

Minutes of the Lake Rotorua Incentives Committee Meeting held in Committee Room 1, Rotorua Lakes Council, Civic Administration Building, 1061 Haupapa Street, Rotorua on Wednesday, 15 November 2017 commencing at 9.30 a.m.

Present:

Chairman: Councillor N Bruning

Appointees: Councillor K Winters, Dr T Kingi, Dr T Petch, G Rice, E Hughes.

In Attendance: Bay of Plenty Regional Council: C Ingle (General Manager Integrated Catchments); H Creagh (Rotorua Catchments Manager); Y Tatton (Governance Manager); R Garrett (Committee Advisor); Rotorua Lakes Incentive Board: T Taru White (Incentives Programme Director); J Pani (Executive Support Partner).

External presenters: N Botherway, Waikato Regional Council; M Peck, Lake Taupō Protection Trust.

Public: Dr K Kennedy

Apologies: Nil

1 Opening karakia

T White.

2 Apologies

Nil.

3 Tabled Items

Tabled Document 1	Agenda Item 7.2	Elected Member Disclosure of Interests: K Winter
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4 Declaration of conflicts of interest

Members T Kingi and G Rice declared conflicts of interest with Public Excluded Agenda item 8.2, for any update provided regarding Ngati Whakaue Tribal Lands.

5 Previous Minutes

5.1 Lake Rotorua Incentives Committee minutes - 06 September 2017

Resolved

That the Lake Rotorua Incentives Committee under its delegated authority:

- 1 Notes that the final sentence of paragraph 7.1 of the minutes should read "...the Council's decision to adopt the *Commissioners'* recommendations for Plan Change 10..." instead of "the *Panel's* recommendations" as minuted;
- 2 Confirms the minutes of the Lake Rotorua Incentives Committee meeting held 6 September 2017 as a true and correct record, subject to the above correction.

Rice/Kingi
CARRIED

6 Presentations

6.1 Lake Taupō Protection Trust and Waikato Regional Council

Refer Powerpoint Objective ID: A2736401

Marion Peck from the Lake Taupō Protection Trust (LTPT) and Nicole Botherway from Waikato Regional Council (WRC) presented to members on the introduction of Variation 5 in 2011 by the WRC and the work by the LTPT to meet the target of removing 170t of nitrogen from the catchment by the acquisition of nitrogen credits; and the contractual and compliance monitoring framework established to ensure the ongoing success of the project.

Ms Peck explained the Trust contracts, the Monitoring Deed and the Catchment Compliance Monitoring Plan; highlighted the relationship between Trust contractual compliance and WRC consent compliance and noted the Trust reliance on WRC's monitoring programme to ensure compliance with nitrogen caps.

Ms Peck noted that there were 26 Deeds in place and Ms Botherway noted that approximately 80 landowners had gone through the consenting process. WRC provided an annual compliance report to LTPT; LTPT was audited by Audit NZ for contractual compliance. Ms Botherway noted the importance of communication as part of compliance, that a WRC Monitoring Officer was based in Taupō and that aerial monitoring had proved the only efficient way to monitor compliance especially for small permitted activity blocks.

Members asked various questions of clarification around the use of Overseer, compliance costs, compliance breaches, application and implications for Māori land, risk assessment and management of variations.

Adjournment

The meeting adjourned at 10.45am and reconvened at 11.00am.

7 Reports

7.1 Update from Rotorua Catchments

Rotorua Catchments Manager Helen Creagh updated members regarding recent progress and current status of the Gorse Scheme, the Advice and Support service and the Low Nitrogen Land Use Fund projects.

The amount of gorse present on road verges in the catchment was discussed and staff agreed to approach the New Zealand Transport Agency (NZTA) regarding its responsibilities as a landowner.

Clarification was provided to members regarding the development of standard clauses for phosphorus management in the Nutrient Management Plan (NMP) template; these clauses were developed to meet new NMP requirements introduced by the recent Council decision on Plan Change 10.

Resolved

That the Lake Rotorua Incentives Committee under its delegated authority:

- 1 Receives the report, Update from Rotorua Catchments;**

**Winters/Kingi
CARRIED**

7.2 Proposed Plan Change 10 - Lake Rotorua Management and Conflicts of Interest

Refer Tabled Document 1

Governance Manager Yvonne Tatton advised members of the appropriate process to follow to identify and manage potential conflicts of interest that could arise during the Plan Change 10 (PC10) appeals process. Ms Tatton noted that there could be a public perception of bias if a member was associated with any of the PC10 appellants or s274 parties and it was best to err on the side of caution and disclose any interest or affiliation.

The extent of association necessary to constitute a conflict was discussed and it was noted that a general iwi affiliation with no active involvement over and above that affiliation would not constitute a conflict; however members agreed that disclosure of all interests however remote would be prudent. Members agreed to update their Conflicts of Interest declarations in the context of the PC10 appeals. Staff agreed to provide members with a summary of the main points made by the four appellants.

Resolved

That the Lake Rotorua Incentives Committee under its delegated authority:

- 1 Receives the report, Proposed Plan Change 10 - Lake Rotorua Management and Conflicts of Interest;**
- 2 Directs staff to provide a specific Declaration of Conflicts of Interest form for Plan Change 10 appellants and s274 parties, for completion by members.**

**Hughes/Rice
CARRIED**

8 Public Excluded Section

Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this 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:

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
8.1 Public Excluded Lake Rotorua Incentives Committee minutes – 27 June 2017	Please refer to the relevant clause in the meeting minutes.	Good reason for withholding exists.
8.2 Verbal Update: Incentives Programme Director	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Good reason for withholding exists.
8.3 Options Paper – Encumbrance Term	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 who is the subject of the information.	Good reason for withholding exists.

**Bruning/Petch
CARRIED**

The meeting closed at 12.25 pm.