

Regional Council

NOTICE IS GIVEN

that the next meeting of the **Regional Council** will be held in **Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga** on:

Thursday, 13 December 2018 commencing at 9.30 am.

Fiona McTavish
Chief Executive
5 December 2018



Regional Council

Terms of Reference

Purpose

- Enable democratic local decision-making and action by, and on behalf of, Bay of Plenty communities.
- Meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.
- Set the overarching strategic direction for Bay of Plenty Regional Council as an organisation.
- Hold ultimate responsibility for allocating financial resources across the Council.

Membership

All councillors are members of the Regional Council.

Quorum

In accordance with Council standing order 10.1(a), the quorum at a meeting of the Regional Council is seven members, consisting of half the number of members.

Meeting frequency

Six-weekly.

Role of Council

- Address Local Electoral Act matters and Local Government Rating Act matters.
- Oversee all matters relating to identifying and contributing to community outcomes.
- Consider and agree on matters relating to significant new activities or areas of involvement such as infrastructure which are not the responsibility of a specific committee.
- Provide regional leadership on key issues that require a collaborative approach between a number of parties.
- Develop, adopt and review Council's Policy on Significance and decision-making policy and processes.
- Develop, adopt and implement the Triennial Agreement and the Code of Conduct.
- Consider and agree on matters relating to elected members' remuneration matters.
- Appoint the Chief Executive Officer, and review their contract, performance and remuneration at least annually.
- Approve all delegations to the Chief Executive, including the authority for further delegation to staff.
- Establish committees, subcommittees, and working parties and appoint members.
- Receive and consider recommendations and matters referred to it by its committees, joint committees, subcommittees and working parties.

- Approve membership to external bodies and organisations, including Council Controlled Organisations.
- Develop, adopt and review policies for, and monitor the performance of, Council Controlled Organisations.
- Review and approve strategic matters relating to the sale, acquisition and development of property for the purposes of meeting Council's organisational requirements and implement approved Regional Council policy.
- Address strategic corporate matters including property and accommodation.
- Institute any proceedings in the High Court that are not injunctive proceedings.
- Exercise the powers and duties conferred or imposed on Council by the Public Works Act 1981.
- Consider and agree on the process to develop the Long Term Plan, Annual Plan and Annual Report.
- Adopt Council policies as required by statute (for example Regional Policy Statement and Regional Land Transport Strategy) to be decided by Council or outside of Committee delegations (for example infrastructure policy).
- Delegate to commissioners to exercise the powers, functions and duties of the Council as a consent authority under the Resource Management Act 1991 including to hear and decide a consent application.
- Monitor Council's financial and non-financial performance in-year.
- Develop, review and approve Council's Financial Strategy and funding and financial policies and frameworks.

Delegations from Council to Committees

- Full Council has a role to monitor the functioning of all committees.
- Full Council will consider matters not within the delegation of any one Council committee.
- Full Council may at any time, revoke or modify a delegation to a Council committee, either permanently, for a specified time or to address a specific matter, if it considers there is good reason to do so.
- The delegations provided to committees may be further delegated to subcommittees unless the power of further delegation is restricted by Council or by statute.

It is accepted in making these delegations that:

- The committees, in performing their delegated functions, powers or duties, may, without confirmation by the Council, exercise or perform them in a like manner and with the same effect as the Council itself could have exercised or performed them.
- The delegated powers given shall at all times be subject to their current policies and principles or directions, as given by the Council from time to time.
- The chairperson of each committee shall have the authority to exercise their discretion, as to whether or not the delegated authority of the committee be used where, in the opinion of the chairperson, circumstances warrant it.

Powers that cannot be delegated

Under Clause 32 Schedule 7 of the Local Government Act 2002, Full Council must make the following decisions:

- Make a rate.
- Make a bylaw.
- Borrow money or purchase or dispose of assets, other than in accordance with the long-term plan.
- Adopt the long-term plan, annual plan, or annual report.
- Appoint a chief executive.
- Adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
- Adopt a remuneration and employment policy.

Public Forum

1. A period of up to 15 minutes may be set aside near the beginning of the meeting to enable members of the public to make statements about any matter on the agenda of that meeting which is open to the public, but excluding any matter on which comment could prejudice any specified statutory process the council is required to follow.
2. The time allowed for each speaker will normally be up to 5 minutes but will be up to the discretion of the chair. A maximum of 3 public participants will be allowed per meeting.
3. No statements by public participants to the Council shall be allowed unless a written, electronic or oral application has been received by the Chief Executive (Governance Team) by 12.00 noon of the working day prior to the meeting and the Chair's approval has subsequently been obtained. The application shall include the following:
 - name of participant;
 - organisation represented (if any);
 - meeting at which they wish to participate; and matter on the agenda to be addressed.
4. Members of the meeting may put questions to any public participants, relevant to the matter being raised through the chair. Any questions must be asked and answered within the time period given to a public participant. The chair shall determine the number of questions.

Membership

Chairman:	D Leeder
Deputy Chairman:	J Nees
Councillors:	N Bruning, W Clark, J Cronin, S Crosby, D Love, T Marr, M McDonald, A Tahana, P Thompson, L Thurston, A von Dadelszen, K Winters
Committee Advisor:	T Nerdrum-Smith

Recommendations in reports are not to be construed as Council policy until adopted by Council.

Agenda

E te Atua nui tonu, ko mātau ēnei e inoi atu nei ki a koe, kia tau mai te māramatanga ki a mātau whakarite mō tēnei rā, arahina hoki mātau, e eke ai te ōranga tonu ki ngā āhuatanga katoa a ngā tangata ki tō mātau rohe whānui tonu. Āmine.

“Almighty God we ask that you give us wisdom in the decisions we make here today and give us guidance in working with our regional communities to promote their social, economic, environmental and cultural well-being. Amen”.

1 Opening Karakia

2 Apologies

3 Public Forum

4 Acceptance of Late Items

5 General Business

6 Confidential Business to be Transferred into the Open

7 Declarations of Conflicts of Interests

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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
12.1 Public Excluded Regional Council Minutes - 01 November 2018	Please refer the relevant sections of the minutes	Good reason for withholding exists under Section 48(1)(a)

12.2 Public Excluded Civil Defence Emergency Management Group Joint Committee Minutes - 28 September 2018	Please refer the relevant sections of the minutes	Good reason for withholding exists under Section 48(1)(a)
12.3 Public Excluded Rangitāiki River Forum Minutes - 08 June 2018	Please refer the relevant sections of the minutes	Good reason for withholding exists under Section 48(1)(a)
12.4 Public Excluded Rangitāiki River Forum Minutes - 14 September 2018	Please refer the relevant sections of the minutes	Good reason for withholding exists under Section 48(1)(a)
12.5 Public Excluded Te Maru o Kaituna River Authority Minutes - 19 October 2018	Please refer the relevant sections of the minutes	Good reason for withholding exists under Section 48(1)(a)
12.6 Quayside Holdings Limited Quarterly Update - Fixed time of <u>10am</u>	To protect the commercial position of an individual	Good reason for withholding exists under Section 48(1)(a)
12.7 Capital works funding for the Waitangi Stream protection	To protect the commercial position of an individual	Good reason for withholding exists under Section 48(1)(a)
12.8 Lake Okareka/Lake Rotorua Land Use Change Proposal	To protect the privacy of an individual	Good reason for withholding exists under Section 48(1)(a)
12.9 Rangitāiki Floodway Proposed Consent Changes	To carry out commercial and industrial negotiations	Good reason for withholding exists under Section 48(1)(a)
12.10 Regional House Vodafone Lease	To carry out commercial activities	Good reason for withholding exists under Section 48(1)(a)
12.11 Urban Form and Transport Initiative (UFTI) Terms of Reference	To protect this information so it doesn't damage public interest	Good reason for withholding exists under Section 48(1)(a)
12.12 Kopeopeo Remediation Project	To carry out commercial and industrial negotiations	Good reason for withholding exists under Section 48(1)(a)

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This item will be distributed under separate cover	
12.12 Kopeopeo Remediation Project	
Update will be circulated separately or presented on the day of the meeting	
13 Confidential Business to be Transferred into the Open	
14 Readmit the Public	
15 Consideration of General Business	
16 Closing Karakia	

Previous Minutes

Minutes of the Regional Council Meeting held in Mataatua Room, Bay of Plenty Regional Council, 5 Quay Street, Whakatāne on Thursday, 1 November 2018 commencing at 9.30 a.m.

Present:

Chairman: D Leeder

Deputy Chairman: J Nees

Councillors: J Cronin, T Marr, L Thurston, P Thompson, D Love, N Bruning, A Tahana, W Clark, S Crosby, K Winters, A von Dadelszen, M McDonald

In Attendance: Bay of Plenty Regional Council: Fiona McTavish – Chief Executive, Mat Taylor – General Manager Corporate, Namouta Poutasi – General Manager Strategy & Science, Chris Ingle – General Manager Integrated Catchments, Nicola Green – Senior Planner, David Phizacklea – Regional Integrated Planning Manager, Martin Butler – Regional Planner, Yvonne Tatton – Governance Manager, Mark Townsend – Engineering Manager, Andy Bruere – Lakes Operations Manager, Andy Dixon – Accounting Team Leader, Debbie Hyland – Finance and Corporate Planning Manager, Tone Nerdrum-Smith – Committee Advisor

Apologies: Cr von Dadelszen, Cr Cronin (leave of absence), Cr Crosby (early departure) and Cr Thompson (late arrival)

1 Karakia

A Karakia was provided by Cr Marr.

2 Apologies

Resolved

That the Regional Council:

- 1 Accepts the apologies from Cr Crosby (early departure), Cr Thompson (late arrival), Cr Cronin and Cr von Dadelszen tendered at the meeting.

Thurston/Love
CARRIED

3 Public Forum

BOPRC wins Commonwealth Association of Planners Award for Outstanding Achievement in the Commonwealth:

Staff attended the meeting for an official recognition of the Commonwealth Association of Planners Award:

- David Phizacklea, - Regional Integrated Planning Manager, Martin Butler – Regional Planner, Marie Radford – Planning Coordinator and Namouta Poutasi, General Manager, Strategy and Science, with the following staff being unable to attend: Nassah Steed – Programme Leader, Kerry Gosling – Senior Community Engagement Advisor and Stephanie McDonald – Community Engagement Team Leader.

The following external consultants were recognised for their contribution:

- Gerard Willis - Enfocus, Dr Wendy Saunders - GNS Science and Dr Margaret Kilvington - Independent Social Research Evaluation & Facilitation.

4 **Acceptance of Late Items**

Nil

5 **General Business**

Nil

6 **Confidential Business to be Transferred into the Open**

Nil

7 **Declaration of Conflicts of Interest**

Nil

9.44 am Cr Thompson **entered** the meeting.

8 **Previous Minutes**

8.1 **Regional Council Minutes - 27 September 2018**

Resolved

That the Regional Council:

1 Confirms the Regional Council Minutes - 27 September 2018

Matters Arising:

- Zone 2 presentation regarding recycling of tires/burning of plastics to be scheduled as an item on a future Regional Direction & Delivery Committee (RDD) agenda
- Chief Executive to follow up on the concerns expressed regarding the current BOPLASS model and report back to Councillors.

**Nees/Love
CARRIED**

9 Reports

9.1 Chairman's Report

Chairman Leeder provided an outline of the report as included in the agenda.

Key Points – Staff

- University of Waikato Tauranga Campus was scheduled to open in March 2019 and an invitation for Councillors to attend was expected
- The Annual Reports from the University of Waikato would be presented to RDD Committee
- Professor Chris Battershill and Professor Troy Baisden, University of Waikato would be scheduled to present to Councillors prior to the end of 2018.

Resolved

That the Regional Council:

- 1 Receives the report, Chairman's Report.

Leeder/Winters
CARRIED

9.2 Chief Executive's Report

The Chief Executive presented this item.

Key Points

- Emphasised the focus on monitoring and business, e.g. procurement, as reflected in the agenda
- Leadership Team was focussing on the Fit for Purpose proposal
- Participating in the Murray Darling Basin study tour had been a highlight.

Key Points – Members

- Noted the establishment of the new Biosecurity Forum.

Resolved

That the Regional Council:

- 1 Receives the report, Chief Executive's Report.

Winters/Bruning
CARRIED

9.3 Presentation: Murray Darling Basin Study Tour

Refer PowerPoint Presentation - Objective A3005521

Chairman Leeder provided an outline of the study tour to Murray Darling Basin, Australia.

Nicola Green – Senior Planner provided a PowerPoint presentation as follows:

Key Points of Presentation

- Murray Darling Basin Study Tour
- Who did meet?
- MDB water management is complex
- The Murray-Darling Basin
- Massive irrigation infrastructure network
- Growing Demand
- Climate is changing
- Crisis drive major change
- Basin Plan outcomes
- Actions include
- Environmental Water
- Annual Allocation
- Variable effects
- Disadvantages/costs
- What could we learn from this for NZ.

In Response to Questions

- Groundwater rising inland was forcing salt to the surface and causing damage to the vegetation
- Water rights in Australia was tied to land ownership, which meant owners could commercialise the water supply on their properties
- The Commonwealth had purchased approximately 25% of existing water rights and invested significantly in water infrastructure for the benefit of the environment
- Efficiencies in the allocation of water was a significant issue as the current distribution was uneven and not well aligned with requirements.

Key Points – Members

- Noted that Central Government compliance and enforcement supported the regulatory network and closely monitored the allocation and use of water
- In parts of Australia, access to water was a life and death situation, in particular for farmers.

Staff Follow-up

- Bay of Plenty water storage, seen in relation to over/under supply, to be further investigated and reported to RDD Committee in 2019
- Confirmation regarding the water availability for the Rangiuru Business Park (Lower Kaituna Plains) to be provided to Councillors.

