerate the transition to an efficient and zero carbon transport system. Through GulfX we will be working with commercial fleet managers and public transport operators. We will be assisting and supporting them in making changes that cut pollution, from redesigning systems to adopting electric vehicles.

INITIAL BUSINESS ENGAGEMENT
Promoting the adoption of low copper brake pads in commercial vehicle fleets
Heavy metals (mainly copper and zinc) are among the most prevalent and persistent pollutants in the Gulf. As an initial step we will work with commercial fleet managers to reduce the copper in their chosen brake pads, to raise awareness and cut pollution.
What we are doing

STRATEGIC GOAL
Scaling up the work of Million Metres Streams in the Hauraki Gulf catchment

Million Metres streams is the Sustainable Business Network’s project to restore the banks of New Zealand waterways by planting native plants and trees. It is a unique combination of crowdfunding, community action, business support and local authority co-operation.

INITIAL BUSINESS ENGAGEMENT
Supporting 10 Million Metres Streams projects in the Hauraki Gulf catchment

As part of the GulfX business engagement programme Auckland Council is supporting the establishment of a range of Million Metres Streams projects in the region.
What we are doing

STRATEGIC GOAL
Deepening business people's engagement in nature restoration
SBN seeks to make its work more impactful through applied social psychology, behavioural psychology, ecopsychology and spiritual ecology. This naturally includes increased engagement with and application of the indigenous Maori worldview.

INITIAL BUSINESS ENGAGEMENT
Leadership based on deep respect for nature
SBN is in the process of completing an initial survey of the latest deep engagement methodologies. We will be applying them to a redesign of all our engagement activities, events and communications. In addition, we will be applying this deepened perspective to our regular Leadership in Sustainability Course.
Seeking further partners

STRATEGIC GOAL
Formalising GulfX Partners
We are keen to work with all organisations who want to make protection and restoration of marine areas like Tikapa Moana a default setting for New Zealand. With Americas Cup and APEC in 2021 - the time to act is now – and the opportunities are huge. We need investment now as there is plenty to do.

INITIAL BUSINESS ENGAGEMENT
Promoting and partnering with relevant innovations
We are committed to assisting in realising and scaling up innovative action around the Gulf. Examples include electrifying the ferry fleet, a demonstration Living Building for the harbour, restoring kelp beds, Virtual and Augmented reality for marine conservation, and more!
Get in touch.

rachel@sustainable.org.nz 021 686 158
Key points

- Poster
- Resolutions
- Fisheries
- Ports of Auckland
Resolutions

• Progress in respect of resolutions HGF/2018/53 – 56 from the Forum’s November 2018 meeting.
  • 53-55 on sediment are either actioned or under consideration, and 55 will be considered further at the next technical officers meeting
  • 56 on a terms of reference is on hold pending the Sea Change Tai Timu Tai Pari process development
Fisheries

- Given recent announcements by the Minister of Fisheries, and a focus at this meeting on interactions with the Ministers of Conservation and Māori Development, the anticipated presentation from Fisheries NZ at this meeting has been delayed to May.
- It looks like the May meeting might have a particular focus on Fisheries issues.
Ports of Auckland

- Ports of Auckland have advised the Forum (see attachment to EO Report) of their intent to apply for resource consent to deepen parts of the current channel to handle larger ships in future.
- Ports of Auckland will present on this in May.
Thank you
Minutes of a meeting of the

Implementation Committee – OPEN MINUTES

Time and Date: 3.00pm, 5 December 2018

Venue: NZ Transport Agency Boardroom, Deloitte Building, Anzac Parade, Hamilton

Members: Bill Wasley Independent Chair, Future Proof
Bob Simcock Councillor, Waikato Regional Council
Allan Sanson Mayor, Waikato District Council / Deputy Chair
Dave Macpherson Councillor, Hamilton City Council
Dynes Fulton Deputy Mayor, Waikato District Council
Andrew King Mayor, Hamilton City Council
Rangipipi Bennett Ngā Karu Atua o te Waka
Parekawhia McLean NZ Transport Agency
Jim Mylchreest Mayor, Waipa District Council
Liz Stolwyk Councillor, Waipa District Council

In Attendance: Ken Tremaine Implementation Advisor, Future Proof
Blair Bowcott Hamilton City Council
Vishal Ramduny Waikato District Council
Gavin Ion Waikato District Council
Garry Dyet Waipa District Council
Paul Bowman Hamilton City Council
David Hall Waipa District Council
Mark Tamura Waikato Regional Council

Committee Advisor: Michelle White Programme Manager, Future Proof
Helen Martin Administrator, Future Proof

Apologies: Alan Livingston Chairperson, Waikato Regional Council
Kataraina Hodge Tainui Waka Alliance

Chair: Welcomed all to the meeting.

1. **Apologies**
   The apologies were accepted.

   **Resolved:** (Mayor Mylchreest/Councillor Simcock)
   That the apologies be received.

2. **Declarations of Interest**
   Members from the Waikato District Council declared an interest in terms of Item 7 - Future Proof Submissions - Proposed Waikato District Plan.
Members from the Waipa District Council declared an interest in terms of Item 7 - Future Proof Submissions - Proposed Plan Change 11 to Waipa District Plan - Bardowie Industrial Precinct.

3. **Minutes of the meeting held on 3 July 2018**

It was requested that the format of the minutes reflect the main discussion points, resolutions and recommendations only.

**Resolved:** (Mayor Sanson/Councillor Simcock)
That the minutes be received.

4. **Hamilton to Auckland Corridor Plan**

Members were briefed on the Hamilton to Auckland Corridor Plan ahead of a governance meeting with Ministers on 14 December 2018. An informal briefing on the Ministerial meeting would take place later today.

Implementation Advisor Ken Tremaine gave a presentation on the Corridor Plan project.

The presentation outlined the background to the Corridor Plan which had been initiated by government early in 2018. Significant work is in progress and was expected to continue for another 6 – 12 months. It focussed on partnerships, the spatial plan and infrastructural priorities along the length of the corridor from Papakura to Cambridge.

Key findings to date include:

1. This is a nationally significant corridor to protect and grow.
2. The corridor has enduring limits to further urban growth.
3. The corridor has nationally significant development opportunities.
4. Significant investment is required to unlock future growth.

Four recommendations were presented, including:

1. Establish joint stronger corridor connections programmes.
2. A new Pokeno to Papakura integration and coordination forum.
3. Expand the Future Proof partnership.

There are 20 possible housing, employment, social and network infrastructure initiatives being investigated.

Comments on the presentation covered the following points:

- The corridor is significant in a national context because of the Expressway, start-up rail, and blue green connectiveness.
- This work can build on and challenge our thinking on how growth could develop.
- The Corridor Plan is beneficial for the sub-region and government.
- Government has the ability to create and fund the project and, with their help, to pilot and deliver it.
- There is a need to consider the role of South Auckland as well as the need both here and in the northern Waikato for more health and education facilities.
- Auckland Council are considering how health and education services are being delivered in the northern part of the Corridor.
- Connections with Auckland include the Waikato River, rail and employment.
- This is a transformational project and challenges our thinking but is critical when considering growth in this area.
• Land acquisition is important, as is investment in three waters especially infrastructure planning.

Next steps:
• Meet with Ministers on 14 December
• Finalise the Corridor Plan in the period February – June 2019
• Adopt and establish Phase 1 - to commence in July 2019
• Begin work on the metro spatial plan in 2019 with implementation set down for 2020.

Resolved: (Mayor Sanson/Mayor Mylchreest)

That the Future Proof Implementation Committee:

1. Receives this report.

5. Future Proof Strategy Update – Phase 2
Completion of this Phase will mean that our statutory obligations under the National Policy Statement on Urban Development Capacity will have been met. The Implementation Advisor acknowledged the input from Ngā Karu Atua o te Waka.

There was discussion on submitting the Strategy next year when the Hamilton to Auckland Corridor work had been completed. This had been explored but the message received from government was that we must meet the deadline so that government could get a consolidated picture of challenges facing growth councils in New Zealand.

Some members felt that the draft Strategy should be provided to the partner councils prior to submission to MfE, giving them the opportunity to fully discuss the document.

It was agreed to submit the draft Strategy to MfE by 31 December 2018, with a covering letter indicating work still to be completed.

The Chair commented that the other growth areas have heavily caveated their documents and that it was Future Proof’s statutory obligation to meet the 31 December deadline.

A cover letter is to be prepared and circulated to the Future Proof Chief Executive's prior to submission of the draft strategy. It was noted that the Hamilton to Auckland Corridor Plan work will drive what the final Strategy document will look like.

Resolved: (Mayor Mylchreest/Councillor Simcock)

That the Future Proof Implementation Committee:

1. Receives this report
2. Notes the update on the draft Future Proof Strategy Update.
3. Discuss and provide feedback on the draft Future Proof Strategy.
4. Subject to any amendments, approves the draft Future Proof Strategy for submission to MBIE/MfE by 31 December 2018, noting that work on the Strategy will continue in 2019 to ensure alignment with the Hamilton to Auckland Corridor Plan and that this work be reported back to FPIC as it progresses.
5. Notes that a cover letter will be circulated to the Future Proof Chief Executive’s for input prior to being sent to MfE.
6. Future Proof Looking Forward

A series of dedicated workshops on the Future Proof partnership organised by the Future Proof Chief Executive’s Advisory Group and facilitated by Dr Helen Ritchie took place in November 2018. The purpose of the workshops was to:

- Explore and affirm what the partnership means and the value that it adds.
- Identify any issues for the partnership and outline how the parties will continue to work together.

Key proposals arising from the workshops include:

a. Use the Future Proof governance, management and technical model, and invite Auckland partners and central government representation, to respond to the Hamilton to Auckland Corridor Plan.

b. Invite central government and Auckland Council (and other Auckland partners where appropriate) to have representation on Future Proof structures at all levels.

c. Convene more regular Future Proof Implementation Committee (FPIC) meetings on a bimonthly basis, with informal workshops on the 'off' months.

d. Chief Executive’s Advisory Group (CEAG) members to report/present at Implementation Committee meetings on direction/strategic matters.

e. Hold six monthly partnership stocktake meetings with CEAG members.

f. Retain the independent chair model.

g. Include standing items on CEAG and FPIC agendas in relation to project check-ins.

h. Report a summary of FPIC meetings to partner council Committee/Council meetings.

i. Review the number of representatives from each organisation on FPIC post local government elections in October 2019.

Discussion covered the following points:

- The Hamilton to Auckland Corridor Plan needs an overarching forum/group.
- Setting up something new will take time. Rather it would be beneficial to build on what is existing, working and recognised - Future Proof.
- Future Proof previously focused on the Expressway and roading infrastructure, and joined up planning around rural subdivision. Some members felt that Future Proof had been less focused recently and needs a new focus, which can be provided by the Corridor Plan.
- The proposed Future Proof structure will give greater transparency.
- The Waikato is fortunate to have room for future growth and in order to capitalise on that, good planning is required.
- Growth requires government involvement to fund big ticket infrastructure.
- Pressure is being exerted on council boundaries and there is a need to work together to provide infrastructure suitable for delivering efficient and effective results and with an agility to respond to new opportunities and directions.
- The partnership collateral across the Waikato has developed over several years and is a strength recognised by central government.

Hamilton City Council members preferred the development of a new structure to respond to the Corridor Plan. All other members were in favour of using the Future Proof structure to respond to the Corridor Plan.

The Chair proposed that the Chief Executives discuss the matter separately and come back with a recommendation to the meeting.
They left the meeting at 4.25pm to discuss the matter.

7. **Future Proof Submissions**
Submissions have been made on the proposed Waikato District Plan and the proposed Plan Change to the Waipa District Plan – Bardowie Industrial Precinct. Key points of both submissions were discussed.

**That the Future Proof Implementation Committee:**

1. **Approves the Future Proof submission on the Proposed Waikato District Plan.**
   (Councillor Stolwyk/Councillor Simcock)
2. **Notes that the Future Proof partners will continue working with the Waikato District Council to progress matters raised in the submission in advance of any hearing process in order to achieve more effective outcomes.** (Mayor Mylchreest/Councillor Stolwyk)
3. **Approves the Future Proof submission on Proposed Plan Change 11 to the Waipa District Plan.** (Mayor Sanson/Deputy Mayor Fulton)

8. **General Business**
The Chair took the opportunity to acknowledge the contribution made by Parekawhia McLean during her time with Future Proof. Her hard work was recognised and members joined him in wishing her well for her move to a position in the health sector.

Parekawhia thanked members for their good wishes saying she was taking up a position with Counties-Manukau DHB. She said she was looking forward to working collaboratively across the DHB and Waikato regional boundaries.

9. **Future Proof Looking Forward (continued)**
The Chief Executive's joined the meeting again at 4.55pm.

The meeting was adjourned at 5.00pm to enable further discussion by Hamilton City Council representatives.

Michelle White left the meeting at 5.05 pm.

The Chief Executives recognised the need to obtain a position from their respective councils. They were concerned about the discussion with the Ministers on 14 December, noting that a united voice must be presented for the benefit of the Waikato.

The partners were asked to seek guidance from their councils on using the Future Proof model to respond to the Corridor Plan and to report back at the next meeting.

It was noted that Hamilton City Council would meet on 7 February 2019 to reconcile its position.

It was agreed that the Future Proof CEAG must meet by mid-February to agree a resolution, and that the FPIC would meet again no later than mid-late February.
Resolved: (Mayor Sanson/Councillor Simcock)

That the Future Proof Implementation Committee:

1. Receives this report
2. Notes the key messages outlined in Section 3.
3. Notes that the Future Proof Chief Executives have reviewed the currency and relevance of the existing Future Proof arrangements given related projects that are occurring.
4. Notes the proposals as outlined in Section 3 and summarised below:
   a. Use the Future Proof governance, management and technical model, and invite Auckland partners and central government representation, to respond to the Hamilton to Auckland Corridor Plan.
   b. Invite central government and Auckland Council (and other Auckland partners where appropriate) to have representation on Future Proof structures at all levels.
   c. Convene more regular FPIC meetings on a bimonthly basis, with informal workshops on the ‘off’ months.
   d. CEAG members to report/present at FPIC meetings on direction/strategic matters.
   e. Hold six monthly partnership stocktake meetings with CEAG members.
   f. Retain the independent chair model.
   g. Include standing items on CEAG and FPIC agendas in relation to project check-ins.
   h. Report a summary of FPIC meetings to partner council Committee/Council meetings.
   i. Review the number of representatives from each organisation on FPIC post local government elections in October 2019.
5. Notes that the Future Proof CEAG will report back on further detail once the Ministerial and Waikato leaders Corridor Plan briefing has taken place on 14 December 2018 and the Corridor Plan has been further discussed by government officials and reported to Cabinet. The further detail to include the updated Future Proof governance, management and technical model from both a government and a Future Proof perspective as well as the resourcing necessary to deliver on the new arrangements.
6. Seek approval from each partner organisation for the changes proposed to the Future Proof governance, management and technical model in response to the Hamilton to Auckland Corridor Plan.
7. Report back on their council consideration of the proposed changes to the Future Proof model.

The meeting was declared closed at 5.25pm
Waikato Plan Leadership Committee
OPEN MINUTES

Minutes of a meeting of the Waikato Plan Leadership Committee held on 3 December 2018 at 1.00pm in the Waikato Regional Council Chambers, 401 Grey Street, Hamilton East.

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<td>Co-Chair</td>
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<td>Co-Chair &amp; Waikato-Tainui Representative</td>
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<td>Deputy Co-Chair</td>
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<td>Deputy Co-Chair &amp; Maniapoto Representative</td>
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<td>Future Proof Sub-region</td>
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<td>Southern Sub-region</td>
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<td>Eastern Sub-region</td>
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<td>Business/ Community Members</td>
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<td>Te Arawa</td>
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<td>Waikato District Health Board</td>
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<td>New Zealand Transport Agency</td>
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<tr>
<td>Ministry of Social Development</td>
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<tr>
<td>In Attendance</td>
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<tr>
<td>Waikato Regional Council</td>
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SECTION A: COMMITTEE HAS DELEGATED AUTHORITY TO MAKE DECISION

Welcome and Opening Karakia
(Agenda Item 1)

The Co-Chair (B Gatenby) welcomed everyone present and the Chief Executive of the Waikato Regional Council (V Payne) opened the meeting with a karakia.

Apologies
(Agenda Item 2)

E Berryman-Kamp moved/W Maag seconded.

WPLC18/11
 RESOLVED
THAT the apologies from Councillor Alan Livingston, Mayor Andrew King, Vanessa Eparaima, Kathy Mansell for absence, and Ruku Schaafhausen for lateness, be accepted.

The motion was put and carried (WPLC18/11)

Confirmation of Agenda
(Agenda Item 3)

B Gatenby moved/E Berryman-Kamp seconded.

WPLC18/12
 RESOLVED
THAT the agenda of the meeting of the Waikato Plan Leadership Committee of 3 December 2018, as circulated, be confirmed as the business for the meeting.

The motion was put and carried (WPLC18/12)

Disclosures of Interest
(Agenda Item 4)

There were no disclosures of interest.

Confirmation of Minutes from the Previous Meeting of the Committee
(Agenda Item 5) Doc #13228146

There were no amendments recommended and the minutes were taken as a true and accurate record.

It was suggested and agreed that it would be helpful for all stakeholders to be able to see the other officials and attendees that attended the meeting. It was agreed that attendees would be included on the front page of the next set of minutes.
Mayor B Hanna moved/ E Berryman-Kamp seconded.

**WPLC18/13**

**RESOLVED**

THAT the minutes from the 15 October 2018 meeting of the Waikato Plan Leadership Committee be received, and accepted as a true and accurate record.

The motion was put and carried (WPLC18/13)

It was noted that at the last meeting of the Committee, quorum was lost in last part and the Committee was unable to receive a report that had been presented. It was agreed that the report be received now that the Committee had reconvened and had quorum. The motion was put and carried.

L Ieremia moved/E Berryman-Kamp seconded.

**WPLC18/14**

**RESOLVED**

THAT the update on the ‘Hamilton to Auckland Corridor Plan update’ (Doc # 13153880 dated 03 October 2018) be received.

The motion was put and carried (WPLC18/14)

With consent of the meeting, the agenda was amended to allow for the late arrival of R Schaafhausen.

**Appointment of Ministry for Business, Innovation, and Employment Non-Voting Member**

(Agenda Item 7) Doc #13421484

This report was presented by the Waikato Plan Transition Manager (J Bromley). The report advised the Committee of the appointment process for members, and the various roles of voting and non-voting members, in relation to the Terms of Reference for the Committee. The appointment process was undertaken by the Committee.

The following matters were raised:

- The role of the Ministry for Business, Innovation, and Employment at all levels of government was described and discussed.
- The opportunities for collaboration between all central and local government agencies was discussed.
W Maag moved/ D Fisher seconded.

**WPLC18/15**

**RESOLVED**
1. THAT the report ‘New non-voting member of the Waikato Plan Leadership Committee (Doc # 13421484 dated 22 November 2018) be received.
2. THAT the Ministry for Business, Innovation and Employment be a non-voting member of the Waikato Plan Leadership Committee.
3. THAT Kathy Mansell from the Ministry for Business, Innovation and Employment be confirmed as the member representative on the Waikato Plan Leadership Committee.

The motion was put and carried (WPLC18/15)

**Overview and Progress of the Waikato Plan 2017-2018**
(Agenda Item 8) Doc #13420568

This report was presented by the Waikato Plan Transition Manager (J Bromley). The report updated the Committee on the milestones that had been achieved to date.

The following matters were raised:
- It was noted that the Plan had worked towards the progression of positive outcomes for the Waikato region, and that the future work programme will build on previous achievements. Projects noted included the anti-meth programme and the Waipa Heritage Trail project.

R Schaafhausen joined the meeting at 1.15pm.

- It was noted that the Virtual Health project is ongoing and would be developed further by the Waikato District Health Board.

Mayor B Hanna moved/ E Berryman-Kamp seconded.

**WPLC18/16**

**RESOLVED**
THAT the report “An Overview and Update of the Progress of the Waikato Plan for 2017-2018 (Doc #13420568 dated 22 November 2018) be received.

The motion was put and carried (WPLC18/16)

**Appointment of Co-Chair and Deputy Co-Chair from Iwi**
(Agenda Item 6) Doc #13421585

This report was presented by the Waikato Plan Transition Manager (J Bromley). The report advised the Committee of the appointment process for Iwi members, and the various roles of voting and non-voting members, in relation to the Terms of Reference for the Committee. The appointment process was undertaken by the Committee.
The following matters were raised:
- It was noted that Iwi play an important part in the effective implementation of the plan.
- The appointed members were introduced and a vote for each vacant position taken.

The Committee moved to receive the report.

R Schaarhausen moved/Mayor B Hanna seconded.

WPLC18/17 RESOLVED
THAT the report ‘Appointment of Co-Chair and Deputy Co-Chair from Iwi’ (Doc # 13421585 dated 22 November 2018) be received.

The motion was put and carried (WPLC18/17)

Eugene Berryman-Kamp nominated Rukumoana Schaarhausen as Iwi Co-Chair for the Committee. Weo Maag seconded the nomination.

E Berryman-Kamp moved/W Maag seconded.

WPLC18/18 RESOLVED
THAT Rukumoana Schaarhausen be confirmed as the Co-Chair of the Waikato Plan Leadership Committee.

The motion was put and carried (WPLC18/18)

R Schaarhausen nominated Weo Maag as Iwi Deputy Co-Chair. Eugene Berryman-Kamp seconded the nomination.

R Schaarhausen moved/E Berryman-Kamp seconded.

WPLC18/19 RESOLVED
THAT Weo Maag be confirmed as the Deputy Co-Chair of the Waikato Plan Leadership Committee.

The motion was put and carried (WPLC18/19)

The new appointees were congratulated by the Committee.

Waikato Plan Project Refresh Update
(Agenda Item 9) Doc #13419430

This report was presented by the Waikato Plan Transition Manager (J Bromley). The report updated the Committee on the progress to date on refresh of the Waikato Plan since the previous meeting of the Committee.

The following matters were raised:
• The reforms to the governance structure of the Plan to date was described and discussed.
• It was noted that the terms of reference and assessment framework for the Committee and other decision making entities such as the Chief Executives Advisory Group, were in the process of being developed and the matter was ongoing.
• The political, financial and social opportunities and challenges of the implementation of the Plan was described and discussed. It was noted that there is wide support across the Waikato region and the need to collaborate in a meaningful way was emphasised.
• It was noted that a communications plan which will highlight the progress to date, key milestones, and successful outcomes was being developed. The need to tell a positive story of the Plan was emphasised along with the need to demonstrate value for money and genuine public good.
• The work between Central Government and Local Government was discussed. It was noted that Central Government is aware of the Plan and is it has indicated that it is willing to journey and collaborate, where appropriate, with the Waikato region in its implementation.

W Maag moved/Mayor B Hanna seconded.

RESOLVED
That the report ‘Waikato Plan Project Refresh Update’ (Doc # 13419430 dated 22 November 2018) be received.

The motion was put and carried (WPLC18/20)

Progress of the 2018 Priority Projects
(Agenda Item 10) Doc #13421456

This report was presented by the Waikato Plan Transition Manager (J Bromley). The report updated the Committee on the progress to date of the priority projects for 2018.

The following matters were raised:
• The Housing Stocktake Project was discussed. It was noted that the project had progressed well, with a range of positive outcomes achieved to date. The ongoing collaboration and sharing data was highlighted, along with the genuine cross sector and party support that the project has received to date through consultation rounds and other activities.
• The Youth Development Project was discussed. It was noted that the aim of the Project is connect agencies, groups, and communities working in the sector, which would enable the Sector to achieve greater outcomes for young people in the Waikato region as it progressed.
• The Mental Health Project was discussed. It was noted that the Project is still in an early predatory stages pending the recommendations and finding from the Ministers review of the mental health sector.
It was noted that the Waikato District Health Board have submitted a proposal to the Ministry of Health on the subject, and that it presented the Committee with opportunities for involvement.

It was noted that a visual diagram that demonstrated how the three mentioned projects, and the other aspect of the Plan, were connected and fit together.

The issue of the high rates of drug use and the negative impact that it has on the Waikato region was discussed. It was noted that the Committee may make a statement on the matter in the future, pending further information and advice from District Health Board officials in February 2019.

B Gatenby moved/E Berryman-Kamp seconded.

WPLC18/21 RESOLVED
THAT the report ‘Progress of the 2018 Priority Projects’ (Doc # 13421456 dated 22 November 2018) be received.

The motion was put and carried (WPLC18/21)

Te Waka Update
(Agenda Item 11) Doc #13421456

The presentation updated the Committee on the activities and progress to date of Te Waka.

The following matters were raised:

- It was noted that the role of Te Waka was to provide advice to all sectors and stakeholders and to connect them, to enable a connected, collaborative, and strategic approach to the development and implementation of development plans.
- It was noted that Te Waka played an important facilitator role in the regional development and need to work in partnership and collaboration.
- It was noted that agency had progressed well to date and achieved a number of successes with stakeholders, with plans such as the South Waikato Sub-region development plan and the Maori Business Action Plan being discussed as examples of the positive outcomes to date.
- The Provincial Growth Fund was discussed. It was noted that there is a need to focus on large projects or pull together a number of small project to create large collaborative projects. Along with the need to carefully examine the criteria for successful projects.

Cr T Adams moved/ R Schaafhausen seconded.

WPLC18/22 RESOLVED
THAT the ‘Te Waka: Anga Whakamua Waikato (Waikato Moving Forward) - Waikato Regional Economic Development Agency update’(Doc # 13436830 dated 22 November 2018) be received.

The motion was put and carried (WPLC18/22)
Cycleways
(Agenda Item 12) Doc #13437296

This report was introduced by the Waikato Plan Transition Manager (J Bromley), and presented by the staff from Te Waka as noted above in Agenda Item 11. The report updated and informed the Committee on the cycleway network project and sought the support for the project from Committee.

The following matters were raised:
- It was noted that expanding and further developing the existing network would have positive outcomes for the Waikato region, and that the existing network has high usage rates to date, that provide a strong indicator that the expansion of the network would be a good investment for the region.
- It was noted that it important to tell the story of the experiences that the cycleway and to communicate and/or promote the stories in a strategic and meaningful manner.
- The need to secure sustainable and durable funding and resourcing was discussed. It was noted that there was need to ensure that visitors to the region had attractions or reasons to stay for longer periods of time.
- It was noted that the Cycleways Project integrated into the current transport plans and policies of Central and Local Government.
- It was noted that the there is a high level of collaboration between interested parties and stakeholders on the current cycleway network.

D Fisher moved/Mayor B Hanna seconded.

WPLC18/20

RESOLVED
1. THAT the report “Waikato Region Cycle Trails Network Programme Business Case Endorsement” (Doc # 13437296 dated 22 November 2018) be received.
2. THAT Waikato Plan Leadership Committee support the concept of the Waikato Region Cycle Trails Network.
3. THAT the Committee note that the local government partners will be asked to individually endorse this project.

The motion was put and carried (WPLC18/20)

Meeting closed at 3.05pm.

Doc #13454661
Waikato Raupatu River Trust and Waikato Regional Council Co-Governance Committee
OPEN MINUTES

Minutes of a meeting of the Waikato Raupatu River Trust and Waikato Regional Council Co-Governance Committee held in the Council Chamber, 401 Grey St, Hamilton on Friday 7 December 2018 at 10.10am.

Present:
- Waikato Raupatu River Trust
  - Trustee Rukumoana Schaafhausen
  - Trustee Jackie Collier
  - Trustee Donald Turner
- Waikato Regional Council
  - Cr Alan Livingston
  - Cr Tipa Mahuta
  - Cr Jennie Hayman
  - Cr Fred Lichtwark

In Attendance
- Waikato Regional Council Staff
  - Neville Williams – Director Community and Services
  - Marae Tukere - General Manager, Development and Wellbeing, Waikato-Tainui
  - Gavin Dawson – Democracy Advisor

- Waikato Regional Councillors
  - Cr Barry Quayle
Welcome and Opening Karakia
(Agenda Item 1)

The Co-Chairs of the Committee welcomed all those present and the meeting was opened with a karakia.

Apologies
(Agenda Item 2)

Cr Mahuta moved/Cr Lichtwark seconded.

WTCG18/08  RESOLVED
THAT the apologies from Hemi Rau for absence be accepted.

The motion was put and carried (WTCG17/08)

Confirmation of Agenda
(Agenda Item 3)

Cr Livingston moved/Cr Mahuta seconded.

WTCG18/09  RESOLVED
THAT the agenda of the meeting of the Waikato-Tainui and Waikato Regional Council Co-Governance Committee of 7 December 2018, as circulated, be confirmed as the business for the meeting.

The motion was put and carried (WTCG17/09)

Disclosures of Interest
(Agenda Item 4)

There were no disclosures of interest.

Minutes of Previous Meeting
(Agenda Item 5) Doc #12272417

No amendments to the minutes were requested and the minutes were accepted as a true and accurate record.

J Collier moved/Cr Hayman seconded.

WTCG18/10  RESOLVED
THAT the Minutes of the Waikato-Tainui and Waikato Regional Council Co-Governance Committee of 19 April 2018 be received and approved as a true and correct record.

The motion was put and carried (WTCG18/10)
**Waikato-Tainui/Waikato Regional Council Joint Work Programme**
(Agenda Item 6) Doc #13152169 & #13150093

This report was presented by the Director, Community and Services, Waikato Regional Council (N Williams) and the General Manager, Development and Wellbeing, Waikato-Tainui (M Tukere). The report updated the committee on the progress of the Waikato-Tainui / Waikato Regional Council strategic work programme. It also sought the endorsement of the approach and prioritised initiatives.

The following matters were raised:

- Background to the development of the proposed joint work programme was discussed. It was noted that there was a range of activities and objectives that aligned with the work and missions of both organisations.
- It was noted that there is a need to have clear communication between the two organisations and the relevant stakeholders to ensure that the work that occurs was well received and demonstrated value for money and a high level of public good.
- It was noted that a strategic and staged approach was needed to ensure that the joint work plan was being executed in an effective and efficient manner, which used existing and future plans and projects.
- The need to ensure meaningful collaboration and strategy between both organisations was discussed and emphasised.
- The Matauranga model of viewing issues and activities was described and discussed.
- The need to have an effective system to raise and resolve issues and matters that each organisation may have was discussed. It was noted that this would be developed as the relationship between the two organisations was developed.

Cr Livingston moved/D Turner seconded.

**RESOLVED**

1. THAT the report “Waikato-Tainui / Waikato Regional Council strategic work programme planning” (Doc # 13152169 dated 24 October 2019) be received.
2. THAT a final draft joint work programme be presented at the next meeting of the Waikato-Tainui/Waikato Regional Council Co-Governance Committee.

The motion was put and carried (WTCG18/11)

**Waikato Regional Plan**
(Agenda Item 7) Doc #13437551 & #13275064

This report was presented by the General Manager, Development and Wellbeing, Waikato-Tainui (M Tukere). The report provided the committee with a formal response to the letter dated 26 September 2018, from the Chair of the Waikato Regional Council to the Chair of Te Arataura regarding the review of the Waikato Regional Coastal Plan and Regional Plan.

The following matters were raised:
• It was noted that Waikato-Tainui support the review.
• The structure of the committee that would provide input to the review process was discussed. It was noted that the committee would have a full mandate to make decisions and recommendations to council that influence the final outcome of the review. The proposed committee structure will be considered at the December 12, 2018 meeting of the Waikato Regional Council.
• It was noted that the review would be considered on a topic basis to ensure that discussion on topics is as inclusive as possible.
• It was noted that Waikato-Tainui would like to speak to members of the tribe at all levels to assess what topics they are most concerned about and where tribal representatives should focus time and effort.

Cr Mahuta moved/Cr Lichtwark seconded.

WTCG18/12 RESOLVED
1. THAT the report regarding the Review of the Waikato Regional Coastal Plan and Regional Plan – Healthy Environments – He Taiao Mauriora (Doc#13437551 dated 23rd October 2018) be received; and
2. THAT the Co-governance Committee note the issues raised by Waikato-Tainui in relation to the review.

The motion was put and carried (WTCG18/12)

Waikato-Tainui Submission on Healthy Rivers Wai Ora
(Agenda Item 8) Docs #13459975 & #13459670

This report was introduced by the Waikato-Tainui Co-Chair (R Shaafhausen), and presented by the General Manager, Development and Wellbeing, Waikato-Tainui (M Tukere) and the River Iwi Technical Advisor (B Brough). The verbal report informed the committee on the contents of the submission made by Waikato-Tainui on Healthy Rivers Wai Ora.

The following matters were raised:
• The committee was advised of the content and it was emphasised that it was for information only purposes.
• It was noted that the different types and range of land use and development had an impact on the contents of the reports, and that there was a need to have a clear and measured approach to related matters.

Cr Mahuta moved/Cr Livingston seconded.

WTCG18/13 THAT the reports ‘Submission by the Waikato-Tainui on Healthy Rivers/Wai Ora: Variation 1 to Proposed Waikato Regional Plan Change 1’ (Doc #13459975), and ‘Submission by Waikato-Tainui on Healthy Rivers/Wai Ora: Proposed Waikato Regional Plan Change 1 (Doc #13459670) be received.

The motion was put and carried (WTCG18/13)

Kawhia Coastal Restoration and Management Plan
(Agenda Item 9)
This verbal report was presented by the Chair of the Kawhia Coastal Restoration and Management Plan Committee (J Forbes). The report informed the committee on the vision, goals, and other matters of the plan.

The following matters were raised:

- It was noted that the project includes both open ocean and estuary coastline on a block that is held under Maori land law.
- The impact that traffic of all types had on the beach and coastline was discussed. It was noted that there has been a lot of damage to the environment and there is a need to stop all traffic to let the environment recover.
- There is a need for an improved alternative route to the Te Puia Springs, adding that the need will increase as the site becomes more popular with tourists.
- Native planting was a big focus for the project team, and the demand for these plants has created a number of opportunities for local nurseries in the area.
- Funding sources and options for the project were discussed.
- The need to develop high impact environmental protection and management measures was emphasised. It was noted that it is an area with many significant cultural, historic, and environmental sites and values.
- It was noted that there may be opportunities to help the project through the joint management plan, and that both organisations would look into the matter.

Cr Lichtwark moved/J Colliar seconded.

WTCG18/14 THAT the verbal report ‘Kawhia Coastal Restoration and Management Plan Update’ be received.

The motion was put and carried (WTCG18/14)

Urban Development Capacity  
(Agenda Item 10) Doc #13412570

This report was presented by the Manager, Policy Implementation (T Tamura). The report updated the committee on the changes to the Waikato Regional Plan, which had resulted due to the 2016 National Policy Statement on Urban Capacity Development.

The following matters were raised:

- It was noted that changes to the Waikato Regional Plan are not optional as they are part of the 2016 National Policy Statement on Urban Capacity.
- The statutory planning cycle and processes were described and discussed.
- It was noted that the Council would prefer to use a streamlined process under Schedule One of the Resource Management Act.
- The role that the Futureproof Plan has on the Waikato Regional Plan was discussed. It was noted that representation from Waikato-Tainui would provide valuable insight to the ongoing development of the Waikato region.

Cr Livingston moved/R Shaafhausen seconded.
Minutes of Waikato Raupatu River Trust and Waikato Regional Council Co-Governance Committee Meeting 7 Dec 2018

WTCG18/15

THAT the report Update to Waikato Regional Policy Statement as required by NPS on Urban Development Capacity (Doc # 13412570 dated 23rd November 2018) be received.

The motion was put and carried (WTCG18/15)

Healthy Rivers Wai Ora Update
(Agenda Item 11) Doc #13423110

This report was presented by the Team Leader, Water (Policy), Science and Strategy (B McAuliffe). The report updated the committee on the work and progress to date of Healthy Rivers Wai Ora.

The following matters were raised:

- It was noted that an 18 month extension has been granted to allow for all the submissions (about 1000) to be read and heard where appropriate.
- The consultation and submission process was described and discussed.
- It was noted that the process will go beyond the triennium term of the current council.
- The need to ensure that important matters such as the potential settlement with Pare Hauraki is reflected in communications and allow for an appropriate response when the time came to deal with any matter of importance.

Cr Hayman moved/R Shaafhausen seconded.

WTCG18/16

THAT That the report “Update on Healthy Rivers Plan Change 1 Schedule 1 process” (Doc # 13423110 dated 22 November 2018) be received.

The motion was put and carried (WTCG18/16)

Closing Comments and Karakia Whakamutanga
(Agenda Item 12)

The closing statements were made by the Co-Chairs, before the meeting closed with a karakia.

Co-Chair Alan Livingston for the Waikato Regional Council:
- Congratulated Parekawhia McLean for her new appointment at the Counties Manukau District Health Board.
- The staff and governors were thanked for their work to date and emphasised that there is a need for continued meaningful engagement.
- He wished everyone a safe and restful summer holiday.

Co-Chair Rukumoana Shaafhausen for Waikato-Tainui:
- It was noted that both organisations had worked well together to date and emphasised the need for a strategic and meaningful approach.
- The councillors were thanked for their input to the meeting.
• She wished everyone a safe and happy summer break.

The meeting closed at 12.45pm.
Waikato Regional Council

Finance Committee

OPEN MINUTES

Date: Monday, 11 February, 2019, 10:00 am
Location: Council Chamber
Waikato Regional Council
401 Grey Street
Hamilton East

Members Present: Cr J Hennebry (Chair)
Cr D Minogue
Cr S Kneebone
Cr B Quayle
Cr A Livingston (ex-officio Chairperson)

Staff Present: C Crickett - Director – Integrated Catchment Management
J van Rossem - Biodiversity Project Manager
A Thomas - Biodiversity Officer
L Van Veen - Democracy Advisor

In Attendance: Cr F Lichtwark
Cr K White
Phil Lyons – Chief Executive Officer, Maungatautari Ecological Island Trust
1. **Apologies**

   The apology from Councillor H Vercoe (Deputy Chair) was received – noting he was on other council business.

   **FC19/01**

   **Moved by:** Cr A Livingston  
   **Seconded by:** Cr B Quayle

   **RESOLVED**

   THAT the apology of Cr H Vercoe (on other council business) be accepted.

   The motion was put and carried

2. **Confirmation of Agenda**

   It was decided that due to Item 5 on the agenda involving an outside speaker, that this item would be considered ahead of Item 4.

   **FC19/02**

   **Moved by:** Cr D Minogue  
   **Seconded by:** Cr J Hennebry

   **RESOLVED**

   THAT the agenda of the Finance Committee of 11 February 2019 be confirmed as the business for the meeting.

   The motion was put and carried

3. **Disclosures of Interest**

   There were no disclosures of interest.

4. **Maungatautari Ecological Island Trust - Six Monthly Financial Report July to December 2018**

   Presented by the Chief Executive Officer, Maungatautari Ecological Island Trust (MEIT) (Phil Lyons), the report provided a summary of the MEIT operational and financial activity for the period July to December 2018.

   During questions, answers and related discussion the following was noted:

   - January 2019 saw record visitor numbers to Sanctuary Mountain Maungatautari – being 11% ahead year to date. Furthermore, a recent species survey shows an increase in kokako and Hochstetter’s frog populations, highlighting that increased visitor numbers were not affecting flourishing flora and fauna.
   - Other highlights over the past few months include sixteen kiwi being released, through partnership with “Kiwis for Kiwi” and a takahe giving birth to twins which is a rare occurrence.
   - Work to finalise an asset management plan for the main fence is being undertaken.
• The December monsoon weather resulted in two breaches of the fence. Monitoring showed that the first breach did not result in pest incursion. However, the second breach did result in mice gaining access to the enclosure. These mice were quickly cleared by trapping operations. The fence was sufficiently repaired after both breaches.
• The Trust undertook to provide the committee with an updated profit and loss statement.
• Discussion centred on the current level of funding by key stakeholders and also opportunity for funding from other sources. Multi-year funding contributions are in place, a significant contributor being Trust Waikato providing $100,000 per year with other funders providing similar contributions. Working on building relationships with corporate entities in the hope this will bring further funding opportunities this financial year. Noted the Department of Conservation funding contribution is currently being reviewed.
• November/December figures show low visitor numbers resulting in reduced revenue. Largely due to adverse weather, this was offset by the higher than average visitor numbers in January. Forecasted revenue was still lower than projected, however this was being carefully managed through operational efficiency savings. Confident that the project will achieve budget by end of this financial year.
• Recent employment of a marketing expert can be correlated to the increase in visitor numbers in January. Also looking to bring in high end package tours in order to gain a better yield on foot traffic. Locals still account for 50% of visitors.
• A question was raised re the status of construction of the new entrance. The entrance has been completed and has been in use since 21 January. The new entrance requires a swipe card to access, ensuring improved security and better capturing of revenue from visitors.
• A member queried the process of exporting kiwi from the mountain back to their local areas. A process has been developed in collaboration with iwi and involves release at a certain age or when the mountain capacity reaches 50%. Release was also to be in accordance with set protocol outlined within the associated permits. The mountain has capacity for up to 600 kiwi.
• The Trust is submitting an application for funding of a new education centre to the Lotteries Commission in March.
• Funding applications to MBIE have also been submitted to cover the costs of a new carpark.
• A member queried the failure of the newly installed electric fence insulators and the manufacturer’s liability. It was noted that the manufacturer was taking responsibility for this failure.
• It was queried whether breaches are being mapped so as to determine trends over time. The Trust confirmed this is standard practice and committed to providing up to date maps in their next report to the committee.
• A question was raised as to whether hawks eat the chicks within the enclosure. The Trust committed to investigate this further and to report back on findings as part of their next report to the committee. Anecdotally, there is not significant evidence of this.
• A member queried processes in place to ensure spread of kauri dieback disease does not occur. The Trust advised that they are currently developing biosecurity processes in collaboration with the landowners and will provide a progress update in their next report to the committee.
• A member queried whether the annual grant includes GST and whether this was claimed back. Staff confirmed this was the case.
• An update on the governance board was provided, highlighting that Graeme Parker has been recently appointed as a new landowner trustee. This leaves one landowner and one community board vacancy yet to be filled.

FC19/03

Moved by: Cr B Quayle
Seconded by: Cr S Kneebone

RESOLVED

THAT the report 'Maungatautari Ecological Island Trust - Six Monthly Financial Report July to December 2018” (Doc# 13714194 dated 29 January 2019) be received.

The motion was put and carried

4. Preserve New Chum for Everyone Inc. - Request for Assistance from Natural Heritage Fund - An Update

Presented by the Director Integrated Catchment Management (C Crickett), the report provided the committee with an update on the New Chum/Wainuiototo Beach request, received from the group Preserve New Chum for Everyone Inc. (PNCFE), for financial assistance from the Natural Heritage Fund to undertake an ecological survey of the area and for the development of a collaborative ownership and protection model.

During questions, answers and related discussion the following was noted:

• The committee was reminded that the request had been discussed prior at the November Finance Committee with subsequent referral to the December Council meeting for further discussion. The resulting discussion/procedural motion was that the matter be left to lie on the table until sufficient supporting information could be provided back to council.
• Council staff had since contacted one of the relevant landowners who resides in the area and freely obtained technical information being provided to the Environment Court to progress the development. Staff advised there were two affected landowners, one of whom resides overseas and so was not readily contactable. The landowner’s evidence to the Environment Court provides substantial technical information including ecological evidence. The evidence provided was tabled at the committee meeting and is publicly available.
• It was highlighted that PNCFE are a well-recognised group within the Coromandel community, however had not provided evidence of working with the landowner to explore concerns.
• Members raised questions about the ability of district plans to restrict development within areas deemed to have significant natural area or outstanding natural landscape status under the Resource Management Act (RMA).
• The committee determined that due to the fact that the subdivision proposal is already being explored within an RMA process, with ecological evidence being provided into that process, the request for funding should be refused.
• The committee remained open to discussion with the landowner and PNCFE when the outcome of the TCDC district plan process has been confirmed.
• Staff committed to communicating to PNCFE and the relevant landowner the resulting decision of the committee following this meeting.

FC19/04

Moved by: Cr D Minogue
Seconded by: Cr A Livingston

RESOLVED

That the report 'Preserve New Chum for Everyone Inc. - Request for Assistance from Natural Heritage Fund - An Update' (Doc # 13676454 dated 22 January 2019) be received; and

That the request for funding from the Preserve New Chum for Everyone Inc. group to prepare an ecological survey and to develop a collaborative ownership and protection model be declined but the committee remain open to a conversation as to the future of New Chums Beach at the conclusion of the current Resource Management Act process.

The motion was put and carried

The meeting was closed at 11.01am

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Chair
Strategy and Policy Committee

OPEN MINUTES

Date: Tuesday, 12 February, 2019, 10:00 am
Location: Council Chamber
Waikato Regional Council
401 Grey Street
Hamilton East

Members Present: Cr B Simcock (Chair)
Cr T Mahuta (Deputy Chair)
Cr J Hayman
Cr J Hennebry
Cr S Husband
Cr F Lichtwark
Cr A Livingston
Cr D Minogue
Cr S Kneebone
Cr B Quayle
Cr R Rimmington
Cr H Vercoe
Cr K White

In Attendance: V Payne (Chief Executive)
T May (Director Science and Strategy)
N Williams (Director Community and Services)
C Crickett (Director Integrated Catchment Management)
M Tamura (Manager – Infrastructure and Integration)
J Cox (Team Leader – Democracy Services)
SECTION A: UNDER DELEGATION AND FOR THE INFORMATION OF COUNCIL

1. **Apologies**

   Apologies were received from Cr Hodge.

   SPC19/01
   Moved by: Cr B Quayle
   Seconded by: Cr J Hayman
   **RESOLVED**
   THAT the apologies of Cr Hodge be accepted.

   The motion was put and carried

2. **Confirmation of Agenda**

   The agenda was confirmed as circulated with no changes or additions proposed.

   SPC19/02
   Moved by: Cr B Quayle
   Seconded by: Cr J Hennebry
   **RESOLVED**
   THAT the agenda of the meeting of the Strategy and Policy Committee of, as circulated, be confirmed as the business for the meeting.

   The motion was put and carried

3. **Disclosures of Interest**

   There were no disclosures of interest.

4. **Update from Communications and Engagement**

   Report to provide information to the Committee on the Council digital communications activity for the period 27 November 2018 to 4 February 2019. Website activity is measured from 1 November 2018 to 31 January 2019.

   The report was presented by the Manager Communications and Engagement (N Chrisp).

   During questions, answers and related discussion the following points were noted:

   • Feedback was provided with the double page spread relating to gold card holders that was run in the paper every quarter. The member advised they had received requests through Grey Power for the bus related information to be updated to provide maps and routes so gold card holders know where they can get to.

   • A member noted a report that had been received by the Environmental Services and Performance Committee on the 2016 and 2017 incidents relating to Koura at Putaruru and that it may be a story to share through the social media networks. At the time of
the incidents the topic was one that was highly searched in Google. Sharing of the report may assist to close off that loop for the public.

- Members were advised that council used an engagement framework to determine the best communication methods to be used. The campaigns are largely digital and include print as well as direct mail. In addition upcoming campaigns include open days and print adverts.
- A member offered to provide a paper from a recent conference in Canberra to staff that highlighted forward thinking and the use of artificial intelligence for councils.
- Information that was fed back to staff through a consultation process was provided to the council's feedback and complaints process, which meant that statistics could be provided and ensured that issues could be appropriately addressed by the right people.

Cr S Husband left the meeting at 10:04 am.

SPC19/03
Moved by: Cr F Lichtwark
Seconded by: Cr A Livingston
RESOLVED
THAT the report ‘Digital Communications Report for November 2018 to February 2019’ (Doc# 13767164) be received.

The motion was put and carried

5. Inter-Regional Marine Pest Pathway Plan Engagement Approach and Report

Report to note the discussion document ‘Better Rules for Marine Pest? Etahi tikianga pai ato te arai o te moana?’ for information and dialogue and approval.

The report was presented by the Integrated Catchment Services Manager (P Whaley).

Cr S Husband joined the meeting at 10:13 am.

During questions, answers and related discussion the following points were noted:

- A member noted concern that the potential budget of $700,000 to implement the programme was not highlighted in the consultation document. Further concern was expressed in regard to the tone of the report noting that compliance and investigation and enforcement as opposed to education would be the approach taken by council. In response it was noted that while the figure had been used indicatively within the report, there was no identified cost or budget associated, nor was there a predetermined outcome. The document was a collaborative document for the four regions to discuss with their communities to establish the feeling of the community.
- Some members noted an opinion that it was more appropriate for the initiative to be driven by Central Government and Ministry for Primary Industries, rather than the four Regional Councils. In response other members noted that it was a broader issue across the whole pest funding space. Members were advised that conversation was continuing with the Ministry, and also with the marine association, who were in support of the discussion document.
A member noted their support for the collaborative document and going out to the community to encourage discussion and noted interest in the four collaborators to the document. Members were advised that there had been a drive through UNISA and that other regional councils were keeping a watching brief over the results of the discussion document.

Members noted that the document did not highlight that there may be costs associated with any pest management action plan. In response it was noted that the document was designed to start discussion with the communities to see whether the plan was wanted, then with the feedback there would be further input from Council to determine what was to be done, at what level and what support would be coming from the Ministry.

Members noted interest in expanding the document to highlight that there may be costs involved in implementation and seeking proposed options through the feedback for proposed funding options. Members were advised that while Council was part of the group developing the document, council was not an author of the document and as such proposed inclusions to the text would need to go back through the other councils which would take time. By way of meeting the interests of the members it was proposed that a document be drafted, specifically for the Waikato Region that highlighted the members concerns around costs. This document could then be shared with the other councils for their information and consideration.

Staff Recommendations 1 and 2 were moved and seconded.

The motions were carried.

Discussion ensued on the third recommendation.

Speaking for the motion members noted that the document was only proposed to go out for discussion and early consultation and there were no commitments to an action plan or commitment to funding options or guarantee of costs. Members noted awareness that this was a preliminary discussion and noted wariness at including too much detail around costs at this early stage.

Speaking against the motion a member raised concern that the plan would not be re-submitted back to the committee or council for confirmation.

It was confirmed for members that Staff would generate an additional document/page that would be presented alongside the discussion document, that highlighted for the Waikato Region the potential for costs with identified options, and that the options would include status quo.

Cr Husband noted his vote against the third motion.

SPC19/04

Moved by: Cr J Hayman
Seconded by: Cr S Kneebone
RESOLVED

THAT the Strategy and Policy Committee:


   The motion was put and carried

SPC19/05

Moved by: Cr J Hayman
Seconded by: Cr S Kneebone

RESOLVED

THAT the Strategy and Policy Committee:

2. Notes the draft discussion document presentation to the Strategy and Policy Committee for their information and discussion and approved by the Director Integrated Catchment Management, prior to its release for consultation.

   The motion was put and carried

SPC19/06

Moved by: Cr B Simcock
Seconded by: Cr J Hayman

RESOLVED

THAT the Strategy and Policy Committee:

3. delegates authority to staff to make minor changes to the discussion document and / or engagement plan prior to the start of the consultation, including addition to the text to highlight potential costs regarding the identified options, and including an option for the status quo to remain.

   The motion was put and carried

   Cr Husband voted against the motion.

6. **Predator Free 2050 Discussion Guide**

   Report to seek approval from the committee on the content, and subsequent lodgement, of the Waikato Regional Council’s submission to the Department of Conservation on its Predator Free 2050 discussion guide.

   The report was presented by Integrated Catchment Services Manager (P Whaley).

   During questions, answers and related discussion the following points were noted:

   - In response to a question of funding members were advised that Predator Free 2050 Limited were seeking further funding.
A member asked whether reference could be made to research in to Flurocitrate within the submission. In response members noted that the submission and the document was a broad high level document and focus on a specific chemical may distract from the tenure of the submission. By way of agreement members were advised that a sentence could be included under point D Q7 that would highlight the potential gap in analysis science.

Cr F Lichtwark left the meeting at 11:31 am.

SPC19/07
Moved by: Cr A Livingston
Seconded by: Cr B Quayle
RESOLVED

1. THAT the report ‘Waikato Regional Council submission to the Department of Conservation Predator Free 2050 discussion guide’ (DOC# 13734978) be received; and

2. THAT the Strategy and Policy Committee approve the ‘Submission from Waikato Regional Council on Department of Conservation’s PF2050 discussion guide’ (13735512) for lodgement to the Department of Conservation.

The motion was put and carried

Cr Husband voted against the motion.

Cr F Lichtwark joined the meeting at 11:32 am.

7. Submission on the Productivity Commission’s Inquiry into Local Government Funding and Financing

Report to seek approval from the Committee of the Waikato Regional Council’s submission to the Productivity Commission’s inquiry into Local Government Funding and Financing.

The report was presented by Team Leader Implementation (L Balsom) and Senior Policy Advisor (H Beavan).

During questions, answers and related discussion the following points were noted:

- Members noted the Chair, Committee Chair and the Chief Executive had attended a briefing with the Productivity Commission and from that briefing came away with the feeling that the Commission had an increasing understanding of the challenges faced by Local Government.
- Members noted references to the cost of treaty settlements and the protection from the risk of flood and indicated that the submission could be more direct in regard to these submission points. There was growing concern around the impact of these costs on ratepayers.
• Members noted a large number of points which were recorded by staff and assurances given that changes in accordance with these matters would be made to the submission. Key matters raised by members related to:
  • An increase in business as usual costs – highlighting the impact of health and safety issues and environmental compliance issues. For clarity it was proposed that the point be expanded to address the cost of asset renewals and the cost of the rules around compliance, rather that addressing the cost of environmental issues.
  • Changes to current funding framework – a note to reference the fact that Council can’t charge for non-consented activities but would like to.
  • Development contributions, where a territorial authority can claim them but a regional council couldn’t. These contributions would go some way to being able to support remediation of issues from developments.
  • Increase reference to the targeted ratings, and pointing out future flood infrastructure that will be required to be maintained and the benefits and costs of ongoing maintenance of these assets for beneficiaries.
  • Inclusion of depreciation issue. They proposed the use of the Long Term Plan graphs that included the gap showing what council could fund over the years.
  • Insert reference to the three waters challenges in the submission and that there were a number of areas in the business where it was highlighted growth in the district was having an impact on the city’s three waters.
  • Include reference to the growing need for science inputs, to support Council’s decision making and governance. This was due to the impression that Council was doing more than others in the science area and that this had evolved from the changing role of Central Government.
  • A member noted that GST collected within the region was not returned to support the region, and their concern that Council collected GST on rates, effectively taxing them twice.

Cr S Husband left the meeting at 11:41 am.

• Provision of the earlier staff reports around flood control and around treaty settlements would add to the submission for council as further supporting evidence.
• The impact of the cost of depreciation on assets came from the fact that the need to account for depreciation was not present for many years so there had been a period of catch-up to apply the cost in the later years.
• Targeted rates were an important aspect for council and there was a need to be careful not to indicate they should go.
• Reference to external borrowing was not clear, and while it was noted that the borrowing was for assets, there was benefits to the council for being able to borrow larger amounts of funding externally and through local government fund.
• Clarify how a four year election cycle would address this point, there was no correlation found in the statement.
• Further information could be added to points 16 and 17 on the effectiveness of Long Term Plans as they felt more could be done with consultation processes.

In summary the CE highlighted the issues that had been raised with the commission:
• The changing goalposts by central government. The fact that Council has embarked on projects like Healthy Rivers to address a need for the region to be met with and National Policy Statement on Freshwater in 2011, updated in 2014, 2017 and the knowledge of further amendments to come.

• The first schedule process for the Resource Management Act. The Act was an almost 30 year old document and at the time it was written there weren’t the same constraints on resources or the complexity that there was now. Some of the complexity was a social issue rather than a technical issue. A review would represent an opportunity to address this.

Cr S Husband joined the meeting at 11:47 am.

SPC19/08
Moved by: Cr B Simcock
Seconded by: Cr J Hayman

RESOLVED
1. THAT the report 'Submission on the Productivity Commissions Inquiry into Local Government Funding and Financing' (Doc #13647045 dated 25 January 2019) be received.

2. THAT the committee approves the ‘Waikato Regional Council submission to the Productivity Commission inquiry into Local Government Funding and Financing’ (Doc #13341745) for lodgement with the Productivity Commission, where those matters raised by members are reflected in the final submission lodged with the Commission.

The motion was put and carried

8. Submission to Upper North Island Supply Chain Study

Report to seek approval from the Committee on the content, and subsequent lodgement, of the Waikato Regional Council’s submission on questions relating to the development of the Upper North Island Supply Chain Strategy.

The report was presented by Special Projects Advisor (B McMaster) and the Manager Integration and Infrastructure (M Tamura).

During questions, answers and related discussion the following points were noted:

• Members noted the impression that the questions from the panel were potentially predetermined.

• Members noted concern at the extra cost to freight for the region if the main import/export port was in Northland.

• A member noted that from a recent field trip with the Bay of Plenty Regional Transport Committee to the Port of Tauranga, there were concerns from the port that highlighted that market forces were a more appropriate indicator of port use than regional or economic development opportunities.

• There had been considerable investment into regional and inter-regional infrastructure and any changes to this would put a strain on the assets both public and private.
• Members noted that the concern for the region would be rail rather than congestion in Auckland and suggested that investment in rail, either dual track at Whangamarino or a new route would be of benefit for the region, and that this point should be highlighted more in the submission.

SPC19/09
Moved by: Cr H Vercoe
Seconded by: Cr S Kneebone

RESOLVED
1. THAT the report ‘Waikato Regional Council submission on the development of the Upper north Island Supply Chain Strategy’ (Doc # 13726262 dated 25 January 2019) be received

2. THAT the committee approve the ‘Waikato Regional Council submission to the Upper North Island Supply Chain Strategy’ (Doc # 13702743) for lodgement to Ministry of Transport, where those matters raised by members are reflected in the final submission lodged with the Commission.

The motion was put and carried

9. Sea Change Hauraki Gulf Marine Spatial Plan – Update on Central Government Activity

Report to update the Committee on recent Central Government activity in relation to the Sea Change Hauraki Gulf Marine Spatial Plan.

The report was presented by Senior Policy Advisor (B Bunting).

Members took the report as read and noted the reference to a further update being reported to Council at the end of the month.

Cr S Husband left the meeting at 12:35 pm.

Cr H Vercoe left the meeting at 12:36 pm.

SPC19/10
Moved by: Cr R Rimmington
Seconded by: Cr B Quayle

RESOLVED
1. THAT the report “Sea Change Hauraki Gulf Marine Spatial Plan – update on Central Government activity” (Doc # 13686749 dated 23 January 2019) be received.

2. THAT the Committee note that preliminary feedback from WRC staff has been provided to government officials on the Sea Change Ministerial Advisory Committee.

The motion was put and carried
10. Resolution to Exclude the Public

SPC19/11

Moved by: Cr F Lichtwark
Seconded by: Cr T Mahuta

Resolution to Exclude the Public

RESOLVED
THAT the public be excluded from the following part/s of the meeting:

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item Name: Resource Consent Application regarding Ngatea Southern Estate

Good reason to withhold exists under Section 7.

That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

This resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

- Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Section 7(2)(b)(ii))

The motion was put and carried

The meeting returned to open meeting at 1.10pm.
The meeting closed at 1.10pm.
CE Employment and Remuneration Committee

OPEN MINUTES

Date: Tuesday, 12 February, 2019, 2:00 pm
Location: Council Chamber
Waikato Regional Council
401 Grey Street
Hamilton East

Members Present: Cr A Livingston - Chairman
Cr T Mahuta - Deputy Chairperson
Cr R Simcock
Cr J Hennebry
Cr H Vercoe
P Loof - HR Consultant - P Loof Consulting

In Attendance: Cr J Hayman
Cr S Husband
Cr F Lichtwark
Cr K White

Staff Present: V Payne - Chief Executive Officer
J Cox - Team Leader Democracy Services
1. **Apologies**

   There were no apologies for the meeting.

2. **Confirmation of Agenda**

   CEERC19/01
   Moved by: Cr A Livingston
   Seconded by: Cr J Hennebry

   THAT the agenda of the meeting of the Waikato Regional Council of, as circulated, be confirmed as the business for the meeting.

   The motion was put and carried

3. **Disclosures of Interest**

   There were no disclosures of interest.

4. **Resolution to Exclude the public**

   CEERC19/02
   Moved by: Cr A Livingston
   Seconded by: Cr J Hennebry

   RECOMMENDED THAT the public be excluded from the following part/s of the meeting:

   The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

   Items:

   - 5.1 2018/19 second quarter CE KPI Results
   - 5.2 Pulse Employee Wellbeing Survey
   - 5.3 Insights to Employee Turnover
   - 5.4 Implementation and management of the Personnel Policy
   - 5.5 CE Mid year Review 2018/19

   **Good reason to withhold exists under Section 7.**

   That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

   Section 48(1)(a)
This resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

- Protect the privacy of natural persons, including that of deceased natural persons (Section 7(2)(a))

THAT Paul Loof of Paul Loof Consulting be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the CE employment. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because he is the consultant to Council.

The motion was put and carried

Meeting returned to Open at 4.10pm.

Meeting closed at 4.10pm
Waikato Regional Council

Integrated Catchment Management Committee

OPEN MINUTES

Date: Wednesday, 13 February, 2019, 10:00 am
Location: Council Chamber
Waikato Regional Council
401 Grey Street
Hamilton East

Members Present:
- Cr S Husband (Joint-Chair ICMC North)
- Cr S Kneebone (Joint-Chair ICMC South)
- Cr F Lichtwark
- Cr D Minogue
- Cr J Hayman
- Cr K Hodge
- Cr K White
- Cr A Livingston (ex-officio Chairman) (from 10.10am)
- Cr T Mahuta (ex-officio Deputy Chairperson)
- N Haines (Deputy Chair - Lake Taupo Catchment Committee)
- S Strang (Chair - Upper Waikato Catchment Committee)
- M Moana-Tuwhangai (Chair - Central Waikato Catchment Committee)
- W Maag (Chair - West Coast Catchments Committee and Deputy Chair – Waipa Catchment Committee)
- R Barton (Chair - Waipa Catchment Committee)

In Attendance
- K Holmes (Lower Waikato Catchment Committee)

Staff Present:
- C Crickett (Director - Integrated Catchment Management)
- G Ryan (Manager Business and Technical Services)
- A Munro (Manager Hauraki, Coromandel Catchments)
- A McLeod (Manager Lake Taupo, Upper Waikato Catchments)
- B Toohey (Manager Lower Waikato, Waipa, West Coast Catchments)
- L VanVeen (Democracy Advisor)
- M Poole (Democracy Advisor)
SECTION A: UNDER DELEGATION FOR THE INFORMATION OF COUNCIL

1. **Apologies**

   Apologies were received from Lower Waikato Catchment Committee Chair M Lumsden, Lower Waikato Catchment Committee Deputy Chair K Deihl, Coromandel Catchment Committee Chair J Sanford, Coromandel Catchment Committee Deputy Chair J Morrison, Waihou Piako Catchment Committee Chair R Hicks and Lake Taupo Catchment Committee Chair S Yerex.

   **ICM19/01**

   **Moved by:** Cr S Kneebone  
   **Seconded by:** Cr D Minogue

   **RESOLVED**

   THAT the apologies of the Lower Waikato Catchment Committee Chair M Lumsden, Lower Waikato Catchment Committee Deputy Chair K Deihl, Coromandel Catchment Committee Chair J Sanford, Coromandel Catchment Committee Deputy Chair J Morrison, Waihou Piako Catchment Committee Chair R Hicks and Lake Taupo Catchment Committee Chair S Yerex be accepted.

   The motion was put and carried

2. **Confirmation of Agenda**

   **ICM19/02**

   **Moved by:** Cr S Kneebone  
   **Seconded by:** Cr D Minogue

   **RESOLVED**

   THAT the agenda for the 13 February 2019 meeting of the Integrated Catchment Management Committee, as circulated, be confirmed as the business for the meeting.

   The motion was put and carried

3. **Disclosures of Interest**

   There were no disclosures of interest.

4. **Confirmation of Minutes**

4.1 **Confirmation of minutes of previous meeting**

   - Minutes of the previous meeting held on 5 December 2018
   - Extract from Council meeting held on 12 December 2018

   **ICM19/03**

   **Moved by:** W Maag  
   **Seconded by:** Cr K Lichtwark

   **RESOLVED**

   THAT the Minutes of the Integrated Catchment Management Committee meeting of 5 December 2018 (Doc# 13504602) be approved as a true and correct record.
5. **Issues/Actions from Integrated Catchment Management Meetings**

The Director of Integrated Catchment Management (C Crickett) presented the report back on the actions and issues discussed from the previous committee meeting held on 5 December 2018.

During questions, answers and related discussion the following was noted:

- As part of the Biosecurity reporting (October 2018 meeting) some questions were raised about an incident during pest control operations in the Pio Pio area. Understood that this was to be reported through to the Environmental Services & Performance Committee however this matter has been deemed out of scope for that committee.

Arrive Cr A Livingston 10.10am

- Agreed a report be prepared for the next ICMC meeting. Cr White to relay the information/details she has to staff after the conclusion of this meeting. Useful to clarify the terms of reference scope of Committees to ensure topics/issues are appropriately reported.
- With respect to the s128 review process (reported via the Lower Waikato Catchment Committee) it was requested that the matter be reported directly to this Committee. Useful for the Catchment Committee Chairs from other areas to be informed about the specific case and the process.
- The s128 regulatory process is ongoing with the ‘affected parties’ identification currently being completed. An update report will be included on the agenda for the next (20 February) Lower Waikato Catchment Committee meeting.
- With respect to the Waihou-Piako Catchment Committee recommendation to support the removal of the old Kopu Bridge, noted that further technical information has been sought. Advised that the Historical Society is seeking to preserve the bridge and the Committee’s recommendation may conflict with this ‘preserve’ objective.

**ICM19/04**

**Moved by:** Cr F Lichtwark  
**Seconded by:** S Strang

**RESOLVED**  
THAT the report ‘Issues/Actions from Integrated Catchment Management Meetings’ (Document# 13573283 dated 31 January 2019) be received for information.

The motion was put and carried

6. **Integrated Catchment Management Groups of Activities Financial Status Report to the end of December 2018**

The Manager Business and Technical Services (G Ryan) presented the report to provide the committee with the financial status of programmes and activities that fall within the scope of the committee.
During questions, answers and related discussion the following was noted:

- In general variances relate to the phasing of expenditure over the financial year, with zone specific differences.
- The next financial report will include updated forecasting for the end of financial year and identify any proposed carry forward items.
- Dam management funding lies within each flood protection activity/zone - Lower Waikato, Waihou Piako and Central Waikato.

ICM19/05

Moved by: Cr S Kneebone
Seconded by: Cr S Husband

RESOLVED

THAT the report "Integrated Catchment Management Groups of Activities Financial Status Report to the end of December 2018" (Document# 13675362 dated 23 January 2019) be received.

The motion was put and carried

7. Update on Hill Country Erosion Fund and One Billion Tree Funding

The Integrated Catchment Management Principal Advisor (K Neilson) presented the report to provide an overview on recent discussions, decisions and announcements concerning the 'Hill Country Erosion Fund' (HCEF) and 'One Billion Tree' (1BT) funding opportunities.

During questions, answers and related discussion the following was noted:

- The update on the Hill Country Erosion Fund (HCEF) funding applications was taken as read.
- With respect to the One Billion Trees Programme being led by Te Uru Rakau (Forestry NZ), clarified that half the total (500M) is expected to be delivered through existing programmes and funding is only available for additional planting under this initiative.
- While this is a ten year programme, it is focussed on planting additional trees and not on ongoing and longer term maintenance requirements and costs. The quantum and scope of “maintenance” will vary depending on the species being planted - poles and natives (low) through to pinus radiata (high).
- Waikato Regional Council has raised the question/issue of maintenance, the associated costs/funding and where the responsibility will lie via its submission. Needs a national discussion and agreed response/outcome. Advised that maintenance inevitably falls back on owners.
- The workload from upscaling the planting programme by double will not be able to be managed by existing resources, but not yet known/quantified what and how much additional resource would be required. Factors like the level of programme uptake and the tree species chosen will affect the outcome.
- A question was posed as to whether there was sufficient nursery capacity within the region to supply the increased numbers of different tree species required. Availability of supply could potentially be a constraining factor.
- For locations looking to plant trees for erosion management purposes, people with appropriate soil conservation/land management knowledge are needed to provide good
advice. The Taupo office has been involved in the discussions and noted recent (summer 2018) erosion issues in the Upper Waikato area during heavy rain events in December/January.

- A range of questions, observations and responses were raised with respect to the following considerations and issues:
  - The reason/s for planting including erosion control, land ‘retirement’, future economic gain, environmental benefits such as biodiversity, water quality and climate change.
  - The type of tree species chosen (the ‘right tree for the right place’) from short life-span Manuka for honey production, exotic species for rotation harvesting right through to native forests in perpetuity and the parameters, opportunities and costs that would apply in each scenario.
  - Balancing the short term (10 year programme) financial/employment/land management gains with the longer term and wider economic, environmental, social and cultural objectives and goals. Need to take an intergenerational view of what we (nationally) want to put in place/achieve and ‘gain’.
  - Not all information about all options/opportunities within the overall programme is publicly available yet. MPI/Te Uru Rakau have further announcements/media releases and provision of programme details to come.
  - A question was raised as to whether there was a case to look at developing a long-term sustainable and economic commercial forestry business for specific native hardwoods - for example totara.