9.4 **Integrated Catchments and Biosecurity Procurement 2019/20 - 2024/25**

Chris Ingle – General Manager Integrated Catchments and Mark Townsend – Engineering Manager provided an overview of Items 9.4, 9.5 and 9.6, which all related to procurement.

In Response to Questions

- Staff considered that the locally supplied native plants met Council's needs
- The identified expenditure was within allocated budgets, and was only presented to Council for approval as the values exceeded delegated authority.

Resolved

That the Regional Council:

- 1 **Receives the report, Integrated Catchments and Biosecurity Procurement 2019/20 - 2023-24;**
- 2 **Approves the Procurement Plan for Integrated Catchments and Biosecurity (attached);**
- 3 **Notes the procurement process proposed for remaining Integrated Catchments and Biosecurity contract work outlined in this paper.**
- 4 **Delegates the Chief Executive the authority to award contracts procured through the Procurement Plan.**
- 5 **Confirms the decision has a low level of significance.**

Leeder/Crosby
CARRIED

9.5 Contract Plant Supply to Flagship Restoration Projects**Resolved**

That the Regional Council:

- 1 **Receives the report, Contract plant supply to flagship restoration projects;**
- 2 **Approves the value of this contract (total value range is between \$885,000 - \$1,050,000) as required by the Procurement Manual;**
- 3 **Delegates responsibility to the Chief Executive for awarding the contract to the successful tenderer(s).**

Leeder/Crosby
CARRIED

9.6 Capital Works Procurement Plan 2018/19**Resolved**

That the Regional Council:

- 1 **Receives the report, Capital Works Procurement Plan 2018/19;**

- 2 Approves the attached Procurement Plan for 2018/19 Capital Works; and
- 3 Approves going to market to invite tenders for the six capital works projects as set out in the attached Procurement Plan.
- 4 Delegates to the Chief Executive the authority to award the contracts for each capital project, providing the tender price is within the approved capital project budgets as set out in the Long Term Plan 2018-2028 (see section 4);
- 5 Delegates to the Chief Executive the authority to execute the contracts with the successful tenderers.

Leeder/Crosby
CARRIED

10.27 am The meeting adjourned.

10.45 am The meeting reconvened.

9.7 Amendments to Rotorua Te Arawa Lakes Strategy Group Agreement and Terms of Reference

Yvonne Tatton – Governance Manager and Chris Ingle – General Manager Integrated Catchments presented this item.

Key Points

- An amendment to the Rotorua Te Arawa Lakes Strategy Group Agreement was sought to allow for the appointment of a non-voting Chairperson
- The Strategy Group's membership was established under Deed Settlement, which dictated its composition
- The Strategy Group and Te Arawa Lakes Trust had coined the term 'Independent Chairperson', which was driven by the wish to retain Sir Toby Curtis as the Chair.

Key Points – Members

- Queried whether the term 'Independent Chair' was appropriate as Sir Toby Curtis belonged to one of the partner organisations
- Concerned that the amendments to the Strategy Group's Terms of Reference and delegated authority could have implications for the Council that was not yet clearly identified.

Resolved

That the Regional Council:

- 1 Leave this matter to lie on the table and for it to be brought back to a future meeting of Council.

Thurston/Love
CARRIED

9.8 Appointment of Bay of Plenty Regional Council Independent Electoral Officer

Yvonne Tatton – Governance Manager presented this item.

In Response to Questions

- Noted that Tauranga City Council's voting system would change from First Past the Post (FPP) to Single Transferable Vote (STV) for the 2019 Local Government elections
- Warwick Lampp of Electionz.com was the appointed Electoral Officer for a number of Authorities in the Bay of Plenty region
- TCC had indicated their wish to participate in the trial on-line voting for 2019, which would impact on BOPRC and the BOP DHB
- A conversation between the three authorities with regards to the on-line voting trial was yet to be had.

Resolved

That the Regional Council:

- 1 Receives the report, Appointment of Bay of Plenty Regional Council Independent Electoral Officer;
- 2 Appoints Warwick Lampp from electionz.com as the Bay of Plenty Regional Council Electoral Officer, effective from 3 November 2018 to 2 November 2021.

Thompson/Bruning
CARRIED

9.9 Public Excluded Section

Resolved

Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

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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
Bay of Connections Review	To protect this information so it doesn't prejudice similar information	Good reason for withholding exists under Section 48(1)(a)

Leeder/Thurston
CARRIED

9.10 **Arotake Tuatahi 2018/19 - Performance Monitoring Report, July to September 2018**

Refer PowerPoint Presentation - Objective A3029243

Andy Dixon – Accounting Team Leader, Debbie Hyland – Finance and Corporate Planning Manager, Karen Aspey – People & Capability Manager and Sam Rossiter-Stead – Communications Manager presented this item and responded to questions.

Key Points of Presentation

- Arotake Tuatahi 2018/19
- A new approach for performance monitoring
- Financial Performance
- Capital Projects
- Treasury
- KPI performance
- Our People and Culture
- Health and Safety
- The work we do.

In Response to Questions

- The report provided valuable information in support of the self-assessment being undertaken as part of the Council Mark project.

Staff Follow-up

- A snapshot on how Capital Expenditure projects were tracking time wise to be included in future reports
- Copy of the report to be made available to Audit & Risk Committee's Independent Member Bruce Robertson.

Resolved

That the Regional Council:

- 1 Receives the report, Arotake Tuatahi 2018/19 - Performance Monitoring Report, July to September 2018;**
- 2 Provides feedback to staff on the new format and content of Arotake Tuatahi 2018/19.**

Love/Nees
CARRIED

9.11 Rangitāiki Floodway - Consultation on Proposed Change of Consent

Refer PowerPoint Presentation – Objective A3028983

Mark Townsend – Engineering Manager and Andy Bruere – Lakes Operations Manager presented this item.

Key Points of Presentation

- Rangitāiki Floodway – Proposed Change of Consent Consultation
- Process Forwards
- Rangitāiki Floodway Spillway
- Spillway Options
- Widened Inflatable Rubber Dam
- Floodway Spillway Design 2008
- Lower Fixed Crest Weir
- Modified Spillway
- Potential Ponding Area
- Stopbank Raising.

In Response to Questions

- The rubber dam could be deflated or re-inflated in a flood event
- The ponding areas would only be used in exceptional circumstances and staff are working with the landowners who would be affected, e.g. Fonterra, so the impacts were well identified and understood
- The consent conditions for Fonterra's wastewater irrigation and treatment farm were closely monitored by Council
- Recognised the potential reduction in value for the affected properties, however, if this occurred, it was expected to be short-term only.

Resolved

That the Regional Council:

- 1 Receives the report, Rangitāiki Floodway - Consultation on Proposed Change of Consent.**

**Leeder/Nees
CARRIED**

9.12 Local Government Information and Meetings Act 1987 Requests for the Period 1 July 2017 to 30 June 2018

Donna Llewellyn – In-House Legal Counsel and Mat Taylor – General Manager, Corporate presented this item.

Key Points

- This was the first time the report was available in the public arena
- 126 LGOIMA requests had been received in the 2017-18 year, with a large portion relating to the Edgecumbe floods

- Charging for gathering information was applied where appropriate
- The Ombudsman Office was currently reviewing decisions by Council to withhold information with regards to Awatarariki Fanhead, Matatā.

Staff Follow-up

- Public Excluded requester schedule (not included in the agenda) to be made available in electronic form to Elected Members as a standard process.

Resolved

That the Regional Council:

- 1 Receives the report, Local Government Information and Meetings Act 1987 Requests for the Period 1 July 2017 to 30 June 2018;

Love/Thompson
CARRIED

9.13 Public Excluded Section

Resolved

Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

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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
Public Excluded Regional Council Minutes - 27 September 2018	Please ref to the relevant sections of the open minutes	Good reason for withholding exists under Section 48(1)(a)
Bay of Connections Review	To protect this information so it doesn't prejudice similar information	Good reason for withholding exists under Section 48(1)(a)
Confidential - Arotake Tuatahi PMR 2018/19 Quarter 1 - Appendix 1	To prevent improper gain or advantage	Good reason for withholding exists under Section 48(1)(a)
Results of the Chief Executive's 90 Days Key Performance Indicators	To protect the privacy of an individual	Good reason for withholding exists under Section 48(1)(a)

Leeder/Thompson

CARRIED

The meeting closed at 1.00 pm

Confirmed DATE

Chairman Bay of Plenty Regional Council

Statutory Committee Minutes - For Information Only

Minutes of the Civil Defence Emergency Management Group Joint Committee Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Friday, 28 September 2018 commencing at 10.00 a.m.

Present:

Chairman: Mayor G Brownless - Tauranga City Council (TCC)

Deputy Chairman: Councillor D Love - Bay of Plenty Regional Council (BOPRC)

Appointees: Mayor M Campbell - Kawerau District Council (KDC); Mayor A Bonne - Whakatāne District Council (WDC); Deputy Mayor J Turner - Alternate, WDC; Mayor S Chadwick - Rotorua Lakes Council (RLC); Councillor S Browne - Alternate, Ōpōtiki District Council (ODC); Mayor G Webber - Western Bay of Plenty District Council (WBOPDC)

In Attendance: Clinton Naude - Director, Emergency Management Bay of Plenty (EMBOP); Russell George - Chair of Coordinating Executive Group & Chief Executive Officer, KDC; John Titmus - Regional Coordinator, Ministry of Civil Defence Emergency Management; Geoff Williams - Chief Executive, RLC; Miriam Taris - Chief Executive, WBOPDC; Lee Barton - Local Controller, KDC; Barbara Dempsey - Local Controller, WDC; Bruce Horne - Local Controller, RLC; Dr Sharon Kletchko – Coordinating Executive Group (CEG) Member, Lakes District Health Board, Matt Harrex - Manager, Planning and Development, EMBOP; Angela Reade - CEG Member, Group Welfare Manager; Sarah Omundsen - CEG Operations Sub Committee, BOPRC; Gerard McCormack - Local Controller, ODC; Donna Llewellyn - In-house Legal Counsel, BOPRC; Andrea Thompson - Personal Assistant to Director EMBOP; Merinda Pansegrouw - Committee Advisor, BOPRC

Apologies: Mayor J Forbes - ODC; Chairman D Leeder - Alternate, BOPRC; Deputy Mayor M Williams - Alternate, WBOPDC; Deputy Mayor D Donaldson - Alternate, RLC; Deputy Mayor F Tunui - Alternate, KDC and Bridget Vercoe - Ministry of Civil Defence & Emergency Management

1 Apologies

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Accepts the apologies from Mayor J Forbes, Chairman D Leeder, Deputy Mayor D Donaldson, Deputy Mayor M Williams, Deputy Mayor F Tunui and Bridget Vercoe tendered at the meeting.

**Brownless/Love
CARRIED**

2 Public Forum

Nil

3 Acceptance of Late Items

Nil

4 General Business

Nil

5 Confidential Business to be Transferred into the Open

Nil

6 Declaration of Conflicts of Interest

Nil

7 Previous Minutes

7.1 Civil Defence Emergency Management Group Joint Committee minutes - 04 December 2017

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Confirms the Civil Defence Emergency Management Group Joint Committee minutes of 04 December 2017 as a true and correct record.

**Love/Webber
CARRIED**

7.2 Civil Defence Emergency Management Group Joint Committee minutes - 22 June 2018

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Confirms the Civil Defence Emergency Management Group Joint Committee minutes of 22 June 2018 as a true and correct record.

**Love/Chadwick
CARRIED**

8 Reports

8.1 Bay of Plenty CDEM Group Annual Report 2017/18

Director, Emergency Management Bay of Plenty Clinton Naude presented the report and outlined the following as some of the key accomplishments forming part of a successful year for the Bay of Plenty Civil Defence Emergency Management (CDEM) Group and Emergency Management Bay of Plenty:

Key Points

- Publication of the Bay of Plenty CDEMG Plan 2018 – 2023, setting the direction for the next five years
- Outcome of the Technical Advisory Group's recommendations: improving how New Zealand responded to natural disasters and other emergencies
- The Bay of Plenty CDEMG new website launched in March 2018
- Good progress made in lifting the percentages of staff trained to work in the Emergency Operations Centres: more than 370 council staff members had participated in CDEM Training
- The Taiohi-Taiao Youth Jam 2018 project received an award for Excellence in Communication: Readiness and Resilience at the annual Emergency Management and Public Affairs (EMPA) Awards
- A number of emergency events that Bay of Plenty CDEM Group and Emergency Management Bay of Plenty had prepared for, supported and responded to over the year.

Committee members congratulated Emergency Management Bay of Plenty on a very successful year and thanked staff for their hard work and dedication.

Resolved

That the Civil Defence Emergency Management Group Joint Committee:

- 1 Receives the report, Bay of Plenty CDEM Group Annual Report 2017/18;**
- 2 Approves the Bay of Plenty CDEM Group Annual Report 2017/18.**

**Love/Webber
CARRIED**

8.2 Public Excluded Section

Resolved

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
9.1 Public Excluded Civil Defence Emergency Management Group Joint Committee minutes - 04 December 2017	Refer to the relevant section in the open minutes	Good reason for withholding exists under Section 48(1)(a)

**Brownless/Browne
CARRIED**

8.3 Confidential Business to be Transferred into the Open

Nil

The meeting closed at 10:10 am.

Confirmed

Chairperson CDEMG, Mayor Greg Brownless

Date

Minutes of the Rangitāiki River Forum Meeting held in Council Chambers, Whakatāne District Council, Civic Centre, Commerce Street, Whakatāne on Friday, 8 June 2018 commencing at 10.08 a.m.