ICM19/06

Moved by: Cr S Kneebone  
Seconded by: Cr D Minogue

RESOLVED

THAT the report “Update on Hill Country Erosion Fund and One Billion Tree Funding” (Document #13666528 dated 21 January 2019) be received.  

The motion was put and carried

8. Regional Asset Management Plan (RAMP) adoption

On behalf of the Team Leader Asset Management (L Drysdale), the Manager Business and Technical Services (G Ryan) presented the report to provide an overview of the feedback received from the catchment committees on the Regional Asset Management Plan presented to the committee at its meeting on 6 June 2018. The report also sought adoption of the Regional Asset Management Plan by the committee.

During questions, answers and related discussion the following was noted:

- The Regional Asset Management Plan (RAMP) has been considered by the Integrated Catchment Management Committee and reported to each Catchment Committee for their feedback, with changes made to the RAMP as outlined and now reported back to the Integrated Catchment Management Committee for adoption.
The issue of Dam Safety Management for the twelve detention dams within Flood Protection or Drainage Schemes is separately reported to the Committee (next agenda item).

The purpose of the RAMP is to provide an up-to-date region-wide asset management plan with consistent processes, standards and measures.

Concerns were raised that some weir structures only provide minimal benefit beyond the watercourse/property they are located on, however they are part of the Regional Council’s assets and the cost of maintaining them is borne by wider groups of ratepayers. A view was expressed that weir structures in this ‘category’ should be ‘handed back’ to the respective landowner/s and no longer be a Regional Council asset/responsibility.

Advised that a decision today to adopt the RAMP does not preclude discussion about and any decision/s to undertake a process to identify structures that do not provide wider benefits and then to determine whether the Council should retain or divest itself of that asset.

Part of any such process would need to evaluate the costs and benefits for each identified structure and downstream parties may have a view on the value of any flood or drainage benefits they consider they receive.

Integrated Catchment Management Committee actively looks to work ‘smarter’ in the asset management space to achieve the required works and levels of service - both for flood protection and drainage in the most cost effective way. One example has been the use of comprehensive consents for routine maintenance works, rather than having individual consents for each asset.

ICM19/07

Moved by: N Haines
Seconded by: Cr J Hayman

RESOLVED

1. THAT the report titled “Regional Asset Management Plan adoption” (Doc#13613256 dated 23 January 2019) be received.

2. THAT the Regional Asset Management Plan 2018/19 (Doc#1270560) be adopted.

The motion was put and carried

9. Dam Safety Management System - Update on Progress

On behalf of the Team Leader Asset Management (L Drysdale), the Manager Business and Technical Services (G Ryan) presented the report to provide an update on progress of the Dam Safety Management System Programme of works and the next steps occurring in 2019.

During questions, answers and related discussion the following was noted:

- The Dam Safety guidelines are ‘risk-based’ and the majority of the twelve (12) detention dams are in the low impact category. The process undertaken has involved an inspection of each dam to identify any works (capital and/or maintenance) to ensure dam integrity is maintained (ongoing) and the dams operate as intended/required.
• The dam safety findings will be reported to each relevant Catchment Committee (Lower Waikato, Waihou-Piako and Central Waikato) or Land Drainage Advisory Committee together with a detailed breakdown of the associated costs for their consideration.

• The next step will be for Waikato Regional Council to prioritise, plan and budget for the necessary capital and/or maintenance works, future dam safety inspections and any upgrades and track this through the Dam Safety Management system.

• View expressed that given the lack of maintenance over many years, the costs of any works undertaken should be amortised. Requested that a break-down of costs be provided to separately show a) the expenditure on dam inspections and b) the maintenance and any other works required.

• Need to undertake a cost/benefit analysis and assess the opportunity cost. Given the lack of maintenance over many years, have the design benefits been dissipated over time? What else has changed since the dams were constructed and will undertaking the maintenance works (e.g. removal of sediment build-up) improve the ‘actual’ level of flood protection or water drainage for the affected downstream properties and communities?

• While some information is already available, these dams were constructed during the 1960s to 1970s when today’s flood modelling capability was not available. Cumulative information will also help build a more complete picture of the functioning and benefits received from the dams being in place. Requested that this information be reported to the next Integrated Catchment Management Committee meeting.

• Observed that views on fresh water management have evolved over the decades. While the emphasis in the 1960s was flood protection and drainage to maximise usable pastoral land, there is now recognition of a range of negative environmental effects including impacts on water quality, loss of peat soils and wetlands, impacts on biodiversity and that ‘rushing’ freshwater out to the coast as quickly as possible isn’t necessarily the best use of this limited and essential resource.

• View expressed that these maintenance issues are not immediately life threatening or urgent and can be planned/budgeted for and undertaken over time should the costs/benefit analysis and other consideration demonstrate the value of the works.

ICM19/08

Moved by: Cr S Kneebone
Seconded by: Cr S Husband

THAT the report “Dam Safety Management System – Update on Progress” (Doc #13598071 dated 4 January 2019) be received. The motion was put and carried

10. Light Review Upper Waikato Zone Plan adoption

The Manager Upper Waikato/Taupo (A McLeod) presented the recently reviewed Upper Waikato Zone Plan and sought adoption of the plan by the committee.

During questions, answers and related discussion the following was noted:

• The document has been ‘refreshed’ and wording updated where needed to better reflect the current situation.
• The Plan relates to the Upper Waikato zone (as per the Map Fig 3, page 11 Doc #127482520) which does not include Lake Taupo water body.
• Section 3.2 Iwi Management Plans identified the Plans that are relevant to the Upper Waikato Zone and the wording included on specific iwi Plan goals, aims and objectives has been recorded from those documents.
• The term ‘positively influences’ is achieved through building relationships and trust, with open communication and the willingness to work through issues to achieve mutually agreed outcomes.
• The co-management provisions are set out in the Deeds for each of the five Waikato Catchment River Iwi and care needs to be taken to appropriately reference co-management.
• Landowners within the Zone are recognised as stakeholders and are represented on the Upper Waikato Catchment Committee.
• An example of Waikato Regional Council taking an ‘active’ and collaborative approach within the Upper Waikato zone is the Whirinaki Arm project.
• The Waikato River and Waipa River Restoration Strategy has been developed by the Waikato Restoration Forum.
• Clarify that the while Ngati Haua and Ngati Koroki Kahukura are iwi with interests in the Upper Waikato Zone they are not two of the specific five co-management River Iwi.

ICM19/09

Moved by: S Strang
Seconded by: Cr S Husband

RESOLVED

1. THAT the report "Light Review Upper Waikato Zone Plan adoption" (Doc# 13678347, dated 22 January 2019) be received.
2. THAT the "Upper Waikato Zone Plan" (Doc# 12748252, dated 22 January 2019) be adopted.

The motion was put and carried

11. Flood Campaign

The Senior Advisor Special Projects (J Beaufill) presented an overview of the proposed communications campaign in relation to Council's flood protection and land drainage schemes, outlining the:
• Reasons why a flood campaign is needed and the communication challenges this presents.
• Key objectives of the campaign and the target audience layers.
• Three phases of the strategic approach proposed.

During questions, answers, related discussion and feedback the following was noted:
• Differing views expressed about using the term “climate change”. Alternatives could include references to sea level rise and extreme weather events.
• A question was raised as to whether the campaign would acknowledge relationships and partnerships, for example Mercury Energy and the role of the Waikato River hydro dam system in managing flood events.
The general rate contributes to flood protection and the “tertiary audience” aka the general public need to know the importance and value/benefits of flood protection, for example the Rangiriri spillway to protect the SH1 national roading asset.

Important to be clear that flood protection schemes are not “fail proof” or able to contain every flood event completely. Need an explanation of the different flood protection levels, controls and levels of service being provided, the design levels of stopbanks and flood return period terminology.

Following the region-wide campaign leverage off the publicity to target messages for particular communities. There was scope for catchment committees to develop follow up communications relating to specific situations for example explaining to people in the Coromandel area why they are in one zone and not the other (Coromandel versus Waikato).

Use Council’s links to education (via the Enviroschools programme) to provide schools with information about the ‘high tech’ flood telemetry monitoring/data collection and the economic and community welfare benefits to the region of having these flood protection facilities. If a major flood event has not occurred in an area for a long period of time, young people will not understand the risk that is being managed, for example the township of Otorohanga.

People need to understand the residual risks, that they are living in highly modified landscapes and that individuals need to take personal responsibility and communities take collective responsibility.

View expressed that the messaging proposed is unlikely to ‘speak’ to Maori. For iwi their rivers and waterways are an integral part of their identity/place. Make it more relevant for Maori by talking about the flood protection assets being there to help look after the river. The suggestion was made to link to/communicate via iwi websites; talk to Maori Councillors and iwi authorities about the campaign/getting the messages ‘out’.

Another element to be aware of is many areas do not have flood protection and that there are a range of reasons, apart from economics, why this is the situation.

The proposed campaign names “Come High Water” was favourably received.

Councillors were invited to provide staff with further feedback on the campaign as presented and discussed.

**ICM19/10**

**Moved by:** Cr S Husband  
**Seconded by:** Cr D Minogue

**RESOLVED**

**THAT the report “Flood Campaign” (Doc #13672264 dated 21 January 2019) be received.**

The motion was put and carried
12. **Catchment Committee Meetings November/December 2018**

12.1 **Waihou-Piako Catchment Committee 5 December 2018**

Minutes of the Waihou-Piako Catchment Committee meeting of 5 December 2018.

ICM19/11

**Moved by:** Cr S Husband  
**Seconded by:** Cr D Minogue

**RESOLVED**

1. THAT the report of the Waihou-Piako Committee meeting held on 5 December 2018 (Doc# 13453722) be received; and

2. The decisions in Section A of the report be noted; and

3. The recommendations contained in Section B of the report be adopted as follows:

   **Item 10 - Harris Left Stopbank Design Standard**

   a) THAT the Design Standard for the Harris Left Stopbank, part of the Kauaeranga River hydraulic service level review be changed to 20 percent annual exceedance probability (AEP), as originally intended.

   **Item 12 - Muggeridge's Pumpstation update**

   a) THAT the Waihou-Piako Catchment Committee recommend that the proposed Muggeridge's Pumpstation project go ahead on the basis of a $6 million budget, and that the present approved Funding Policy model stay intact.

   b) THAT staff prepare and bring back to the Waihou-Piako Catchment Committee a paper to establish a series of protocols for the management and operation of the proposed Muggeridge's Pumpstation in relation to peat soils in accordance with the strategic direction and intent of the Waikato Regional Council Regional Policy Statement, Policy No. 14.

   The motion was put and carried

12.2 **Aka Aka Otaua Drainage Advisory Subcommittee 14 December 2018**

Minutes of Aka Aka Otaua Drainage Advisory Subcommittee meeting of 14 December 2018.

ICM19/12

**Moved by:** Cr S Husband  
**Seconded by:** Cr S Kneebone

**RESOLVED**

1. THAT the report of the Aka Aka Otaua Land Drainage Subcommittee meeting held on 14 December 2018 (Doc# 13747316) be received; and

2. The decisions in Section A of the report be noted.
The motion was put and carried

Meeting closed 12.50pm
Report to Council

Date: 8 February 2019
Author: Nick Ollington, Manager People and Capability
Authoriser: Neville Williams, Director - Community and Services
Vaughan Payne, Chief Executive

Purpose
1. To report on the monthly health and safety council dashboard and any other topics regarding health and safety of relevance to council.

Executive Summary
2. There were a total of 17 incidents reported in January. Of this number, 12 were events and 5 were near misses.
3. There were no lost time injuries or notifications to WorkSafe in January 2019.
4. There were 2 reports against the vehicle use critical risk in January. Both incidents resulted in minor vehicle damage, with no injuries reported.
5. Events held in the pending file for greater than one week has increased slightly; 9.52% in December and 9.78% in January.

Staff Recommendation:

Background
6. The health and safety dashboard is reported to council each month. It is designed to enable council to exercise due diligence with regard to health and safety governance and provides a general summary of health and safety risk and activities within council. Additionally, from time to time other topics regarding health and safety of relevance for council will also be included.

Written Report – Dashboard for November and December 2018
7. The dashboards for November and December were not presented to council due to the timing of council meetings, however they are included as an attachment to this report. Statistical data for the previous 12 months is presented in the January dashboard. There were no significant items arising during the November and December period.

Written Report – Dashboard for January 2019
8. Critical Risks – The dashboard provides a table showing the organisational critical risks, the raw (pre control), and residual (post control) risk scoring, and the date that the risk was last reviewed. There were 2 events reported against the vehicle use critical risk in January. A council vehicle was
in a queue of vehicles and was hit from behind. The tow bar took the impact. The second involved a vehicle that was stationary at an intersection, and a vehicle hit the back guard at very low speed. There was minor vehicle damage in both incidents and no injuries.

9. **Lost Time Injuries (LTI)** – There were no LTI’s reported for January 2019.

10. **Lost time Injuries (YTD)** – There have been no lost time injuries in this financial year.

11. **Health and Safety Summary Chart (pyramid)** – In January there were 6 ‘no treatment’ reports: 2 gradual process; 1 burn; 1 laceration; 1 foreign body in left eye; and 1 medical condition that was exacerbated by work tasks.

12. **Near Miss Events versus All Other Events** – Near-miss reporting continues to fluctuate. There were 5 near miss reports and 12 events reported in January.

13. The increase in reported events in November coincides with the seasonal increase in field based activity, and notably a couple of incidents with members of the public related to Go Bus industrial action. Overall it is considered positive that the health and safety systems are being used to report such incidents.

14. **Sick Leave Taken** – In January the monthly sick leave hours absent decreased from the 3.8 recorded in January 2018 to 2.8. The trend of diminished use of sick leave throughout the previous 12 months has continued. The rolling average for the year is 3.6 hours per employee; within the targeted benchmark range of 3.0 to 5.0.

15. The sick leave chart has been improved to include data from 2017 to enable year on year comparison. There has been an overall downward trend in sick leave throughout 2018. This is extremely positive, perhaps relating to the increased take up of the flu vaccination in 2018 (>50% take up) and investment into organisational leadership and culture.

16. **Pending Events** – There were 2 pending events in the register for January.

17. **Event Corrective Actions (excl. Near Miss Corrective Actions)** – In January there were a total of 12 events reported, of which 6 corrective actions were assigned, and completed. No corrective actions are overdue for completion.

18. **Near Miss Corrective Actions** – In January there were 5 near miss reports; of the 5 near misses, 1 corrective action has been assigned and completed. No corrective actions are overdue.

19. **Health and Safety Training FYTD** – A range of organisational health and safety training is available and advertised on the workforce development calendar. There is a focus on managers attending accident investigation training in 2019. We are targeting 75% of all managers attending this training, this financial year.

20. **Audits FYTD** - See internal/external audit table for completed audits and number of recommendations. The ‘overlapping duties of health and safety-systems’ (contractor management) recommendations have been assigned to responsible owners.

**Attachments**

Appendix 1 - Doc #13736718 Council Dashboard - January 2019
Appendix 2 – Doc #13596730 Council Dashboard – December 2018
Appendix 3 – Doc #13472336 Council Dashboard – November 2018
## Council Health and Safety Indicators – Monthly Dashboard
### Reporting Month: January 2019

#### Lost Time Injuries
There were no lost time injuries for January 2019.

#### Critical Risk Events
There were 2 events reported against vehicle use critical risk; a council vehicle was in a queue of vehicles and was hit from behind. The tow bar took the impact. The second involved a vehicle that was stationary at an intersection, and a vehicle hit the back guard at very low speed. There was minor vehicle damage in both incidents and no injuries.

### Organisational Critical Risks – Critical risks with a residual score of ‘High’

<table>
<thead>
<tr>
<th>Event Description</th>
<th>Risk</th>
<th>Impact</th>
<th>Raw Risk Score</th>
<th>Residual Risk Score</th>
<th>Risk Effective Levels</th>
<th>Insights</th>
<th>Reported Incidents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor activities:</td>
<td>Risk: Harm to workers, others, damage to plant and property due to poor contractor management.</td>
<td>Property damage</td>
<td>20 – Critical</td>
<td>12 – High</td>
<td>Good (strong)</td>
<td>Fulfills requirements. Contract manager training in place (NZQA Unit Standard 17595). In-house training on L&amp;D calendar. Risk review completed January 2018.</td>
<td></td>
</tr>
<tr>
<td>Working in geographic areas</td>
<td>Risk: Injury or fatality from drowning, boiling mud/water. Burns from acid pools. Suffocation (H2S).</td>
<td>Property damage</td>
<td>20 – Critical</td>
<td>15 – High</td>
<td>Good (strong)</td>
<td>Controls adequate and preventative measures in place.</td>
<td></td>
</tr>
<tr>
<td>Struck by moving vehicles / equipment</td>
<td>Risk: Harm to workers, others, damage to plant and property due to poor management controls.</td>
<td>Property damage</td>
<td>20 – Critical</td>
<td>10 – High</td>
<td>Good (strong)</td>
<td>Controls adequate. Risk Review completed in May 2018.</td>
<td></td>
</tr>
</tbody>
</table>

Risks are reviewed at least annually or after a system / process change, or after a critical event.

### Health and Safety Summary

#### Injuries/Illnesses

<table>
<thead>
<tr>
<th>ID</th>
<th>Injury</th>
<th>Category</th>
<th>Body Location</th>
<th>Event Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2491</td>
<td>No treatment</td>
<td>Gradual Process</td>
<td>Pain in lower back</td>
<td>Underway</td>
</tr>
<tr>
<td>2492</td>
<td>No treatment</td>
<td>Existing medical condition</td>
<td>Increase pain in lower back</td>
<td>Completed</td>
</tr>
<tr>
<td>2495</td>
<td>No treatment</td>
<td>Foreign body</td>
<td>Foreign object to left eye</td>
<td>Not started</td>
</tr>
<tr>
<td>2494</td>
<td>No treatment</td>
<td>Gradual Process</td>
<td>Pain to lower back</td>
<td>Completed</td>
</tr>
<tr>
<td>2498</td>
<td>No treatment</td>
<td>Burn</td>
<td>Steam burn to left finger</td>
<td>Underway</td>
</tr>
<tr>
<td>2497</td>
<td>No treatment</td>
<td>Laceration</td>
<td>Right finger - on broken cup</td>
<td>Underway</td>
</tr>
</tbody>
</table>

#### All other events summary

<table>
<thead>
<tr>
<th>ID</th>
<th>Category</th>
<th>Subject</th>
<th>Event Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2513</td>
<td>Procedural</td>
<td>Hit to head</td>
<td>Underway</td>
</tr>
<tr>
<td>2512</td>
<td>Vehicle</td>
<td>Traffic Incident – light hit from behind</td>
<td>Not started</td>
</tr>
<tr>
<td>2509</td>
<td>Equipment failure</td>
<td>Device not charged</td>
<td>Underway</td>
</tr>
<tr>
<td>2503</td>
<td>People/human</td>
<td>Substances splash to the eye</td>
<td>Completed</td>
</tr>
<tr>
<td>2496</td>
<td>Criminal/anti-social</td>
<td>Erratic behaviour</td>
<td>Completed</td>
</tr>
<tr>
<td>2491</td>
<td>Vehicle</td>
<td>Traffic Incident – hit from behind</td>
<td>Underway</td>
</tr>
</tbody>
</table>

#### Health and Safety Summary

**Org wide - Near Miss Events vs All Other Events**

![Graph showing the comparison between near miss events and all other events]

**Near miss summary**

<table>
<thead>
<tr>
<th>ID</th>
<th>Category</th>
<th>Subject</th>
<th>Event Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2514</td>
<td>Vehicle (public)</td>
<td>Reversing – person walked behind car</td>
<td>Not started</td>
</tr>
<tr>
<td>2511</td>
<td>Vehicle (public)</td>
<td>Traffic Incident – anticipated, and avoided an event</td>
<td>Not started</td>
</tr>
<tr>
<td>2507</td>
<td>Vehicle (public)</td>
<td>Insecure load – item fell</td>
<td>Not started</td>
</tr>
<tr>
<td>2499</td>
<td>Facility condition</td>
<td>Potential trip hazard</td>
<td>Not started</td>
</tr>
<tr>
<td>2493</td>
<td>Facility condition</td>
<td>Discovered broken glass</td>
<td>Completed</td>
</tr>
</tbody>
</table>

**Lost Time Injuries**

<table>
<thead>
<tr>
<th>ID</th>
<th>Injury</th>
<th>Category</th>
<th>Body Location</th>
<th>Event Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2493</td>
<td>No treatment</td>
<td>Medical</td>
<td>First Aid</td>
<td>No Treatment</td>
</tr>
<tr>
<td>2495</td>
<td>No treatment</td>
<td>Medical</td>
<td>First Aid</td>
<td>No Treatment</td>
</tr>
<tr>
<td>2492</td>
<td>No treatment</td>
<td>Medical</td>
<td>First Aid</td>
<td>No Treatment</td>
</tr>
<tr>
<td>2491</td>
<td>No treatment</td>
<td>Medical</td>
<td>First Aid</td>
<td>No Treatment</td>
</tr>
<tr>
<td>2490</td>
<td>No treatment</td>
<td>Medical</td>
<td>First Aid</td>
<td>No Treatment</td>
</tr>
<tr>
<td>2489</td>
<td>No treatment</td>
<td>Medical</td>
<td>First Aid</td>
<td>No Treatment</td>
</tr>
<tr>
<td>2488</td>
<td>No treatment</td>
<td>Medical</td>
<td>First Aid</td>
<td>No Treatment</td>
</tr>
<tr>
<td>2487</td>
<td>No treatment</td>
<td>Medical</td>
<td>First Aid</td>
<td>No Treatment</td>
</tr>
</tbody>
</table>

**Lost Time Injuries**

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<th>Injury</th>
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</thead>
<tbody>
<tr>
<td>2513</td>
<td>Procedural</td>
<td>Hit to head</td>
<td>Underway</td>
<td></td>
</tr>
<tr>
<td>2512</td>
<td>Vehicle</td>
<td>Traffic Incident – light hit from behind</td>
<td>Not started</td>
<td></td>
</tr>
<tr>
<td>2509</td>
<td>Equipment failure</td>
<td>Device not charged</td>
<td>Underway</td>
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</tr>
<tr>
<td>2503</td>
<td>People/human</td>
<td>Substances splash to the eye</td>
<td>Completed</td>
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</tr>
<tr>
<td>2496</td>
<td>Criminal/anti-social</td>
<td>Erratic behaviour</td>
<td>Completed</td>
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<tr>
<td>2491</td>
<td>Vehicle</td>
<td>Traffic Incident – hit from behind</td>
<td>Underway</td>
<td></td>
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</table>
In January, sick leave decreased to 2.8, which is significantly lower than the hours recorded in January 2018.

The rolling average for the YTD has dropped to 3.6 which is within the benchmark range of 3.0 to 5.0.

The data excludes sick leave donated, sick leave credited from the sick leave bank and sick leave taken as a recreation day.

Events pending >1 week have increased slightly from 9.52% in December 2018 to 9.78% in January.

In January 2019, a total of 12 events (excluding near misses) were reported. Refer to red line in previous graph.

Of the 12 events 6 corrective actions have been assigned and completed.

In January 2019, a total of 5 near misses were reported. Refer to green line in above graph.

Of the 5 near misses 1 corrective action has been assigned and completed.

### Health & Safety Training

<table>
<thead>
<tr>
<th>Course</th>
<th>Duration</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accident Investigation (managers)</td>
<td>1 day</td>
<td>5 February, March, May, June 2019</td>
</tr>
<tr>
<td>Manual Handling (employees)</td>
<td>½ day</td>
<td>1 March 2019</td>
</tr>
<tr>
<td>Customer Conflict and Awareness</td>
<td>3.5 hours</td>
<td>30 January, 16 May 2019</td>
</tr>
<tr>
<td>Emergency Wardens</td>
<td>6 hours</td>
<td>2018/19 Training – ongoing as required</td>
</tr>
<tr>
<td>First Aid Training</td>
<td>1 day</td>
<td>2018/19 Training – ongoing as required</td>
</tr>
<tr>
<td>Vault training for Managers, Team Leaders and Supervisors</td>
<td>1 hr</td>
<td>1:1 Skype training with HR Systems &amp; Reporting Advisor</td>
</tr>
<tr>
<td>Vault training for Business Support staff</td>
<td>1 hr</td>
<td>1:1 Skype training with HR Systems &amp; Reporting Advisor</td>
</tr>
</tbody>
</table>

### Internal / External Audit

<table>
<thead>
<tr>
<th>Auditor</th>
<th>Section/Audit</th>
<th>Audit Classification</th>
<th>Date of audit</th>
<th>Findings</th>
<th>Completion date</th>
<th>Completed Actions</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Internal Audits</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business Partner</td>
<td>RUD</td>
<td>Risk management/contractor management</td>
<td>July 2018</td>
<td>16</td>
<td>December 18</td>
<td>16</td>
<td>Check scheduled to review effectiveness</td>
</tr>
<tr>
<td><strong>External Audit</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>KPMG</td>
<td>ICM and RUD</td>
<td>Overlapping duties of health and safety - systems review (contractor management)</td>
<td>15 August 2018</td>
<td>1 medium 3 low</td>
<td>September 19</td>
<td></td>
<td>Actions loaded into Vault and underway</td>
</tr>
</tbody>
</table>

### Event Corrective Actions

(Excluding Near Miss Corrective Actions)

- In January 2019, a total of 12 events (excluding near misses) were reported. Refer to red line in previous graph.
- Of the 12 events 6 corrective actions have been assigned and completed.

### Near Miss Corrective Actions

- In January 2019, a total of 5 near misses were reported. Refer to green line in above graph.
- Of the 5 near misses 1 corrective action has been assigned and completed.
Council Health and Safety Indicators – Monthly Dashboard
Reporting Month: December 2018

Lost Time Injuries
There were no lost time injuries for December 2018.

Critical Risk Events
There were 2 near miss reports against vehicle use critical risk; a council vehicle was required to move onto the shoulder of the road to make way for an oncoming vehicle and a staff member who was walking on a Council pathway was passed closely by a vehicle.

Organisational Critical Risks – Critical risks with a residual score of ‘High’

<table>
<thead>
<tr>
<th>Critical and High Risks (those with a risk score of 10 or higher)</th>
<th>Raw Risk Score</th>
<th>Residual Risk Score</th>
<th>Risk Effectiveness Levels</th>
<th>Insights</th>
<th>Reported incidents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle use</td>
<td>Risk: Personal injury – multiple injuries (self and others), fatality, property damage.</td>
<td>25 – Critical</td>
<td>15 – High</td>
<td>Good (strong)</td>
<td>Fulfils requirements. Controls are adequate.</td>
</tr>
<tr>
<td>Contractor activities:</td>
<td>Risk: Harm to workers, others, damage to plant and property due to poor contractor management.</td>
<td>20 – Critical</td>
<td>12 – High</td>
<td>Good (strong)</td>
<td>Fulfils requirements. Contract manager training in place (NZQA Unit Standard 17595). In-house training on L&amp;D calendar.</td>
</tr>
<tr>
<td>Working in and around water</td>
<td>Risk: Drowning, physical harm.</td>
<td>20 – Critical</td>
<td>15 – High</td>
<td>Good (strong)</td>
<td>Controls adequate. Water Working Policy now includes competency assessment.</td>
</tr>
<tr>
<td>Working in geothermal areas</td>
<td>Risk: Injury or fatality from drowning, boiling mud/water. Burns from acid pools. Suffocation (H2S).</td>
<td>20 – Critical</td>
<td>15 – High</td>
<td>Good (strong)</td>
<td>Controls adequate and preventative measures in place.</td>
</tr>
<tr>
<td>Struck by moving vehicles / equipment</td>
<td>Risk: Harm to workers, others, damage to plant and property due to poor management controls.</td>
<td>20 – Critical</td>
<td>10 – High</td>
<td>Good (strong)</td>
<td>Controls adequate. Risk Review completed in March 2018.</td>
</tr>
</tbody>
</table>

Risks are reviewed at least annually or after a system / process change, or after a critical event.

Health and Safety Summary

Injuries/Illnesses

<table>
<thead>
<tr>
<th>ID</th>
<th>Injury</th>
<th>Category</th>
<th>Body Location</th>
<th>Event Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2489</td>
<td>No treatment</td>
<td>Sprain/strain</td>
<td>Twisted right ankle</td>
<td>Completed</td>
</tr>
<tr>
<td>2487</td>
<td>No treatment</td>
<td>Other</td>
<td>Faint - recovered</td>
<td>Underway</td>
</tr>
<tr>
<td>2482</td>
<td>No treatment</td>
<td>Other</td>
<td>Shortness of breath</td>
<td>Completed</td>
</tr>
<tr>
<td>2480</td>
<td>No treatment</td>
<td>Abrasion</td>
<td>Tripped on stairs</td>
<td>Underway</td>
</tr>
<tr>
<td>2478</td>
<td>First aid</td>
<td>Foreign body (eye)</td>
<td>Foreign object entered eye</td>
<td>Completed</td>
</tr>
<tr>
<td>2472</td>
<td>No treatment</td>
<td>Strain</td>
<td>Pain in upper back</td>
<td>Underway</td>
</tr>
<tr>
<td>2471</td>
<td>No treatment</td>
<td>Grad. process</td>
<td>Requires nonstandard chair</td>
<td>Underway</td>
</tr>
</tbody>
</table>

All other events summary

<table>
<thead>
<tr>
<th>ID</th>
<th>Category</th>
<th>Subject</th>
<th>Event Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2488</td>
<td>Property</td>
<td>Ceiling tile fell and landed in walkway</td>
<td>Not started</td>
</tr>
<tr>
<td>2479</td>
<td>Equipment failure</td>
<td>Wire rope broke when in use</td>
<td>Underway</td>
</tr>
</tbody>
</table>

Health and Safety Summary

Near miss summary

<table>
<thead>
<tr>
<th>Event ID</th>
<th>Category</th>
<th>Subject</th>
<th>Event Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2490</td>
<td>Contractor</td>
<td>On site without signing in</td>
<td>Not started</td>
</tr>
<tr>
<td>2486</td>
<td>Vehicle</td>
<td>Move to the road shoulder, due to oncoming vehicle</td>
<td>Completed</td>
</tr>
<tr>
<td>2485</td>
<td>Vehicle</td>
<td>On walkway, vehicle passed closely</td>
<td>Completed</td>
</tr>
<tr>
<td>2484</td>
<td>Human</td>
<td>Dropped and broke coffee mug</td>
<td>Completed</td>
</tr>
<tr>
<td>2483</td>
<td>Environment</td>
<td>Insecure computer cords</td>
<td>Underway</td>
</tr>
<tr>
<td>2474</td>
<td>Environment</td>
<td>Ensure electric fence is shut off</td>
<td>Completed</td>
</tr>
<tr>
<td>2477</td>
<td>Environment</td>
<td>Near fall on wet ground</td>
<td>Completed</td>
</tr>
<tr>
<td>2476</td>
<td>Environment</td>
<td>Near fall on uneven, wet ground</td>
<td>Completed</td>
</tr>
</tbody>
</table>
In December, sick leave decreased to 3.2, which is slightly lower than the hours recorded in December 2017.

The rolling average for the YTD remains at 4.5 which is within the benchmark range of 3.0 to 5.0.

The data excludes sick leave donated, sick leave credited from the sick leave bank and sick leave taken as a recreation day.

In December 2018, a total of 9 events (excluding near misses) were reported. Refer to red line in previous graph.

Of the 9 events 4 corrective actions have been assigned and completed.

In December 2018, a total of 8 near misses were reported. Refer to green line in above graph.

Of the 8 near misses 6 corrective actions have been assigned and completed.

### Health & Safety Training

<table>
<thead>
<tr>
<th>Course</th>
<th>Duration</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accident Investigation (managers)</td>
<td>1 day</td>
<td>5 February 2019</td>
</tr>
<tr>
<td>Manual Handling (employees)</td>
<td>½ day</td>
<td>1 March 2019</td>
</tr>
<tr>
<td>Customer Conflict and Awareness</td>
<td>3.5 hours</td>
<td>30 January, 16 May 2019</td>
</tr>
<tr>
<td>Emergency Wardens</td>
<td>6 hours</td>
<td>2018/19 Training – ongoing as required</td>
</tr>
<tr>
<td>First Aid Training</td>
<td>1 day</td>
<td>2018/19 Training – ongoing as required</td>
</tr>
<tr>
<td>Vault training for Managers, Team Leaders and Supervisors</td>
<td>1 hr</td>
<td>1:1 Skype training with HR Systems &amp; Reporting Advisor</td>
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### Internal / External Audit

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<tr>
<td>Internal Audit</td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business Partner</td>
<td>RUD</td>
<td>Risk management/contractor management</td>
<td>July 2018</td>
<td>16</td>
<td>December 18</td>
<td>14</td>
<td>2 minor actions for completion</td>
</tr>
<tr>
<td>External Audit</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>KPMG</td>
<td>ICM and RUD</td>
<td>Overlapping duties of health and safety - systems review (contractor management)</td>
<td>15 August 2018</td>
<td>1 medium 3 low</td>
<td>September 19</td>
<td>Actions assigned in Vault</td>
<td></td>
</tr>
</tbody>
</table>
Council Health and Safety Indicators – Monthly Dashboard

Reporting Month: November 2018

**Lost Time Injuries**

There were no lost time injuries for November 2018.

**Critical Risk Events**

There were 2 events reported against vehicle use critical risk – one council vehicle rolled slightly hitting a gate resulting in minor damage to the vehicle; 1 council vehicle was reversing and hit a fence, but no damage.

**Organisational Critical Risks – Critical risks with a residual score of ‘High’**

Risk Effective Levels – Effectiveness of existing systems and processes, expressed in the following 5 categories; Excellent, Good (strong), Fair (some strength), Poor (weak), and Very Poor (very weak) – Reference information obtained from: Risk Management Framework – Corporate Risk Policy (DM # 2151810).

<table>
<thead>
<tr>
<th>Critical and High Risks (with a risk score of 10 or higher)</th>
<th>Raw Risk Score</th>
<th>Residual Risk Score</th>
<th>Risk Effectiveness Levels</th>
<th>Insights</th>
<th>Reported incidents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle use Risk: Personal injury – multiple injuries (self and others), fatality, property damage. Impact: Physical harm, property damage.</td>
<td>15 – Critical</td>
<td>15 – High</td>
<td>Good (strong)</td>
<td>Fulfils requirements. Controls are adequate. <strong>Risk review</strong> completed January 2018.</td>
<td>2</td>
</tr>
</tbody>
</table>

Risks are reviewed at least annually or after a system / process change, or after a critical event.