Present:

Chairman: M Vercoe (Te Runanga o Ngati Manawa)

Members: Councillor T Marr (Bay of Plenty Regional Council), Reverend G Te Rire (Ngati Tuwharetoa (BOP) Settlement Trust), M Araroa (Te Runanga o Ngati Awa), E August (Alternate, Ngati Tuwharetoa (BOP) Settlement Trust), T O'Brien (Alternate, Te Runanga o Ngati Awa), Mayor A Bonne (Alternate, Whakatane District Council), Councillor G Johnston (Whakatane District Council), I Kahukiwa Smith (Hineuru), Councillor T Kingi (Taupo District Council), Councillor D Love (Bay of Plenty Regional Council), Councillor K Winters (Bay of Plenty Regional Council), Councillor W Clark (Bay of Plenty Regional Council), W Rangiwai (Alternate, Te Runanga o Ngati Whare), Councillor R Harvey (Alternate, Taupo District Council), N Rangiaho (Tuhoe), Councillor M McDonald (Alternate, Bay of Plenty Regional Council), J Wall (Alternate, Hineuru)

In Attendance: Bay of Plenty Regional Council: K O'Brien (Strategic Engagement Manager), N Willems (Eastern & Rangitāiki Catchments Team Leader), S Kameta (Committee Advisor), P Chapman (Project Manager), H Simpson (Senior Advisor - Treaty), M Lee (Planner – Water Policy), J Low (Water Policy Team Leader), M Townsend (Engineering Manager), K Gosling (Community Engagement Team Leader), K Boreham (Marketing and Communications Advisor), S Pickles (Regulatory Compliance Team Leader), M Kapa (Land Management Officer); D Bowden (Taupō District Council), C Fern (Trustpower Limited), C Rowe (Southern Generation), Cr Silcock (Whakatane District Council), A McKenzie, M Archer, M McKenzie (Place Group Consultants), A Riwaka (Te Ohu Kaimoana), H Nuku-Tohiariki, B Carson (Te Rūnanga o Ngāti Whare), E Hughes (Communications Consultant), B Bluett (Department of Conservation); Attendance in part: S Stokes (Eastern Catchments Manager).

Apologies: Deputy Chair E Rewi (Te Runanga o Ngati Whare), M Araroa (Te Runanga o Ngati Awa), Councillor G Johnston, Alternates: Mayor A Bonne (Whakatane District Council), Councillor R Harvey (Taupo District Council)

1 Opening Karakia and Mihimihi

Reverend Te Rire opened the meeting with a karakia and mihimihi that acknowledged the connections between Forum partners and welcomed new alternate member Janice Wall. Councillor Marr replied with a mihi of acknowledgement.

2 Apologies

Resolved

That the Rangitāiki River Forum:

- 1 Accepts the apologies tendered at the meeting from Earl Rewi, Miro Araroa, Councillor George Johnston, Mayor Tony Bonne and Councillor Rosie Harvey.

Winters/Love
CARRIED

3 Acceptance of Late Items

Nil.

4 General Business

The Chair requested an update on the following matter:

- Update on Appeals to Proposed Change 3 (Rangitāiki River) to the Regional Policy Statement.

The discussion would be taken in the Public Excluded section of the meeting.

5 Declaration of conflicts of interest

Nil.

6 Previous Minutes

6.1 Rangitāiki River Forum minutes - 16 March 2018

Matter arising

Staff Follow up

A member requested a letter of thanks and appreciation be sent to Waiohau Marae for their hospitality and hosting the Forum meeting on 16 March 2018.

Resolved

That the Rangitāiki River Forum:

- 1 Confirms the Rangitāiki River Forum Minutes of 16 March 2018, as a true and correct record.

Love/Winters
CARRIED

7 Reports

7.1 Forum Membership Appointment

The report recorded a change in Forum membership for Hineuru with the appointment of Janice Wall as the alternate member for Hineuru, replacing David Jones.

Ms Wall gave a mihi of thanks and acknowledgement and said it was a privilege to be appointed as Hineuru's alternate.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Forum Membership Appointment;**
- 2 Confirms the appointment of Janice Wall onto the Rangitāiki River Forum as the alternate member for Hineuru, replacing David Jones.**

**Marr/Kingi
CARRIED**

7.2 An Update on Plan Change 12 - Progress in the Rangitāiki Water Management Area

Refer PowerPoint Presentation Objective ID A2889263.

The report provided an update on the development of Plan Change 12 - Rangitāiki Water Management Area (PC12). James Low and Michelle Lee presented an overview of the development phases and current freshwater science understanding.

Key points outlined:

- *Te Ara Whānui o Rangitāiki* provided clear mandate for freshwater limit setting. Appendix 1 outlined alignment between *Te Ara Whānui o Rangitāiki*, RPS Change 3 and PC12 working draft narratives for in-river freshwater objectives.
- Staff were engaging with Rangitāiki iwi and hapū to understand tangata whenua values and interests in freshwater. A desktop exercise would be undertaken to collate existing information held by Council.
- Regional Council would be adopting its Long Term Plan on 28 June, which included two additional staff specialised in Mātauranga Māori science and policy to assist with Council's work.
- Water flow estimate (EFSAP) modelling would use indicator species that require high flow such as rainbow trout, as some other species (including some natives) were less sensitive. The results would be reported back to a Forum workshop.
- Groundwater information was currently less comprehensive. The current rule of thumb allowed 35% of groundwater within the aquifer to be allocated. Information was expected to be available in 3-5 years' time, which would assess cause and effect of groundwater take beyond the current rule of thumb.

Members' comments:

- PC12 information was difficult to digest and communicate to Iwi and hapū. Staff acknowledged this was an issue and were working on conveying it in a more

understandable format. Staff suggested a workshop would allow time to better understand the science.

- Queried how Forum members could be involved in the engagement process, including the design process and for this to be built on a foundation of Mātauranga Māori for Iwi and hapū.

Staff Follow-up:

The Chair noted the Forum's legislated responsibility and requested a workshop on the Iwi engagement process.

- The fact that a Mātauranga Māori framework had not occurred alongside the western science process was a concern. Consideration was sought around potential conflicts between Mātauranga and western science and a gap in how and where Te Mana o Te Wai fitted.

Mr Low explained that the NPS-FM process (National Objectives Framework attributes in particular) was based on quantitative data and that the Environment Court had a preference for scientific/quantitative measures and hard evidence. While this was acknowledged, comment was raised that qualitative data such as Mātauranga Māori was needed and complementary, with the two methodologies working alongside each other and that while the language may differ, both may have the same outcome.

In Response to Questions:

- Future water quantity management in the upper Rangitāiki was constrained by Trustpower's consent and proposed Plan Change 9, which gave preference to existing hydro electricity generation use. PC9 had provisions to decline consent where there was over-allocation, using benchmarks and estimations.
- PerrinAg Consultants would provide an economic impact assessment for land use scenarios related to water quality with findings expected in the coming months.
- Staff acknowledged ecological health indicator findings within the Rangitāiki Catchment streams did not include all streams, with only some sites monitored.

Staff Follow-up:

Further workshops were requested in parallel to the Freshwater community groups to assist the Forum to understand the complexity of NPS-FM information, facilitated along with a presentation from Tina Porou to articulate Te Mana o Te Wai in the context of the NPS-FM process.

Resolved

That the Rangitāiki River Forum:

- 1 **Receives the report, 'An Update on Plan Change 12 - Progress in the Rangitāiki Water Management Area'.**
- 2 **Requests a dual workshop process to be implemented for the Forum, in parallel to the Rangitāiki Freshwater community group workshops.**
- 3 **Requests a presentation from Tina Porou on Te Mana o Te Wai in context with the NPS-FM at a future Forum Meeting.**

**Rangiwai/Kingi
CARRIED**

7.3 Te Hekenga Nui o Te Tuna

Refer PowerPoint Presentations Objective IDs A2893302, A2894424.

Nancy Willems provided an update on the status of the Te Hekenga Nui o Te Tuna Project and sought endorsement of a structure to integrate the Tuna Forum and the Te Hekenga Nui o Te Tuna Steering Group.

An amendment to Recommendation 4 (refer agenda page 163) was requested advising additional wording to be inserted to reflect the resolutions of Iwi as follows: “...with regard to not supporting current spillway trials at Matahina, and for future trials to be considered on a case-by-case basis.”

Key points:

- Public consultation on the North Island Tuna Fisheries Review would commence in the following weeks;
- Status of Trustpower’s implementation actions and recommendations;
- Noted the status of Te Hekenga Nui o Te Tuna Plan actions and endorsement sought on the completed literature review.

Ngapera Rangiaho (Member for Tūhoe) – NZ Fish Passage Guidelines

- Provided historical background on a thesis written in 1930 by Maggie Papakura on Māori customs and practices for sustainable fishing and river management.
- Reported on the NZ Fish Passage Conference on 18 April 2018 in Wellington and discussion held on effectiveness of the Fish Passage Guidelines (available online).
- Gave an overview of guideline learnings, which had been applied to the Kioreweku culvert works between Galatea and Waiohau in April and May 2018 in collaboration with Whakatane District Council staff, Opus International Consultants and fish passage expert and consultant Kelly Hughes.

Alan Riwaka, Te Ohu Kaimoana - Tuna Forum Update

- Outlined the proposed structure to integrate the Tuna Forum and Te Hekenga Nui o Te Tuna Plan and summarised goals and outcomes for the proposed Tuna Project Plan.
- Noted that working with industry stakeholders would require kōrero to be open and transparent. A hui was scheduled to consider tools and management for development of a harvest strategy.
- Work was in progress on the potential of a mahinga mataitai and developing a protocol for an annual harvest regime and science reference points.
- An invitation to the power companies was proposed to address issues associated with dams.
- Waikato Regional Council had offered to collaborate and assist with development of a habitat strategy, water quality strategy and input into the North Island Tuna Review.

In Response to Questions:

- Fish ladders illustrated in the literature review (agenda page 184) that may be over 4m were outside the NZ Fish Passage Guidelines.
- Regarding connections between the Forum, Steering Group and Tuna Forum, while the new proposed structure sought to integrate the Steering Group with other

agency stakeholders under the umbrella of the Tuna Forum, the Steering Group's strategic role in terms of strategy, planning and monitoring would remain.

Discussion and Comments:

- Member Ngapera Rangiaho was acknowledged for applying knowledge from the Conference and Fish Passage Guidelines to assist with Kioreweku culvert works.
- Utilising the Wetland Restoration Project to support tuna habitat was noted by staff.

Staff Follow-up:

- It was requested that staff explore options to integrate the Tuna Forum and clarify the governance framework and reporting lines.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Te Hekenga Nui o Te Tuna;**
- 2 Requests staff to explore options to integrate the Tuna Forum and report back to a future Forum Meeting.**
- 3 Notes a need for written confirmation from the Forum and/or the Forum Iwi partners with regard to not supporting the current spillway trials at Matahina and for future trials to be considered on a case-by-case basis.**

**Marr/O'Brien
CARRIED**

7.4 Rangitāiki River Scheme Update

Refer PowerPoint Presentations Objective IDs A2893547, A2894428.

Mark Townsend and Paula Chapman provided an update on Rivers and Drainage and Engineering work streams underway in the Rangitāiki River Scheme following the 2017 April flood events.

Key points:

- Council had been responsive to the resourcing, delivery and funding needs of the flood repair works. It was noted that a greater degree of engagement and communication was underway as the projects progressed.
- Rangitāiki River Scheme Review recommendations were being implemented.
- It was acknowledged that Regional Council had been slow to engage with Iwi at the time of the flood and were now in the process of engaging with affected Iwi.
- The College Road floodwall replacement was in progress in line with the Rangitāiki River Scheme Review recommendations.
- Despite extensive flood mitigation infrastructure and measures, the residual risk of stopbank failure would remain.
- Council was investigating Regional Flood Risk Management options for the Rangitāiki floodway spillway utilising two landowner properties, which would be a long term process.

- The River Scheme Sustainability Project had commenced investigations on possible themes and options. A report was anticipated in September, following which findings would be presented to a future Forum meeting.

In Response to Questions:

- Delayed communication between the Regional Council and Trustpower at the time of the 2017 April flood resulted from several situations impacting dam safety and a lack of communication and understanding, which had now been resolved.
- Rain gauges at Whirinaki had been reinstated.
- Bifurcation at Thornton was the subject of a notified consent variation.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Rangitāiki River Scheme Update.**

**Love/Marr
CARRIED**

Adjournment

The meeting adjourned at 1.15pm.

Tu O'Brien **withdrew** from the meeting during the adjournment at 1.15pm.

The meeting reconvened at 1.45pm.

7.5 Rangitāiki River Catchment - Operations and General Update

Nancy Willems provided an update on general matters and operational activity occurring in the Rangitāiki River Catchment. Members were advised a total of 40km of riparian fencing had been completed during the 2017/18 financial year.

The following contractors supporting Rangitāiki River Catchment project work were in attendance and provided the following introductions:

- Place Group – Rangitāiki Wetlands Restoration Project Managers
Angus McKenzie (Company Director), Michelle Archer (Project Manager) and Maureen McKenzie (Communications) greeted the Forum with a mihi and provided background on their experience, which included environmental and wetland management, working with hydro-electricity companies, co-governance, joint initiatives and tuna projects within the Tainui rohe. The Hamilton-based company was founded on community-based principles and outcomes. The project team was excited at the challenge and opportunity to manage the project, were available and contactable and appreciated listening to discussion to gain an understanding of the Forum's work.
- Huia Nuku-Tohiariki – Kaitiakitanga and Strategy Mapping Project
Mrs Nuku-Tohiariki greeted the Forum with a mihi and provided background on her connections. Members were advised the project would be underpinned by *Te Ara Whānui o Rangitāiki* and that engagement with Forum partners would occur to discuss the protocols and tikanga of the project.

3. Elizabeth Hughes – Rangitāiki Wetlands Project Communications Plan and Strategy

Ms Hughes greeted the Forum and advised of her background in communications and working with Waikato Regional Council, Local Government NZ, Tauranga City Council and the Lakes Rotorua Incentives Committee. Her role was to develop the communications plan and strategy for the Rangitāiki Wetlands Project and would be engaging with Forum members to support communication outcomes for the Forum collectively and individually.