---

**Health and Safety Summary**

**Injuries/Illnesses**

<table>
<thead>
<tr>
<th>ID</th>
<th>Injury</th>
<th>Category</th>
<th>Body Location</th>
<th>Event Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2463</td>
<td>No treatment</td>
<td>Bite/Sting</td>
<td>Multiple stings, Swollen eye</td>
<td>Underway</td>
</tr>
<tr>
<td>2465</td>
<td>No treatment</td>
<td>Grad. process</td>
<td>Back pain, extended sitting</td>
<td>Underway</td>
</tr>
<tr>
<td>2459</td>
<td>No treatment</td>
<td>Abrasion</td>
<td>Scraped head</td>
<td>Not started</td>
</tr>
<tr>
<td>2460</td>
<td>No treatment</td>
<td>Grad. process</td>
<td>Right hand/wrist</td>
<td>Not started</td>
</tr>
<tr>
<td>2452</td>
<td>No treatment</td>
<td>Grad. process</td>
<td>Right hand/wrist</td>
<td>Not started</td>
</tr>
<tr>
<td>2461</td>
<td>No treatment</td>
<td>Abrasion</td>
<td>Cut hand on a nail</td>
<td>Underway</td>
</tr>
<tr>
<td>2464</td>
<td>No treatment</td>
<td>Grad. process</td>
<td>Right hand/wrist</td>
<td>Not started</td>
</tr>
<tr>
<td>2440</td>
<td>No treatment</td>
<td>Sprain/Strain</td>
<td>Ankle – slipped on the floor</td>
<td>Not started</td>
</tr>
<tr>
<td>2441</td>
<td>No treatment</td>
<td>Grad. process</td>
<td>Pain – neck and shoulder</td>
<td>Underway</td>
</tr>
<tr>
<td>2443</td>
<td>No treatment</td>
<td>Abrasion</td>
<td>Right leg – on equipment</td>
<td>Underway</td>
</tr>
<tr>
<td>2436</td>
<td>No treatment</td>
<td>Abrasion</td>
<td>Left knee – graze on</td>
<td>Completed</td>
</tr>
<tr>
<td>2435</td>
<td>No treatment</td>
<td>Sprain (non-work)</td>
<td>Tripped on public pavement</td>
<td>Completed</td>
</tr>
</tbody>
</table>

**Health and Safety Summary**

**Org wide - Near Miss Events vs All Other Events**

**Near miss summary**

<table>
<thead>
<tr>
<th>Event ID</th>
<th>Category</th>
<th>Subject</th>
<th>Event Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2467</td>
<td>Environment</td>
<td>Personal safety – aggressive dog</td>
<td>Not started</td>
</tr>
<tr>
<td>2468</td>
<td>Vehicle (traffic)</td>
<td>Misjudged gap – then stalled car at intersection.</td>
<td>Not started</td>
</tr>
<tr>
<td>2466</td>
<td>Vehicle (work)</td>
<td>Heavy rain-risk of aquaplaning</td>
<td>Not started</td>
</tr>
<tr>
<td>2463</td>
<td>Human factor</td>
<td>Spilt fluid on stairs (trip hazard)</td>
<td>Completed</td>
</tr>
<tr>
<td>2457</td>
<td>Human factors</td>
<td>Spilt fluid (trip hazard)</td>
<td>Completed</td>
</tr>
<tr>
<td>2449</td>
<td>Environment</td>
<td>Caught foot on cord– near fall</td>
<td>Completed</td>
</tr>
<tr>
<td>2448</td>
<td>Environment</td>
<td>Near trip on equipment</td>
<td>Underway</td>
</tr>
<tr>
<td>2444</td>
<td>Human factor</td>
<td>Spilt hot fluid on self (no burn)</td>
<td>Underway</td>
</tr>
<tr>
<td>2438</td>
<td>Vehicle</td>
<td>Public – erratic driving</td>
<td>Completed</td>
</tr>
<tr>
<td>2439</td>
<td>Vehicle</td>
<td>Public – incorrect parking</td>
<td>Not started</td>
</tr>
</tbody>
</table>
**All other events summary**

<table>
<thead>
<tr>
<th>Event ID</th>
<th>Category</th>
<th>Subject</th>
<th>Event Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2462</td>
<td>Contamination</td>
<td>Pigeons faeces on building/ floor</td>
<td>Not started</td>
</tr>
<tr>
<td>2454</td>
<td>Member of public</td>
<td>Issue with Go Bus protest</td>
<td>Completed</td>
</tr>
<tr>
<td>2455</td>
<td>Member of public</td>
<td>Agitated, lodged complaint re Go Bus protest</td>
<td>Completed</td>
</tr>
<tr>
<td>2456</td>
<td>Vehicle</td>
<td>Reversed and hit fence, no damage</td>
<td>Underway</td>
</tr>
<tr>
<td>2453</td>
<td>Activity (ceased)</td>
<td>Stopped use drone near animals</td>
<td>Underway</td>
</tr>
<tr>
<td>2452</td>
<td>Bike (non-work)</td>
<td>Overtaken by vehicle (unsafe)</td>
<td>Not started</td>
</tr>
<tr>
<td>2447</td>
<td>Contamination</td>
<td>Working environment</td>
<td>Underway</td>
</tr>
<tr>
<td>2451</td>
<td>Vehicle</td>
<td>Minor damage – rolled back into gate</td>
<td>Underway</td>
</tr>
</tbody>
</table>

**Sick Leave**

- In November, sick leave decreased to 4.1, which is slightly lower than the hours recorded in November 2017.
- The rolling average for the YTD remains at 4.5 which is within the benchmark range of 3.0 to 5.0.
- The data excludes sick leave donated, sick leave credited from the sick leave bank and sick leave taken as a recreation day.

**Pending Events for > 1 week (%)**

Events pending >1 week has decreased from 12.64% in October to 11.39% in November.

**Event Corrective Actions**

- In November 2018, a total of 20 events (excluding near misses) were reported. Refer to red line in previous graph.
- Of the 20 events 6 corrective actions have been assinged, 5 completed and 1 underway.

**Near Miss Corrective Actions**

- In November 2018, a total of 10 near misses were reported. Refer to green line in above graph.
- Of the 10 near misses 5 corrective actions has been assinged, 4 completed and 1 underway.

**Health & Safety Training**

- Accident Investigation (managers) 1 day 5 February 2019
- Manual Handling (employees) ½ day TBC
- Customer Conflict and Awareness 3.5 hours 30 January, 16 May 2019
- Emergency Wardens 6 hours 2018/19 Training – ongoing as required
- First Aid Training 1 day 2018/19 Training – ongoing as required
- Vault training for Managers, Team Leaders and Supervisors 1 hr 1:1 Skype training with HR Systems & Reporting Advisor
- Vault training for Business Support staff 1 hr 1:1 Skype training with HR Systems & Reporting Advisor

**Internal / External Audit**

<table>
<thead>
<tr>
<th>Auditor</th>
<th>Section/Audit</th>
<th>Audit Classification</th>
<th>Date of audit</th>
<th>Findings</th>
<th>Completion date</th>
<th>Completed Actions</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Internal Audit</strong></td>
<td></td>
<td></td>
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<td>Risk management/contractor management</td>
<td>July 2018</td>
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<td>December 18</td>
<td>8</td>
<td></td>
</tr>
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<td>15 August 2018</td>
<td>1 medium 3 low</td>
<td>September 19</td>
<td></td>
<td>Actions loaded into Vault</td>
</tr>
</tbody>
</table>
Report to the Waikato Regional Council

From Hamish Stevens, Chair, Audit and Risk Committee

9 November 2018

Dear Councillors

This report sets out the material items arising from the Audit and Risk Committee meeting held on 9 November 2018. This report should be read in conjunction with the minutes of that meeting.

1. **Risk Management**
   
The Committee received the activity report from management, including an update on specific key risks. Key points were:
   
   - No new project risks, emerging risks or any major changes to the severity level of existing key risks have been identified. The mitigations and control improvement activity is materially in line with target dates.
   - Health and safety indicators continue to show a low level of incidents. The Committee noted that plans for Councillor and Directorate led health and safety ‘walk arounds’ have been developed and will soon commence.
   - The Committee was advised that the Council has a dedicated Wellbeing project team focusing on how we address matters such as stress, disengagement, physical health. This includes the use of the EAP service for Council staff and Pulse staff surveys.
   - The OAG report on freshwater quality has not yet been released (now likely early 2019), but the Committee intend to take up Audit NZ’s offer to come and speak to the Committee about their report at a future meeting.
   - The latest legislative compliance survey results were very positive with a 100% response rate. The full compliance rate as disclosed by respondents was 98%. The next survey will take place in April 2019.
   - The Committee was advised that Council faces legislative noncompliance and reputational risk in relation to its obligations to provide passage for migratory native fish species through Council’s flood protection and drainage assets. Sufficient funding for this initiative is currently being sought from council as well as external organisations.
   - The Committee received reports on two key projects (the Hamilton relocation, and the corporate systems replacement) within the public excluded section of the meeting. Feedback was provided to management regarding the management of potential risks around these projects.

2. **External Audit**
   
   - Audit New Zealand provided its final report on the audit of the council’s 2017/18 annual report. While an unmodified report was issued, Audit NZ did raise a few minor issues with the Committee - relating to potential internal control breaches by one of the council’s investment fund managers, the disclosure of the value of property plant and equipment, and the disclosure of member interests. The Committee did not feel any of these were material issues.
• The Chair of the Committee had spoken with the auditor David Walker privately prior to the meeting and no material audit issues (in terms of both findings and process) had been raised.
• The Committee noted that PwC had undertaken a review of Council’s tax management processes and an audit of compliance of PAYE and withholding tax obligations. PwC concluded that overall Council has a proactive approach to tax management and no material compliance issues were identified.

3. Internal Audit

Internal auditor KPMG updated the Committee on their activities since the last meeting. This included the completion of three internal audits discussed in public forum:

• **Overlapping health and safety systems.** This relates primarily to our obligations in respect of external contractors. No high rated recommendations were made although improvement opportunities around contractor health and safety performance measurement were commented on and will be followed up by management.

• **Stakeholder engagement survey.** No high rated recommendations were received although recommendations around opportunities to improve the response rates will be followed through.

• **Stakeholder engagement and communications.** No high rated recommendations were made, and it was noted that council’s framework and process in this area are generally more mature than other like organisations.

Two internal audit reports were presented and discussed in the public excluded section of the meeting. These related to the Tauhei and Muggeridge’s flood protection projects, and the corporate ERP systems replacement project. Recommendations have been made to strengthen processes and these have been supported by and agreed with management.

• **Previous audit actions -** The Committee considered the items from previous internal audits. A key area of items to be completed still relate to the actions arising from KPMG’s flood control asset review. The Committee received assurances from management that these are being progressed with sufficient priority.

4. Flood control assets

• The Committee received an update on the various work streams underway to improve the management of Council’s flood control assets. The Committee was advised that the recruitment process for of the reliability manager and maintenance engineer has been completed and both roles have been filled.

• The identified potential stop bank encroachment at Huntly is being investigated further before determining how this should be addressed.

• The Committee noted that the communication plan with landowners and urban residents had been delayed until next winter. The Committee emphasised the need for this to be progressed before then if possible.

5. Insurance update
The Committee received an update on the insurance programme. As previously indicated, premium costs will increase at a higher rate than in previous years across liability, material damage, and infrastructure areas. A review of council deductible limits will be undertaken in response to this.

The Committee was also advised of residual funding issues with the now inactive Riskpool liability and indemnity scheme. While Council will be required to contribute to residual funding shortfalls, our share is not considered material.

6. Overall work plan
I am overall satisfied that the Committee is currently on track with its work plan.

Hamish Stevens
Chair, Audit & Risk Committee
Waikato Regional Council
Report to Council

Date: 11 February 2019

Author: Mali Ahipene - Pou Tuhono

Authoriser: Neville Williams – Director, Community and Services
Vaughan Payne - Chief Executive

Subject: Terms of Reference for Te Kōpua Kānapanapa and Appointment of Members

Purpose
1. To present the proposed Terms of Reference for Te Kōpua Kānapanapa and seek appointment of Waikato Regional Council members and alternate(s) to the committee.

Executive Summary
2. The Ngāti Tūwharetoa Claims Settlement Act 2018 (the Act) received Royal Assent on 18 December 2018 and will take effect on 12 March 2019. The Act requires the establishment of Te Kōpua Kānapanapa with membership drawn from Te Kotahitanga o Ngāti Tūwharetoa, Waikato Regional Council and Taupō District Council.

Staff Recommendation:
1. That the report “Terms of Reference for Te Kōpua Kānapanapa and Appointment of Members” (Doc #13758384 dated 11 February 2018) be received, and
2. That the Terms of Reference for Te Kōpua Kānapanapa be recommended to Te Kōpua Kānapanapa for approval, and
3. That Council appoints Councillors [insert name] and [insert name] as members of Te Kōpua Kānapanapa, and
4. That Council appoints Councillor(s) [insert name(s)] as the alternate member(s).

Background
3. On 6 March 2015 Ngāti Tūwharetoa signed an Agreement in Principle to negotiate historical grievances with the Crown. Since this time, the Crown negotiated with Tūwharetoa, through the Tūwharetoa Hapu Forum, a Deed of Settlement (Deed) outlining Tūwharetoa’s final settlement which was signed on 8 July 2017.

4. Council received updates on the Treaty settlement process throughout 2017 and 2018 with information relating to Treaty settlements, including ongoing matters relating to Ngāti Tūwharetoa.

5. The Act received Royal Assent on 18 December 2018 and will take effect on 12 March 2019.

Issue
6. The Act requires the establishment of Te Kōpua Kānapanapa, the Taupō catchment co-governance entity that will have membership from Ngāti Tūwharetoa through Te Kotahitanga o Ngāti Tūwharetoa, Waikato Regional Council and Taupō District Council.
Options and analysis

7. Part 4 and Schedule 6 of the Act sets out the purpose, functions and powers of the co-governance entity.

8. The purpose of Te Kōpua Kānapanapa is to:
   - Restore, protect and enhance the environmental, cultural and spiritual and wellbeing of the Taupō catchment for the benefit of Ngāti Tūwharetoa and all people in the Taupō catchment (including future generations);
   - Provide strategic leadership on the sustainable and integrated management of the Taupō catchment environment for the benefit of Ngāti Tūwharetoa and all people in the Taupō catchment (including future generations);
   - To enable Ngāti Tūwharetoa to exercise, in partnership with local authorities, mana and kaitiakianga over the Taupō catchment; and
   - To give effect to the vision in Te Kaupapa Kaitiaki.

9. Waikato Regional Council (WRC) is responsible for the administrative support of Te Kōpua Kānapanapa. On settlement date, the Crown will make a one-off contribution of $400,000 to the Waikato Regional Council for the provision of administrative support. WRC must hold and account for the funds in a separate and definable manner and spend the funds in accordance with any direction given by Te Kōpua Kānapanapa.

10. The Committee will consist of eight (8) members and they will be appointed as follows:
   a. Four (4) members appointed by the trustees.
   b. Two (2) members appointed by the Waikato Regional Council.
   c. Two (2) members appointed by the Taupō District Council.

11. At its first meeting of each term, the Committee must appoint 2 members to be co-chairpersons:
   a. one of whom must be appointed by the trustees; and
   b. one of whom must be appointed by the Waikato Regional Council or the Taupō District Council.

12. An appointer may from time to time notify the Committee of the names of alternative members who may attend the meetings if a member is not able to attend. An alternative member may act in the place of a member.

13. The draft Terms of Reference are attached.

14. A key function of Te Kōpua Kānapanapa will be to prepare and approve a document for the Taupō catchment, called Te Kaupapa Kaitiaki. The purpose of this document is to identify the significant issues, values, vision, objectives, desired outcomes and other relevant matters for the Taupō catchment in order to:
   - promote the sustainable and integrated management of the Taupō catchment environment for the benefit of Ngāti Tūwharetoa and all people in the Taupō catchment (including future generations); and
   - provide for the relationship of Ngāti Tūwharetoa and their culture and traditions with their ancestral lands, water, geothermal resources, sites, wahi tapu and other taonga; and
   - respect Ngāti Tūwharetoa tikanga and values in the management of the Taupō catchment.

15. Local authorities must recognise and provide for the visions, objectives, desired outcomes, and values of Te Kaupapa Kaitiaki each time the authority prepares a RMA planning document or reviews or varies a RMA planning document to the extent that the planning documents relate to resource management issues in the Taupō catchment and that it is relevant to Te Kaupapa Kaitiaki (and is consistent with the RMA).
**Assessment of Significance**
16. Having regard to the decision making provisions in the LGA 2002 and council’s Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance.

**Legislative context**
17. The recommendation to approve the Terms of Reference and appoint members to Te Kōpua Kānapanapa has taken in to account legislative requirements under the Ngāti Tūwharetoa Claims Settlement Act (2018).

**Preferred Option**
18. To fulfil council’s obligations following settlement of the Act, it is recommended that council endorse the Terms of Reference for Te Kōpua Kānapanapa (the Terms of Reference reflect the provisions of Part 4 and Schedule 6 of the Act) and appoint members and alternate member(s) to the committee.

19. Staff also recommend that a collaborative approach with the appointers be taken in planning for the development of Te Kaupapa Kaitiaki.

**Policy Considerations**
20. To the best of the writer’s knowledge, this decision is not significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

**Conclusion**
21. The Act requires the establishment of Te Kōpua Kānapanapa with membership drawn from Te Kotahitanga o Ngāti Tūwharetoa, Waikato Regional Council and Taupō District Council.

**Attachments**
Terms of Reference Te Kōpua Kānapanapa Doc # 13058659
Reference Document Doc # 13744693
TE KŌPUA KĀNAPANAPA

REPORTING TO: Te Kotahitanga o Ngāti Tūwharetoa Trust, Waikato Regional Council and Taupō District Council

CONSTITUTION: Four (4) Trustees appointed by Te Kotahitanga o Ngāti Tūwharetoa Trust (one of which must be a member from a shared hapū of Raukawa and Ngāti Tūwharetoa); Two (2) elected members appointed by Waikato Regional Council; and Two (2) elected members appointed by Taupō District Council

Te Kōpuanānana will be co-chaired.

At its first meeting of each term, Te Kōpuanānana must appoint two (2) members to be co-chairpersons:
(a) one of whom must be appointed by the trustees; and
(b) one of whom must be appointed by the Waikato Regional Council or the Taupō District Council.

QUORUM: Five (5) members who must include at least two (2) members appointed by the trustees, one (1) member appointed by the Waikato Regional Council, one (1) member appointed by the Taupō District Council and a co-chairperson

MEETING FREQUENCY: As required

PURPOSE: To give effect to the Ngāti Tūwharetoa Claims Settlement Act

SCOPE OF ACTIVITY: This Joint Committee has been established to give effect to Part 4 and Schedule 6 of the Ngāti Tūwharetoa Claims Settlement Act.

Purpose of Te Kōpuanānana and Ngāti Tūwharetoa’s vision for Taupō Catchment (section 169)
(1) The purpose of Te Kōpuanānana is—
   a) to restore, protect, and enhance the environmental, cultural, and spiritual health and well-being of the Taupō Catchment for the benefit of Ngāti Tūwharetoa and all people in the Taupō Catchment (including future generations); and
   b) to provide strategic leadership on the sustainable and integrated management of the Taupō Catchment for the benefit of Ngāti Tūwharetoa and all people in the Taupō Catchment (including future generations); and
   c) to enable Ngāti Tūwharetoa to exercise mana and kaitiakitanga over the Taupō Catchment, in partnership with the local authorities; and
   d) to give effect to the vision in Te Kaupapa Kaitiaki.
(2) In achieving its purpose, Te Kōpuanānana must—
   a) respect Ngāti Tūwharetoa tikanga; and
b) provide for the relationship of Ngāti Tūwharetoa and their culture and traditions with their ancestral lands, water, geothermal resources, sites, wāhi tapu, and other taonga.

(3) Ngāti Tūwharetoa’s vision is for a healthy Taupō Catchment that is capable of sustaining the whole community and that is managed in a manner that reflects Ngāti Tūwharetoa tikanga.

(4) Ngāti Tūwharetoa’s vision is founded on the following principles derived from tikanga:
   a) the principle of mauri: the health and well-being of the Taupō Catchment reflects and nourishes the health and well-being of Ngāti Tūwharetoa;
   b) the principle of mana: the active protection and restoration of the relationship of Ngāti Tūwharetoa with the Taupo Catchment (including Ngāti Tūwharetoa’s mana whakahaere and kaitiaki role);
   c) the principle of te whanake: the sustainable development of Ngāti Tūwharetoa’s taonga, Ngāti Tūwharetoa, and the whole community;
   d) the principle of integrated management: the natural resources within the Taupō Catchment are interdependent and should be managed in an integrated manner.

Functions of Te Kōpua Kānapanapa (section 170)

(1) The principal function of Te Kōpua Kānapanapa is to achieve its purpose.

(2) Te Kōpua Kānapanapa has the following specific functions:
   a) to promote the restoration, protection, and enhancement of the environmental, cultural, and spiritual well-being of the Taupō Catchment; and
   b) to prepare and approve Te Kaupapa Kaitiaki in accordance with subpart 2 of this Part and Part 2 of Schedule 6; and
   c) to monitor the implementation and effectiveness of Te Kaupapa Kaitiaki; and
   d) to advise local authorities and relevant agencies regarding projects, initiatives, action, or research intended to restore, protect, or enhance the health and well-being of the Taupō Catchment; and
   e) to support the integrated and collaborative management of the Taupō Catchment; and
   f) to support the integrated management of the Taupō Catchment with the management of the Waikato River and the Whanganui River; and
   g) to engage with, seek advice from, and provide advice to local authorities and relevant agencies on matters relating to the health and well-being of the Taupō Catchment; and
   h) to establish and maintain a register of accredited hearing commissioners; and
   i) to participate in any statutory or non-statutory process that concerns or has implications for the health and well-being of the Taupō Catchment, including by making submissions on planning or resource consent processes under the Resource Management Act 1991; and
   j) to take any other action that Te Kōpua Kānapanapa considers appropriate to achieving its purpose.

(3) Te Kōpua Kānapanapa has discretion in any particular circumstance as to whether, how, and to what extent, it will perform any function specified in subsection (2).

General powers of Te Kōpua Kānapanapa (Section 171)

(1) Te Kōpua Kānapanapa has all the powers reasonably necessary to carry out its functions—
   a) in accordance with this subpart and subparts 2 and 3 and Schedule 6; and
   b) subject to paragraph (a), in accordance with local government legislation.

(2) Te Kōpua Kānapanapa may perform any function of a local authority if and to the extent that that function has been delegated to it by a local authority.

REFERENCE DOCUMENTS:
Extracts from Part 4 and Schedule 6 of the Ngāti Tūwharetoa Claims Settlement Act (Doc#13744693).
TE KOPUA KANAPANAPA

The Joint Committee will be established to give effect to Part 4 and Schedule 6 of the Ngāti Tūwharetoa Claims Settlement Act.

MEMBERS
Appointment of members of Te Kōpua Kānapanapa (Section 172)
(1) Te Kōpua Kānapanapa consists of 8 members appointed as follows:
   (a) 4 members appointed by the trustees:
   (b) 2 members appointed by the Waikato Regional Council:
   (c) 2 members appointed by the Taupo District Council.
(2) When making their appointments, the trustees must have regard to achieving representation from throughout the Taupo Catchment.
(3) The trustees must appoint 1 member from a shared hapū of Ngāti Raukawa and Ngāti Tūwharetoa.
(4) Each member appointed by a local authority must be an elected council member of that authority.
(5) In appointing a member to Te Kōpua Kānapanapa, an appointer must
   (d) be satisfied that the person has the skills, knowledge, and experience to—
      (i) participate effectively in Te Kōpua Kānapanapa; and
      (ii) contribute to achieving the purpose of Te Kōpua Kānapanapa; and
   (e) have regard to the skills of any members already appointed, or to be appointed, to Te Kōpua Kānapanapa to ensure that the membership reflects a balanced mix of knowledge and experience in relation to the Taupo Catchment.

Duties of members (Section 173)
(1) Each member of Te Kōpua Kānapanapa must—
   (a) seek to achieve the purpose of Te Kōpua Kānapanapa; and
   (b) without limiting paragraph (a), comply with the terms of appointment issued by the relevant appointer.
(2) Part 1 of Schedule 6 has effect according to its terms.

Validity of acts not affected (Section 174)
Nothing done by Te Kōpua Kānapanapa is invalid because of—
   (a) a vacancy in the membership of Te Kōpua Kānapanapa at the time the thing was done; or
   (b) the subsequent discovery of a defect in the appointment of a person as a member.

TERM OF TE KŌPUA KĀNAPANAPA

Term of appointment of members (Section 175)
(1) A member of Te Kōpua Kānapanapa—
   (a) is appointed for a term of 3 years commencing on the 60th day after the polling day for the most recent triennial local government election unless the member resigns, is removed from office by the appointer of that member, or otherwise vacates office; and
   (b) may be reappointed.
(2) Despite subsection (1), the term of office of the first members of Te Kōpua Kānapanapa—
   (a) commences on the settlement date; and
   (b) ends on the 59th day after the polling day for the next triennial local government election following the settlement date.
SCHEDULE 6 TE KŌPUA KĀNAPANAPA

Part 1 Membership, procedures, and other matters relating to Te Kōpua Kānapanapa

1 Vacancies
(1) If there is a vacancy on Te Kōpua Kānapanapa, the relevant appointer must fill the vacancy as soon as is reasonably practicable.
(2) The ability of Te Kōpua Kānapanapa to carry out its functions is not affected by any vacancy or a failure by an appointer to make an appointment or a replacement appointment.

2 Appointment of co-chairpersons
(1) At its first meeting of each term, Te Kōpua Kānapanapa must appoint 2 members to be co-chairpersons,—
   (a) one of whom must be appointed by the trustees; and
   (b) one of whom must be appointed by the Waikato Regional Council or the Taupo Regional Council.
(2) A co-chairperson—
   (a) holds office for a term of up to 3 years unless, before his or her term as co-chairperson ends, he or she ceases to be a member of Te Kōpua Kānapanapa; and
   (b) may be reappointed as a co-chairperson.
(3) Subclause (2)(a) is subject to section 175(2).

3 Alternative members
(1) An appointer may from time to time notify Te Kōpua Kānapanapa of the names of alternative members who may attend the meetings of Te Kōpua Kānapanapa if a member is not able to attend.
(2) An alternative member may act in the place of the member.

4 Resignation and removal of members
(1) A member may resign by giving written notice to that person’s appointer and Te Kōpua Kānapanapa.
(2) An appointer of a member may remove that member from Te Kōpua Kānapanapa by giving written notice to that member, Te Kōpua Kānapanapa, and the other appointers.

Procedures of Te Kōpua Kānapanapa and guiding principles

5 Procedures of Te Kōpua Kānapanapa
The procedures of Te Kōpua Kānapanapa are governed by the applicable provisions of the local government legislation and the standing orders.

6 Standing orders and guiding principles
(1) At the first meeting of Te Kōpua Kānapanapa, Te Kōpua Kānapanapa must—
   (a) develop principles to guide the relationships and values of Te Kōpua Kānapanapa; and
   (b) adopt a set of standing orders.
(2) The standing orders—
   (a) must not contravene Part 4 of this Act or this schedule; and
   (b) must respect the tikanga of Ngāti Tūwharetoa; and
   (c) must not contravene any local government legislation.
(3) Te Kōpua Kānapanapa may at any time amend the standing orders.
(4) Each member of Te Kōpua Kānapanapa must comply with the standing orders and be guided by the principles referred to in subclause (1)(a).

7 Schedule of meetings to be agreed
(1) At the first meeting of Te Kōpua Kānapanapa of each year, Te Kōpua Kānapanapa must agree to a schedule of the meetings of Te Kōpua Kānapanapa for that year.
(2) Te Kōpua Kānapanapa must regularly review the schedule to ensure that it provides for sufficient meetings to enable Te Kōpua Kānapanapa to achieve its purpose and carry out its functions.
8 Conduct of meetings
(1) The co-chairpersons must preside over the meetings of Te Kōpua Kānapanapa.
(2) If one co-chairperson is unable to attend a meeting, the other co-chairperson must preside.

9 Quorum
The quorum for a meeting of Te Kōpua Kānapanapa is no fewer than 5 members, who must include—
(a) at least 2 members appointed by the trustees; and
(b) at least 1 member appointed by the Waikato Regional Council; and
(c) at least 1 member appointed by the Taupo District Council; and
(d) a co-chairperson.

10 Manner of operation
Te Kōpua Kānapanapa must operate in a manner that—
(a) respects the mana and roles of members and groups represented on Te Kōpua Kānapanapa; and
(b) respects the tikanga of Ngāti Tūwharetoa; and
(c) acknowledges, as appropriate, the mana of Ngāti Rangi in respect of the overlapped catchment area; and
(d) recognises the interests of other iwi, local authorities, and entities with interests or statutory roles in the Taupo Catchment; and
(e) is inclusive of those iwi with interests in the Taupo Catchment that are not represented on Te Kōpua Kānapanapa; and
(f) acknowledges, as appropriate, that each hapū of Ngāti Tūwharetoa has mana whenua over their particular part of the Taupo Catchment; and
(g) acknowledges, as appropriate, the interests of all communities in the Taupo Catchment.

11 Decision making
(1) All decisions of Te Kōpua Kānapanapa must be made by vote at a meeting of Te Kōpua Kānapanapa.
(2) When making a decision, Te Kōpua Kānapanapa must strive to achieve consensus among those present and voting at the meeting.
(3) Despite subclause (2), the co-chairpersons (or the co-chairperson present) may determine that a decision on a matter may be made with the support of a 75% majority of members present and voting at the meeting, but only if—
(a) consensus has not been achieved after the third vote on the matter; and
(b) the co-chairpersons (or the co-chairperson present) are of the opinion that—
   (i) there has been reasonable discussion on the matter; and
   (ii) consensus is unlikely to be achieved by further discussion.
(4) Each co-chairperson has a deliberative vote but not a casting vote.
(5) Members must approach decision making—
(a) in accordance with section 169 (which relates to the purpose of Te Kōpua Kānapanapa) and clause 10; and
(b) by working together in good faith and a spirit of co-operation; and
(c) by striving to achieve Te Kōpua Kānapanapa’s purpose while respecting that members have other statutory obligations and responsibilities.

12 No disqualification of local authority members
A person who is a member of Te Kōpua Kānapanapa and also a member of a local authority is not disqualified from participating in any decision making of the local authority just because the person is a member of Te Kōpua Kānapanapa.
13 Declaration of interest

(1) A member of Te Kōpua Kānapanapa must disclose any actual or potential interest in a matter to Te Kōpua Kānapanapa.

(2) Te Kōpua Kānapanapa must—
   (a) maintain an interests register that records the actual or potential interests disclosed to Te Kōpua Kānapanapa; and
   (b) decide whether any actual or potential interests that are disclosed to Te Kōpua Kānapanapa should prevent a member from participating in any decision making of Te Kōpua Kānapanapa; and
   (c) consider, and if necessary take steps to manage, any actual or potential conflict of interest.

(3) A member of Te Kōpua Kānapanapa has an actual or potential interest in a matter if that member—
   (a) may derive a financial benefit from the matter; or
   (b) is the spouse, civil union partner, de facto partner, child, or parent of a person who may derive a financial benefit from the matter; or
   (c) has or may have a financial interest in a person to whom the matter relates; or
   (d) is a partner, director, officer, or trustee of a person who has or may have a financial interest in a person to whom the matter relates; or
   (e) is otherwise directly or indirectly interested in the matter.

(4) However, a person is not interested in a matter if his or her interest is so remote or insignificant that it cannot reasonably be regarded as being likely to influence the person in carrying out his or her responsibilities as a member of Te Kōpua Kānapanapa.

(5) However, a member of Te Kōpua Kānapanapa is not precluded from discussing or voting on a matter by virtue only that—
   (a) the member is affiliated to an iwi or a hapū that has customary interests in the Taupo Catchment; or
   (b) the member has an interest in freehold Māori land; or
   (c) the member is also a member of a local authority; or
   (d) the economic, social, cultural, and spiritual values of an iwi or a hapū referred to in paragraph (a) and its relationships with Te Kōpua Kānapanapa are advanced by or reflected in—
      (i) the subject matter under consideration; or
      (ii) a decision or recommendation of Te Kōpua Kānapanapa; or
      (iii) the participation of the member in the matter.

(6) The affiliation of a member of Te Kōpua Kānapanapa to an iwi or a hapū that have interests in the Taupo Catchment is not in itself an interest that must be disclosed or recorded.

(7) In this clause, matter means—
   (a) Te Kōpua Kānapanapa’s performance of its functions and exercise of its powers; or
   (b) an arrangement, agreement, contract, or concession that Te Kōpua Kānapanapa has entered into or is considering; or
   (c) a concession or permit that Te Kōpua Kānapanapa has made or granted or is considering.

14 Waikato Regional Council to provide administrative support

(1) The Waikato Regional Council is responsible for the administrative support of Te Kōpua Kānapanapa.

(2) In subclause (1), administrative support includes the provision of those services that are required for Te Kōpua Kānapanapa to perform its functions under this Act, the Local Government Act 2002, or any other enactment that applies to the conduct of Te Kōpua Kānapanapa.

(3) The Waikato Regional Council must, on behalf of Te Kōpua Kānapanapa,—
   (a) hold any funds belonging to Te Kōpua Kānapanapa; and
   (b) account for the funds in a separate and identifiable manner; and
   (c) spend the funds in accordance with any direction given by Te Kōpua Kānapanapa.

15 Appointers to provide technical support

An appointer must provide technical support to Te Kōpua Kānapanapa to the extent that it is reasonably practicable for the appointer to do so.
16 Reporting
(1) Each year Te Kōpua Kānapanapa must provide an annual report to the appointers.
(2) The annual report—
   (a) must describe the activities of Te Kōpua Kānapanapa,—
       (i) for the first annual report, during the last 12 months; and
       (ii) for each subsequent annual report, during the 12-month period commencing on the day after
            the last date to which the previous annual report applied; and
   (b) must explain how those activities are relevant to Te Kōpua Kānapanapa’s functions and powers.
(3) Te Kōpua Kānapanapa must, at the request of the appointers, attend an annual meeting of the trustees
    and all other appointers and report on the work of Te Kōpua Kānapanapa for the last 12 months and the
    next 12-month period.