Staff Comments:

- Regarding the update on *He Korowai Mātauranga* under section 1.5.2 of the report, Strategic Engagement Manager Kataraina O'Brien advised of a correction to the timing of completion of the Mātauranga Māori implementation plan, which was anticipated at the end of the year with rollout in 2019/20. She noted this work would converge with some of the work being carried out by Ms Huia Nuku-Tohiariki in regard to developing a list of Mātauranga Māori practitioners.
- Wetland Restoration Project works would commence in the 2018/19 financial year during spring and summer. A site blessing was being considered however, preliminary survey work had already commenced. It was noted that the Southern Generation site was still pending.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Rangitāiki River catchment - Operations and General Update.**

**Winters/Rangiaho
CARRIED**

7.6 **Te Ara Whānui o Rangitāiki Implementation Workshop Summary**

Refer PowerPoint Presentation Objective ID A2889440.

Simon Stokes summarised the workshop results from 10 November 2017 and sought the Forum consider next steps to define a coordinated approach.

Key points:

- While the Forum understood the objectives and actions of *Te Ara Whānui o Rangitāiki* however, feedback was needed to understand and define what success looked like, including measures, levels of commitment, delivery and coordination.
- While Proposed Change 3 to the Regional Policy Statement would direct regional and district plans, alignment was needed with each of the partner organisation's strategies and actions within *Te Ara Whānui o Rangitāiki*.
- Sought the Forum endorse the suggested next steps outlined under section 4.1 of the report.
- The Terms of Reference required small alterations in how the Forum's work moved forward, with no additional changes needed of a possible structure for progressing next steps. Minor changes would be brought to the next Forum meeting in August.

- Education and communication had been a key element arising from the workshop.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Te Ara Whānui o Rangitāiki Implementation Workshop Summary.
- 2 Agrees to the suggested next steps outlined under section 4.1 of the report.

Love/Kingi
CARRIED

8 Public Excluded Section

Resolved

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
Public Excluded Rangitāiki River Forum Minutes – 16 March 2018	To maintain legal professional privilege.	Disclosing the information may constitute contempt of Court.
General Business Item – Update on Appeals to Proposed Change 3 (Rangitāiki River) to the Bay of Plenty Regional Policy Statement	To maintain legal professional privilege.	Disclosing the information may constitute contempt of Court.

Love/Winters
CARRIED

9 Closing Karakia and Mihi

Reverend Te Rire provided a mihi that acknowledged the connections, efforts and work of members and staff before closing the meeting with a karakia.

The meeting closed at 2.53 pm.

Minutes of the Rangitāiki River Forum Meeting held in Council Chambers, Whakatāne District Council, Civic Centre, Commerce Street, Whakatāne on Friday, 14 September 2018 commencing at 10.00 a.m.

Present:

Chairperson: Maramena Vercoe (Te Rūnanga o Ngāti Manawa)

Appointees: Crs Tīpene Marr, Bill Clark, Kevin Winters, David Love - Bay of Plenty Regional Council, Reverend Graham Te Rire - Ngāti Tuwharetoa (BOP) Settlement Trust, Miro Araroa - Te Rūnanga o Ngāti Awa, Cr G Johnston - Whakatāne District Council, Ivy Kahukiwa Smith, Janice Wall (Alternate) - Hineuru, Cr Tangonui Kingi - Taupo District Council, Te Waiti Rangiwai (Alternate) - Te Rūnanga o Ngāti Whare, Ngapera Rangiaho – Tūhoe

In Attendance: Bay of Plenty Regional Council: Chairman Doug Leeder, Simon Stokes – Eastern Catchments Manager, Kataraina O'Brien – Strategic Engagement Manager, Yvonne Tatton – Manager Governance, Michelle Lee – Planner (Water Policy), Mieke Kapa - Land Management Officer, Fiona Wood – Programme Coordinator Integrated Catchments, Shari Kameta – Committee Advisor; Dominic Bowden – Taupō District Council, Bill Kerrison – Kokopu Trust, Brad Bluett – Department of Conservation, Cr Alison Silcock – Whakatane District Council, Chris Fern - Trustpower, Tina Porou – Poipoia Ltd, Jason Nairn, Iwi Environment Manager – Te Rūnanga o Ngāti Manawa

Apologies: Earl Rewi (Deputy Chair) - Te Rūnanga o Ngāti Whare, Tuwhakairiora O'Brien (Alternate) - Te Rūnanga o Ngāti Awa, Councillor Rosie Harvey (Alternate) - Taupō District Council, Chris Ingle, General Manager Integrated Catchments – Bay of Plenty Regional Council

1 Karakia

Provided by Reverend Graham Te Rire.

Cr Tīpene Marr responded with a mihi of acknowledgment.

2 Apologies

Resolved

That the Rangitāiki River Forum:

- 1 **Accepts the apologies from: Earl Rewi, Tuwhakairiora O'Brien, Cr Rosie Harvey and Chris Ingle tendered at the meeting.**

**Marr/Rangiwai
CARRIED**

3 **Public Forum**

3.1 **Mr Bill Kerrison, Kokopu Trust**

Refer Tabled Document Number 1.

Mr Bill Kerrison of the Kokopu Trust presented a proposal, jointly prepared by Mr Kerrison and Mr Alan Riwaka of Te Ohu Kaimoana, to mitigate tuna mortalities and address passage of adult tuna migrating to sea at Matahina Dam.

Key points:

- The proposed system was designed to trap migrating tuna ahead of the dam intake pipes without causing injury or fatality;
- Would require socialising the concept with Iwi and Trustpower, development of a plan, detailed specifications and costings, which would rely on gaining support from Trustpower and the Forum.
- Highlighted more concerning issues with tuna passage at Aniwhenua Dam, which Mr Kerrison was prepared to work with others to address.

In response to questions:

- The proposal had been endorsed by American experts;
- Electricity generation would have to cease during installation of the proposed system.

Members' Comments:

- Acknowledged the proposal and issues raised regarding Aniwhenua Dam.
- Supported the proposal and further discussion to be taken under Agenda item 9.1.

4 **Acceptance of Late Items**

Nil

5 **General Business**

- 1) Plight of Galatea Farmers

6 **Confidential Business to be Transferred into the Open**

Nil

7 **Declaration of Conflicts of Interest**

Nil

8 Previous Minutes

8.1 Rangitāiki River Forum Minutes - 08 June 2018

Correction

Agenda page 19, Minute item 7.3, fourth bullet point – amend “Maggie Papakura” to “Guide Maggie Makereti Papakura”.

Matter Arising

Agenda page 19, Minute item 7.3, second paragraph – regarding consideration of future trials, members were informed of a research project study that was being undertaken in New Zealand on whitebait entering into a range of fish passage, which may provide learnings for the Forum’s work.

Staff Follow-up Action:

It was requested that the whitebait study be investigated and information reported back to the Forum.

Resolved

That the Rangitāiki River Forum:

- 1 Confirms the Rangitāiki River Forum Minutes of 8 June 2018, as a true and correct record with the foregoing correction.

Winters/Rangiaho
CARRIED

9 Reports

9.1 Rangitāiki Integrated Catchment Programme Annual Work Plan Results 2017-2018 and Annual Work Programme 2018/2019

Eastern Catchments Manager Simon Stokes and Taupō District Council Strategic Relationship Manager Dominic Bowden highlighted points from the annual work programme.

Key points:

- The Rangitāiki Catchment Programme was in its third year of delivery, with much of the current focus on repair and restoration as a result of the 2017 April cyclones.
- In regard to Taupō District Council’s key projects:
 - The Taupo District 2050 urban growth strategy draft document was out for consultation until 14 September 2018, with no growth areas identified within the upper Rangitāiki catchment;
 - The Taupo District Plan review would look at land use with an initial report open for feedback in November 2018 followed by a strategic approach to commence in May 2019;

- Roading and footpath maintenance was being undertaken, with no work planned within the Rangitāiki catchment;
- The Biodiversity Strategy to establish indigenous biodiversity targets was due to commence later in 2018.

In response to Questions:

- Regarding maintenance of Aniwaniwa Reserve, Southern Generation had received some funding to carryout maintenance in the reserve area;
- River scheme management stopped below Aniwhenua Dam and restarted after Kopuriki Road, Galatea;
- Regarding the proposal and issues raised by Mr Bill Kerrison in the Public Forum, Te Hekenga Nui o Te Tuna Steering Group and the Tuna Forum were working with Matahina and Aniwhenua Dam owners to progress issues and find a solution for fish passage over the hydro dams, with analysis completed on fish passage sites;
- The Forum had the ability to hold constructive conversations with Trustpower;
- The 2018/2019 Work Plan had been approved by Bay of Plenty Regional Council and Whakatāne District Council;
- Status of the management of Edgecumbe and Ratahi reserves was not listed in the 2017-2018 Work Plan. Ownership of red stickered reserve land still remained with the Regional Council, however would be resolved in due course with the Rangitāiki Community Board and Whakatane District Council;
- Future inclusion of Iwi work programmes in the Work Plan was acknowledged and noted.

Staff Follow-up Action:

- Invite Mr Bill Kerrison to discuss tuna passage issues with Te Hekenga Nui o Te Tuna Steering Group and the Tuna Forum.
- Provide advice to the Forum on the resolution of Proposed Change 3 appeal point in regard to existing and new fish passage structures.
- Provide an update on Aniwaniwa Reserve maintenance and management.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Rangitāiki Integrated Catchment Programme Annual Work Plan Results 2017-2018 and Annual Work Programme 2018/2019.**
- 2 Endorses the Rangitāiki Integrated Catchment Programme Annual Work Plan 2018/2019.**

**Love/Marr
CARRIED**

Change to Order of Business

With the leave of the Forum, the Chair advised that consideration of General Business would be taken next on the agenda.

10 Consideration of General Business

10.1 Plight of Galatea Farmers

An issue was raised concerning several farms that were underwater downstream of Aniwhenua Dam, causing significant impacts on the economic, health and wellbeing of the affected farmers. Frustration was noted towards the dam owner's disregard of the overall cumulative and negative effects associated with the dam. Consideration was sought on potential for the Forum to advocate for the affected individuals via communication with the dam owners and potential avenues to have the dam's resource consent reviewed.

Advice noted:

- Continual flooding and gravel build-up from the Whirinaki River and Te Urewera had caused inability for the farmers to utilise their flooded land since April 2016;
- Responsibility for the dam and the reserve rested with Southern Generation, Nova Energy and Whakatāne District Council respectively;
- Conditions of Aniwhenua Dam's resource consent did not require flood mitigation;
- Regional Council had been in discussions since 2017 to seek an engineering solution for Kopuriki Road, which to this point had been unsuccessful;
- Regarding the Forum's purpose and the appropriate vehicle to progress the matter, it was suggested that advocating for the interests of the affected individuals would gain the respect and trust of the community, while achieving the Forum's purpose.

Members' Comments:

- Sought detailed information on the issues identifying short and long-term solutions to be reported back to the Forum.
- Asked for consideration of dredging impacts on Ngāti Haka/Patuheuheu hapū, associated civil defence activity and lwi further downstream;
- Noted a consent application to remove gravel from the island channel below Aniwhenua Dam had been rejected by Ngāti Haka/Patuheuheu hapū;
- Considered a rates relief for affected farmers should be explored;
- Requested a report from the Rivers & Drainage team on short and long-term engineering solutions associated with Aniwhenua Dam and affected farmland; with inclusion of a response for how Regional Council can advocate for affected farmers;
- Supported the facilitation of a high level meeting with affected stakeholder representatives, Nova Energy and Southern Generation management (and Trustpower if appropriate).

11 Public Excluded Section

Resolved

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
10.1 Public Excluded Rangitāiki River Forum Minutes - 08 June 2018	To maintain legal professional privilege.	Disclosing the information may constitute contempt of Court.

Marr/Winters
CARRIED

12 Confidential Business Transferred into the Open

Resolved

That the Rangitāiki River Forum:

- Notes the only business transacted in public excluded was to confirm the Public Excluded Rangitāiki River Forum Minutes of 8 June 2018. In accordance with the Local Government Official Information and Meetings Act 1987, no reason for withholding this information from the public exists.

Winters/Love
CARRIED

The meeting closed at 11:43 am.

CONFIRMED:

Maramena Vercoe, Chairperson
Rangitāiki River Forum

Minutes of the Regional Transport Committee Meeting held in Mauao Rooms, Bay of Plenty Regional Council Building, 87 First Avenue, Tauranga on Friday, 14 September 2018 commencing at 9.30 a.m.

Present:

Chairman: S Crosby (Bay of Plenty Regional Council)

Deputy Chairman: J Nees (Bay of Plenty Regional Council)

Appointees: Mayor A Bonne - Whakatāne District Council, Councillor R Curach - Tauranga City Council, Councillor B Julian - Alternate, Kawerau District Council, Councillor K Young - Alternate, Opotiki District Council, P McLean - Regional Director Waikato/BOP, New Zealand Transport Agency, Councillor J Palmer - Alternate, Western Bay of Plenty District Council, A Talbot - Alternate, New Zealand Transport Agency

In Attendance: Bay of Plenty Regional Council: Namouta Poutasi – General Manager: Strategy and Science (Acting), Fiona McTavish – Chief Executive, Garry Maloney – Transport Policy Manager; T Nerdrum-Smith – Committee Advisor

Cr Cronin, Cr Bruning and Cr von Dadelszen

Other: J Galbraith - Port Advisor and D Kneebone - Property & Infrastructure Manager - Port of Tauranga, Mark Hasley - NZTA, Rob Campbell – NZTA, Cr M Gould - Rotorua Lakes Council, Glen Crowther – Sustainable Business Network

Apologies: Mayor S Chadwick - Rotorua Lakes Council; Deputy Mayor D Donaldson - Alternate, Rotorua Lakes Council, Councillor D Thwaites - Western Bay of Plenty District Council, Mayor M Campbell - Kawerau District Council, Mayor J Forbes - Opotiki District Council, Brent Crowe - Safety Advisor, BoP District Police

1 Apologies

Resolved

That the Regional Transport Committee:

- 1 Accepts the apologies from Mayor S Chadwick - Rotorua Lakes Council; Deputy Mayor D Donaldson - Alternate, Rotorua Lakes Council, Councillor D Thwaites - Western Bay of Plenty District Council, Mayor M Campbell - Kawerau District Council, Mayor J Forbes - Opotiki District Council and Brent Crowe - Safety Advisor, BoP District Police tendered at the meeting.