17 Review of Te Kōpua Kānapanapa
(1) Te Kōpua Kānapanapa must commence a review of its performance no later than the date that is 3 years
    after the first Te Kaupapa Kaitiaki is approved.
(2) The review must include consideration of the extent to which Te Kōpua Kānapanapa has achieved its
    purpose and performed its functions.
(3) The appointers may, at a time they agree, carry out a subsequent review of the performance of Te Kōpua
    Kānapanapa in accordance with subclause (2).
(4) Following a review of Te Kōpua Kānapanapa under subclause (1) or (3),—
    (a) the appointers may make recommendations to Te Kōpua Kānapanapa on any matter arising from
        the review; and
    (b) Te Kōpua Kānapanapa must consider the recommendations and the extent to which action is
        required to address the recommendations.
Report to Council

Date: 08 February 2019
Author: Tony Quickfall, Manager Policy
Tracey May, Director Science and Strategy
Authoriser: Vaughan Payne, Chief Executive
Subject: Healthy Environments Plan Review Committee Arrangements

Purpose
1. To confirm membership of the Healthy Environments Plan Review Committee and Terms of Reference.

Executive Summary
2. Council approved the governance arrangements for Healthy Environments in December 2018. The next steps of establishing the new Regional Plan Review Committee are to consider Terms of Reference and to appoint members.

3. Proposed terms of reference have been finalised and are to be presented to Council for endorsement. These terms of reference will then be presented to the first Regional Plan Review Committee meeting.

4. The Tūwharetoa-WRC co-governance committee (which will consider matters affecting Taupō waters) has existing terms of reference which provide for this role, and has existing membership.

5. Council will need to appoint both 6 elected members and 6 members nominated by the iwi groups to the RPRC. Staff propose regional geographical coverage as the basis for appointing elected members.

Staff Recommendation:
1. That the report “Healthy Environments Plan Review Committee” (Doc # 12839158 dated 08 February 2019) be received
2. That the Council endorses the Terms of Reference for the Regional Plan Review Committee (see attachment 2)
3. That the Council appoints 6 elected members to the Regional Plan Review Committee, with appointments covering the geographical constituent boundaries as follows:
   - Thames-Coromandel
   - Waikato and Hamilton
   - Waihou
   - Waipa
   - Taupō
   - Maori constituency (Nga Tai ki Uta or Nga Hau e Wha)
4. That the Council resolves to appoint 6 iwi members to the Regional Plan Review Committee, as nominated by each of the following iwi authorities, with 1 member each from the following iwi authorities:
   - Te Arawa River Iwi Trust
   - Tūwharetoa Maori Trust Board
   - Raukawa Charitable Trust
   - Maniapoto Māori Trust Board
Background

6. In December 2018, Council confirmed the Healthy Environments Regional Plan Review Committee; confirmed that the existing Tūwharetoa-WRC co-governance committee would consider matters affecting Taupō waters; and resolved to discuss Terms of Reference for the Regional Plan Review Committee (refer attachment 1).

Terms of Reference

7. The proposed Terms of Reference for the Regional Plan Review Committee (including an “as-needed” working group of the Regional Plan Review Committee), are attached (attachment 2). These Terms of Reference are consistent with Council’s standard approach to council committees. In summary, the Terms of Reference empower the Regional Plan Review Committee to develop plan change content of the reviewed regional plans (including reviewed and amended objectives, policies and rules), and to recommend proposed plan changes to full Council for notification. Matters affecting “Taupō Waters” are considered by the Tūwharetoa-WRC co-governance committee and recommend to Council. “Taupō waters” is defined in the JMA (which is the defined term provided by the Crown) as meaning:

The bed, water column and air space of Lake Taupō and designated portions of the Waihora, Waihaha, Whanganui, Whareroa, Kuratau, Poutu, Waimarino, Tauranga- Taupō, Tongariro, Waipahi, Waiotaka, Hinemaiaia and Waitahanui Rivers. For the sake of clarity, Taupō Waters does not include the water over that land.

8. In terms of iwi structure:
   a) The Tūwharetoa Maori Trust Board is the legal owner of “Taupō Waters”, and is Council’s co-governance partner pursuant to a JMA developed under the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010. The JMA provides for exploring opportunities with the Trust Board where decisions can be made jointly on matters that affect Taupō Waters.
   b) The Tūwharetoa comprehensive Treaty settlement legislation will set up a separate entity, Te Kopua Kanapanapa, with representatives from Tūwharetoa, WRC and Taupo District Council.
   c) Separate from the Healthy Environments project, the Treaty settlement legislation requires Te Kopua Kanapanapa to develop a Taupo catchment plan that provides policy direction (but not rules) for the management of the Taupō catchment.
   d) This Taupo catchment plan will inform the review of the regional plans.

9. Under the Resource Management Act (RMA), the Council retains the approval of final proposed plan changes for notification.

10. Elected member membership of the Regional Plan Review Committee would be re-constituted after the triennium elections on October.

11. Learnings from Healthy Rivers, Sea Change and other plan planning processes, confirm that sub-groups or working groups are often necessary to support the work of committees. These working group(s) provide process flexibility and a forum to consider specific issues or more technical aspects of plan development. As such, the Regional Plan Review Committee Terms of Reference also provide for working group(s). The need for working group(s) will be as-required, and determined by the Regional Plan Review Committee. Key aspects of the working group(s) are:
   a) They will workshop specific plan content (e.g. topics or chapters that might be contentious or which might require more technical consideration).
   b) They will provide a forum for free and frank discussion on technical matters between governors, staff and expert advisors that might be more constrained by the standing orders of Regional Plan Review Committee.
c) They will assist with project timeframes, by providing additional flexibility for content development outside the formal Committee process.

d) The group(s) will make recommendations to the Regional Plan Review Committee.

12. The proposed Terms of Reference (attachment 2) incorporate feedback from the iwi authorities represented on the Regional Plan Review Committee, at the time of preparing this report and the extent that this feedback aligns with Council’s statutory functions and standing orders.

13. Staff consider the Terms of Reference in attachment 2 reflect a consistent and workable approach, and commend these Terms of Reference for Council endorsement.

Council Representatives

14. The Regional Plan Review Committee provides for 6 elected members to be appointed to the Committee.

15. Healthy Environments will span all-of-region (including the Coastal Marine Area out to the 12 mile limit), and all natural resources. Given this, it will be important to ensure geographical region-wide coverage. Geographical based appointments would not only provide for constituent representation, but would also cover all natural resource domains within the Waikato region (land, air, water, and coast).

16. In terms of appointments of elected Maori constituents to the Regional Plan Review Committee, their role would be as representatives of Council rather than iwi, noting the separate iwi representation.

17. Staff therefore recommend that elected member appointments to the Regional Plan Review Committee be aligned to the geographical areas in the general constituencies. For the purposes of the Regional Plan Review Committee only, it is further recommended that the Hamilton constituency be included within the Waikato constituency area, because of the similarity and overlaps in resource management issues.

Non-elected Iwi Representatives

18. As a Committee of council, Council has the power to appoint non-elected iwi members to the Regional Plan Review Committee. At the time of writing, individual nominations from each of the iwi have not been confirmed. Accordingly, staff recommend that Council resolve to appoint a member nominated by each of the iwi to the Regional Plan Review Committee, rather than appoint a named member. Iwi nominated and appointed members need not be Trustees, but will have a governance role on the Regional Plan Review Committee.

Other Iwi

19. In addition to the six entities that we are working with, there are around 49 iwi in the Waikato region who are “iwi authorities” as defined under the RMA. There are a total of around 120 entities in the region affiliated with an iwi, in addition to 187 individual marae. Staff have developed an iwi engagement plan to ensure that all iwi authorities of the Waikato Region will have opportunity for input and involvement in the plan review in accordance with statutory requirements. Staff are intending to brief members on the wider project, including engagement and consultation approaches, at a workshop in March.

Next Steps

20. A workshop is scheduled in April 2019 with all members of the Regional Plan Review Committee and Tūwharetoa-WRC co-governance committee. The purpose of this workshop is to brief all members on the Healthy Environments project, covering matters like timeframes, engagement and consultation, current status, and project management, and to provide a forum for governor questions and answers.

21. A separate workshop is also planned in March to brief all elected members on the project engagement approach.
22. The inaugural meeting of the Regional Plan Review Committee will be in April 2019.

**Attachments**
1. Council resolution of December 2018 to establish Plan review Committee
2. Regional Plan Review Proposed Terms of Reference (Doc # 13526836).
Attachment One: Council resolution of December 2018 to establish Plan Review Committee

WRC18/
 Moved by: Cr Kneebone
 Seconded by: Cr Hodge

1. THAT the report “Healthy Environments Governance Arrangements” (Doc # 13418091 dated 22 November 2018) be received.

2. THAT Council confirms the Regional Plan Review Committee, as a committee of council, comprising 6 elected members of Waikato Regional Council, and one member each from Waikato Tainui, Raukawa, Maniapoto, Tūwharetoa, Te Arawa River Iwi and Pare Hauraki.

3. THAT regional plan review matters affecting Taupō Waters, as defined in the Tūwharetoa Māori Trust Board and Waikato Regional Council Joint Management Agreement, to be undertaken by the Tūwharetoa Māori Trust Board and Waikato Regional Council Co-Governance Committee. Further, that this governance arrangement is reviewed six months from commencement to assess progress and continued operation.

4. THAT the Terms of Reference for the Regional Plan Review Committee be brought back to council at its February 2019 meeting for discussion.

The motion was put and carried
Attachment Two: Regional Plan Review Committee Proposed Terms of Reference

Terms of Reference Healthy Environments He Taiao Mauriora Plan Review Committee 2016-2019 triennium

Status: Draft updated January 2018 - refer master document, TOR for all Council Committees (Doc # 8781464)

Amendments incorporated:
- Waikato Tainui feedback
- Pare Hauraki feedback

REPORTING TO: Waikato Regional Council

Six (6) Councillors

Six (6) representatives, appointed by each entity, one (1) from each:
- Te Arawa River Iwi Trust
- Tūwharetoa Māori Trust Board
- Raukawa Charitable Trust
- Maniapoto Māori Trust Board
- Waikato Raupatu River Trust
- Pare Hauraki (Hauraki Collective)

Iwi representatives are to be nominated by the relevant iwi and confirmed by Council. Iwi representatives need not be Trustees.

CONSTITUTION: Up until the point of public notification of the last plan change relating to the review of the Operative Waikato Regional Plan and Operative regional Coastal Plan. In accordance with Schedule 7 Clause 30(7) of the Local Government Act 2002, this committee is not deemed to be discharged following each triennial election.

DURATION

This Committee will be reconstituted, with membership of elected members reconfirmed, following each Council Triennium election.

QUORUM: Six (6) made up of three (3) Councillors and three (3) Iwi representatives.

MEETING FREQUENCY: Bi-monthly or as required.

OBJECTIVE: To provide governance oversight of the review the Operative Waikato Regional Coastal Plan and Operative Waikato Regional and to recommend plan changes to Council for notification.
SCOPE OF ACTIVITY:

In scope
1. Review of the Operative Waikato Regional Coastal Plan and Operative Waikato Regional Plan change(s), up to the point of recommendation to notify plan change(s) to Council.
2. Consideration of s32 Resource Management Act evaluation report(s) in support of changes to the regional plans.
3. Ensure that legislative obligations and limitations, statutory obligations and limitations, and national directions relating to the review are taken into account and complied with.

Out of Scope
4. The scope of the committee does not include:
   a. Matters relating to Plan Change 1, Healthy Rivers Wai Ora plan change relating to the Waikato and Waipa Rivers.
   b. Matters affecting Taupō Waters, as defined in the Tūwharetoa-WRC Joint Management Agreement. (Plan review “matters affecting Taupō Waters” will be deferred by the Plan Review Committee to the Tūwharetoa-WRC co-governance committee).
   c. Any part of the RMA process past the point of public notification of each particular topic, plan change, phase, or package of reviewed provisions.
   d. Approval of plans and plan changes. (Approval of matters falling within the Coastal Marine Area rests with the Minister of Conservation. Approval of all other plan review matters rests with full Council).
   e. Operational, management or project decisions relating to the day–to-day project management of the plan review process, including operational time, scope and budget.
   f. Matters relating to Treaty Settlement negotiations.

POWER TO ACT:
5. Each member of the committee as a collective is empowered to:
   a. Receive reports and presentations on the matters set out in the Scope of Activity.
   b. Establish Plan Review Working Group(s) on a case by case basis, if required, and determine meeting frequency of the working groups, and membership (refer Appendix 1 for template Terms of Reference).

POWER TO RECOMMEND:
6. Each member of the committee as a collective is empowered to recommend to Council, changes to the operative Waikato Regional Coastal Plan and Waikato Regional Plan.

PROCEDURAL PRINCIPLES:
7. Council Standing Orders apply to this Committee.
8. Pursuant to s18A of the Resource Management Act 1991, the committee shall take all practicable steps to:
   a. use timely, efficient, consistent and cost-effective process that are proportionate to the functions or powers being performed or exercised
   b. ensure that regional plan changes
      i. include only those matters relevant to the purpose of the Resource Management Act
      ii. are worded in a way that is clear and concise.
Plan Review Working Group(s) Terms of Reference

Purpose and scope:
  a. The scope of the Plan Review Working Group is limited solely to plan review content and does not include any process or project management considerations.
  b. The purpose of the Plan Review Working Group is to:
     i. Review and consider plan review draft content and supporting section 32 analysis
     ii. Receive and consider technical aspects, including technical reports, on specific plan review topics
     iii. Ensure that legislative obligations and limitations, statutory obligations and limitations, and national directions relating to the review are taken into account and complied with
     iv. Consider draft plan changes in a full and frank forum that facilitates open discussion between governors and staff.

Membership:
  a. Members:
     - As determined by the Plan Review Committee
  b. Staff and/or Contracted Technical advisors:
     - As needed
  c. Chair: as needed
  d. Facilitator: as needed

Powers:
  a. Review and recommend amendments to draft content
  b. Receive and consider technical reports including section 32 RMA evaluation report(s)
  c. Recommend draft content to the Plan Review Committee.

Decision making process:
  a. Strive for consensus
  b. Where consensus cannot be reached the Plan Review Working Group will recommend options to the Plan Review Committee for a decision, with a preferred option identified based on majority preference.

Meetings:
  Meeting frequency as required and determined by the Plan Review Committee. Meetings will be hosted by WRC at WRC premises or other premises as agreed.
Structure and Decision Diagram

Approvals of proposed Changes to notify
Decisions on Submissions
- Minister of Conservation (approval of changes within the Coastal Marine Area)
- Council (approval of changes other than Coastal marine Area parts)

Recommend to Council Recommendations on Content
Plan Review Committee
Tuwharetoa-WRC Co-governance Committee for matters affecting Taupo Waters

Review and Recommend Draft Plan Content
Plan Review Working Group(s)

Glossary
a. Draft, means plan provisions that are in draft form and not yet approved for public notification.
b. Proposed, under the RMA means plan provisions and plan change(s) which are proposed or approved for public notification, or which have been publicly notified.
c. Operative, under the RMA means provisions which have been through Resource Management Act first schedule consultation process, are beyond appeal, and are either deemed operative or have been approved as operative.
d. Decision, means a decision under delegated authority or in accordance with the Resource Management Act.
e. Approval, means approval in accordance with the Resource Management Act.
f. Recommendation, means a recommendation for a decision or approval.
Report to Council

Date: 28 February 2019

Author: Derek Hartley - Senior Emergency Management Officer

Authoriser: Vaughan Payne – Chief Executive

Subject: Appointment of Alternate Regional On-Scene Commander

Purpose
1. To seek approval of James Peter Buell (currently a Regional On-Scene Commander (ROSC) for Bay of Plenty Regional Council) as an Alternate ROSC for Waikato Regional Council’s marine oil spill response function.

Executive Summary – Waikato Regional Council Regional On-Scene Commanders
2. There are currently two staff members within ICM who are appointed as ROSCs and have the current required qualifications. They are Richard Barnett and Adam Munro.

3. In addition, Adrian Heays, a ROSC for the Bay of Plenty Regional Council has been approved to act as an alternate ROSC for the Waikato region. This helps with ensuring depth and expertise in cases of complex, protracted and/or large marine oil spill events.

4. (James) Peter Buell, completed training and was appointed ROSC at Bay of Plenty Regional Council (BOPRC) on 6 March 2015.

5. To further enhance Waikato Regional Council’s capability and capacity with regards to marine oil spill response, it is recommended that (James) Peter Buell also be appointed as alternate ROSC for the Waikato region. Peter’s addition to the Waikato Region’s ROSC team will reinforce council’s marine oil spill response capacity and capability.

Staff Recommendations:

1. That the report “Appointment of Alternate Regional On-Scene Commander” (Doc #13635779 dated 28 February 2019) be received, and

2. That James Peter Buell (ROSC – Bay of Plenty Regional Council), be appointed as Alternate Regional On-Scene Commander for the Waikato Region under section 318 (1) (b) of the Maritime Transport Act 1994.

Background
6. Waikato Regional Council has responsibilities under the Maritime Transport Act 1994 to prepare for and manage marine oil spill events within the Waikato region. In addition to regional responsibilities, Waikato Regional Council also forms a part of the national response capacity for large marine oil spill events.

7. A key role within the marine oil spill response function is that of the ROSC. The principle objective of the ROSC is to manage the prevention of further pollution from an oil spill incident and lead the containment and clean up of the oil spill in accordance with marine oil spill contingency plans.
Issue
8. There are currently two staff members within council’s Integrated Catchment Management (ICM) directorate who are appointed as ROSC’s and have current required qualifications. One of the appointed staff however is of limited availability, therefore council is in need of alternatives who can lead a response.

Assessment of Significance
9. Having regard to the decision making provisions in the LGA 2002 and council’s Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance.

Costs and cost recovery
10. In the event that the alternate ROSC is engaged, it is anticipated that costs to cover travel and accommodation will be incurred by council. Those costs will be recovered from the ‘spiller’ (directly or through their insurance company) or if not practicable, then Maritime New Zealand will reimburse council.

Legislative context
11. ROSC’s are trained by Maritime New Zealand (MNZ) and appointed by regional councils under section 318 of the Maritime Transport Act 1994. A copy of section 318 is attached as Appendix 1. To be appointed, ROSC’s must obtain the ROSC qualification by achieving a pass grade at the Maritime New Zealand ROSC course.

12. Under existing policy, regional councils can only appoint persons to be a ROSC with the approval of the Director of Maritime New Zealand (section 318(5) of the Maritime Transport Act 1994). In order to gain the approval of the Director of Maritime New Zealand, a person must attend and pass the regional on-scene commander training course. In order to retain their qualification, a ROSC is required to revalidate their training by attendance at an on-scene commander course every six years.

Preferred Option
13. To maintain capability and capacity to respond to marine oil spills within the Waikato region, the preferred option is to have alternate ROSC’s available to assist as and when necessary.

Policy Considerations
14. To the best of the writer’s knowledge, this decision is not significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Conclusion
15. The appointment of a further alternate ROSC will assist to mitigate the following risks -
   - Unavailability of Waikato region based ROSC’s, and
   - Continuous unreasonable demand made of current ROSC’s in the event of a complex and/or protracted marine oil spill event.

Attachments
Appendix 1 Maritime Transport Act 1994, section 318
Appendix 1

Maritime Transport Act 1994, section 318

318 Appointment of regional on-scene commanders

(1) Every regional council shall from time to time appoint—

(a) a regional on-scene commander for its region; and

(b) a person or persons, who shall perform the functions and duties and may exercise the powers of a regional on-scene commander, if the office of regional on-scene commander is vacant or the regional on-scene commander is absent, for so long as that vacancy or absence continues.

(2) Any person appointed under subsection (1)(b) shall, subject to the terms of appointment, be deemed to be a regional on-scene commander during any vacancy or absence.

(3) The regional on-scene commander of a regional council shall manage and co-ordinate the response of, and direct the use of the resources available to, that regional council, in relation to any marine oil spill in respect of which the council is taking action.

(4) A regional council shall, in appointing any person or persons under paragraph (a) or paragraph (b) of subsection (1), appoint only such person or persons as are qualified under the marine protection rules to act as regional on-scene commanders.

(5) If the marine protection rules do not prescribe qualifications for a regional on-scene commander, a regional council shall appoint, under paragraph (a) or paragraph (b) of subsection (1), only those persons who are approved by the Director.
Report to Council

Date: 24 January 2019

Alejandro Cifuentes, Policy Advisor, Policy Implementation

Author: Tracey May, Director Science and Strategy

Authoriser: Vaughan Payne, Chief Executive

Subject: Request from Hauraki District Council for Councillor participation in Kaiaua Pūkorokoro/Miranda community plan

Purpose

1. To present a request from Hauraki District Council (HDC) to appoint three Waikato Regional Councillors (Councillors Hugh Vercoe, Stu Husband and Kataraina Hodge) onto a Joint Working Party that will participate in, and guide, the development of the Kaiaua Pūkorokoro/Miranda community plan.

Staff Recommendation:

1. That the report ‘Request from Hauraki District Council for Councillor participation in Kaiaua Pūkorokoro/Miranda community plan’ (Doc # 13673674 dated 24 February 2019) be received.

Background

2. HDC is preparing a community plan for the Kaiaua Pūkorokoro/Miranda coastal area (situated on the western side of the Firth of Thames).

3. HDC has identified the need for community planning. Kaiaua, Pūkorokoro/Miranda Coast and Ngatea will be the first communities to go through this process. The community plan will look at a range of issues for these areas such as water and wastewater services, flood protection, economic development and land use planning, in a coordinated way that will deliver common objectives.

4. The preparation of community plans is also a work stream of the Waikato Plan and will contribute to local civil defence recovery plans that local authorities are required to prepare and update with support from the CDEM group.

5. The Kaiaua and Pūkorokoro/Miranda Community Plan needs to holistically plan for the future of these coastal communities. The project will focus on three key areas:
   a. Climate change and natural hazards
   b. District plan zoning and infrastructure
   c. Economic opportunities.

6. In parallel, Waikato Regional Council (council) staff are currently scoping a work programme to better understand the sustainability of flood protection and land drainage infrastructure. It will specifically explore various issues that (or are expected) affect the sustainability of council’s land drainage and flood protection infrastructure, including looking at options to respond to these issues over the coming decades.
7. A technical advisory group (TAG) for the project has been established, comprising staff from HDC, Waikato Regional Council and Waikato District Council (WDC). At the TAG’s first meeting, held at the end of 2018, it was agreed that HDC would make a formal request to WRC for representation on the joint working party and discuss representation with WDC (see Attachment 1). It was also agreed that the TAG would prepare draft terms of reference for presentation to the joint working party at their first meeting.

Attachments
1. HDC Memo (14 January 2019): Request for WRC representation on joint working party (Doc # 13678443).
Memorandum

To: Alejandro Cifuentes
From: Nina Murphy, Policy Planner
Date: Monday, 14 January 2019
File reference: 2515107
Attachments:
Subject: Request for WRC Elected Member Representation on Kaiaua Pūkorokoro/Miranda Community Plan Joint Working Party

Purpose

This memo seeks the appointment of Councillors Hugh Vercoe, Stu Husband and Kataraina Hodge to the Kaiaua Pūkorokoro/Miranda Community Plan Joint Working Party.

Background

Hauraki District Council (HDC) is preparing a community plan for the Kaiaua Pūkorokoro/ Miranda coastal area (situated on the western side of the Firth of Thames). The project is defined in the HDC Long Term Plan 2018-2028 as follows:

The need for community planning has been identified for our local communities with the Kaiaua and Pūkorokoro / Miranda Coast and Ngatea areas being the first we’ll work on. This planning will look at a range of issues for these areas such as water and wastewater services, flood protection, economic development and land use planning, in a coordinated way that will deliver common objectives. The preparation of community plans is also a work stream of the Waikato Plan and will also tie in with local civil defence recovery plans that we need to start preparing. We’ll start the Kaiaua community planning in 2018/19.

The Kaiaua and Pūkorokoro/Miranda Community Plan needs to holistically consider planning for the future of these coastal communities. The project will focus on three key areas:

1. Climate change and natural hazards,
2. District plan zoning and infrastructure, and
3. Economic opportunities.

A technical advisory group (TAG) for the project has been established, comprising staff from HDC, Waikato Regional Council (WRC) and Waikato District Council (WDC). At the TAG’s first meeting, held at the end of 2018, it was agreed that HDC would make a formal request to WRC for representation on the joint working party and discuss representation with WDC. It was also agreed that the TAG would prepare draft terms of reference for presentation to the joint working party at their first meeting.
Governance of the project

A key part of the community plan is developing a long term strategic planning framework for dealing with coastal hazards and climate change effects on the communities of the Kaiaua and Pūkorokoro/Miranda Coast. HDC believes that WRC involvement both at staff and political level is necessary because the management of natural hazards is an important function of both councils, and WRC staff have natural hazard expertise. This project also provides an opportunity to provide a test case for WRC’s draft natural hazard risk assessment framework.

HDC and WRC already have an established works and services joint working party for Kaiaua. This working party is tasked with considering drainage issues and finding solutions. It was initially considered that this working party could be broadened to include the community plan project. However, the Mayor and Chair of this working party had concerns that adding the community plan project may slow down the outputs of the drainage project. Therefore, HDC has concluded that a separate joint working party will be required for the community plan project and it is important that the projects inform each other and do not duplicate work.

HDC also proposes that iwi representatives be included on the joint working party, as Councils are required to take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga, as per the Local Government Act 2002 and the Resource Management Act 1991.

At its meeting of 26 September 2018, HDC resolved as follows

THAT the report be received, and

THAT Council accepts the Kaiaua Pūkorokoro/Miranda Community Plan project scope.

THAT Council seeks to form the Pūkorokoro/Miranda Community Plan joint working party with Waikato Regional Council and Iwi to govern the Kaiaua Pūkorokoro/Miranda Community Plan project.

THAT Council appoints the Mayor, Crs Gill Leonard, Don Swales and Ross Harris to represent Council on the Kaiaua Pūkorokoro/Miranda Community Plan joint working party.

THAT the Kaiaua Pūkorokoro/Miranda Community Plan joint working party investigate costs associated with undertaking the community plan and report back to Council on the preferred options for:
   a) the community plan project (options 1, 2, 3), and
   b) undertaking a natural hazard and risk assessment (options a, b, c).

The TAG also recommends that Waikato District Council be invited to join the joint working party (with one representative), as their District extends to the coast at Miranda, and is facing the same natural hazard issues and the rest of the coast.

Request for WRC Elected Member Representation

HDC requests that WRC appoint Councillors High Vercoe, Stu Husband and Kataraina Hodge to the Kaiaua Pūkorokoro/Miranda Community Plan Joint Working Party.

Nina Murphy
POLICY ANALYST
Decision Report

To: Mayor and Councillors
From: Policy Analyst
Date: Monday, 10 September 2018
File reference: Document: 2427253
Appendix A: 2406841
Portfolio holder: Mayor, Councillor Milner
Meeting date: Wednesday, 26 September 2018
Subject: Kaiaua Pūkorokoro/Miranda Community Plan

Recommendation:
THAT the report be received, and
THAT Council accepts the Kaiaua Pūkorokoro/Miranda Community Plan project scope.
THAT Council seeks to form the Pūkorokoro/Miranda Community Plan joint working party with Waikato Regional Council and Iwi to govern the Kaiaua Pūkorokoro/Miranda Community Plan project.
THAT Council appoints the Mayor, Crs Gill Leonard, Don Swales and Ross Harris to represent Council on the Kaiaua Pūkorokoro/Miranda Community Plan joint working party.
THAT the Kaiaua Pūkorokoro/Miranda Community Plan joint working party investigate costs associated with undertaking the community plan and report back to Council on the preferred options for;
a) the community plan project (options 1, 2, 3), and
b) undertaking a natural hazard and risk assessment (options a, b, c).

1 Purpose
This report provides a scoping document for the Kaiaua Pūkorokoro/Miranda Community Plan project and proposes that a joint working party be formed to govern the project. Further, this report proposes that the working party investigate options for undertaking the community planning process, including a natural hazard and risk assessment for input into the community plan project, and report back to Council with detailed costings.

The matter or suggested decision does involve a new project.

2 Background
The community plan project as defined in the Long Term Plan 2018-2028:
The need for community planning has been identified for our local communities with the Kaiaua and Pūkorokoro / Miranda Coast and Ngatea areas being the first we’ll work on. This planning will look at a range of issues for these areas such as water and wastewater services, flood protection, economic development and land use planning, in a coordinated way that will deliver common objectives. The preparation of community plans is also a work stream of the Waikato Plan and will also tie in with local civil defence recovery plans that we need to start preparing. We’ll start the Kaiaua community planning in 2018/19.

An earlier community plan (Kaiaua Wharekawa Coastal Compartment Management Plan 2010) was prepared for the Kaiaua Pūkorokoro/Miranda coastal area when it was part of Franklin District. It was prepared by Auckland Regional Council, Waikato Regional Council (WRC) and Franklin District Council. The area studied was the western coastline of the Firth of Thames from Pūkorokoro in the south to Matingarahi in the north. This plan has a community based vision, objectives and an action plan. Due to council amalgamation it has largely not been implemented by HDC, but provides a useful base of information to feed into the development of the Kaiaua Pūkorokoro/Miranda community plan.

What is a community plan?
Community planning can be summarised as:

> Community planning is a process in which community stakeholders identify a long-term vision for the future for an area and a plan of action to achieve that vision.

Community plans encompass a wide variety of plans (e.g. structure plans, master plans, community development plans) and can have differing levels of community engagement. They range in scope from plans that are wholly owned and community driven - “planning for the community by the community” to plans that may be drafted by Council and then “consulted on”. Community planning processes provide an opportunity to address a range of issues together (i.e. an integrated plan) and can result in spatial plans, action plans or both.

It is proposed that the Kaiaua Pūkorokoro/Miranda community plan takes a “middle of the road” approach whereby the process of preparing the plan will be run collaboratively by Councils, Iwi and a group of community representatives. Thus actively involving people in building their own sustainable and resilient communities that reflect their values and vision while also meeting the Councils statutory obligations. Councils will also have input into the actions that are identified in the community plan (by the community) and thereby Councils can manage expectations over which projects and programmes the relevant Council will undertake and when they are likely to occur.

Project planning
A project scoping document (Appendix A) has been prepared to outline the broad details of the community plan project, including:

- three key areas of focus for the community plan (1. climate change and natural hazards, 2. district plan zoning and infrastructure, and 3. economic opportunities);
- the physical area covered by the plan (the unprotected area of HDC district northward of Pūkorokoro/Miranda hot springs, see map below);
- governance of the project (through a joint working party, see discussion in issues and options section below);
- implementation of the plan (through the District Plan, Long Term Plan, and non-statutory methods); and

Map showing Hauraki District Boundary, communities, and area of community plan

3 Issue and options

Community planning process
There will be issues that Council is obliged to address in the planning process, for example it is recognised that a major consideration for the future of the Kaiaua Pōkorokoro/ Miranda area is the potential effects of natural hazards and climate change. This issue will require technical expertise to determine natural hazard risk and options for dealing with this.

Suggested options for addressing natural hazards and climate change through the community planning process are:

1. To identify the hazard risk and options for dealing with this risk in the community plan. Identifying a preferred option would then be a future action in implementing the community plan, i.e. to be undertaken in the next step in the process after the community plan is adopted. This was the approach taken with the Kaiaua Wharekawa Coastal Compartment Management Plan (Kaiaua Wharekawa CCMP).

2. To provide for the long term and uncertain nature of climate change through providing an “adapt as we go” pathway, in the community plan, that can respond to the effects of climate change. This option is in line with Ministry for the Environment Coastal Hazard and Climate Change Technical Guidance 2017.

3. To adopt a likely climate change scenario (i.e. the middle sea level rise projection), identify options and then a preferred option in the community plan to address this level of effect.
The likely costs and benefits of these approaches are examined in the table below:

<table>
<thead>
<tr>
<th>OPTIONS</th>
<th>COSTS</th>
<th>BENEFITS</th>
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| Option 1 – identify options for addressing natural hazard risk | • Repeats the Kaiaua Wharekawa CCMP process.  
• Requires external resources.  
• Risks that the further action required to identify the preferred option will not be implemented and could fall into the “too hard basket”. | • Community plan can be completed faster  
• Requires less technical expertise and cost up front – delays it to a later stage. |
| Option 2 – identify “adapt as you go” approach to addressing natural hazard risk | • Requires external resources and has the highest up front cost of the 3 options. | • Results in a flexible pathway that can be followed and adjusted as forecasted effects become more certain.  
• Is an approach recommended in MfE technical guidance. |
| Option 3 – identify preferred option for addressing a “likely” natural hazard risk scenario | • Requires external resources and imposes more cost up front that option 1.  
• Risks adopting a scenario that does not eventuate as forecast. | • Gives a higher level of certainty (though this may be false) as to the preferred outcome and risk to be managed. |

It is recommended that the working party investigate these options further, including the costs associated with each, such as adaptive planning expertise, and coastal engineering and economic analysis of options. It is expected that these costs will be more than the $20,000 budgeted for the community plan in the 2018/2019 year.

Furthermore, all of the options for community planning identified above require a natural hazard and risk assessment to be undertaken, refer to the following section for more detail.

Hazard and risk assessment
A key input for the community plan is a natural hazard and risk assessment. A coastal processes and hazards study was completed by Tonkin and Taylor in 2009, as part of the development of the Kaiaua Wharekawa CCMP.

This study highlighted:
- Coastal flooding and inundation are key issues along the coast, and are occurring in the low lying areas of Pūkorokoro, Kaiaua and Whakatiwai. The flooding and inundation is primarily caused by storm derived northerly winds increasing local water levels over a high tide.
- Coastal erosion is also an issue at locations. The shoreline is generally stable, however, long term coastal retreat or wave attack affects some areas along East Coast Road. The primary focus of this erosion is the coastal strip immediately south of Kaiaua. While no infrastructure is current at risk, the rate of coastal retreat indicates that East Coast Road could be at risk in 10 – 15 years.
- Coastal erosion also puts the East Coast Road at risk in other locations, particularly between Kaiaua School and Whakatiwai.

It is proposed to use this earlier work in any hazard and risk assessment to be undertaken for the community plan. There are 4 options proposed for undertaking the assessment:
- **Review initial Tonkin and Taylor coastal inundation risk in light of updated sea level rise predictions, for the 3 areas (Pūkorokoro, Kaiaua, and Whakatiwai) indicated to be at risk in the earlier study.**
b) Review natural hazard assessment and risk (including river flooding) for the entire community plan study area.

c) Undertake natural hazard assessment and risk study for the whole of the Firth of Thames, in conjunction with Thames Coromandel District Council (TCDC) and WRC.