Julian/Bonne
CARRIED

2 Public Forum

Glen Crowther - Sustainable Business Network, presented on the Tauranga Transport Alignment Project (TTAP).

PowerPoint Presentation – Reference A2964272

Key Points of Presentation

- The Wider Context
- Climate Change: BoP Context
- Cut Emissions by 1/3 by 2030
- No Need to Delay
- Tauranga Transport Alignment Project
- TTAP – 5 Point Plan
- Congestion Free PT Network
- TTAP Goals
- National Land Transport Programme (NLTP) Funding
- NLTP Public Transport Funding
- Our Proposal
- Cost of Free Fares for Children.

Presenter in Response to Questions

- Recognised that 'drastic' measures were required to make a positive difference in carbon emissions
- Central Government had clearly indicated its wish for Regional Plans to have targets around reduction of emissions.

Key Points – Members

- A second Government Policy Statement, which included climate change considerations, was being progressed
- Recognised that the New Zealand roading network was not set up well for a combination of transport options
- Regional Council had dedicated funds and resources to implementing a free bus trial in Welcome Bay
- Research clearly indicated that making roads wider did not encourage alternative modes of transport, rather it caused increased vehicle movements
- Adding bus lanes on SH2 between Tauranga and Katikati should not be seen as a 'magic bullet' as increased service would also be required for public transport to become a genuine alternative to personal vehicle use.

Staff Follow-up

- Presenter to meet with Regional Council staff to discuss the TTAP proposal and establish clarity with regards to alignment with Regional Council targets.

3 Acceptance of Late Items

Nil

4 General Business

A discussion would be held later in the meeting with regards to the current and future role of the Committee.

5 Declarations of Conflicts of Interest

Nil

6 Previous Minutes

6.1 Regional Transport Committee Minutes - 15 June 2018

Noted that a minor amendment would be made as follows: Item 2 – Public Forum – Carole Gordon – add to 2nd bullet "...including use of AV shuttles."

Resolved

That the Regional Transport Committee:

- 1 Confirms the Regional Transport Committee minutes - 15 June 2018.

Nees/Palmer
CARRIED

7 Reports

7.1 Update from Committee Members and Advisors

Dan Kneebone – Port of Tauranga

- The Port had posted a strong result for the 2017-18 financial year
- The approaching Annual General Meeting would include the current focus on sustainability
- The traffic congestion in Totara Street was a focus for the Port, as well as the community.

John Galbraith – Port of Tauranga

- The annual Careers Expo had attracted around 130 students to the transport/logistics initiative
- Was in the process of setting up a logistics cadetship via Toi Ohomai, however was still awaiting NZQA approval, which meant the deadline for implementation in 2019 could be missed.
- A collaboration of the region's economic development agencies was in the process of submitting an expression of interest to the Provincial Growth Fund for an integrated approach to transport and logistics in the Bay of Plenty. If successful, the consortium would support from the Regional Transport Committee in regards to subsequent applications to the Fund.

Cr Young – Ōpōtiki District Council

- Ōpōtiki Harbour development had not been funded at the level originally sought
- The road entrance to Ōpōtiki was an unattractive and 'grubby' bridge and encouraged NZTA to contribute towards an upgrade

- Road resilience needed to be further addressed as lengthy closures due to slips had significant impact.

Cr Julian – Kawerau District Council

- Projects included:
 - Roading connection from the industrial area to the container terminal
 - Inclusion of the roundabout development in the Provincial Growth Fund (PGF)
 - Completed design for culvert structure to deal with stormwater
 - Cycle track to Tarawera Lake was progressing at a reasonable pace.

Mayor Bonne – Whakatāne District Council

- A high level meeting between Ōpōtiki District Council, Kawerau District Council and Whakatāne District Council was scheduled for the following week
- Was seeking PGF funding towards improvement of roads to allow for increased freight movement
- Safe freight alignment between Ōpōtiki and Whakatāne was a positive project
- Was working with Tuai regarding upgrade of the gravel road to Lake Waikaremoana
- The estimated cost of the damage caused by Cyclone Debbie had reached \$23m.

Cr Crosby – Bay of Plenty Regional Council (Tauranga)

- Recognised the presentation by the Eastern Regional Leadership Group at the 6 September 2018 Regional Council meeting
- The SmartGrowth partnership was undertaking significant work in the transport field
- John Hutching was carrying out interviews as part of this work
- John Hannah was overseeing a gap analysis of the current Western Bay Sub-regional transport network, with changes expected
- There was a need to engage at a strategic level with NZTA, which could be driven by Bay of Plenty Mayors/Chairs.

Cr Palmer – Western Bay District Council

- Funding was in place for the \$13m Ōmokoroa to Tauranga cycleway
- Hoped to have the Ōmokoroa to Wairoa River section finished by Christmas 2018
- Noted the four fatalities at Western Bay of Plenty roads this week and the increasing level of concerns in the community
- A hiki would be closing the Wairoa Bridge for 30 minutes on Sunday afternoon, followed by a public meeting organised by Bay of Plenty MP Todd Mueller
- Structure plans for new residential developments in Ōmokoroa was scheduled for release next week. However, this might be negatively impacted by the significant concerns regarding the dangerous SH2 access.

Parekawhia McLean – New Zealand Transport Agency

- Current focus: National Land Transport Programme (NLTP); Provincial Growth Fund (PGF); passenger rail Hamilton – Auckland (and possibly Tauranga); Auckland - Hamilton corridor programme, which could have potential for Western Bay of Plenty
- 12 SH maintenance programmes were currently in place
- Reprioritisation of the Bay of Plenty region in the NLTP would be considered by the NZTA Board
- Noted the integrated transport planning approach between NZTA and other major entities, e.g. District Health Boards.

Rob Campbell – New Zealand Transport Agency

- There were no funding specifically dedicated to cleaning bridges, as this was not considered a priority within the NZTA Resilience and Maintenance programme

- Recognised that the slips on SH35 meant ongoing closures and there were a number of resilience programmes in place for SH35 and SH2.

10.32 am Dan Kneebone **withdrew** from the meeting.

Cr Curach – Tauranga City Council

- Stocktake of projects and a gap analysis report was being prepared prior to the SmartGrowth Leadership workshop on the proposed strategic transport hub
- Progressing the Totara Street cycleway project
- Investigations into CBD bus interchange location were ongoing
- Currently identifying options for a permanent interchange at Arataki
- In the process of developing a citywide parking plan
- The Hairini bus lane had resulted in increased bus use
- Greerton roading project was nearing completion.

Cr Gould – Rotorua Lakes Council

- Was seeking funding assistance for storm damage that occurred during the 2017-18 year, with costs currently totalling \$7m
- Maori signage had been erected in key intersections and would be continued in the wider area
- A cycleway route through Rotorua CBD was being discussed.

Cr Crosby – Bay of Plenty Regional Council (Tauranga) – Continued

- Activities and movement, rather than the size of the population, was the driving force behind NZTA funding. For instance, Eastern Bay of Plenty's commercial growth would exceed population growth and generate significant traffic movements
- The Totara Street/Hewlett Road intersection should be a priority project.

Cr Nees – Bay of Plenty Regional Council (Western Bay of Plenty)

- Emphasised the importance of the Bay of Plenty region's key priorities being identified to Central Government as part of the new Government Policy Statement and National Land Transport Programme.

Resolved

That the Regional Transport Committee under its delegated authority:

- 1 Receives the report, Update from Committee Members and Advisors.**

**Curach/Crosby
CARRIED**

10.50 am The meeting **adjourned**

7.2 New Zealand Transport Agency Update

PowerPoint presentation – Reference A2962780

Parekawhia McLean and Alistair Talbot – NZTA presented this item.

Key Points of Presentation

- Operating Framework
- A new direction

- A record investment
- 2018-28 NLTP by activity class
- 2018-21 NLTP by the regions
- A safe system
- Liveable cities
- Thriving regions
- Focus on environment and public health
- Supporting locally – delivered activities.

Presenters in Response to Questions

- ‘Regional improvements’ was aimed at provincial, rather than urban, areas and could include the State Highway network
- As the re-evaluation of the National Land Transport Programme (NLTP) was not yet completed, there was at this stage no funding allocated to some projects seen as priorities in the Bay of Plenty.
- Funding for additional projects, would come over and above what was already allocated in the NLTP
- There was significant pressure to operate the State Highway maintenance programme with increasing efficiencies
- Central Government was scheduled to review the Safe System
- NZTA received State Highway accident reports from the Police, who was also responsible for any reporting to the respective councils
- Enhanced Funding Assistant Rate (FAR) would include five new national level programmes
- A project included in the advanced FAR required ‘high results alignment’; 80% completion; and it could be for minor improvements.

Key Points – Members

- Concerned regarding the inadequate allocation of funding to the Bay of Plenty, in particular when considering the rate of growth and in comparison to other regions
- Noted that detailed information was provided to the Western Bay Road Safety Committee that should be adaptable for the Regional Transport Committee as part of the NZTA report
- ‘Safety System’ did not appear to include driving ability, which was a significant factor in road incidents.

Staff Follow-up

- Future NZTA reporting to the Committee to include higher level of detail regarding:
 - Accidents on SH2 and SH29 for the past three years
 - Time/place/timing/type of accidents
 - Number of vehicles involved
 - Type of injuries/fatalities
 - Condition of the road; road classification; barriers; visibility/intersections
 - Contributing factors, e.g. speed, drugs, alcohol.

Resolved

That the Regional Transport Committee:

- 1 **Receives the report, New Zealand Transport Agency Update;**
- 2 **Acknowledges there are three State Highway corridor projects in the Bay of Plenty that are under review and all or in-parts may be added to the National Land Transport Programme (NLTP) in 2019;**
- 3 **Expresses concerns that the Bay of Plenty components of the NLTP does not meet the needs of the Bay of Plenty, in particular in the areas of safety and capacity;**
- 4 **Notes that the Bay of Plenty Regional Transport Committee would like NZTA to work more closely with the Committee and constituent councils on transport planning and delivery.**

**Crosby/Curach
CARRIED**

7.3 **Comparison between the National Land Transport Programme and the Regional Land Transport Plan**

Garry Maloney – Transport Policy Manager presented this item.

Key Points

- Noted that the NZTA website had been updated with more recent information since the agenda was issued
- The NLTP was under review by Central Government.

NZTA in Response to Questions

- The Rotorua Weigh Station had not been included in the Weigh Right study.

Resolved

That the Regional Transport Committee:

- 1 **Receives the report, Comparison between the National Land Transport Programme and the Regional Land Transport Plan.**

**Julian/Crosby
CARRIED**

7.4 **Regional Land Transport Plan Variations**

Resolved

That the Regional Transport Committee:

- 1 **Receives the report, Regional Land Transport Plan variations;**
- 2 **Adds the Rotorua Lakefront and Whakarewarewa Forest activities to the Bay of Plenty Regional Land Transport Plan 2018;**

- 3 Adds the Kawerau Container Terminal activity to the Bay of Plenty Regional Land Transport Plan 2018; and
- 4 Determines that the proposed variations are not significant for the purposes of public consultation.

Mayor Bonne/Crosby
CARRIED

8 General Business

Role of the Regional Transport Committee

Key Points – Members

- Being a Statutory Committee meant its Terms of Reference were relatively prescriptive
- Sought feedback from the Members regarding what the Committee could achieve within its legislative boundaries with regards to forward planning, strategies and advocacy on behalf of the Bay of Plenty region
- Encouraged increased regional and inter-regional relationship building and cooperation
- Suggested a pro-active approach by staff to identify opportunities for the Committee to pursue
- Recognised that some issues should be more actively pursued, e.g. road safety
- Changes to the Land Transport Act could impact on the Committee's responsibilities and any such changes be flagged as early as possible
- Rail was an important part of the roading network and should be higher on the Committee's 'radar'
- Suggested that Kiwi Rail be invited to address the Committee at a future meeting.

Staff Follow-up

- Chair and Deputy Chair to meet with staff regarding the points raised by Members and report back to the next meeting of the Committee.

The meeting closed at 12.13 pm

Confirmed DATE

Cr Stuart Crosby
Chairperson – Regional Transport Committee

Minutes of the Rotorua Te Arawa Lakes Strategy Group Meeting held in The Council Chamber, Rotorua Lakes Council, Civic Administration Building, 1061 Haupapa Street, Rotorua on Friday, 2 November 2018 commencing at 9.40 a.m.

Present:

Chairman: Sir Toby Curtis - Chairman, Te Arawa Lakes Trust

Deputy Chairman: Mayor Steve Chadwick, Rotorua Lakes Council

Appointees: Willie Emery - Te Arawa Lakes Trust, Cr Karen Hunt - Rotorua Lakes Council, Chairman Doug Leeder, Cr Kevin Winters - Bay of Plenty Regional Council

In Attendance: Shaun Lewis - Director, Mana Honohono – Investments and Partnerships, Ministry for the Environment; Geoff Williams – Chief Executive, Rotorua Lakes Council; Professor Troy Baisden, Chair In Lake and Freshwater Science, University of Waikato

Bay of Plenty Regional Council: Chris Ingle – Integrated Catchments Manager, Fiona McTavish – Chief Executive, Helen Creagh – Rotorua Catchments Manager, Shari Kameta - Committee Advisor, Yvonne Tatton - Governance Manager, Andy Bruere – Lake Operations Manager, Ruth Feist – Team Leader, Integrated Planning, Anna Grayling – Principal Advisor Rotorua Catchments, Shane Grayling – Biosecurity Team Leader, Ruth Keber – Marketing and Communications Advisor, Karla Kereopa – Rotorua Catchments Coordinator, Jude Pani - Rotorua Catchments Advisor

Apologies: R Meha - Te Arawa Lakes Trust

1 Karakia

Provided by Willie Emery.