It is recommended that the working group investigate these three options further and bring back a preferred option to Council, with detailed costings.

Staff have had initial discussions with TCDC and WRC and agree there is merit in working together and sharing costs for technical information such as hazard assessments. However, there is uncertainty over timing and costs for this work and how it will fit in with work programmes.

WRC advise they are developing a Natural Hazards Risk Assessment Framework which will identify areas at “intolerable risk” from natural hazards. These areas would eventually become subject to controls on development through district and regional plans. Timing of this work is unknown, though the framework is due to be presented to the regional natural hazards forum this month.

TCDC has recently adopted a Coastal Management Strategy and will be preparing shoreline management plans to address flood and/or erosion issues for at-risk lengths of coastline. As part of this they will be undertaking natural hazard assessment work.

**Governance**

Council already has an established works and services joint working party for Kaiaua, with WRC. This working party is tasked with considering drainage issues and finding solutions. It was initially considered that this working party could be broadened to include the community plan project. However, the Mayor and Chair of this working party had concerns that adding the community plan project may slow down the outputs of the drainage project. Therefore, a separate governance group will be required for the community plan project and it is important that the projects inform each other and do not duplicate work.

WRC involvement both at staff and political level is considered relevant because the management of natural hazards is an important function of both councils, and WRC staff have natural hazard expertise. WRC may also be able to help fund hazard and risk assessment work required for the project.

It is proposed that iwi representatives be included on the joint working party, as Council is required to take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga, as per the Local Government Act 2002 and the Resource Management Act 1991. It is further suggested that Iwi be involved in the collaborative process, in a manner to be determined by them.

In conclusion, it is recommended that an approach be made to WRC and Iwi to establish a joint working party to oversee the governance of the project. This group could consist of the Mayor and HDC councillors (Crs Gill Leonard, Don Swales and Ross Harris), WRC councillors, and Iwi representatives.

It is also proposed as part of the project, to establish a community liaison group. This group would comprise Kaiaua Advisory Group members, and other community and key stakeholder representatives such as DoC, business and recreational interests.

It is further suggested that a staff advisory group be formed with relevant staff from HDC and WRC. It is considered that Waikato District staff be invited to be involved, because the project area borders the Waikato District at Pūkorokoro/Miranda and this area is subject to the same hazard as surrounding land within the Hauraki District.

Refer to following diagram for possible governance structure:
4 New deliverable

The Local Government Act 2002 now requires that all local government deliverables (whether it be an activity, service, project, programme, grant or involve any other form of expenditure) must align to the purpose of local government as outlined in Section 10 of the Local Government Act.

For Council’s information, the decision involves a new project. It is therefore considered to be aligned with the purpose of local government as it provides:

- local public service
- other core service as defined by legislation

5 Significance and Engagement Assessment

This decision does trigger the Significance and Engagement Policy Assessment Tool and therefore is considered significant under the Significance and Engagement Policy 2014.

The level of engagement considered appropriate for this matter, at this point in time, is to collaborate (i.e. working together to develop understandings and identify preferred solutions) with Iwi, WRC and the community through establishing a governance group, community group and staff technical group.

6 Budget Implications

Current project budget is $20,000 for 2018/2019 financial year in 2018-2028 Long Term Plan. The community plan is likely to exceed this budget through the requirement for technical expertise such as natural hazard and risk assessment; and council and non-council funding sources need to be investigated.

7 Recommendation

Council should make its decision on which option to choose based on that option being the most cost effective, and good quality option for the Hauraki District (s10 of the Local Government Act 2002).

It is recommended that Council accept the project scoping document for the Kaiwai Pōkorokoro/Miranda Community Plan and seeks to form a joint working party with WRC and Iwi to govern the project. It is also recommended that the working party present a proposal to Council on preferred options and likely costs for the community planning process, including a natural hazard and risk assessment.

Nina Murphy
POLICY ANALYST
KAIAUA AND PŪKOROKORO/MIRANDA COMMUNITY PLAN

Scope of the project

The project as defined in the Long Term Plan 2018-2028:

The need for community planning has been identified for our local communities with the Kaihua and Pūkorokoro / Miranda Coast and Ngatea areas being the first we’ll work on. This planning will look at a range of issues for these areas such as water and wastewater services, flood protection, economic development and land use planning, in a coordinated way that will deliver common objectives. The preparation of community plans is also a work stream of the Waikato Plan and will also tie in with local civil defence recovery plans that we need to start preparing. We’ll start the Kaihua community planning in 2018/19.

As mentioned above the Kaihua and Pūkorokoro/Miranda Community Plan needs to holistically consider planning for the future of these coastal communities. The project will focus on three key areas:

1. Climate change and natural hazards,
2. District plan zoning and infrastructure, and
3. Economic opportunities.

1. Climate change and natural hazards

Due to existing, and potentially increasing, risk from natural hazards, there needs to be a focus on developing a long term strategic planning framework for dealing with coastal hazards and climate change effects on the communities of the Kaihua and Pukorokoro Miranda Coast.

The plan will need to identify options for dealing with coastal hazards and climate change, recognising that risks are changing and there is a high level of uncertainty about the rate of sea level rise. The plan process needs to ensure that the communities of the Kaihua coast are informed and prepared to deal with the challenges of coastal hazards, building community resilience.

2. District plan zoning and infrastructure

An important part of the project is also undertaking a review of the current zoning of the area; which currently remains under the Franklin District Plan. The community plan will provide guidance for district plan changes to incorporate this area within the Hauraki District Plan. The hazard work identified above is also key to determining the appropriate zoning of the area to ensure future development reflects the aspirations of the community and council and does not increase natural hazard risk. Infrastructure provision must be considered alongside zoning to reflect appropriate levels of service for any anticipated development or changes in development in the area.

3. Economic opportunities

Another key part of the focus of this project is considerations of local economic opportunities, in particular the Hauraki Rail Trail and freedom camping. Māori cultural sites and European and Māori heritage also require protection from development.

These sit alongside environmental considerations and in particular identified significant environmental features, which need protection, such as the wading bird habitat and wetlands on
the shores of the Firth of Thames which are recognised as a RAMSAR area for migratory birds and the outstanding landforms of the Miranda Chenier Plain and Whakatiwai Gravels.

An initial background research document has been prepared for this project that covers the physical/natural, social, and cultural features of the area, as well as broadly outlining climate change and hazard issues ref #2214243.

The Kaiapua Wharekawa Coastal Compartment Management Plan was prepared in 2010 by the Auckland Regional Council, Waikato Regional Council and Franklin District Council, prior to this area being amalgamated through local government review. This plan is considered a community plan and provides a useful source of information for this project, ref #2447780, 2211587.

**Area covered by the project**

The area to be covered by the plan/strategy is all the unprotected land (not covered by flood protection schemes) on the western side of the Firth of Thames, that falls within the Hauraki District and a small part in the Waikato District. This is an area of land from the Pūkorokoro/Miranda hot springs northward including the coastal communities of Pūkorokoro/Miranda, Kaiapua, Whakatiwai, and Waharau, refer map below.

*Map showing Hauraki District Boundary (green line) and communities*
Governance structure

It is proposed that a joint working group be established to work on the project and make recommendations to Council. This group could comprise HDC Councillors, WRC Councillors, and Iwi representatives. Further, that a community group be established to collaborate on the project. This group could include Kaiaua Advisory Group members and other community and key stakeholder representatives.

It is further suggested that a staff advisory group be formed with relevant staff from HDC and WRC. Because the project area borders the Waikato District at Miranda/Pūkorokoro and this area is subject to the same hazard as surrounding land within the Hauraki District, it is also suggested that Waikato District Council be advised of the project and staff invited to attend the staff advisory group meetings.

Implementation

Implementation of the plan/strategy will include district plan changes, and changes to the Long Term Plan to include projects such as the provision of infrastructure and community services, adaptation to climate change, and natural hazard mitigation or avoidance. Implementation may also include regional plan changes and changes to the regional Long Term Plan.

Other implementation actions may be the responsibility of other agencies e.g. Department of Conservation, and/or may be non-statutory in nature, e.g. advocacy.

Work programme

To be undertaken in the 2018/2020 financial years, starting 1 July 2018.

Budget

HDC - $20,000 allocated in LTP for the project, plus staff time.

Rationale for the project

Long Term Plan 2018-2028

Council has identified in the LTP, the need to undertake community planning in the wider Kaiaua area to look at a range of issues, such as water and wastewater services, flood protection, economic development and land use planning, in a coordinated way that will deliver common objectives.

New Zealand Coastal Policy Statement

It is also considered that Council needs to undertake this project as the avoidance or mitigation of natural hazards is one of the core services to which councils must have particular regard when performing their roles. The New Zealand Coastal Policy Statement (NZCPS) requires councils to consider and plan for coastal hazards risks. Under Policy 24 (1), councils are required to:

"Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed..."

Without planned response, adaptation could be ad-hoc and limit future options, risks to communities could also continue to increase over time. Councils are also responsible for ensuring that the risks of social, environmental and economic harm from coastal hazards are not increased (Policy 25 NZCPS).
Civil Defence and Emergency Management Act 2002, Sendai Framework for Disaster Recovery

The 2016 amendments to the CDEM Act 2002 provides an increased focus to strengthen recovery planning to ensure that measures are in place to minimize the consequences of emergencies on communities and help communities recover more efficiently and effectively from emergencies.

The Sendai Framework for Disaster Recovery refers to this pre-event planning as ‘Build Back Better’. It refers to the fact that communities which have taken actions prior to the onset of a disaster to strengthen recovery capacity and decision-making effectiveness will ‘Build Back Better’ during the extended period of recovery, rehabilitation and reconstruction. This preparation includes building capacity with the creation of recovery-focused relationships, the establishment of planning and coordination mechanisms and the introduction of methods and procedures to ensure recovery activities are adequately informed and supported.

It is the responsibility of the CDEM Group and each member to ensure our communities are well-placed and supported to recover from any emergencies from the hazards and risks identified in the CDEM Group Plan. The ‘Strategic Planning for Recovery’ Director’s Guideline is a key reference document to support recovery planning.

Recent flooding events

A plan/strategy for the Kaiaua and Pūkorokoro Miranda coast is considered necessary due to the existing, and potentially increasing, hazard risk. The following are examples of flooding/coastal inundation in this area:

- During Cyclone Drena (Jan 10-12, 1997) flooding/inundation occurred within the low lying areas of Miranda/Pūkorokoro along portions of the East Coast Road and Kaiaua. Beachfront properties along the Kaiaua foreshore were also inundated due to wave run up caused by the wind and already high tide.
- On 8 March 2017 heavy rain associated with ex-tropical Cyclone Debbie resulted in widespread flooding in the Kaiaua area. The East Coast Road north of Kaiaua School was closed due to a slip. Around 10 houses were flooded. There was also a slip on a section of East Coast Road located in the Auckland District, which closed the road north of Waiarua.
- In April 2017 the heavy rainfall associated with ex-tropical Cyclone Cook resulted in the Waiarua Bridge on East Coast Road over Waihopuhopu Stream being closed to all traffic because the bridge abutments were eroded by the flooding stream, making it unsafe for vehicles.
- More recently, on 5 January 2018 a combination of strong winds, low atmospheric pressure and king tides resulted in inundation of several low lying coastal communities to the east and west of the Firth of Thames. The coastal settlement of Kaiaua was particularly affected with many low lying homes and businesses flooding. The East Coast Road was damaged with many streets in Kaiaua under water after the high tide on Friday morning. Further south in Miranda there was major salt water flooding of farms and debris was washed up on Miranda Front Road. Overall, 12 houses were deemed uninhabitable, 72 sustained moderate damage, and were considered partially habitable, and many more received light damage. Inspections of rural properties revealed at least 3 farms with severe pasture and crop damage from sea water flooding fields. The remaining 15 farms inspected had varying amounts of pasture and crop damage.
Report to Council

Date: 13 February 2019

Author: Sheryl Roa – Principal Advisor – Consents, Resource Use
        Chris McLay - Director – Resource Use

Authoriser: Vaughan Payne – Chief Executive

Subject: New Martha Trust Trustee

Purpose
1. To seek approval that a Deed of Appointment of a new Trustee to the Martha Trust be executed by Waikato Regional Council. (A copy of a Deed of Appointment is attached to this report as Appendix One).

Recommendations
1. That this report ‘New Martha Trust Trustee’ dated 13 February 2019 (Doc #9872754) be received;
2. That council approve the appointment of Alan David Livingston as Trustee to the Martha Trust; and
3. That council approve the Deputy Chair to execute a Deed of Appointment of Trustee in the Martha Trust as attached at Appendix One.

Introduction
2. The Deed of Trust of the Martha Trust was signed in 2001 (Doc #686660 (the Trust Deed)). The Deed of Trust is between the Waihi Gold Company and representatives of the Hauraki District Council and the Waikato Regional Council. The Waihi Gold Company is owned by Ocean Gold (NZ) Limited.

3. The purpose of this report is to appoint a new trustee to represent the Waikato Regional Council on the Martha Trust alongside the Waikato Regional Council’s current trustee Vaughan Raymond Payne.

The Martha Trust
4. The Martha Trust (the Trust) was established in 2001 by a joint venture known as the Waihi Gold Company. The purpose of the Trust is to take title to land currently part of the Martha Mine operation following completion of mining and closure of the site, and to monitor and maintain that land so that it can be used for recreational purposes by the general public.

5. The Trust was established with four trustees each of whom were at the time of establishment members or officers of either the Waikato Regional Council or Hauraki District Council. The appointment of trustees is set out in Clause 6 of the Trust Deed and provides for a minimum of four and a maximum of seven trustees at any time. Waikato Regional Council has the power to appoint two trustees to represent the Waikato Region and Hauraki District Council has the power to appoint two trustees to represent the Hauraki District. Ngati Tamatera has the power to appoint one trustee. In addition Waikato Regional Council and Hauraki District Council, acting jointly, can appoint additional and/or advisory trustees, and in addition may appoint one further trustee to represent Ngati Tamatera.
6. In 2007 changes to the original Waikato Regional Council Trustee membership were made (recorded in Waikato Regional Council’s document management system as document number 1245468). In 2015 further changes to the Waikato Regional Council Trustee membership were made (recorded in Waikato Regional Council’s document management system as document number 2913092), appointing Vaughan Payne and Paula Southgate as the trustees representing the Waikato Regional Council. Pursuant to her terms of appointment Paula Anne Southgate was deemed to be removed as a trustee (pursuant to clause 6.4 of the Trust Deed) when her role as Chairperson ceased.

7. The current Trustees for the Hauraki District Council are John Percival Tregidga and Langley David Cavers, being their Chairman and Chief Executive Officer respectively. Ngati Tamatera has not yet appointed any person to represent the hapu.

Appointment to the Martha Trust
8. Clause 6.1 of the Trust Deed provides for the Waikato Regional Council to appoint two trustees as such it is recommended that Alan David Livingstone being the Chairperson of the Waikato Regional Council, be appointed as the second Waikato Regional Council trustee to the Martha Trust.
APPENDIX ONE

THE WAIKATO REGIONAL COUNCIL
(Appointor)

ALAN DAVID LIVINGSTON
(New Trustee)

DEED OF APPOINTMENT OF TRUSTEE IN THE MARTHA TRUST
DEED OF APPOINTMENT UNDER TRUST DEED

DEED dated the day of 2019

PARTIES

1 WAIKATO REGIONAL COUNCIL ("Appointor")

2 ALAN DAVID LIVINGSTON ("New Trustee")

INTRODUCTION

A By Trust Deed signed in 2001 ("Trust Deed") Welcome Mines Limited, Martha Mining Limited, Waihi Mines Limited and Auag Resources Limited trading as a joint venture known as Waihi Gold Company settled certain property upon certain trusts known as the MARTHA TRUST.

B Langley David Cavers, John Percival Tregidga, are presently the trustees representing the Hauraki District Council under the Trust Deed.

C As stipulated in the Deed of Appointment (clause 2.2 document #2913092) Paula Anne Southgate was removed as a trustee pursuant to clause 6.4 of the Trust Deed when her role as Chairperson ceased.

D By clause 6.1 of the Trust Deed the Appointor has the power to appoint two trustees to represent the Appointor. Vaughan Raymond John Payne is presently a trustee representing the Waikato Regional Council under the Trust Deed.

E Pursuant to the powers vested in it under the Trust Deed the Appointor wishes to appoint the New Trustee to be trustee representing the Waikato Regional Council.

THIS DEED RECORDS that:

1 REMOVAL

1.1 In exercise of the powers conferred upon it the Appointer removes the exiting trustee being Paula Anne Southgate representing the Waikato Regional Council as trustee of the Trust.

2 APPOINTMENT

2.1 In exercise of the powers conferred upon it the Appointor appoints the New Trustee to be trustee under the Trust to represent the interests of the Appointor.

2.2 The New Trustee is currently the Chairperson of the Waikato Regional Council and this appointment has been made in his capacity as the Chairperson and if at any time the New Trustee ceases to be the Chairperson he shall be deemed to have been removed as a trustee of the Trust pursuant to clause 6.4 of the Trust Deed.

3 CONSENT TO ACT
3.1 The New Trustee **CONSENTS** to the appointment as a trustee upon the terms set out in this deed and to act as trustee under the Trust Deed.

**EXECUTION**

**SIGNED BY** Tipa Mahuta  
**OF THE WAIKATO REGIONAL COUNCIL**  
**DEPUTY CHAIR**

In the presence of:

______________________________
(Signature of Witness)

______________________________
(Name of Witness)

______________________________
(Occupation of Witness)

______________________________
(Address of Witness)

**SIGNED BY** Alan David Livingston  
______________________________
As the New Trustee

In the presence of:

______________________________
(Signature of Witness)
__________________________
(Name of Witness)

__________________________
(Occupation of Witness)

__________________________
(Address of Witness)
Report to Council

Date: 14 February 2019
Author: Benjamin Bunting, Senior Policy Advisor – Land and Coast
Authoriser: Tracey May, Director Science and Strategy
Subject: Sea Change Hauraki Gulf Marine Spatial Plan – Ministerial Advisory Committee to progress implementation

Purpose
1. To seek approval from Council on the content and subsequent lodgement of feedback to the Minister of Conservation on the Draft Terms of Reference for the Ministerial Advisory Committee to help develop the Government Response Strategy for the Sea Change Hauraki Gulf Marine Spatial Plan.

Executive Summary
2. In November 2018 the Ministers of Conservation and Fisheries announced Government’s intent to establish a Ministerial Advisory Committee (MAC) to progress implementation by government agencies of the Sea Change Hauraki Gulf Marine Spatial Plan (‘Sea Change plan’). Government officials met with technical staff and presented a draft Terms of Reference for the MAC.

3. Formal engagement with WRC has not occurred and is not required as the MAC has no statutory function. Officials have instead asked for feedback on the draft Terms of Reference to be lodged by the end of February. WRC is a key delivery partner of the Sea Change plan with implementation activities programmed and underway. As Council has had an interest in the Sea Change process and outcomes staff consider elected member feedback critical.

4. Government officials have been undertaking targeted engagement with stakeholders and iwi throughout January and February. Stakeholder and iwi interest to see increased visibility around implementation of the Sea Change plan proposals remain high, particularly expectations to see a coordinated and joined-up approach across all agencies with delivery responsibilities, including Waikato Regional Council (WRC).

5. Council notes that the MAC relates to progressing the implementation activities of government agencies only.

6. The feedback focuses on strengthening clarity of the Terms of Reference, particularly the need to make clear the extent of any formal relationship between the MAC and WRC.

7. Council’s feedback also seeks assurances around community engagement, where costs fall, and clarifying scope and supporting use of existing legislative mechanisms to progress relevant proposals.

Staff Recommendation:
1. That the report “Sea Change Hauraki Gulf Marine Spatial Plan – Ministerial Advisory Committee to progress implementation” (Doc # 13804969 dated 14 February 2019) be received.
2. That Council approve the ‘Waikato Regional Council feedback on the Draft Terms of Reference for the Ministerial Advisory Committee to help develop the Government Response Strategy for the Sea Change Hauraki Gulf Marine Spatial Plan’ (Doc # 13809782) for lodgement with the Minister of Conservation.
Previous Reports
8. Strategy and Policy Committee at its meeting of 12 February 2019 received a report titled “Sea Change Hauraki Gulf Marine Spatial Plan – update on Central Government activity” (Doc # 13686749). Committee endorsed the staff recommendation: “that a detailed report will be provided to Council’s February 2019 meeting seeking endorsement of WRC feedback to government on the role and function of the Sea Change Ministerial Advisory Committee.”

9. At its July 2017 meeting Council endorsed the WRC “Hauraki Gulf Marine Spatial Plan (Sea Change) – Draft Implementation Plan to inform WRC 2018 Long Term Plan processes” (Doc # 10317453) which identified implementation activities relevant to WRC responsibilities and functions.

Background
10. The Sea Change Hauraki Gulf Marine Spatial Plan is a non-statutory plan to guide agencies responsible for managing the Hauraki Gulf Marine Park to restore the health and mana of the marine park and create a sustainable and productive future. The Plan was launched in December 2016 by the then Minister of Conservation when the stakeholder working group that developed the plan handed it over to the agencies to consider implementation.

11. Council’s ‘Our Strategic Direction 2016-19’ identifies that WRC will take an active role in implementing Sea Change. WRC implementation planning commenced immediately upon receipt of the plan and, in June 2017, council endorsed the ‘WRC Draft Sea Change Implementation Plan’ which identified that more than half of the actions proposed in the Sea Change relevant to WRC could be delivered as part of usual business activities.

12. The WRC draft implementation plan was further refined through preparation of council’s Long Term Plan 2018-2028. This included new funding around sedimentation monitoring, and mitigation and harbour catchment planning.

13. Other agency responses to the plan have been varied. Auckland Council considered the objectives of the Sea Change Plan through its Long Term Plan process. Neither central government nor the Hauraki Gulf Forum responded to the Plan. The lack of any coordinated and integrated response from agencies to receiving the Plan has frustrated stakeholders and mana whenua.

Establishment of Ministerial Advisory Committee
14. On 22 November 2018 the Ministers of Conservation and Fisheries jointly announced that a MAC will be established to play a role in implementing the Sea Change Plan. Media supporting that announcement focussed on fisheries management and marine biodiversity.

15. The intended purpose of the MAC is to provide independent advice to the Ministers and relevant government agencies on how to best deliver on the vision and aspirations of the Sea Change plan and developing a ‘Government Response Strategy’ to progress implementation by government agencies.

16. Acknowledging WRC as a key delivery partner of the Sea Change plan with implementation activities programmed and underway, officials met with WRC technical staff in late December 2018 to present an overview of how the MAC might function. A working version of a draft Terms of Reference for the MAC was presented at the meeting noting it was for consultation purposes and would be amended following consultation. A copy of the draft Terms of Reference is at Attachment 1.

17. Officials explained that they would be consulting with stakeholders and iwi throughout January and February 2019 on the functions and expectations of the MAC. The MAC would then be appointed in March 2019. Government is not required to undertake formal consultation as setting up the MAC is not part of a statutory process however a formal process needs to be followed for appointments to the MAC.

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18. Key points of the Terms of Reference include:
   a. **Function of MAC:** to provide independent advice to Government agencies and ministers as agencies develop a ‘Government Response Strategy’ for progressing Sea Change over 12 months
   b. **Composition of MAC:** 5-8 members jointly appointed by ministers for 12 months who, collectively, should have experience in providing government with advice in key subject areas such as: Tikanga Maori, negotiation, science, environmental issues, law, economics and fisheries management. Committee members will also include mana whenua and Te Ohu Kaimoana and representatives of sectors with strong interests in Sea Change (such as fisheries)
   c. **Output:** an implementation plan (the ‘Government Response Strategy’) to manage the Government’s work on improving the health and management of the Hauraki Gulf Marine Park including:
      • Assessing the costs and benefits of the proposals for all stakeholders
      • Identifying what should be prioritised
      • Understanding the resource implications
      • Coordinating action with other Government and community initiatives, including Treaty Settlement negotiations
   d. **Subject matter and scope:** the Sea Change Plan
   e. **Out of scope:** Independent consultation with stakeholders/iwi on governance matters (i.e. governance in relation to Treaty negotiations over harbours harbour and the Hauraki Gulf Forum)
   f. **Support and secretariat for MAC:** A Senior Officials Group comprising tier 2 officials from Department of Conservation, Fisheries NZ and the Office of Treaty Settlements will be established to support and liaise with the MAC and make strategic decision making (such as interagency agency resourcing and overlapping agency jurisdictions).

**Discussion - Overview of Council feedback**

*Recognition of the Hauraki Gulf Marine Park as a taonga of national significance*

19. The Hauraki Gulf Marine Park is a taonga of national significance. Sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000 require that management agencies give effect to those sections of the act through policies, plans and decisions made under the Resource Management Act 1991 (RMA).

20. Council’s feedback seeks that the TOR make clear the national significance of the Hauraki Gulf Marine Park, particularly in the context of the RMA decision making.

*Relationship between the MAC and WRC*

21. While officials and WRC technical staff interpret the draft Terms of Reference as directing the implementation planning of the government agencies only, Council’s feedback seeks the extent of any formal relationship and reporting expectations between the MAC, Senior Officials Group and regional councils (WRC and Auckland) needs to be made clear.

22. WRC has an endorsed Sea Change Implementation Plan and a range of implementation activities programmed or underway, such as through the review of the Regional Coastal Plan, and requires assurances whether or not that programmed work will be influenced by the MAC. This includes any undertakings or expectations in regard to resourcing and costs.

23. Conversely, WRC implementation activities may provide support to government in its messaging around overall implementation of the Sea Change plan.
Community engagement
24. The Office of the Auditor General report (Dec 2018) into the process to develop the Sea Change plan identified that a structured approach to community engagement would have led to greater awareness and acceptance of the plan. This finding is acknowledged and previous formal feedback to the Ministry of Primary Industry in relation to aquaculture stated that WRC considers the consultation undertaken through the Sea Change process was not suitable in itself to inform statutory decision making (refer Nov 2018 letter to Ministry Primary Industry re aquaculture in Hauraki Gulf; Doc # 13293664).

25. Council’s feedback seeks that the MAC consider using community engagement processes to inform the development of the Government Response Strategy as it relates to prioritising and progressing elements of the plan within its scope.

Scope
26. Section 3 of the Draft Terms of Reference notes the Sea Change plan contains more than 180 interrelated actions contained within five categories; fish stocks and aquaculture, biodiversity and habitat restoration, water quality, ahu moana (localised marine co-management) and kaitiakitanga.

27. Staff have concerns that, as worded, Section 3 implies that 180 actions will be addressed in the Government Response Strategy. Authors of the Sea Change plan did not include any implementation schedule listing actions or priorities. Furthermore, many of the actions are not the responsibility of government agencies and progressing a limited number actions may require a ‘joined up’ approach across agencies including regional councils.

28. Staff also have concerns that the five categories proposed in Section 3 of the TOR do not reflect the 16 themes within the Sea Change plan under which recommended actions were written and do not comprehensively cover the broader pressures affecting the Sea Change study area. Council feedback is the TOR refer to the 16 themes in the Sea Change as intended by the authors of the plan.

29. Council feedback is that the Terms of Reference should make clear that many of the proposed actions do not sit solely with government agencies.

30. Managing sedimentation and water quality in catchments is a key initiative in the Sea Change Plan and a core business of WRC. Council’s feedback seeks that the Terms of Reference include the role of the Ministry for Environment and the Resource Management Act 1991, particularly as it relates to the water quality, the land-sea interface and consultation.

Appointments
31. The Terms of Reference note that the MAC will be providing ‘independent’ advice. Feedback supports the need for advice to be independent, in that the MAC requires a comprehensive skillset to achieve best outcomes for the Hauraki Gulf Marine Park. Skills and knowledge in management of sedimentation and water quality would be beneficial to the MAC.

Confidentiality
32. The need for confidentiality is supported but it is noted that this must be balanced with transparency, given criticism directed at the Sea Change plan that proposals were developed without adequate stakeholder or community input.

33. Council’s proposed feedback to the Minister of Conservation is at Attachment 2.

Assessment of Significance
34. Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance.
Legislative context
35. The Sea Change Plan is non-statutory and non-binding. Some proposals within the Sea Change (e.g. future aquaculture space), recommend consideration through RMA Schedule 1 processes including public consultation. WRC has statutory work underway through its ‘Healthy Environments’ project.

36. Sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000 require that management agencies give effect to those sections of the act through policies, plans and decisions made under the Resource Management Act 1991 (RMA).

Policy Considerations
37. To the best of the writer’s knowledge, this decision is not significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Conclusion
38. Recent central government activities around the Sea Change Hauraki Gulf Marine Spatial Plan include an announcement to establish a MAC to progress implementation by government agencies. Council intends to provide feedback to the Minister of Conservation on the Draft Terms of Reference for the MAC. That feedback is attached for Council consideration.

39. Government officials are currently consulting with iwi and stakeholders on the role and function of the MAC that will soon be established. Officials will engage further with WRC once there consultation is completed the MAC is closer to finalised.

Decisions requested
40. Council seeks the following decisions as a result of its feedback to the Draft terms of Reference:
   a. That wording be included to make clear the national significance of the Hauraki Gulf Marine Park
   b. That wording be included to make clear the extent and formality of any relationship between the ‘Government Response Strategy’, regional councils, and the implementation activities of the regional councils
   c. That wording be included on the scope and framework of the Government Response Strategy
   d. That wording be included making clear that responsibilities for some actions proposed in the Sea Change plan do not sit with government agencies and that a level of coordination is required to progress some proposals
   e. That the ‘subject matter’ be revised to reflect the themes in the Sea Change plan as intended by the authors
   f. That wording around ‘scope’ is expanded to consider:
      i. the role of the Ministry for Environment and the RMA
      ii. the processes recommended in the Sea Change Plan to facilitate implementation
      iii. implementation costs, resourcing and practicability to implement proposals.
   g. That wording around ‘out of scope’ is retained
   h. That the MAC composition include skills relevant to the management of sedimentation and water quality
   i. That the Senior Officials Group include representation from the Ministry for Environment
   j. That wording around ‘confidentiality’ is retained.

Attachments
1. Draft Terms of Reference for the Ministerial Advisory Committee to help develop the Government Response Strategy for the Sea Change Hauraki Gulf Marine Spatial Plan’ (Doc # 13800157)
2. Waikato Regional Council feedback to the Minister of Conservation on the Draft Terms of Reference for the Ministerial Advisory Committee to help develop the Government Response Strategy for the Sea Change Hauraki Gulf Marine Spatial Plan’ (Doc # 13809782).
Draft Terms of Reference for the Ministerial Advisory Committee to help develop the Government Response strategy

(to be finalised by Ministers after consultation)

1 Background

The Hauraki Gulf / Tikapa Moana is a taonga of environmental, cultural and economic significance. Utilisation and modification of the Hauraki Gulf has impacted the quality of the marine environment and associated marine life.

With funding and advice from councils and central agencies, a multi-sector Stakeholder Working Group was established. The group worked collaboratively over four years to develop proposals to reverse the decline in the mauri (life force), environmental quality and abundance of resources in the Hauraki Gulf. The result of this work was the release of the Sea Change Plan (the Plan) which was released at the end of 2016.

The Plan is aspirational, non-binding and non-statutory. It is designed to act as a guidance framework for agencies with statutory functions in the Gulf’s environmental and economic management. Responsibility for progressing these proposals falls to a variety of organisations, primarily central government, Auckland Council and Waikato Regional Council.

Agencies support the overall aspirations of the Plan. However, they do not believe it can be fully implemented in its current form, because:

- The proposals have not been prioritised and there is a lack of detail about how they could be practically implemented.
- There has been insufficient stakeholder input and the level of wider support is unknown.
- There would be significant impacts on iwi and stakeholders within and outside of the Hauraki Gulf.
- Some of the proposals could have significant impacts on Treaty Settlements.
- There are potentially high resource implications for central and local government.
- Some of the proposals are novel and have precedent implications.

The Ministerial Advisory Committee (the Committee) has been established by the Ministers of Conservation and Fisheries to help resolve any outstanding issues, progress the Plan, assist with buy-in from iwi and a wide range of stakeholders, and help bring together disparate and often-conflicting groups.

The Committee will provide independent analysis, help shape the proposals and facilitate engagement with stakeholders and expert advice to the Ministers of Conservation, of Fisheries, and for the Environment (Ministers), and act as a sounding board for Crown agencies (agencies), as agencies develop a Government Response strategy (the strategy) on how to best deliver on the Plan’s aspirations. Decisions on progressing proposals will remain at the discretion of the Minister responsible for the relevant portfolio.
2 Purpose and functions of the Committee

2.1 Purpose of the Committee
   a. To provide Ministers with assistance in facilitating the process, provide independent analysis and recommendations to progress the vision and aspirations developed in the Sea Change process thus far.

2.2 Function of the Committee
   a. Provide independent expert advice to agencies as agencies develop the strategy for progressing Sea Change.
   b. Provide advice to Ministers in the form of interim reports as agencies develop the milestones of the strategy over the span of 12 months (which may be extended if required).
   c. Regularly engage and provide input into the Senior Officials Group.
   d. Help engagement with key Iwi, industry, and other stakeholders, and help resolve any outstanding issues between groups and interests where required.
   e. Provide a final report to Ministers on how the final strategy meets the aspirations of the Sea Change process, and advice to help the implementation of the strategy.

2.3 Role of Agencies
   a. The agencies will develop the strategy, by undertaking the following analysis on the issues and proposals that are within scope:
      i. Existing Treaty obligations and interests.
      ii. Economic and social analysis.
      iii. The expected environmental, economic, social and cultural benefits versus the estimated costs.
      iv. Targeted consultation where previous consultation has been lacking.
      v. Align proposals with the government’s wider legislative work programme and develop alternative options where appropriate to ensure operability of the changes.
vi. Prioritisation of Plan proposals or alternatives where appropriate.

vii. Fiscal and resourcing implications.

b. This will be delivered through a series of milestone reports and updates to Ministers, the final milestone being the final strategy report.

c. The Committee will be involved in workshops, stakeholder engagement and consulted on the key milestone reports, so they can provide advice and recommendations to Ministers and agencies.

3 Subject Matter

3.1 The Sea Change plan

a. The plan contains more than 180 interrelated recommended actions contained within five categories, including:

i. Mahinga Kai – Fish Stocks and Aquaculture.

ii. Biodiversity and Habitat Restoration (including Biosecurity).

iii. Water Quality.

iv. Ahu Moana (localised marine co-management).

v. Kaitiakitanga (Guardianship).

4 Scope

4.1 In Scope – [indicative, subject to consultation]

a. Consider information and reports provided by agencies.

b. Consider agencies’ advice on relevant Legal and Policy frameworks.

c. Provide support to agencies through the engagement process, help facilitate the resolution of outstanding issues and provide input into the development of options.

d. Provide recommendations to agencies on agencies’ work during the development of the strategy.

e. Communicate and meet with the Senior Officials Group, when required.

f. Provide advice to Ministers on the strategy.
4.2 **Out of Scope**

a. Independent consultation with stakeholders/īwi on governance matters (i.e. governance in relation to harbour negotiations and the Hauraki Gulf Forum). The Committee shall not undermine the Crown’s commitment to hold Treaty negotiations over harbours with Īwi.

5 **Membership and participation**

5.1 **Composition of the Committee**

a. The Committee will be composed of [5-8] members.

b. The Minister of Conservation and Fisheries will jointly appoint Committee members.

c. Collectively, the Committee should have experience in providing Government with advice and expertise in key subject areas such as Tikanga Māori, negotiation, science, environmental issues, law, economics, and fisheries management.

d. Committee members will also include mana whenua and Te Ohu Kaimoana, and where possible members representative of sectors with strong interests in the proposals (such as fisheries).

5.2 **Expectations of members**

a. Committee members are expected to

i. Attend Committee meetings and stakeholder meetings (as appropriate), unless extenuating circumstances provide otherwise.

ii. Prepare adequately prior to each meeting by reading all papers provided to them.

iii. Provide detailed solutions-focused advice based on members’ experiences and expertise on each topic.

iv. Declare any conflict of interest, or potential conflicts of interest, that may arise.

b. Committee deliverables:

i. Provide regular reports to Ministers, alongside agencies’ milestone reports and updates.
ii. Provide updates to Ministers, when requested.

6 Chairperson, Senior Officials Group and Secretariat

6.1 Chairperson
a. Will chair meetings and organise the agenda, with the assistance of the secretariat.

b. Maintain an effective working relationship with agencies and Senior Officials Group.

c. Meet with Ministers and the Senior Officials Group to report on the activities of the Committee as required.

6.2 Senior Officials Group
a. Consist of Tier Two officials from the Department of Conservation, Fisheries New Zealand and the Office of Treaty Settlements (and others when necessary).

b. Be regularly updated by agencies and liaise with the Committee Chair to:
   i. Ensure timeliness.
   ii. Make strategic decisions (such as interagency resourcing).
   iii. Resolve potential issues (such as disagreements concerning overlapping agency jurisdictions).

6.3 Secretariat
a. The Secretariat will coordinate policy, science and technical support between agencies, to the Senior Officials Groups and the Committee.

b. Provide organisational support to the Committee, including circulation of relevant information, the agenda and papers, preparation and circulation of meeting minutes and arrangements for travel.

7 How the Committee operates
a. The Committee will meet regularly.

b. Members are appointed for 1 year. This may be extended by Ministers if considered necessary.
8 Confidentiality

a. Members must maintain the confidence of the Committee including maintaining confidentiality of matters discussed at meetings, and any information or documents (not otherwise publicly available) provided to the Committee. Ministers may decide whether to publicly release reports or other information.

9 Media

a. Members must refrain from representing the group, or commenting on the business of the group, to the media.

b. The Chairperson may seek agreement from the Ministers for the Committee to release a media statement on any matter related to these terms of reference.
28 February 2019

Hon. Eugene Sage  
Minister of Conservation  
Parliament Buildings  
WELLINGTON 6160

Email: seachange@doc.govt.nz

Dear Minister

Waikato Regional Council feedback on Draft Terms of Reference for the Sea Change Ministerial Advisory Committee

Thank you for the invitation to provide feedback on the “Draft Terms of Reference for the Ministerial Advisory Committee to help develop the Government Response Strategy for the Sea Change Hauraki Gulf Marine Spatial Plan.”

Attached is Waikato Regional Council’s feedback in regard to this document. This feedback was formally endorsed by the Council on 28 February 2019.

Waikato Regional Council implementation activities are continuing and Council looks forward to being involved in further discussions in supporting the Government Response Strategy around the Sea Change plan.

Should you have any queries regarding the content of this document please contact Tracey May, Director Science and Strategy, on (07) 859 2748 or by email tracey.may@waikatoregion.govt.nz.

Regards

Tracey May  
Director Science and Strategy
Feedback from Waikato Regional Council on the Draft Terms of Reference for the Ministerial Advisory Committee to help develop the Government Response Strategy for the Sea Change Hauraki Gulf Marine Spatial Plan

Introduction and context

1.1 Waikato Regional Council (‘Council’) appreciates the invitation and opportunity to submit feedback on the Draft Terms of Reference for the Ministerial Advisory Committee (MAC) to help develop the Government Response Strategy for the Sea Change Hauraki Gulf Marine Spatial Plan (the ‘Sea Change plan’).

1.2 The Sea Change plan is a non-statutory non-binding plan to guide agencies responsible for managing the Hauraki Gulf Marine Park to restore the health and mana of the marine park and create a sustainable and productive future for this taonga of national significance. The Plan was launched in December 2016 by the then Minister of Conservation when the stakeholder working group that developed the plan handed it over to the agencies to consider implementation.

1.3 The Waikato Regional Council (WRC) ‘Our Strategic Direction 2016-19’ identifies that WRC will take an active role in implementing Sea Change. WRC implementation planning commenced immediately upon receipt of the plan and, in June 2017, council endorsed the ‘WRC Draft Sea Change Implementation Plan’ which identified that more than half of the actions proposed in the Sea Change relevant to WRC could be delivered as part of usual business activities.

1.4 The WRC draft implementation plan was further refined through preparation of council’s Long Term Plan 2018-2028. This included new funding around sedimentation monitoring, and mitigation and harbour catchment planning.

1.5 In December 2018 your officials met with WRC staff to present an overview of how the MAC might function and its intended output of a ‘Government Response Strategy’ to progress the implementation activities of government agencies only.

1.6 Officials also presented the Draft Terms of Reference for the MAC noting these were a working version intended for consultation purposes. Officials have invited feedback by the end of February 2019.

Council feedback on Draft Terms of Reference

2.1 Council seeks that the Terms of Reference make clear the national significance of the Hauraki Gulf Marine Park – particularly in the context of the RMA decision making.

2.2 Council supports the establishment of the MAC noting its purpose is to oversee development of a ‘Government Response Strategy’ to progress implementation by government agencies.

2.3 Council’s interpretation of the Draft Terms of Reference is that its representation and implementation activities are outside of the scope of the MAC. Given that the regional councils (WRC and Auckland) are key delivery partners of the Sea Change plan Council seeks that the Terms of Reference make clear the extent of any formal relationship and reporting expectations between the MAC, Senior Officials Group and regional councils.
2.4 Council has an endorsed Sea Change Implementation Plan and a range of implementation activities programmed or underway, including statutory planning processes, so requires assurances whether or not that programmed work will be influenced by the MAC.

2.5 Conversely, WRC implementation activities may provide support to government in its messaging around overall implementation of the Sea Change plan.

2.6 Council’s detailed feedback follows in the table below.

<table>
<thead>
<tr>
<th>Terms of Ref</th>
<th>WRC feedback</th>
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<tbody>
<tr>
<td>General</td>
<td>The Terms of Reference (TOR) should make clear the extent and formality of any relationship between the ‘Government Response Strategy’ and the implementation activities of the regional councils. It would be helpful to clarify whether or not the MAC and Senior Officials Group is seeking/providing advice from/to the regional councils and to what extent (if any) the MAC has influence over regional council implementation activities.</td>
</tr>
<tr>
<td>Background</td>
<td>Text in Background Section should make clear that upfront that ‘Hauraki Gulf’ under the “Sea Change Plan” refers to the “Hauraki Gulf Marine Park and includes contributing land catchments, estuaries, rivers and streams.</td>
</tr>
<tr>
<td>Background</td>
<td>The Hauraki Gulf Marine Park is a taonga of national significance and Sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000 require that management agencies give effect to those sections of the act through policies, plans and decisions made under the Resource Management Act 1991 (RMA). The background text of the TOR should make clear the national significance of the Hauraki Gulf Marine Park in the context of the RMA.</td>
</tr>
<tr>
<td>Page 1</td>
<td>Suggest amending bullet point 2 to: There has been insufficient stakeholder and community input and the level of broader community support is not confirmed unknown. The recent Office of Auditor General (OAG) report on the Sea Change process identified that community consultation would likely have strengthened community awareness and acceptance of the Plan. Council supports the findings of the OAG around the importance of community consultation and encourages the MAC consider using community engagement processes to inform the development of the Government Response Strategy as it relates to prioritising and progressing elements of the plan within its scope. Previous Council advice to the Ministry of Primary Industry in relation to aquaculture stated that WRC considers the consultation undertaken through the Sea Change process was not suitable in itself to inform statutory decision making.</td>
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<tr>
<td>Page 2</td>
<td>2.2a proposes the function of the MAC is to provide independent advice. Independence is supported noting that this may discount representation by some individuals previously involved in developing the Sea Change Plan.</td>
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<td>Terms of Reference</td>
<td>Ref</td>
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<td>Page 2</td>
<td>2.3a</td>
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Including in the TOR some further detail on the scope and framework of the strategy would be useful. In particular, some explanation of how will the strategy consider the proposals within the Plan would be useful. As the TOR currently read, the strategy is about delivering on the Plan’s aspirations which is different to progressing or prioritising the proposals (actions) within the Plan.

The scope under 2.3a should make clear that existing legislative mechanisms (e.g. RMA Schedule 1) will be used where available. The statutory functions of agencies, including regional councils, should also be noted.

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<th>Page 3</th>
<th>Section 3.1</th>
<th>Subject matter</th>
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Text in 3.1 should make clear that responsibilities for many of the proposals in the Sea Change Plan do not rest with Crown agencies. A limited number sit across multiple agencies and progress would benefit from a ‘joined up approach’ and cross-agency coordination.

180 actions, as stated in the TOR, is an arbitrary count noting the authors of the Sea Change plan did not include any implementation schedule specifying actions, priorities or timeframes. Some proposed actions are impractical, unfeasible, and require sequencing to be achieved.

It is not correct to suggest the actions proposed in the Plan are ‘interrelated’ or contained within five categories. The 16 themes (under which the actions are included) in the Plan were developed separately by the SWG. The wording of the 5 categories proposed in the TOR should accurately represent the themes, structure and wording in the Plan and should not assume they comprehensively cover the broader pressures affecting the Marine Park. Clear gaps remain in the plan such as consideration of climate change, biosecurity, navigation, recreation and heritage.

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<th>Page 3</th>
<th>Section 4.1</th>
<th>In scope</th>
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The following should also be considered for inclusion ‘in scope’:

- Consider how to best use existing legislative mechanisms to progress implementation consistent with agency statutory responsibilities
- Consider the role of the Ministry for Environment and the RMA as it relates to water quality, the land-sea interface and consultation
- Consider the processes recommended in the Sea Change Plan to facilitate implementation; e.g. regional coastal plans and RMA Schedule 1 for aquaculture
- Consider the currency of technical advice that informed actions proposed in the plan
- Consider implementation costs, resourcing and practicability to implement proposals of the plan.

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<tr>
<th>Page 4</th>
<th>Section 4.2</th>
<th>Out of scope</th>
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Council supports retaining the proposed wording in relation to governance and Treaty negotiations.

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<th>Section 5.1</th>
<th>Composition</th>
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Council supports the MAC providing independent advice consistent with Section 2.2a.
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<th>Terms of section</th>
<th>Ref</th>
<th>WRC feedback</th>
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<td>Page 5</td>
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<td>Given sediment and water quality issues are identified as a key degrader to the health of the marine park, Council suggests that the MAC could benefit from skills and expertise in management of sedimentation and coastal water.</td>
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<td>Section 6.2</td>
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<td>Council proposes that a Ministry for Environment representative be included in the Senior Officials Group should government wish to consider sedimentation and water quality and other Sea Change matters managed under the RMA.</td>
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<td>Section 8a</td>
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<td>Maintaining confidentiality is important however this must be balanced with transparency. Much of the sensitivity and criticism directed at the Sea Change Plan was that proposals were developed without public and stakeholder input.</td>
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Report to Council

Date: 18 February 2019

Authors: Jose Gonzalez, Policy Advisor Transport and Infrastructure
Mike Garrett, Special Projects Manager

Authoriser: Vaughan Payne, Chief Executive

Subject: Hamilton to Auckland Start-Up Passenger Rail Project – Progress Update

Purpose
1. To provide the Waikato Regional Council (WRC) with a progress update on the Hamilton to Auckland Start-Up Passenger Rail Project and to summarise the key issues that staff are currently addressing with the funding partners for this project.

2. For council to approve the proposed project governance structure for this project and to ratify the Terms of Reference for the Project Governance Working Group (PGWG).

Executive Summary
3. The Single Stage Business Case (SSBC) for the Hamilton to Auckland Start-Up Passenger Rail Service has been endorsed by WRC, Hamilton City Council (HCC), and Waikato District Council (WDC). The NZ Transport Agency (NZTA) approved the SSBC subject to a number of conditions that need to be met. All the project co-investors set out funding conditions through their resolutions that staff have been working through in a collaborative manner.

4. It is important to highlight that NZTA’s Board focused the scope of their approvals and conditions on the pre-implementation phase of the project, which covers most of the preparatory works of all the project co-investors prior to the construction of infrastructure and project implementation. Further Board approval may be required before proceeding to the implementation phase as funding has only been approved for pre-implementation works.

5. WRC’s funding conditions confirmed at the 21 November 2018 council meeting have been partially addressed and staff are continuing to resolve them as the project moves through the gateway review and approval process that NZTA will lead. The work underway to address NZTA and council’s conditions is outlined throughout this report.

6. Following the endorsement of the SSBC, KiwiRail, WRC and NZTA signed an Interim Capital Funding Agreement (ICFA) prior to Christmas which enabled KiwiRail to purchase the rolling stock from Auckland Transport and carry out preparatory works at their Upper Hutt Workshop. WRC is awaiting NZTA internal sign-off for the release of funding equivalent to $2.04 million (GST excl.).

7. KiwiRail has paid for the ICFA costs and are expecting to be reimbursed through WRC as the approved organisation. WRC will not be in a position to do this until NZTA approves the funding through Transport Investment Online (TIO).

8. The SSBC and council’s November 2018 report made assumptions regarding financial assistance rates (FAR) that would be received for the transport activities that sit within this project. Such assumptions are built into council’s LTP and were consulted on, including with NZTA. The FAR for light maintenance costs for carriages ($981,000 pa estimated cost) has been questioned by the NZTA staff and we are
awaiting confirmation as to whether it will be at 75.5%, as council’s endorsement of the SSBC was subject to this confirmation.

9. Following a procurement process the programme management contract has been awarded to Alan Gregory from Tonkin+Taylor, who commenced on Monday 18 February. This will enable a number of the key NZTA pre implementation conditions to be met.

10. A proposed governance structure has been developed for the project and is submitted for council approval. The Terms of Reference for the PGWG and the project governance structure have been endorsed by the Transport Connections Working Party who oversaw the development of the SSBC, at a meeting on 18 February.

**Staff Recommendations:**

1. The report “Hamilton to Auckland Start Up Passenger Rail Project – Progress Update” (Doc # 13805047 dated 18 February 2018) be received.
2. Council notes the conditions resolved at the 21 November 2018 council meeting relating to the funding for the Hamilton to Auckland Start Up Passenger Rail Project have been partially resolved.
3. Council approves the proposed project governance structure (Appendix 3 – Doc #13772868) for this project and the Terms of Reference (Appendix 2 – Doc #13670118) of the Project Governance Working Group.
5. Council notes that staff will work in partnership with NZTA staff to resolve the funding conditions for the project and will report back to subsequent council meetings on progress.

**Background**

11. Council met on 21 November 2018 to consider the endorsement of the SSBC for the Hamilton to Auckland Start-Up Passenger Rail service. The SSBC was a collaborative piece of work led by WRC and supported by staff from the project co-investors, the NZTA, HCC and WDC.

The council resolved as follows:

2. That Council note that the conditions made at the Long Terms Plan deliberations relating to the start-up passenger rail service have been substantively resolved.
3. That Council receive and endorse the Single Stage Business Case for the Hamilton to Auckland Start-Up Passenger Rail Service (included as Attachment 1) for submission to NZTA.
4. That Council confirm funding allocated in the 2018-2028 Long Term Plan (LTP) for the Hamilton to Auckland start-up passenger rail service operations that will likely commence in March 2020 subject to:
   a. Hamilton City Council and Waikato District Council endorsing the SSBC and confirming capital funding for the railway stations.
   b. NZTA’s Board approving the SSBC and confirming the release of funding for the start-up rail service at their meeting on 14 December 2018.
   c. NZTA providing an enhanced Financial Assistance Rate of 75.5% for public transport operations and infrastructure and of 100% for transitional rail activities for the period of the current (2018-2021) National Land Transport Programme.
d. An open book price audit of KiwiRail costs being carried out by a suitably qualified and experienced person to the satisfaction of the Chief Executive.

e. Finalisation of Client Contract Management arrangements with Auckland Transport to the satisfaction of the Chief Executive.

f. Final resolution of the preferred ticketing option and its costs.

g. A review of the project implementation phasing is undertaken and reported back to Council by March 2019.

h. A purchase sales agreement being signed between WRC, NZTA and KiwiRail to protect the rolling stock investment for future Public Transport usage.

5. That Council approve the immediate appointment of a programme manager to oversee the implementation of this project subject to:

   a. Approval of the SSBC by NZTA,

   b. And that NZTA funds 75.5% of the total project management costs

   c. And the WRC share has to be included in the 2019/20 Annual Plan budget

6. Staff report back on the appropriate political and technical governance structure to support the implementation of the start-up service, including their terms of reference and delegations.

7. That Waikato Regional Council, Hamilton City Council, Waikato District Council and NZTA will jointly undertake a review of the service prior to the 2021 Long Term Plan and 2021 NLTP to reconfirm their ongoing funding requirements for the service and that the Waikato Regional Council service contract agreement with Kiwirail has the appropriate contractual terms to allow for this review.’

12. Subsequently the SSBC was endorsed by WDC on 28 November 2018 and HCC on 6 December 2018. Both councils’ resolution were aligned with WRC’s resolution, specifically regarding the provision of targeted enhanced financial assistance rate (TEFAR) by NZTA of 75.5% for public transport operations and infrastructure, and 100% financial assistance rate for transitional rail activities.

13. The SSBC was submitted to the NZTA on 9 November 2018. The SSBC and funding for the pre-implementation phase of the service were considered by the NZTA Board at their 14 December 2018 meeting.

14. NZTA Board resolutions that specifically relate to council’s transport activities are as follows (refer Appendix 1 for the full Board resolution):

   ‘Endorses the Hamilton to Auckland Passenger Rail start up service Single Stage Business Case, subject to a condition subsequent that independent Stage Gate Reviews are undertaken during Pre-implementation to consider and approve: revised and updated costs (capital and operating), improved demand forecasts, robust Customer Service & Marketing Plan, updated Project Delivery & Assurance Plans, and full operational safety sign off.

   Approves funding to Waikato Regional Council (fully funded Transitional Rail activity class) for purchase of rolling stock; subject to a condition precedent where the costs are agreed and signed off by the NZ Transport Agency Chief Executive.

   Approves funding to Waikato Regional Council (fully funded Transitional Rail activity class) for Pre-implementation work associated with refurbishment of the rolling stock, subject to:

   a condition precedent where the NZ Transport Agency Chief Executive reviews and approves the proposed level of funding; and

   i. a condition subsequent that the right of Transport Agency to re-use the asset should the start up service not proceed, or be withdrawn during or at the end of the five year period.
Approves funding to Waikato Regional Council (funded from Public Transport infrastructure at a targeted funding assistance rate of 75.5%) for Pre-implementation work associated with the operation of the service, including integrated ticketing, subject to a condition precedent where the NZ Transport Agency Chief Executive reviews and approves the proposed level of funding.’

15. WRC has been working closely with the NZTA staff to seek clarity regarding the process and scope behind each funding condition imposed on WRC. An update on how they are being addressed is provided in later sections of the report.

16. Following the NZTA’s Board decision, WRC completed a Closed Request for Proposal (RFP) two-stage-envelope process to identify a capable and suitable programme manager (PM) to oversee the pre-implementation and implementation phases of this programme. This is in compliance with council’s resolution number 5.

17. The funding for the programme management costs and WRC’s other pre-implementation activities will come from the current year start-up passenger rail pre-implementation budget allocated in the Long Term Plan 2018/28 year 1 and partly from the $1,085,000 provided in the draft 2019/20 Annual Plan budget.

18. WRC staff can confirm that conditions 4.a, 4.b, 4.h, 5.a and 5.c have been achieved. Conditions 4.c, 4.d, 4.e, 4.f and 4.g will be satisfied as we progress through the pre-implementation phase outlined later in the report.

19. Condition 5.b is being worked through with NZTA and it is our understanding from NZTA staff that TEFAR (75.5%) confirmation for project management costs will be received in the upcoming weeks.

20. In the interim, the PM will enable WRC to start progressing the NZTA conditions by delivering:
   - A detailed project delivery plan;
   - A risk management plan; and
   - An overall programme management plan (with cost, risk and quality assurance plans).

21. Similarly, HCC and WDC have appointed project managers each to oversee and manage the pre-implementation and implementation phases for the railway stations at The Base and Huntly, respectively.

Funding Issues

Funding at 75.5% for rolling stock maintenance

22. NZTA staff have advised that the operational cost of light maintenance for the carriages (which sits under the activity class of Public Transport and under Work Category 515), is not eligible for Targeted Enhanced Financial Assistance Rate (TEFAR) of 75.5% but the normal FAR rate of 51%. The reason being due to the NZTA Board resolution on 5 October 2018:

   ‘Endorses the Transitional Rail funding policy that a normal funding assistance rate should apply to the day-to-day operation of inter-regional passenger services, whether funded through the Transitional Rail Activity class or Public Transport Activity class’.

23. In approving the SSBC in November, council’s approval was subject to NZTA providing an enhanced Financial Assistance Rate of 75.5% for public transport operations as per resolution 4(c).

24. The “light maintenance of carriages” accounts for $981,000 pa of the annual operating budget for the start up service.
25. This issue was only raised with WRC staff after the NZTA December Board meeting. WRC staff have sent a letter to NZTA addressed to the Manager of Design Practice and Solutions with a clear rationale of why this activity is eligible for TEFAR.

26. The latest information received from NZTA was that this activity could be eligible for 75.5% FAR under Public Transport through a variation to the policy outlined above by the NZTA Board. The main argument is that all operational costs should be bundled as one for eligibility and the project as whole meets the following TEFAR criteria:

- High results alignment with the Investment Assessment Framework (IAF).
- The H2A start-up service aligns with 1 of the 5 national priority programmes of NZTA.
- Extract from NZTA’s TEFAR website says: ‘Eligible activities can be service or infrastructure improvements, and could include trials for service improvements, such as public transport’.
- This service is a new PT service, which has been defined as a trial and start-up.

27. NZTA staff are aware that WRC’s support for the project is subject to funding at 75.5% TEFAR for operating costs. At the time of writing this report we have not had a response back from NZTA. Staff will verbally update council regarding this matter.

Interim Capital Funding Agreement
28. The Interim Capital Funding Agreement (ICFA) was signed by the NZTA, WRC and KiwiRail prior to Christmas to enable KiwiRail to purchase the carriages from Auckland Transport, finalise the detailed carriage design, buy material and supplies and commence the refurbishment work on the carriages.

29. The ICFA gives KiwiRail access to $2.04 million (exclusive of GST), which will be funded under Transitional Rail and at 100% FAR i.e no WRC contribution. This money will pass through WRC as an approved organisation and then transferred to KiwiRail for them to carry out the works.

30. WRC has submitted the activities in Transport Investment Online so they can claim funding up to the value outlined above. However, NZTA has not yet approved these activities. It is important to note that KiwiRail has funded these costs and are expecting to be reimbursed for it. Hence the rolling stock works are well underway.

31. The latest update provided by NZTA staff is that they have completed an interim capital funding memorandum that uplifted the funding to $3.5 million and they are awaiting for NZTA General Managers to sign-off first and then the Interim Chief Executive. Until this is done, council won’t be in a position to reimburse KiwiRail the agreed amount.

Confirmation of TEFAR for SSBC and associated work
32. Costs to complete the SSBC and associated work to this point, have amounted to $576,904. This includes:

- $114,405 costs incurred in the prior year on demand forecasts/market research and the BERL business case work (net costs shared between WRC, HCC and WDC).
- $251,310 costs to complete the SSBC (HCC and WRC sharing the net cost equally).
- $107,125 costs incurred by HCC and WDC relating to pre-implementation station design and level crossing safety impact assessments to be claimed from NZTA by WRC as the approved organisation.
- -$104,064 of WRC staff labour costs (including overhead burden)

Of this total cost, the WRC share is $55,716 (assuming a 75.5% FAR from NZTA), which is within current approved budget.
33. The original budget approved for this by NZTA was $500,000, hence council staff have submitted a cost scope adjustment so we can claim the balance. The costs are greater than the original budget due to NZTA requesting more work done than originally envisaged. It is important to note that as the approved organisation and lead agency for the SSBC, we will claim HCC’s and WDC’s SSBC costs from NZTA (no WRC share required).

34. NZTA has yet to approve the cost scope adjustment so we can claim the costs accordingly. It has been notified that this is underway and we should receive approval confirmation shortly.

35. WRC staff worked with NZTA staff prior to the Board meeting in December to ensure the SSBC was proposed as an eligible activity for TEFAR under the same criteria as the overall project. It had been signalled that it will be funded at 75.5% FAR, however we have not yet received written confirmation that this is the case.

36. This is a material issue for WRC as getting access to TEFAR will free up the necessary budget to fund the pre-implementation phase of this project, including the project management costs.

Summary of Work Underway

Appointment of Programme Manager (PM)

37. One of the funding conditions outlined by the NZTA Board is for WRC to deliver a detailed programme plan and a risk management plan to ensure the successful delivery of the capital projects.

38. The capital projects within the wider programme are the rolling stock refurbishment, upgrade of the Te Rapa maintenance facility, construction of railway stations and a ticketing system.

39. To engage a PM to deliver the projects outlined above, WRC ran a two-stage-two-envelope Request for Proposal. Part of the process involved carrying out a collective tender evaluation and an interview of the shortlisted candidates. The collective evaluation and interview panel was made up of representatives from HCC (Chris Allen), WDC (Vishal Ramduny), NZTA (Barry Dowset) and WRC (Mike Garrett).

40. The panel decided to recommended to council’s Tenders Board that the contract is awarded to Alan Gregory from Tonkin+Taylor. A report (Doc #13747228) was submitted to the Tenders Board and the appointment was approved.

41. However, there are two conditions that WRC staff have to work through with NZTA prior to signing off the Secondment Agreement:

   a. The NZ Transport Agency confirming targeted enhanced financial assistance rate (TEFAR) for the completed Single Stage Business Case for the Hamilton to Auckland Start-Up Passenger Rail Service.
   b. The NZ Transport Agency commits to subsidise the project management costs at 75.5% for the complete term of the agreement.

42. As explained in the funding issues section, these two conditions are being resolved at the time of writing this report. In the interim, the Tenders Board agreed:

   "to engaging Alan Gregory on an hourly rate until NZTA makes a decision regarding TEFAR for the SSBC and Programme Management costs or until the NZTA Board meeting of the 18 March 2019, whichever happens first".

43. This engagement will ensure that the deliverables required to meet the NZTA Board approval conditions noted in paragraph 14 can be progressed.
Pre-implementation Memorandum

44. WRC staff have prepared a financial Memorandum to provide NZTA staff with detailed financial information regarding the pre-implementation activities that will be carried out by WRC and to enable their Interim Chief Executive to review and approve the level of funding at 75.5% FAR.

45. The pre-implementation costs that WRC is seeking funding for include the following:
   - Programme management costs (external consultant)
   - Staff programme oversight
   - Staff programme management support
   - External and WIFI ticketing scoping and design work
   - External work to address NZTA conditions (further demand work)
   - Legal costs to negotiate an AT agency support agreement, operational agreement with KiwiRail and the detailed capital funding agreement.

46. The total costs estimated for the pre-implementation phase is $228,143, and it includes the activities summarised above. NZTA is expected to contribute 75.5% of the total pre-implementation costs, of $172,248. WRC will fund the difference (24.5%) of $55,895.

47. WRC’s funding for the programme management costs and the other pre-implementation items will come from the current year start-up passenger rail pre-implementation budget allocated in the Long Term Plan 2018/28 year 1 and from the $1,085,000 provided in the draft 2019/20 Annual Plan budget (noting $25,000 of 2019/20 budget will be brought forward for the ticketing and WIFI pre-implementation work).

48. Council’s resolution of 21 November 2018, clearly stated that any local share funding is subject to NZTA confirming funding at 75.5% for all pre-implementation work required to prepare for the operation of the service.

49. The memorandum prepared provided a detailed overview of the budget required to complete the pre-implementation phase of the programme and is requesting that NZTA confirms, via a written letter, the enhanced FAR (75.5%) granted for all the activities outlined.

Corridor Plan Update

50. The organisations involved in the corridor plan have been working collaboratively to develop a clear governance structure to advance the array of programmes initiatives identified in the plan.

51. The political representatives of the member organisations, including Mayors and Chairs of councils, met with Minister Phil Twyford on 15 February 2019 to achieve the following objectives:
   - To consider the outline of a proposed new ongoing growth management partnership for the corridor that would progress and/or support the proposed programme of initiatives and update the summary statement of shared spatial intent as and when required.
   - To receive a proposed summary statement of shared spatial intent for the corridor as a ‘high level’ form of spatial planning.
   - To consider a draft programme of initiatives that would support, enable and/or give effect to the shared spatial intent for the corridor, and be ‘owned’ by the proposed new partnership.
   - To consider the Terms of Reference for the proposed Hamilton-Waikato Metro Spatial Plan as one of the first key initiatives in the proposed work programme.

52. It is important to note that the Terms of Reference for the PGWG is to keep a watching brief on the corridor plan and progress being made on the start-up service will be reported to the governance structure of the corridor plan at the appropriate time.
Delivery Timeline for Pre-implementation

53. WRC staff have developed a high level timeline (below) so NZTA can see clear tasks, milestones and deadlines throughout the pre-implementation phase.

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<th>18.02.19 - 03.03.19</th>
<th>04.03.19 - 17.03.19</th>
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<td>Governance Group and Council sign-off</td>
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<td>Ticketing/Pre-implementation</td>
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<td>Results presented to NZTA and Governance Group</td>
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<td>Legal Sign-off by signatory parties</td>
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54. The successful completion of the workflows identified above will be key to tracking well on the detailed delivery plan’s critical path. The workflows covered in this timeline are in alignment with the pre-implementation funding request submitted via a memorandum to NZTA (paragraph 45). Additionally, the governance sign off tasks have been aligned with the tentative meeting dates of the PGWGW to ensure we get approval to move to the next phase.

55. It is also important to note that all deliverables sitting under each workflow have been scheduled so they are completed by 13 May (pre-implementation and phase 1 of PM Secondment Agreement ends).

56. Capital works (ticketing and WiFi) are expected to progress from preliminary design to detail design and the programme management office will have developed appropriate plans and reporting structures to proceed to implementation.

57. It is expected that the appointed PM (Alan Gregory) will work towards the completion of these deliverables with the support of WRC staff involved in the programme management office.

Proposed Governance Structure

58. The Transport Connections Working Party (TCWP) oversaw the delivery of the Transport Connections Strategic Business Case and the Single Stage Business Case (SSBC) for the Hamilton to Auckland Start-Up Passenger Rail Service. WRC was represented on the TCWP by Councillor Vercoe in his role as Chair of the Regional Transport Committee and Councillor Rimmington as the Chair of Public Transport Joint Committee.
59. The TCWP included representatives from:
   - Hamilton City Council
   - Waikato District Council
   - Auckland City Council
   - Auckland Transport (AT)
   - Ministry of Transport
   - NZTA
   - Kiwirail

60. As all of the organisations still have involvement with the project, it is recommended that a similar structure be set up for governance oversight of start-up service project via a Project Governance Working Group. The exception to this is Auckland Council who have advised that they do not see a need to be represented as any matters relevant to them will communicated via AT.

61. The purpose of the Project Governance Working Group (PGWG) is to:
   - Make recommendations to the NZ Transport Agency and local councils (as the project investors) regarding matters that could change the level of service outlined in the SSBC.
   - Sign off an assurance plan, within which the working group can make recommendations and decisions within agreed tolerances.
   - Provide direction and guidance to staff when additional work will be required as part of the pre-implementation and implementation phases of the project.
   - Undertake overall project budget monitoring.
   - Ensure a robust risk reporting framework is in place and key project risks are being satisfactorily managed.
   - Propose recommendations to the respective council authorities and NZTA when escalation is required.
   - Provide direction to the Rail Technical Control Group and the Programme Management Office to successfully deliver the required infrastructure and pre-service capital/operational activities.
   - Delegate decisions to the Rail Technical Control Group when required.
   - Provide direction to progress funding and Board approval condition matters with the NZ Transport Agency.
   - Approve and monitor a Community Engagement Strategy.
   - Approve media and stakeholder communication protocols.

62. To achieve the purpose stated above, the Working Group will also keep a watching brief on:
   - Inter-dependencies with central government, councils, and partner organizations’ regional plans and in particular the Hamilton to Auckland Corridor Plan development.
   - The development of the Treasury Business Case for the rapid rail connection between Hamilton and Auckland led by the Ministry of Transport.
   - The technical and professional advice provided by the respective project managers and the overarching programme manager.
   - Technical advice from KiwiRail and Auckland Transport.
   - Consultation with mana whenua, whether Iwi or Hapu Authorities, when relevant to the project.

63. The proposed membership of the Project Governance Working Group is set out in the table below (subject to confirmation from each participating organisation).

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<tr>
<td>KiwiRail</td>
<td>David Shepherd</td>
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</tbody>
</table>
### Table: Organisations and Representatives

<table>
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</tr>
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<td>Ministry of Transport</td>
<td>Erin Wynne, Bryn Gandy (alternate)</td>
</tr>
</tbody>
</table>

64. The following member parties have been considered as those having to make recommendations regarding level of service changes, budget adjustments and the issues outlined in the scope section:

- Waikato Regional Council.
- Waikato District Council.
- Hamilton City Council.
- NZ Transport Agency.
- Auckland Transport.

65. The role of KiwiRail as the service provider is to provide technical advice on matters affecting the passenger rail service between Hamilton and Auckland.

66. The PGWG decided to invite Auckland Council to be a member of the governance group as they will be a key strategic player in developing the future of rail and the Hamilton to Auckland Corridor Plan.