2 Apologies

Resolved

That the Rotorua Te Arawa Lakes Strategy Group:

- 1 Accepts the apology from Raina Meha tendered at the meeting.

Winters/Chadwick
CARRIED

3 **Public Forum**

Nil

4 **Acceptance of Late Items**

Nil

5 **General Business**

- 1) Strategic Discussion on Land Interventions

6 **Declaration of Conflicts of Interest**

Nil

7 **Previous Minutes**

7.1 **Rotorua Te Arawa Lakes Strategy Group Minutes - 15 June 2018**

Resolved

That the Rotorua Te Arawa Lakes Strategy Group:

- 1 **Confirms the Rotorua Te Arawa Lakes Strategy Group Minutes - 15 June 2018 are a true and correct record.**

Leeder/Hunt
CARRIED

8 **Reports**

8.1 **University of Waikato Chair In Lake and Freshwater Science Annual Report 2017-2018**

Refer PowerPoint Presentation (Objective ID [A3032626](#))

Professor Troy Baisden provided the Chair's In Lake and Freshwater Science Annual Report and gave a presentation on the future direction of the Chair's programme.

Key Points:

- Provided background on past successes of the programme and emphasized the value of independence being essential to the progress of the University's model, which would continue to focus on science to reflect the desired information and fundamental needs of people.
- Outlined a model and principles to target leadership, knowledge and insights for catchment science that would lead to better outcomes and provide for more engagement, trust and transparency.
- Programme development would incorporate tracers and catchment models to build on the existing programme to understand what was happening with freshwater.

- Current work included: Plan Change 10 science review on total nitrogen loads to Lake Rotorua, building capability and tools to communicate and identify information on algal blooms to grow community understanding (anticipated in January-February 2019), a focus on Trophic Level Indexes (TLIs) and excess of phosphorus.
- Highlighted the challenges to understand tracers for freshwater flows and impacts from soil, which would take several years.
- Sought feedback from the Strategy Group on the new flagship programme.

In response to questions:

- Professor Baisden advised that geothermal phosphorus was an important source that needed to be better identified and understood and that preliminary data was being gathered on tracers to better evaluate and understand heat flow processes.
- Noted potential to work with GNS Science on identifying and understanding mass balance activity and variability across the region.
- Professor Baisden had a high level of confidence in the PC10 nitrogen science information and assumption inputs.
- Considered alum dosing and land use intervention should continue, with principles and values fundamental to investment decisions.
- Saw building capability within the Lake Chair's programme to enable Te Arawa's journey of leadership, more engagement, new science and creation of a new 5-year flagship programme as important.

Members' Comments:

- Saw the principles outlined as important and supported further discussion on developing science outcomes.

Resolved

That the Rotorua Te Arawa Lakes Strategy Group:

- 1 Receives the presentation and report, University of Waikato Chair In Lake and Freshwater Science Annual Report 2017-2018.**
- 2 Notes it values the contribution of the University of Waikato's Science programme to lake water quality and restoration so far and supports in principle an application to the Endeavour Fund to continue this programme.**

**Chadwick/Winters
CARRIED**

Order of Business

The Chair permitted a presentation on Lake TLIs that was part of agenda item 8.7, to be received next on the agenda, as the information correlated with the preceding item.

8.2 Presentation on Lake TLI Progress 2017/18

Refer PowerPoint Presentation (Objective ID [A3011287](#)).

Lake Operations Manager Andy Bruere gave a presentation on progress of Lake TLIs for the 2017/18 year.

Key Points:

- TLI targets for the 12 lakes had not been met due to: record rainfall and high lake levels bringing more nutrients from erosion and leaching, long stratification periods in shallower lakes, unusual stratification periods in deeper lakes and consistent patterns of change in all lakes, indicating climate effects.
- Other non-TLI indicators had recorded improvement for Lakes Okareka and Rotoiti, where oxygen depletion rates were slower, therefore more resilient to stratification of nitrogen and phosphorus releases.
- Outlined the status for each of the Rotorua lakes and work programmes scheduled to understand the issues.

In response to Questions:

- Hornwort had not been detected at Lake Okareka for the last three years.
- The overlay of extreme weather events had likely brought more in-lake nutrients.
- The dashboard on page 93 of the agenda provided an overall project snapshot, which differed to the status of TLI indexes.
- Emphasized Professor Baisden's comments on natural occurrences and variability in-lake and the need to progress further understanding on lake science.
- An update would be provided to the Strategy Group following the research workshop scheduled for Lake Rotoehu.

Members' Comments:

- Acknowledged the improvement in the TLI status update, which clarified the status and steps that should be taken.

11:02 am – the meeting **adjourned** and **reconvened** at 11:08 am.

8.3 Amendments to the Rotorua Te Arawa Lakes Strategy Group Agreement and Terms of Reference

General Manager Integrated Catchments Chris Ingle and Governance Manager Yvonne Tatton provided the report that sought consideration of a change to the Terms of Reference and membership.

Key Points:

- Highlighted the agreement could only be changed with the consent of the partner organisations.

- Rotorua Lakes Council and Bay of Plenty Regional Council had considered the report and raised the following issues:
 - Rotorua Lakes Council questioned the non-voting rights of the Independent Chair however, had supported the changes proposed.
 - Bay of Plenty Regional Council questioned the proposed wording of an “Independent” Chair and additional functions on climate change and water quality and had left the matter to be considered at their next meeting.
- Further to both councils’ responses, it was noted that the original wording of specific responsibilities and delegated function within the Terms of Reference did not constrain the Strategy Group from including climate change and water quality matters on the agenda.
- Clarified that the Deed of Settlement did not allow for a change in membership to include the addition of a voting chair, beyond the existing membership.
- Sought the Strategy Group’s feedback to make further revisions for reporting to the partner organisations for ratification.

Members’ Comments:

- Noted the previous resolutions of the Strategy Group, which had sought an independent non-voting Chair to officiate meetings.
- Considered the mana of Te Arawa and the individual were key attributes of the Independent Chair.
- Supported the overall recommendations, with a further amendment to remove the last two bullet points within the specific responsibilities and delegated function of the Terms of Reference (Appendix 2) and retention of recommendation six (6).

Resolved

That the Rotorua Te Arawa Lakes Strategy Group:

- 1 Receives the report, Amendments to the Rotorua Te Arawa Lakes Strategy Group Agreement and Terms of Reference.**
- 2 Endorses the following amendment to the Rotorua Te Arawa Strategy Group Agreement and reflected in the Terms of Reference:**

2. Membership:

The membership of the Group shall comprise of six members:

- 2.1 Two members of the Te Arawa Lakes Trust Entity appointed by entity one of whom is a governance member and one of whom is a senior executive; and**
- 2.2 Two members of the Bay of Plenty Regional Council appointed by that Council one of whom is the Chairperson of that Council; and**
- 2.3 Two members of the Rotorua Lakes Council appointed by that Council one of whom is the Mayor of that Council.**

- 2.4 Plus one non-voting Independent Chairperson appointed by the members for a three year term in alignment with the Local Government triennium.**
- 2.5 Requests Te Arawa Lakes Trust to provide an appropriate title for the Independent Chairperson position.**
- 3 Approves the additional amendments to the Rotorua Te Arawa Strategy Group's Terms of Reference (outlined in Appendix 2), with the removal of references to climate change and water quality under Specific Responsibilities and Delegated Functions and that these be referred back to the partner organisations for ratification.**
- 4 Appoints Sir Toby Curtis as the Independent non-voting Chairperson of the Te Arawa Lakes Strategy Group for the period up to the first meeting following the 2019 local government elections to align the three year term to the Local Government triennium.**
- 5 Acknowledges the appointment of Willie Emery as the Te Arawa Lakes Trust's governance member.**
- 6 Instruct partner Organisation staff to include the following matters as agenda items where appropriate: climate change impacts, lake related biosecurity matters, fisheries bylaw enforcement, Lake Tarawera as a priority lake.**

Leeder/Chadwick
CARRIED

8.4 **Te Arawa Lakes Trust - Request for Funding for Programme Participation**

Te Arawa Lakes Trust (TALT) Chief Executive Karen Vercoe and Manager – Environment Nicki Douglas presented the report.

Key Points:

- TALT commercial entity had self-funded prior participation in the lakes programme and increased its capacity and wanted to strengthen its participation, therefore wished to seek funding assistance from the programme.
- TALT had provided a clear message within the programme to strengthen its participation and was in a strong position to deliver programme outcomes for Te Arawa.
- Noted the significant value of the work that TALT was delivering, which would not occur without its partnership.
- Confirmed the current work programme had been signed off with the next work programme to be endorsed in May 2019.

In response to questions:

- Advised that formal discussion had not taken place with Te Tatau o Te Arawa (TToTA) on this matter, but that work was occurring to formalise a Memorandum of Understanding with TToTA.

Members' Comments:

- Acknowledged the substantial value of TALT's participation in the programme, which under resourcing needed to be addressed.
- Considered the matter required further consideration by the partner organisations and Ministry for the Environment (MfE), with the potential to consider two funding options either via MfE deed funding allocation or funding outside the deed-funded lakes.
- Requested the partner organisation Chief Executives and Ministry for the Environment Deputy Secretary Partnerships and Customs meet to agree on a proposal to be brought back to the partner organisations by March 2019, noting the need to articulate clearly the considerable work being undertaken by TALT.

Resolved**That the Rotorua Te Arawa Lakes Strategy Group:**

- 1 Receives the report, Te Arawa Lakes Trust - Request for Funding for Programme Participation.**
- 2 Recommend the proposal go back to the partner organisations to consider that Te Arawa Lakes Trust receive funding to implement the outcomes as identified within the Lakes programme.**
- 3 Request the Chief Executives of the three partner organisations and the Deputy Secretary Partnerships and Customs meet to agree a proposal to put to the partner organisations by March 2019 to address Te Arawa Lakes Trust's funding request.**

**Chadwick/Winters
CARRIED**

8.5 Te Arawa Lakes Trust Update Report

Manager – Environment Nicki Douglas highlighted points from the report.

Key Points:

- Noted the appointment of William Anaru to the role of Hunga Hika ahi – Hapori and the substantial impact he had made on community coordination within the catchment. Mr Anaru would provide an update to the Strategy Group in the New Year.
- Te Arawa Climate Change Working Group had hosted Minister James Shaw on 11 October and was interested in the working group's proposals to support the climate change programme.
- Highlighted TALT's focus on community engagement.

In response to questions:

- TALT had contributed \$130K to the current work programme from TALT's commercial funding dividends, which did not include work in kind that had been provided.

Members' Comments

- Commended TALT's hands on approach, active management and endeavours to reduce catfish populations.
- Recognised the contribution TALT provided to both Councils' work programmes.

Resolved

That the Rotorua Te Arawa Lakes Strategy Group:

- 1 Receives the report, Te Arawa Lakes Trust Update Report.**

**Hunt/Winters
CARRIED**

8.6 **Update Report from Rotorua Lakes Council**

Refer PowerPoint Presentation (Objective ID [A3044543](#))

Geoff Williams gave a presentation highlighting key activities from the report.

Key Points:

- Outlined the design concept for the new Rotorua Wastewater Treatment Plant, noting options were being investigated on overseas partnerships. The proposal would be reported to Rotorua Lakes Council the following week.
- Provided an aerial view of the Rotoma/Rotoiti Sewerage Scheme, which would comprise a treatment station below ground level with no impact on the natural environment and amenity values.
- Significant work was taking place on the Tarawera reticulation scheme and the cultural impact assessment which was being facilitated by Te Arawa Lakes Trust.
- Noted the work of the Plan Change 10 (PC10) Natural Capital Group.
- Work was commencing on a programme of actions for the Rotorua Spatial Plan blueprint on future land use.

In response to questions:

- The Rotoma/Rotoiti Sewerage Scheme was on time and expected to be within budget however some aspects of the project, such as piping to households was driving costs, with alternative solutions being investigated.
- A step system or biolytic was being explored for some properties' onsite treatment which would be resolved through a tender process and provide further clarity of costs for consideration.

Members' Comments:

- Considered every effort must be made for the Rotoiti/Rotoma Sewerage scheme to be constructed as proposed and that any retraction to the original scope should be communicated to the funding partners.

- Looked forward to a fully funded scheme and a further update on the Rotoiti/Rotoma Sewerage scheme.

Staff Comments:

- In response to a request, staff advised that it was not appropriate for the Strategy Group to receive a presentation on the Alternative Natural Capital Allocation while PC10 was before the Environment Court.

Resolved

That the Rotorua Te Arawa Lakes Strategy Group:

- 1 Receives the report, Update Report from Rotorua Lakes Council.**

**Leeder/Winters
CARRIED**

8.7 Programme Status Report and 2017-2018 Annual Report

The report provided an update on progress of the Rotorua Te Arawa Lakes Programme and sought approval of the 2017-2018 Annual Report. The report was taken as read without further discussion.

Resolved

That the Rotorua Te Arawa Lakes Strategy Group:

- 1 Receives the report, Programme Status Report and 2017-2018 Annual Report.**
- 2 Approves the 2017-2018 Annual Report for submission to the Minister for the Environment, in accordance with the requirements of the Deed of Funding.**

**Leeder/Hunt
CARRIED**

Order of Business

Due to time constraints and impending departure of members, the General Business item was taken next on the agenda.

9 General Business item

9.1 Strategic Discussion on Land Interventions

Discussion followed on the need to revisit the strategic direction of current land interventions and whether they were providing the necessary outcomes in nitrogen reduction for the Rotorua Lakes.

Members' Comments:

- Needed to be informed by science and further discuss how to go about reviewing and looking at the best solutions, noting a change proposal for Crown funding had been approved before.
- Supported an adaptive management approach looking at the bigger picture.

In response to questions:

- Ministry for the Environment Director Mr Shaun Lewis advised the pathway for a change proposal to the Deed of Funding would require Ministerial or Cabinet sign-off depending on the threshold and using best available information.

Staff Follow-Up:

- A report to be provided to a future meeting on a way forward.

12:18 pm – Mayor Chadwick, Councillor Karen Hunt and Mr Shaun Lewis **withdrew** from the meeting.

10 **Quorum Failure**

Due to a lack of quorum, the meeting lapsed with the remaining item of business - agenda item 8.8, 'Changing the On-site Effluent Treatment Regional Plan - implications for Rotorua Te Arawa Lakes' adjourned and carried over to the next meeting.

The meeting closed at 12:18 pm.

CONFIRMED:

Chairperson

Minutes of Te Maru o Kaituna River Authority Meeting held in Council Chamber, Western Bay of Plenty District Council, 1484 Cameron Road, Greerton on Friday, 24 August 2018 commencing at 10.30 a.m.

Present:

Chairman: Dean Flavell - Tapuika Iwi Authority Trust

Deputy Chairman: Councillor Arapeta Tahana - Bay of Plenty Regional Council

Appointees: Councillor Jane Nees - Bay of Plenty Regional Council; Maria Horne - Te Komiti Nui o Ngati Whakaue; Councillor Kevin Marsh - Western Bay of Plenty District Council; Rikihana Hancock - Te Tahuu o Tawakeheimoa Trust; Councillor Tania Tapsell - Rotorua Lakes Council; Councillor Steve Morris - Tauranga City Council; Dr Bryce Kihirini - Alternate, Tapuika Iwi Authority; Councillor Matemoana McDonald - Alternate, Bay of Plenty Regional Council; and Councillor John Scrimgeour - Alternate, Western Bay of Plenty District Council.

In Attendance: **Bay of Plenty Regional Council (BOPRC):** Chairman Doug Leeder; Namouta Poutasi - General Manager: Strategy and Sciences – Acting; David Phizacklea – Regional Integrated Planning Manager and Acting Water Policy Manager; Pim de Monchy – TMoK Committee Champion and Kaituna Catchments Manager; Kataraina O'Brien - Strategic Engagement Manager; Anaru Vercoe - Māori Policy Team Leader; Jo Watts - Senior Planner (Water Policy); Rawiri Bhana - Maori Policy Advisor; Ruth Keber - Marketing and Communications Advisor; Yvonne Tatton - Governance Manager and Merinda Pansegrouw - Committee Advisor

Western Bay of Plenty District Council (WBOPDC): Matthew Leighton – Senior Policy Analyst

Public: Maru Tapsell – Waitaha and Alfred Reko Potiki

Apologies: Nick Chater - Alternate, Rotorua Lakes Community Board (Rotorua Lakes Council); Piki Thomas - Alternate, Te Pumautanga o Te Arawa; Nicki Douglas - Alternate, Te Tahuu o Tawakeheimoa Trust and Councillor Steve Morris - Tauranga City Council for lateness.

1 Opening Karakia

Dean Flavell and Rikihana Hancock opened the proceedings with a karakia.

Quorum

Since there was no quorum present to constitute a formal meeting of the Authority, members agreed to proceed in workshop mode and discuss information only items until such time that a quorum could be established.

Workshop Mode

In response to the lack of a quorum, Chairperson Dean Flavell directed staff to consider the Terms of Reference and Membership of the Te Maru o Kaituna River Authority and pursue options to prevent future inquorate meetings.

Staff Follow-up

- Consider the Terms of Reference and Membership of the Te Maru o Kaituna River Authority and pursue options to prevent future inquorate meetings by assessing the following:
 - Informal membership status of Te Komiti Nui o Ngāti Whakaue not contributing towards a quorum
 - Progress with the appointment of representative: joint appointment by the Tapuika Iwi Authority Trust and Te Kapu o Waitaha
 - Filling of the vacancy of Te Pumautanga o Te Arawa representative
 - Provide clarification on the roles of alternatives formally appointed by appointing organisations counting towards a quorum.

Order of Business

The meeting agreed that the following information-only report be received next on the agenda:

- Agenda Item 9.6: Presentation: Kaituna Catchment Operations Update

1.1 Presentation: Kaituna Catchment Operations Update

Refer Video Clip – Objective ID A2947253

Refer PowerPoint presentation – Objective ID A2949041

Te Maru o Kaituna's celebration of approval of Kaituna, he taonga tuku iho – a treasure handed down video, providing a snippet of the day, was presented to members.

Members congratulated staff on a job well done.

Kaituna Catchments Manager Pim de Monchy provided a PowerPoint Presentation outlining an update on Bay of Plenty Regional Council Toi Moana's operations in the Kaituna Catchment area:

Key Points

- Highlights for the 2017/18 year in terms of operations:
 - Kaituna River Document had been completed
 - 33km of waterway had been protected in 2017/18, step by step, making an impact
 - Priority biodiversity sites protected – BOPRC had identified 400 biodiversity sites; 18 were in the Kaituna water management area – seven were currently under protective management, with a commitment to continuously increase the number over the longer term
 - The Land Management Team had created nearly 10ha of new wetlands over the past year – a continuation of the aim to create over a 100ha of wetland
 - Ongoing Te Pourepo o Kaituna investigations – aimed at creating a new wetland area of between 45ha to 73ha. Proposals on possible concept designs would be submitted to the Authority at a future meeting before entering into a resource consent process

- Ford Road Pump Station – preferred option had been identified and would involve shifting the pump station upstream to prevent contamination
- Kaituna re-diversion construction had started on the 12th of June 2018
- 20,000 plants had been planted at Papahikahawai
- New project: Parawhenuamea Stream re-diversion

10:55 a.m. - Cr John Scrimgeour **entered** the meeting.

11:00 a.m. – Cr Tania Tapsell **entered** the meeting

11:01 a.m. – Cr Arapeta Tahana **entered** the meeting

In response to Questions

- Ford Road end (from the pump station near Ford's Cut bridge to Te Tumu Cut) would be closed from 1 August to 20 December
- As a priority, the fixing of the roads would be addressed in liaison with all role-players, led by the road controlling authority Western bay of Plenty District Council.

Quorum

At 11:15 a.m. a quorum was present to constitute a formal meeting of the Authority.

With the agreement of members, Chairperson Dean Flavell vacated the Chair to assume the capacity as a representative from Tapuika Iwi Authority and Deputy Chairperson Arapeta Tahana assumed the Chair.

Committee Mode

2 **Apologies**

Resolved

That the Te Maru o Kaituna River Authority:

1. **Accepts the following apologies tendered at the meeting: Nick Chater - Alternate, Rotorua Lakes Community Board; Piki Thomas - Alternate, Te Pumautanga o Te Arawa; Nicki Douglas - Alternate, Te Tahuhu o Tawakeheimoa Trust, and Councillor Steve Morris - Tauranga City Council for lateness.**

**Tahana/Flavell
CARRIED**

3 **Public Forum**

Nil.

4 **Acceptance of Late items**

Nil.

5 General Business

The following matter was raised for discussion under General Business:

1. Letter received from the Rangitāiki River Forum Chairperson, Maramena Vercoe dated 21 August 2018.

6 Confidential Business to be Transferred into the Open

Nil.

7 Declaration of Conflicts of Interest

Nil.

8 Previous Minutes

8.1 Te Maru o Kaituna River Authority minutes - 22 June 2018

Resolved

That the Te Maru o Kaituna River Authority:

1. Confirms the Te Maru o Kaituna River Authority minutes of 22 June 2018 with the following amendment:
 - Appointees Present: Add Councillor Tania Tapsell (Rotorua Lakes Council).

Nees/Flavell
CARRIED

9 Reports

9.1 Te Maru o Kaituna River Authority - Public Celebration of the Kaituna River Document 'He Taonga Tuku Iho, a Treasure Handed Down'

Refer PowerPoint presentation – Objective ID A2945565

Māori Policy Advisor Rawiri Bhana provided a brief outline as follows:

Key Points

- Proposed date for the public celebration event was Sunday, 30 September. This would be the first day of daylight saving, the first weekend of school holiday's and furthermore coincided with World River Day
- A mixture of information and interactive displays, with some water based activities, had been planned
- The event would be held at Waitangi on Rangiuru Reserve and would allow an opportunity for particular groups to have their own information/interactive booths
- The traffic management plan would be the biggest expense; Western Bay of Plenty District Council (WBOPDC) had offered the reserve booking under sponsorship and a traffic management plan was currently being drawn up by a qualified safety traffic management plan provider
- Extensive publicity / media coverage had been planned.

In response to Questions

- Expressed appreciation towards WBOPDC for assisting with a traffic management plan. Local Schools would be considered as options for parking overflow
- The River Document had been shortlisted as a finalist for the 2018 Best Awards – Ngā Aho Award; the Award Ceremony had been scheduled for 22 September 2018.

Points raised by Members

- The event allowed an excellent opportunity for TMoK to interact / consult the local community and obtain feedback from the public on their expectations relating activities around the Kaituna River
- There was an obligation to engage all relevant whānau around the use of the Rangiuru Reserve as it was not a simple public reserve as many others were
- The World River Day opportunity should be leveraged to showcase/promote the innovative/indigenous leadership work done by Te Maru o Kaituna River Authority with regard to the River Document. Marketing material from the World Rivers Day should also be used during the public celebration launch event.

Staff Follow-up

- Ensure ongoing consultation with all parties involved in the Rangiuru Reserve
- Draft agenda/itinerary for 30 September 2018 to be circulated to members via email for comment/input
- Arrangements be made for a member of Te Maru o Kaituna River Authority to attend the 2018 Best Awards – Ngā Aho Award Ceremony on 22 September 2018
- Tikanga for 30 September 2018 to be finalised in consultation with Tapuika Iwi.

Resolved

That the Te Maru o Kaituna River Authority:

- 1. Receives the report, Public Celebration of Kaituna, he taonga tuku iho - a treasure handed down;**
- 2. Approves the public celebration details presented in this paper and delegates to the Chair of TMoK and the TMoK Working Group responsibility for the preparation and planning of the celebration.**
- 3. Endorses the proposal that the public celebration be registered as an official World Rivers Day event.**

**Flavell/Marsh
CARRIED**

9.2 Next Steps for Te Maru o Kaituna River Authority

Refer PowerPoint presentation – Objective ID A2945565

Māori Policy Team Leader Anaru Vercoe presented the report, outlining the following:

Key Points

- Review of the purpose and functions of Te Maru o Kaituna River Authority beyond the River Document, moving into the monitoring implementation / effectiveness of the River Document
- Timing, process, scope and resourcing for developing the action plan
- Regional planning document changes - timing and working together with BOPRC to progress changes to the Bay of Plenty Regional Policy Statement (through Change 5 to the RPS) and Regional Natural Resources Plan (RNRP) (through Plan Changes 12)
- Advice to BOPRC on Kaituna catchment freshwater policy matters going forward.

Comments Raised by Members

- Acknowledged the presence of Maru Tapsell - Waitaha Iwi, Te Kapu o Waitaha and supported that issues surround the joint Waitaha / Tapuika TMOk seat needed to be addressed by the respective iwi to enable representation on TMOk
- Since the Kaituna River Document's vision, objectives and desired outcomes needed to be recognised and provided for when preparing or amending the RPS, regional or district plans, it was vital that the Te Maru o Kaituna River Authority was closely involved in all freshwater RMA processes relevant to the Kaituna catchment.

11:55 a.m. - Cr Steve Morris **entered** the meeting.

- Since the Rangitāiki River Forum (RRF) had been involved in Change 3 (Rangitāiki River) to the Regional Policy Statement, discussions with the RRF would provide an opportunity for the Te Maru o Kaituna River Authority to obtain key learnings from and steps required in working together with BOPRC and the different roles during the RMA change process
- Noted that under item 5 "General Business" the Rangitāiki River Forum had sent a letter to invite the Te Maru o Kaituna River Authority to meet with them to celebrate common achievements and share key learning of the journeys and to discuss ideas that may contribute to the future direction that the respective groups may take
- Supported that a stand-alone session between the Rangitāiki River Forum and the Te Maru o Kaituna River Authority be arranged (An item for staff follow-up was recorded under item 10.1 of the minutes)
- The development of an action plan was of vital importance and needed to be addressed as a matter of priority by means of a streamlined process – the appointment of a working group to sign off the scope of work and appointment of a consultant would speed up the process
- The aim should be to have finalised the scope for the brief, requested offers of service from suitable consultants and appointed a consultant by the next TMOk meeting, 19 October 2018.

Members were invited to provide nominees to be invited to participate in the procurement process for the appointment of a consultant to develop/prepare an action plan.

The following motion was PUT and CARRIED:

Resolved

That the Te Maru o Kaituna River Authority:

- 1. Receives the report, "Next Steps for Te Maru o Kaituna River Authority";**

2. Directs staff to prepare a scope of work for the action plan development, obtain feedback on the scope via email from members.
3. Delegates to the Working Group approval of the scope and to engage a preferred consultant to develop the Action Plan.
4. Appoints the following members to the Working Group: Dean Flavell (Chair), Rikihana Hancock and Cr Arapeta Tahana (Deputy Chair).
5. Directs staff to bring back material for discussion on Proposed Plan Change 12 matters.

Hancock/Flavell
CARRIED

12.45 p.m. - The meeting adjourned.

1.05 p.m. - The meeting reconvened.