67. The role of the Ministry of Transport will be to provide central government support and guidance in alignment with the Government Policy Statement on Land Transport and input regarding the fast rail connection business case between Hamilton and Auckland.

68. It is proposed that the Project Governance Working Group meets bi-monthly with subsequent reporting through to WRC Finance Committee and Audit and Risk Committee.

69. Attached in Appendix 2 is the proposed Terms of Reference and governance structure (Appendix 3). A meeting of the TCWP was held on 18 February to endorse the TOR and governance structure for recommendation back to each participating organization. However, they did note a strong preference for Auckland Council to have an ongoing involvement to ensure strategic alignment of the project and this request will be followed up with Deputy Mayor Bill Cashmore who was a previous member on the TCWP.

### Attachments

- Appendix 1 – NZTA Board Unratified Minutes meeting of the 14 December 2018
- Appendix 2 – Terms of Reference for the H2A Start-Up Passenger Rail project Governance Working Group
- Appendix 3 - Project Governance Structure
Appendix 1 – NZTA Board Unratified Minutes meeting of the 14 December 2018

Hamilton to Auckland Passenger Rail Start Up Service – Business Case Approval and Funding of Transitional Rail and Public Transport Activity

Board paper 2018/12/1325

Brett Gliddon

Brett Gliddon introduced the paper noting the business case had been prepared jointly by Waikato Regional, Hamilton City and Waikato District Councils. The Transport Agency had been involved in the business case development only as an adviser and had indicated a number of areas where more detailed investigation was necessary throughout the business case development process.

Board members discussed the merits of the business case noting the Benefit Cost Ratio of 0.5 raised concern about the strength of the economic case but that is it is a strategically sound proposition for the long term resulting in a High results alignment. It was noted that start up passenger services such as these rarely have high Benefit Cost Ratios due to time required for the service to build patronage. The nature and length of the trial were discussed. It was confirmed the trial was planned to span a five year period to enable demand to be thoroughly tested and assessed.

The termination of the route at Papakura was noted and there was discussion around the investigation of continuing to Puhinui. The Business Case did look at this option but at this time the case was made for a service to Papakura. The Board noted the option of continuing the service to Puhinui in the future would provide a better transport link between Auckland and Hamilton.

The Board clarified that the funding was for rolling stock to be purchased from Auckland Transport, refurbishing of the rolling stock and below rail track infrastructure and platforms at stations along with funding for the operation of the service and integrated ticketing costs.

Board members noted the conditions included in the resolutions and asked management to ensure there were clear patronage targets set for success and that these were measured closely throughout the five year period. The Board also requested that everything possible be considered to make the service attractive to the user.

The Board determined that a fast train to Waikato is a logical transport solution and the business case for a trial is the first step towards this outcome. On that basis the Board supported the resolutions.
The NZ Transport Agency Board:

a) **Endorses** the Hamilton to Auckland Passenger Rail start up service Single Stage Business Case, subject to a condition subsequent that independent Stage Gate Reviews are undertaken during Pre-implementation to consider and approve: revised and updated costs (capital and operating), improved demand forecasts, robust Customer Service & Marketing Plan, updated Project Delivery & Assurance Plans, and full operational safety sign off.

b) **Approves** funding to Waikato Regional Council (fully funded Transitional Rail activity class) for purchase of rolling stock; subject to a condition precedent where the costs are agreed and signed off by the NZ Transport Agency Chief Executive.

c) **Approves** funding to Waikato Regional Council (fully funded Transitional Rail activity class) for Pre-implementation work associated with refurbishment of the rolling stock, subject to:

   i. a condition precedent where the NZ Transport Agency Chief Executive reviews and approves the proposed level of funding; and

   ii. a condition subsequent that the right of Transport Agency to re-use the asset should the start up service not proceed, or be withdrawn during or at the end of the five year period.

d) **Approves** funding to the relevant councils (fully funded Transitional Rail activity class) for Pre-implementation work associated with rail below-track infrastructure and platforms, subject to a condition precedent where the NZ Transport Agency Chief Executive reviews and approves the proposed level of funding.

e) **Approves** funding to Waikato Regional Council (funded from Public Transport infrastructure at a targeted funding assistance rate of 75.5%) for Pre-implementation work associated with the operation of the service, including integrated ticketing, subject to a condition precedent where the NZ Transport Agency Chief Executive reviews and approves the proposed level of funding.

f) **Notes** that the total cost for all elements of the project is currently estimated at $78.249 million (of which $58.641 million is within the National Land Transport Programme 2018-21), with further work required to gain greater certainty as to the final costs.

g) **Notes** that for the National Land Transport Programme 2018-21 the project is assessed as having High results alignment with a cost-benefit appraisal of Benefit Cost Ratio of 0.5, which requires approval by exception, on the basis that it is a trial service that could be further developed to provide an impetus to the wider corridor spatial planning work in the next five years.

h) **Notes** that approval of Implementation funding will be subject to Pre-implementation work satisfactorily addressing the risk mitigation proposals and proceeding through independent Stage Gate Review; and will require a further Board decision at the appropriate time.

i) **Notes** that the impact of costs of the project to the National Land Transport Programme Transitional Rail activity class is lower than information supplied in the October 2018 Board meeting, due to updated costings for the proposed start-up service and a revised interpretation of costs that constitute Transitional Rail rather than Public Transport. This change lowers the risk exposure to the overall over-programming in the Transitional Rail activity class for 2018-21 by around $12 million.
Appendix 2 – Terms of Reference for the H2A Start-Up Passenger Rai project
Governance Working Group

Terms of Reference

For
The Hamilton to Auckland Start-Up Passenger Rail Project Governance Working Group
Purpose

The purpose of this Terms of Reference for the Hamilton to Auckland Rail Project Governance Working Group is to define:

- The purpose and role of the Project Governance Working group;
- The programme oversight responsibilities;
- The scope of work that will be agreed with the co-investors, overseen and delivered;
- The organizations that will hold membership of the Working Group; and
- Other matters such as key dates and voting rights, which are key to having effective Terms of Reference.

Background

The Transport Connections Working Party (TCWP) oversaw the delivery of the Transport Connections Strategic Business Case and the Single Stage Business Case (SSBC) for the Hamilton to Auckland Start-Up Passenger Rail Service.

The SSBC was developed to seek funding for the construction of the railway infrastructure and operational resources to provide a two-daily return peak time train service between Hamilton and Auckland. The TCWP is to be retained and renamed the Rail Project Governance Working Group, to provide elected representative project governance oversight of the pre-implementation and implementation phases of the Start-Up Passenger Rail Service project.

At the NZ Transport Agency board meeting on 14 December 2018, the SSBC for the Hamilton to Auckland Start-Up Passenger Rail Service was endorsed and funding for the pre-implementation phases of the project was approved (subject to a number of conditions).

The SSBC identified a range of projects that sit within the overarching delivery programme of the service.

- The construction of a railway station at The Base and potential improvement works for the Frankton station (if required);
- The upgrade and re-opening of the existing railway station at Huntly;
- Track and signalling works to enable safe and efficient operation;
- Modification and overhaul of rolling stock to provide a good passenger experience;
- Upgrade of Maintenance and Depot facility at Te Rapa; and
- Service operation (station access, ticketing, fares, timetables and marketing).

Each one of these projects will have their own delivery structures and project managers. Each project manager will be in charge of reporting to a programme manager appointed by Waikato Regional Council, accountable to a technical control group with staff representatives from each participating organisation. The programme manager will then escalate matters to the Rail Project Governance Working Group if necessary.

In order to deliver a high quality programme with a range of sub-projects, the Rail Project Governance Working Group will make strategic, operational and programme delivery decisions that will be bound by the delegations provided to the Working Group and the voting rights set out in this document and provide direction to the staff technical control group.

Purpose of the Working Group

The purpose of the Working Group is to:

- Make recommendations to the NZ Transport Agency and local councils (as the project investors) regarding matters that could change the level of service outlined in the SSBC;
• Sign off an Assurance Plan, within which the Working Group can make recommendations and decisions within agreed tolerances;
• Provide direction and guidance to staff when additional work will be required as part of the pre-implementation and implementation phases of the project;
• Undertake overall project budget monitoring;
• Ensure a robust risk reporting framework is in place and key project risks are being satisfactorily managed;
• Propose recommendations to the respective Council Authorities and NZTA when escalation is required;
• Provide direction to the Rail Technical Control Group and the Programme Management Office to successfully deliver the required infrastructure and pre-service capital/operational activities;
• Delegate decisions to the Rail Technical Control Group when required;
• Provide direction to progress funding and Board approval condition matters with the NZ Transport Agency;
• Approve and monitor a Community Engagement Strategy; and
• Approve media and stakeholder communication protocols.

To achieve the purpose stated above, the Working Group will also keep a watching brief on:
• Inter-dependencies with central government, councils, and partner organizations’ regional plans and in particular the Hamilton to Auckland Corridor Plan development.
• The development of the Treasury Business Case for the rapid rail connection between Hamilton and Auckland led by the Ministry of Transport;
• The technical and professional advice provided by the respective project managers and the overarching programme manager;
• Technical advice from KiwiRail and Auckland Transport; and
• Consultation with mana whenua, whether Iwi or Hapu Authorities, when relevant to the project.

**Assurance Plan**

An Assurance Plan will be produced and approved by the Governance Working group that sets out:
• Release of funding, cost control and meeting conditions;
• Programme, risk and benefits management;
• Key accountabilities for delivery of the projects and overall programme;
• Granting and execution of any delegations;
• Governance and transparent decision making;
• Standards of propriety in relation to procurement and general conduct;
• Technical standards that will be employed to deliver a high quality programme;
• Scrutiny and audit arrangements;
• Reporting standards; and
• Plans for customer / community engagement.

**Scope of Work**

The scope is to firstly endorse a governance structure and confirm its establishment for recommendation back to participating organisations. This will be done in the first meeting of the Project Governance Working Group in February 2019. Subsequently the projects outlined in the background section of this document will be overseen by the Project Governance Working Group. The delivery matters that will be escalated to the Project Governance Working Group will have to meet one of the following criteria:
• Issues that cannot be decided and solved by the project managers and the programme management office;
• Matters that require political sign-off and oversight such as proposed changes to the level of service;
• Issues that can jeopardize the March 2020 start date;
• Any changes to scope, delays and unforeseen events that may result in an increase in forecast costs;
• Cost Scope Adjustment recommendations that need to be submitted to NZTA in Transport Investment Online; and
• Issues that require direct input from the NZ Transport Agency lead staff.

The main scope is the delivery of the service level as proposed in the SSBC in full by March 2020 and the benefits to customers via the provision of an alternative mode of transport for interregional commuting. This will be done with the support of all project investors and partners. Additionally, the Project Governance Working Group will be in charge of briefing central government officials and the Corridor Plan Governance Group with progress of the start-up service project.

**Membership**

The proposed membership of the Project Governance Working Group is set out in the table below (subject to confirmation from each participating organisation).

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<td>Bryn Gandy (alternate)</td>
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The attendance will be limited to members, staff of the Project Governance Working Group partner organisations and other participants approved through the Chair.

**Note:** The representatives of each organisation might change after the Local Government elections scheduled for October 2019.

**Voting Rights**

The following member parties have been considered as those having to make recommendations regarding level of service changes, budget adjustments and the issues outlined in the scope section:

• Waikato Regional Council;
• Waikato District Council;
• Hamilton City Council;
• NZ Transport Agency; and
• Auckland Transport.
The role of KiwiRail as the service provider is to provide technical advice on matters affecting the passenger rail service between Hamilton and Auckland.

The role of the Ministry of Transport will be to provide central government support and guidance in alignment with the Government Policy Statement on Land Transport and input regarding the fast rail connection business case between Hamilton and Auckland.

The intent of the parties is to develop a collaborative decision making framework and reach decisions by consensus to ensure success of the project.

**Chair**

The chair of the Project Governance Working Group will be the Chair of the Waikato Regional Transport Committee.

**Meetings**

The Project Governance Working Group is envisioned to meet bi-monthly. Due to the tight delivery timeline for this programme the Chair can call an extraordinary meeting where required. Agenda papers will be distributed in advance of every meeting.

**Support**

Waikato Regional Council, as the client for the service, will take responsibility for hosting meetings and supporting the Project Governance Working Group.

**Programme**

Key meeting dates for the Project Governance Working Group in 2019 and first quarter of 2020 by phase type are outlined below:

<table>
<thead>
<tr>
<th>Phase</th>
<th>Date</th>
<th>Tentative Agenda Items</th>
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<tbody>
<tr>
<td>Pre - Implementation</td>
<td>18 February 2019</td>
<td>Governance Structure, Terms of Reference, Review Timeline, Gateway review process</td>
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<td>March 2019 (date TBC)</td>
<td>Rolling Stock - moving to implementation phase</td>
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<td>May 2019 (date TBC)</td>
<td>Meeting pre-implementation conditions</td>
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<tr>
<td>Implementation</td>
<td>July 2019 (date TBC)</td>
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<td>September 2019 (date TBC)</td>
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<td>November 2019 (date TBC)</td>
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<td>January 2020 (date TBC)</td>
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<td>March 2020 (date TBC)</td>
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Appendix 3 – Project Governance Structure
Report to Council

Date: 19 February 2019

Author: Kim Parker, Biosecurity Officer Pest Plants
        Clare Crickett, Director Integrated Catchment Management

Authoriser: Vaughan Payne, Chief Executive

Subject: Waikato Regional Council submission on the draft National (Kauri dieback) Pest Management Plan and draft Implementation Strategy

Purpose
1. To seek approval from council on the content, and subsequent lodgement, of the Waikato Regional Council’s (the council’s) submission to the draft National (Kauri dieback) Pest Management Plan and draft Implementation Strategy.

Executive Summary

3. Kauri dieback is caused by a soil-borne, microscopic organism, *Phytophthora agathidicida*. It poses a significant threat to the long-term survival of kauri and kauri forests in the Waikato and New Zealand. There are more than 300,000ha of forests that contain kauri in the Waikato region alone. The potential loss of kauri and kauri forests, poses a threat to the environmental, economic, social and cultural wellbeing of Waikato communities.

4. Council’s proposed submission supports the overall intent of the plan and strategy, and comments on specifics contained within them.

5. The proposed implementation strategy will impact the current level of service provided by the Waikato Regional Council for managing kauri dieback. Therefore, council’s support is contingent on central government funding for implementation. At present, with the information staff have, staff have put forward that council will not be seeking additional funding from ratepayers to implement the National Pest Management Plan.

Staff Recommendations:
1. That the report ‘Waikato Regional Council submission on the draft National (Kauri dieback) Pest Management Plan and draft Implementation Strategy’ (Doc #13797622 dated 19 February 2019) be received.

2. That the council approve ‘Waikato Regional Council submission on the draft National (Kauri dieback) Pest Management Plan and draft Implementation Strategy’ (Doc #13804033) as the submission for lodgement to the Kauri Dieback National Programme.
Background

6. Kauri dieback is caused by a soil-borne, microscopic organism, *Phytophthora agathidicida*. Once a tree is infected with the disease it is incurable and all trees infected will die. The pathogen infects the tree roots and damages the tissues that carry nutrients and water.

7. This disease is a significant threat to kauri and kauri forests. Due to the impacts of kauri dieback, kauri are now classed as a nationally vulnerable (facing risk of extinction in the medium term) threatened species.

8. Kauri are a taonga species and are highly valued by New Zealanders. There are more than 300,000ha of forests that contain kauri in the Waikato region alone. The loss of kauri would heavily impact the environmental, economic, social and cultural wellbeing of Waikato communities.

9. There are limited tools available to manage this disease and currently no known cure or treatment. However, in November 2018, Science and Innovation Minister Megan Woods announced a $13.75 million research investment for kauri and myrtle rust (to be spent over three years). This is additional to the programmes current science budget and could also be increased through the 2019/20 central government budget round.

10. Kauri dieback is not widespread in the Waikato region, with there being six sites. All of these are on the Coromandel Peninsula and five of the six are on private land at Whangapoua and Tairua. The rest of the region is areas that can be protected.

11. Kauri dieback is spread by three main vectors; livestock, human activity and feral animals (such as pigs, deer, and goats). Presently, council staff work with private landowners through our catchment management teams to manage the issues associated with these vectors. Key activities include fencing to exclude stock, education around people and machinery hygiene, and support for community groups to manage soil movement when undertaking pest control.

12. Council is a partner to the current National Kauri Dieback Programme and has been since its inception in 2009. MPI is the programme lead and other partners to the programme include Department of Conservation (DOC), Northland Regional, Auckland, and Bay of Plenty Regional Councils.

13. An independent review of the National Kauri Dieback Programme in 2013 and a subsequent regulatory review completed in 2016 both identified an ‘over-reliance on voluntary compliance’ as a key problem that needed to be addressed in the programme. Recognising, that rules are part of a wider programme of activities including education/awareness, and supporting the community initiatives.

14. In August 2018, the National Kauri Dieback Programme released consultation documents with proposals for the refreshed strategy, concepts for the draft National Pest Management Plan, and consideration for design of a management agency for kauri dieback.

15. By council resolution a submission to the proposals was lodged - the ‘Waikato Regional Council submission on the Accelerating Kauri Protection consultation’ (Doc #13036329), dated 18 September 2018. The submission supported the intent of the draft National Pest Management Plan and management agency concepts proposed.

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16. A National Pest Management Plan for kauri dieback has been drafted under section 61 of the Biosecurity Act. This development is following the consultation process described in section 63, and is approved by the Minister of Biosecurity, with input from the Minister of Conservation.

17. The Biosecurity Act requires that an agency needs to be accountable for the implementation of any National Pest Management Plan.

18. The final round of consultation began on 18 February and will close 18 March 2019. Staff have prepared a submission, with feedback from an internal working group, and taking on board public feedback heard by the Waikato community at meetings in Thames and Hamilton.

19. Timeframes for the consultation and project have been and are as follows:

<table>
<thead>
<tr>
<th>DATE</th>
<th>ITEM</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 2018</td>
<td>Pre-consultation activities undertaken with initial community feedback and kauri strategy discussions had (round 1 public meetings) Public meetings were held in Thames.</td>
</tr>
<tr>
<td>August 2018</td>
<td>Consultation for development of National Pest Management Plan and management agency discussion began (round 2 public meetings) Public meetings were held in Thames and Hamilton.</td>
</tr>
<tr>
<td>December 2018</td>
<td>Treasury bid for kauri protection; central government funding received</td>
</tr>
<tr>
<td>February 2019</td>
<td>Final draft strategy, National Pest Management Plan formal proposal and management agency formal proposal</td>
</tr>
<tr>
<td>March 2019</td>
<td>Final strategy approvals (final round of public meetings) Second round of submissions on draft National Pest Management Plan Funding negotiations for management agency and implementation At the time of writing this paper public meetings are proposed to be held in Thames, Tairua, and Hamilton along with targeted meetings with iwi, mana whenua, Te Tira Whakamataki (Maori Biosecurity Network), and national pig hunters association in the Waikato.</td>
</tr>
<tr>
<td>May 2019</td>
<td>Minister reviews submissions on National Pest Management Plan Organisation to implement plan and lead kauri protection created</td>
</tr>
<tr>
<td>September 2019</td>
<td>National pest management plan in place Management agency starts to operate</td>
</tr>
</tbody>
</table>


21. The draft National (Kauri dieback) Pest Management Plan has proposed rules for the following matters:
   a) Require information sharing (to counter Privacy Act issues)
   b) Restrict soil movement in certain conditions
   c) Require nursery hygiene
   d) Provide for wild animal release controls
   e) Require hygiene station use
   f) Require open tracks to meet a hygiene standard
   g) Require hygiene of off-track users
   h) Provide for kauri dieback management plans, and mandatory stock exclusion for ‘high-risk properties’ and ‘sanctuaries’.

22. The submission supports the development of rules within the National Pest Management Plan, with the exception of Rule 4, which relates to soil movement. This rule would be better placed within the Resource
Management Act framework, i.e. through district plan provisions. The submission promotes the need to achieve national consistency and that a National Environmental Standard for the protection of kauri be developed.

23. Two options for the Management Agency have been put forward. Option a: a government department, similar to the current approach, and option b: a not-for-profit crown owned company. The latter potentially allowing for a more flexible approach to management.

24. Overview proposed changes to structure:

Table 1: Overview Current Structure vs. Proposed Structure

<table>
<thead>
<tr>
<th>Current structure</th>
<th>Proposed new structure – options a and b</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry for Primary Industries</td>
<td>Management Agency, department led or not for profit crown company</td>
<td>This is where the biggest change will take place.</td>
</tr>
<tr>
<td>Department of Conservation</td>
<td>DOC</td>
<td>No proposed change in responsibilities. Proposed increase in level of service.</td>
</tr>
<tr>
<td>Regional councils</td>
<td>Regional councils</td>
<td>No proposed change in responsibilities Proposed increase in level of service.</td>
</tr>
<tr>
<td>District councils</td>
<td>District councils</td>
<td>No proposed change in responsibilities.</td>
</tr>
</tbody>
</table>

25. The actions required to implement the National (Kauri dieback) Pest Management Plan are to be undertaken by others including DOC, regional councils and district councils. Actions will include activities such as, building and maintenance of tracks, working with private landowners to achieve environmental outcomes, compliance/enforcement, and working locally with Iwi, community, and industry groups.

It is recognised that some stakeholders cross regional boundaries and it is outlined that the Management Agency will take lead of this.

It is seen as inefficient and less effective to meet outcomes for the community for a management agency to duplicate actions undertaken by the agencies described above. This is the view of staff, stakeholders, community and mana whenua heard at targeted hui for this work.

26. There is still uncertainty relating to the amount of central government funding that will become available and how this will be distributed across the regions/agency. How current levels of service are to be impacted is not yet clear.

27. Staff will bring another paper to council as information becomes available.

28. A treasury bid for implementation of this National Pest Management Plan was placed in December 2018.

Impacts

29. Impact table for proposed National (Kauri dieback) Pest Management Plan:
## National Pest Management Plan

### Description of item

The draft National Pest Management Plan for kauri dieback proposes rules for the following items:

| a. | information sharing |
| b. | soil movement controls |
| c. | nursery hygiene requirements |
| d. | wild animal release controls |
| e. | hygiene station use requirements |
| f. | open tracks to meet a hygiene standard |
| g. | hygiene of off-track users |
| h. | kauri dieback management plans, and mandatory stock exclusion for ‘high-risk properties’ and ‘sanctuaries’ |

### Impact assessment

<table>
<thead>
<tr>
<th>Legal Implications</th>
<th>The National Pest Management Plan will set national requirements around the management of and protection against kauri dieback.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The Waikato Regional Pest Management Plan may not be inconsistent with the National Pest Management Plan.</td>
</tr>
<tr>
<td>Risk</td>
<td>National Pest Management Plan requirements are insufficient for the management of the organism.</td>
</tr>
<tr>
<td></td>
<td>Central funding not provided and therefore insufficient funding for management of the organism.</td>
</tr>
<tr>
<td>Policy Implications / Strategic Links</td>
<td>The National Pest Management Plan will set minimum requirements which the council’s Regional Plan, Regional Pest Management Plan, and resource consents must be consistent with.</td>
</tr>
<tr>
<td></td>
<td>Aspects of the National Pest Management Plan are likely to be relevant to the regional plan review process and integration may be necessary.</td>
</tr>
<tr>
<td></td>
<td>Aspects of the National Pest Management Plan are likely to be relevant to the regional pest management plan review and integration may be necessary.</td>
</tr>
<tr>
<td>Regional costs and benefits,</td>
<td>A cost benefit analysis, carried out as part of the development of the National Pest Management Plan.</td>
</tr>
<tr>
<td></td>
<td>The following are components from this:</td>
</tr>
</tbody>
</table>

“Kauri has cultural, spiritual and ecological significance to mana whenua, New Zealanders and to international visitors. Our tangata whenua are kaitiaki (guardians) of the environment and of kauri, connected to mana whenua (authority of ancestor-owned land) through customs, culture and whakapapa. New Zealanders collectively share a strong connection with and care for the environment. The outdoor culture is embraced and promoted nationally and internationally, so people can share in New Zealand’s environmental beauty.”

“The impact Kauri Dieback could have on regional GDP was considered difficult to quantify. The total GDP across regions with kauri forest is $145,508m.”

“Five distinct scenarios have been considered for the future management of Kauri Dieback: kauri extinction, status quo, forest closure, National Pest Management
Plan (light funding) (NPMP light funding), and the proposed National Pest Management Plan (NPMP).

Costs and benefits of these scenarios have been quantified where possible, using Net Present Value (NPV) analysis. The analysis shows that over a 50 year period, the kauri extinction and status quo scenarios are NPV negative ($1,189.2m and $138.9m respectively) while the forest closure, NPMP light funding and NPMP scenarios are NPV positive ($505.2m, $334.4m and $546.8m respectively). The analysis shows however that the NPV result is highly sensitive to assumptions related to the social cost of carbon, the amount of trees and the base level of disease spread. For the NPMP scenario the NPV sensitivity test results varied between ($162.1)m and $1,255.7m, and the NPMP light funding NPV varied between ($374.5)m and $1043.3m.”

Social, cultural and environmental impact for the region would be significant.

Financial Implications

Council will not have financial implications to meet requirements of this National Pest Management Plan

Annual Plan / LTP Implications

Nil

Community Outcomes

There will be more effective legislative powers to support kauri protection.

There will be more resources to work with our active community groups and to supply funding to strengthen their positions within the kauri protection space.

Community Views

There is a high level of support from the community for increasing resourcing and action around kauri dieback management.

There is strong community support for improved protection for kauri from key stakeholder groups including, Forest and Bird, Kauri Rescue, and the Coromandel Kauri Dieback Forum.

Customer impact

Kauri will be better protected.

30. Impact table for proposed management agency structure for implementation of the proposed National (Kauri dieback) Pest Management Plan:

<table>
<thead>
<tr>
<th>Management agency</th>
<th>Description of item</th>
</tr>
</thead>
<tbody>
<tr>
<td>A management agency must be assigned to implement the National (Kauri dieback) Pest Management Plan. Regional councils’ roles in the proposed new structure is the same under both options proposed.</td>
<td></td>
</tr>
<tr>
<td>Impact assessment</td>
<td></td>
</tr>
<tr>
<td>Legal Implications</td>
<td>There is no legal implications considered.</td>
</tr>
<tr>
<td>Risk</td>
<td>The management agency is proposed to be operational September 2019, and budget confirmation May 2019. This allows led in time which creates a risk.</td>
</tr>
<tr>
<td>Policy Implications / Strategic Links</td>
<td>Kauri protection work aligns strongly with councils other strategic priorities to have native bush fenced. Council will be able to leverage opportunities off central government funding.</td>
</tr>
<tr>
<td>Regional costs and benefits,</td>
<td>It is not anticipated for this increase in level of service to be a burden to the ratepayers of the region. However, there is an option, if council desired, to do more.</td>
</tr>
<tr>
<td>Financial Implications</td>
<td>It is not anticipated for this increase in level of service to be a burden to the ratepayers of the region. However, there is an option, if council desired, to do more.</td>
</tr>
</tbody>
</table>
### Annual Plan / LTP Implications

It is not anticipated for this increase in level of service to be a burden to the ratepayers of the region. However, there is an option, if council desired, to do more.

### Community Outcomes

Central funding be made available to drive increased kauri protection outcomes through landowners, community groups, schools and education.

### Community Views

There is a high level of support from the community for increasing resourcing and action around kauri dieback management.

There is strong community support for improved protection for kauri from key stakeholder groups including, Forest and Bird, Kauri Rescue, and the Coromandel Kauri Dieback Forum.

### Customer impact

Kauri will be better protected.

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**Assessment of Significance**

31. These actions will support better protection for kauri in the Waikato region.

32. It is considered likely that central government funding will significantly boost levels of service to Waikato communities with kauri. It is anticipated that central funding will provide for all costs associated with the increase in level of service required from implementation of the National (Kauri dieback) Pest Management Plan.

**Policy Considerations**

33. The National Pest Management Plan will set minimum standards to be applied, where necessary, in the Regional Plan, the Regional Pest Management Plan and in consent conditions. If the council desires, the council may through consultation, provide additional standards through the upcoming review of the Waikato Regional Pest Management Plan.

**Conclusion**

34. Council intends to submit to the Kauri Dieback National Programme on the consultation documents. A submission has been prepared for council’s consideration.

**Attachments**

1. Waikato Regional Council submission on the draft National (Kauri dieback) Pest Management Plan and draft Implementation Strategy (Doc #13804033).
28 February 2018

Roger Smith
Chair of Kauri Dieback Programme Governance Group
kauriconsultation@mpi.govt.nz

Tēnā koe Roger

**Waikato Regional Council submission on the draft National (Kauri dieback) Pest Management Plan and draft Implementation Strategy**

Thank you for the opportunity to make a submission on the draft National (Kauri dieback) Pest Management Plan and draft Implementation Strategy. Please find attached Waikato Regional Council’s submission regarding this. This submission was approved by Council resolution dated 28 February 2019.

Should you have any queries regarding the content of this document please contact Kim Parker directly on (07) 859 0728 or by email at kim.parker@waikatoregion.govt.nz.

Regards

Vaughan Payne
**Chief Executive**
Submission from Waikato Regional Council on the draft Nation (Kauri dieback) Pest Management Plan and draft Implementation Strategy consultation

1 Introduction

1.1 We appreciate the opportunity to make a submission on the draft National (Kauri dieback) Pest Management Plan and the draft Implementation Strategy https://www.kauridieback.co.nz/consultation/

1.2 Waikato Regional Council (the council) recognises the significance and seriousness of the threat of the pathogen that causes kauri dieback disease, *Phytophthora agathidicida* (PA), and the impact it has on the taonga species kauri and kauri forests.

1.3 Our contact details are:

Waikato Regional Council
Private Bag 3038
Waikato Mail Centre
Hamilton 3240
(07) 859 0728
Attention: Kim Parker, Biosecurity Officer
Submission Draft National Pest Management Plan

1 Overview

1.1 Council is supportive of the intent of the draft National (Kauri dieback) Pest Management Plan, agreeing that a common set of rules across regional and land ownership boundaries is necessary to protect kauri for future generations.

1.2 Council opposes the labelling of areas into ‘zones’, each of which would require ministerial approval. This adds cost and time and unnecessary complexity. It will be problematic to differentiate precise boundaries across contiguous areas of bush and little is to be gained from a process which consumes resource in this way. The latency period for disease display and how the disease is scattered across kaurilands would reduce the value of boundary definition.

1.3 However, council agrees that there will be limitations on the resources that may be applied, and supports that resources be allocated based on risk. That risk will be determined by pathogen risk and impact risk. For example, areas where the disease is present (pathogen risk) or for protecting areas of ecological and/or cultural significance, such as the Manaia Sanctuary on the Coromandel (where our oldest kauri tree in the region Tanenui lives, which is approx. 1500 – 2000 years old).

1.4 Council is supportive of the intent of the primary objective, “To reduce the harmful effects of *Phytophthora agathidicida* (PA) by preventing, where possible, the spread of PA and minimising its impacts on New Zealand’s kauri forests, our culture, our communities and economy.” However, in order for the objective to be the ‘visionary goal’ desired by the community, council ‘considers “where possible” weakens the goal and should be removed. Council is supportive of the rules in general, agreeing that they are necessary for the effective management of the organism.

1.5 Council however believes that the intent of rule 4 (obligation to have and implement a kauri dieback management plan for earthworks close to kauri trees) is better suited to sit within the Resource Management Act framework, through the development of a National Environmental Standard.

Note, a rule of this kind is similar to those in the Auckland Unitary Plan and the Thames Coromandel District Council plan. Consistency therefore should be sought through the RMA toolkit.

1.6 Council would like assurance that the management agency’s brief includes the requirement to ensure the National (Kauri dieback) Pest Management Plan considers methods and approaches that reduces bureaucracy.

2 Draft Implementation Strategy

2.1 Council notes the reference to Treaty Partnerships, the Crown, and co-governance arrangements. Council also notes the recognition of formal agreements already in existence at a local level. Council supports this recognition and acknowledges that this process does not seek to unwittingly supersede, duplicate or compromise these.

2.2 Council views feral animal (pig, deer and goat) management to be a function of the management agency, given the impact of these vectors on the spread of disease.

2.3 Council has increased funding for the kauri dieback programme in the last funding round to $50k this year (2018/19), $100k next financial year, and $150k the following year. This funding level will be insufficient for enacting the new programme and council will not be seeking additional funding from ratepayers to implement these additional expectations. Implementation costs of the National (Kauri dieback) Pest Management Plan therefore must be met by central government funding given the national significance of arresting this disease.

2.4 Council supports quality assurance through appropriate certification and training of persons applying standards.
2.5 Council would like best approach principles applied to achieving outcomes, and funding available to achieve those outcomes. For example, if purchasing and retiring land is the most cost effective and efficient mechanism to achieve kauri protection, that this or other such activities be allowed for. Council seeks in the legislation provision for futureproofing to ensure the management agency is agile and adaptable to circumstance or opportunity.

3 Other considerations

3.1 Council recognises that kauri dieback is a challenging biosecurity threat to manage with complex vector pathways. Council acknowledges the importance of having operational input into the development and implementation all aspects of the programme including, on the ground tools and requests that science includes operational expertise in decision making.

3.2 Council requests that the wider suite of policy regulatory tools be considered, including that a National Environmental Standard for kauri be developed, and considerations for pathway management rules.

3.3 That the pathogen causing kauri dieback disease be listed as a notifiable organism under section 45(2) of the Biosecurity Act 1993.

4 Decisions sought

4.1 Councils seeks the following decisions in relation to its submission, noting overall support for the proposal:

   a) That the primary objective 1, “To reduce the harmful effects of Phytophthora agathidicida (PA) by preventing, where possible, the spread of PA and minimising its impacts on New Zealand’s kauri forests, our culture, our communities and economy” be retained but amended, with the word ‘where possible’ removed.

   b) That the following aspects of the proposal are amended as follows:

      I. Development and processes associated with ‘zones’ be removed from the proposal and that the processes in which resources are allocated, focus on risk.

   c) That the following items be considered and / or incorporated into the process:

      I. A wider suite of policy tools be considered to protect kauri, including the development of a National Environment Standard under the Resource Management Act 1991, and pathway management tools under the Biosecurity Act 1993;

      II. Local government implementation costs, over and above existing budgets, for administering the National Pest Management Plan be met by central government funding, in recognition of the national significance of this issue;

      II. Best approach principles, the ability to be agile and adaptability be considered with the development of rules, the management agency and implementation plan; and

      III. Operational expertise from councils and the Department of Conservation be incorporated and utilised in the development of research priorities.