Order of Business

The meeting agreed that the following report be received next on the agenda:

- Agenda Item 9.5: On-site Effluent Treatment Draft Plan Change 14

9.3 On-site Effluent Treatment Draft Plan Change 14

Refer PowerPoint presentation – Objective ID A2937769

Team Leader – Integrated Planning Ruth Feist presented the report in good humour outlining the following:

Key Points

- Overview of what on-site effluent treatment (OSET) systems were
- Risks applicable to OSET systems
- BOPRC was responsible for the management of discharges from OSET systems to ensure discharges did not contaminate the environment – as required by the Resource Management Act 1991 (RMA)
- BOPRC had an OSET Regional Plan to help manage discharges but it was more than 10 years old and needed updating
- OSET Draft Plan Change 14 was to replace the current plan, and would include the updated rules into the Regional Natural Resources Plan
- Applicable timeframes/next steps envisaged.

In Response to Questions

- BOPRC was currently running a project involving all Tauranga Moana marae in liaison with marae maintenance staff and engaging with tangata whenua, in order to undertake a survey of wastewater management systems. Results to be reported to Council to determine the level of support required
- Marae played an important role within a community; it was therefore important to ensure that their systems were robust and able to operate effectively even under high load conditions
- Experience has shown that when a marae triggered the criteria to require a resource consent it was most often because the domestic wastewater generated was more litres of effluent per day than a standard household; however, this could

also be related to an OSET system's design, age, or location in relation to a particular water body.

Comments Raised by Members

- Acknowledged that it was an important matter from a health and safety perspective; however emphasised that care should be taken to consider the matter as highly sensitive as the subject could easily be seen as an impingement of Maori peoples' rights
- Some tangata whenua might be of the opinion that, based on the outcome of treaty settlements, the matter relating to on-site effluent treatment systems needed to be addressed with the Crown directly
- Since the use of marae was of a culturally sensitive nature, care should be taken to navigate the process with thorough and ongoing consultation with tangata whenua, taking care regarding the approach to be taken and the use of the correct language to demonstrate the correct intent
- As cost implications would be of great concern, the focus should be on the need/nature of the support required, and options to assist marae in the adoption of better OSET technology, rather than the cost
- Noted that different regulatory requirements had applied to Papakāinga Housing.

Item for Staff Follow-up

- To verify the on-site effluent treatment systems requirements applicable to higher density housing (two, three or more houses on a 1,200m² land block).

Resolved

That the Te Maru o Kaituna River Authority:

- 1. Receives the report, On-site Effluent Treatment Draft Plan Change 14.**

**Tahana/Nees
CARRIED**

Dr Bryce Kihirini opposed the motion.

9.4 Adoption of the 2018/2019 Te Maru o Kaituna Budget

Strategic Engagement Manager Kataraina O'Brien, on behalf of Governance, presented the 2018/19 Te Maru o Kaituna budget and updated members on current expenditure and the financial status.

Resolved

That the Te Maru o Kaituna River Authority:

- 1. Receives the report, Adoption of the 2018/2019 Te Maru o Kaituna Budget;**
- 2. Notes the current balance of Te Maru o Kaituna River Authority funds;**
- 3. Adopts the 2018/19 Te Maru of Kaituna River Authority budget as outlined in the report.**

**Tahana/Marsh
CARRIED**

9.5 Freshwater Update

Refer PowerPoint presentation – Objective ID A2945532

Senior Planner (Water Policy) Jo Watts provided a Freshwater update, outlining the following:

Key Points

- Overview of what the National Policy Statement for Freshwater Management 2014 (NPSFM) was:
 - a process to set objectives/limits to protect freshwater taonga for future generations
 - Overarching concept of Te Mana o te Wai: that the water and the environment were the most important thing to protect/provide for, before we provided for other things such as use
 - Involving and working with iwi, hapū and communities to make sure we understood tangata whenua and community values and interests
 - Working on catchment specific management measures to set objectives and water quality and quantity limits
 - Using catchment models to more fully understand the impact of existing land use and what might happen into the future if we continued/changed to a different combination of land uses
- Plan changes Toi Moana was working on to improve how Bay of Plenty Regional Council (BOPRC) was managing freshwater: Plan Change 9 – Region Wide Water Quantity / Plan Change 3 to RPS – Rangitāiki River / Draft Plan Change 14 – On Site Effluent Treatment (OSET) and Plan Change 12
- Plan Change 12:
 - Setting water quality and quantity limits in the Kaituna/Pongakawa/Waitahanui Water Management Area/catchment
 - Would also cover a region wide NPSFM framework and other region wide changes such as swimmability, significant values of wetlands & outstanding freshwater bodies
 - Recognising and providing for the vision, objectives and desired outcomes of the Kaituna River Document
 - Kaituna-Pongakawa-Waitahanui Water Management Area timetable.

Kaituna Catchment Manager Pim de Monchy provided an overview of the latest science in the Environmental Summary Report for the Kaituna-Pongakawa-Waitahanui Water Management Area, outlining the current state and trends for the catchment:

Key Points

- Main environmental issues that had been identified in the Kaituna catchment area:
 - Declining health of Waihī and Maketū Estuaries: not always swimmable, affected social and cultural values. Too much nitrogen entering estuary. Currently reviewing what sort of nitrates and e.coli load reductions might be needed for these estuaries
 - Increasing nitrates in freshwater – land use intensification, particularly in the lower reaches
 - Substantial impacts on freshwater values in lower catchments – heavily modified, poorer water quality, discharging in to estuaries
 - Localised high E.coli levels affected swimming and mahinga kai
 - Increasing water use demand - over allocation
- States and trends relating to soil, freshwater quantity and wetlands/estuaries.

Comments by Members and in Response to Questions

- As part of BOPRC's work to implement central government's National Policy Statement for Freshwater, the outcome of Proposed Plan Change 9 to the Regional Water and Land Plan would provide rules and policy changes designed to strengthen water allocation limits and management; drawing a line in the sand and setting interim allocation limits. Moving forward more detailed local limits, rules and methods for the Kaituna catchment would be delivered through Plan Change 12
- The Plan Change 9 process had confirmed that there were gaps in existing water allocation information/insufficient information relating to actual quantities for water takes
- One strategy that could ensure greater understanding of consented vs actual water take quantities and efficiency would be the review of conditions/consents for existing resource consents due to expire
- Since many consent holders did not use the amount of water for which consents were granted, future options for water that was allocated but not used could be reassessed at the time of review
- No favouritism should exist when it came to water consents: all should be treated fairly - equality for all people
- Data provided for the health of estuaries (trends for water quality parameters over the long term data set - as per slide 24 of the presentation) should not only illustrate significant trends, but should provide actual data to enable the monitoring of all movement (negative and positive).

1:51 p.m. - Cr Kevin Marsh **withdrew** from the meeting.

Resolved

That the Te Maru o Kaituna River Authority:

- 1. Receives the report, Freshwater Update.**

**Tahana/Flavell
CARRIED**

9.6 **Membership Update - Te Pumautanga o Te Arawa Trust**

The item was not considered as Piki Thomas was not present to provide a membership update on behalf of Te Pumautanga o Te Arawa Trust.

10 **Consideration of General Business**

10.1 **Letter received from the Rangitāiki River Forum Chairperson, Maramena Vercoe dated 21 August 2018**

Tabled item 1: A letter received from the Rangitāiki River Forum Chairperson, Maramena Vercoe, dated 21 August 2018, was presented to the Authority.

Key Points

- Congratulated Te Maru o Kaituna River Authority on the successful completion and approval of the Kaituna River document
- Recognised the hard work and the journey that it took to get to this significant milestone

- The Rangitāiki River Forum found this process to be valuable in developing a platform for collaborative, multiparty partnerships in the implementation of our River Document – Te Ara Whanui o Rangitāiki – Pathways of the Rangitāiki
- Invited Te Maru o Kaituna River Authority to meet with the Rangitāiki River Forum at some time in the near future to discuss achievements and share journeys and to discuss ideas that may contribute to the future direction that the respective groups may take.

Staff Follow-up

- To arrange a discussion session between Te Maru o Kaituna River Authority and Rangitāiki River Forum as expressed under item 9.2 “Next steps for Te Maru o Kaituna River Authority” with the view of amongst other matters, obtain a better understanding of the role of the Authority in RMA change process and any key learnings from RRF.

11 Closing Karakia

Dr Bryce Kihirini closed the meeting with a karakia.

The meeting closed at 2:24 pm

Confirmed

Dean Flavell, Chairperson, TMOK

Date

Minutes of Te Maru o Kaituna River Authority Meeting held in Council Chamber, Western Bay of Plenty District Council, 1484 Cameron Road, Greerton on Friday, 19 October 2018 commencing at 10.30 a.m.

Present:

Chairman: Dean Flavell – Tapuika Iwi Authority Trust

Deputy Chairman: Councillor Arapeta Tahana – Bay of Plenty Regional Council

Appointees: Councillor Jane Nees – Bay of Plenty Regional Council; Maria Horne – Te Komiti Nui o Ngati Whakaue; Councillor Kevin Marsh – Western Bay of Plenty District Council; Rikihana Hancock – Te Tahuu o Tawakeheimoa Trust; Councillor Tania Tapsell – Rotorua Lakes Council; Piki Thomas – Te Pumautanga o Te Arawa; Councillor Matemoana McDonald – Alternate, Bay of Plenty Regional Council; and Rawiri Kingi – Alternate, Te Pumautanga a Te Arawa Trust

In Attendance: **Bay of Plenty Regional Council (BOPRC):** David Phizacklea – Regional Integrated Planning Manager and Acting Water Policy Manager; Pim De Monchy – TMoK Committee Champion and Kaituna Catchments Manager; Anaru Vercoe – Māori Policy Team Leader; Jo Watts – Senior Planner (Water Policy); Katerina Pihera-Ridge – Māori Policy Advisor; Yvonne Tatton – Governance Manager and Merinda Pansegrouw – Committee Advisor

Western Bay of Plenty District Council (WBOPDC): Matthew Leighton – Senior Policy Analyst; Coral-Lee Ertel – Project and Design Engineer Team Leader

Other: Elva Conroy – Conroy and Donald Consultants Limited; Ariell King – Principal Planner, AECOM and Maru Tapsell – Waitaha

Apologies: Dr Bryce Kihirini – Alternate, Tapuika Iwi Authority; Nick Chater – Alternate, Lakes Community Board; Councillor John Scrimgeour – Alternate, Western Bay of Plenty District Council; Councillor Steve Morris, Tauranga City Council, Councillor Terry Molloy – Alternate, Tauranga City Council and Raymond Pou Poasa – Alternate, Te Komiti Nui o Ngati Whakaue.

1 Opening Karakia

Rikihana Hancock opened the proceedings with a karakia.

Members welcomed Piki Thomas as the newly appointed member for Te Pumautanga o Te Arawa Trust and Rawiri Kingi as the alternate.

2 **Apologies**

Resolved

That Te Maru o Kaituna River Authority:

- 1 Accepts the apologies from Dr Bryce Kihirini, Nick Chater, Councillor John Scrimgeour, Councillor Steve Morris and Raymond Pou Poasa tendered at the meeting.

Tahana/Marsh
CARRIED

3 **Public Forum**

Nil

4 **Acceptance of Late Items**

Nil

5 **General Business**

1. Update: Proposed joint hui - Te Maru o Kaituna River Authority and Rangitāiki River Forum

6 **Confidential Business to be Transferred into the Open**

Nil

7 **Declaration of Conflicts of Interest**

Nil

8 **Previous Minutes**

8.1 **Te Maru o Kaituna River Authority Minutes - 24 August 2018**

Resolved

That Te Maru o Kaituna River Authority:

- 1 Confirms Te Maru o Kaituna River Authority Minutes of 24 August 2018 as a true and correct record.

Nees/Tapsell
CARRIED

9 **Presentations**

9.1 **Video: Celebrating the Launch of the Kaituna River Document on 30 September 2018**

Refer Video Clip – Objective ID A3028782

A draft video capturing the public celebration of the Kaituna River Document at Waitangi on the Rangiuru Whenua Reserve, Te Puke on 30 September 2018 was presented to members for comment. Feedback would be provided to Uenuku Jefferies to assist with the finalisation of the video.

Points raised by Members

- Thanked staff for a beautiful day
- Supported the contents of the draft video
- Appreciated the powerful imagery and symbolism used in the video
- Emphasised that it was important to keep in mind what the purpose of the video would be: educational or informative and who the target audience should be
- Having a clear purpose for the video would determine the message and contents
- It was important to use the video to convey the message and values of the Kaituna River Document. The video should ultimately be used as an advertisement/marketing tool for the Kaituna River Document.

Item for Staff Follow-up

- Staff to provide Uenuku Jefferies with the following suggestions for consideration when finalising the video capturing the public celebration of the Kaituna River Document at Waitangi, Te Puke on 30 September 2018:
 - Adding voice over to assist with getting across the message and values of the Kaituna River Document
 - The possibility of including interviews conducted by Te Kāea to be further investigated
 - The inclusion of interviews used for the video capturing the launch of the River Document to be considered
 - An introduction (background information) needed to be added to the video to provide context for people seeing the video for the first time (what was it about and what was being celebrated)
 - Subtitles could be added to reflect the philosophies/values of the Kaituna River Document
 - Te Maru o Kaituna River Authority's logo should be added to the video.

9.2 **Presentation: Urban Storm Water Catchment Plan – Western Bay of Plenty District Council**

Refer PowerPoint presentation – Objective ID A3013521

Principal Planner, AECOM Ariell King, supported by Project and Design Engineer Team Leader, Western Bay of Plenty District Council Coral-Lee Ertel provided a presentation on the draft Catchment Plan for urban stormwater from Te Puke, Maketu, Paengaroa and Pukehina.

Key Points of Presentation

- Western Bay of Plenty District Council (WBOPDC) had a responsibility to manage stormwater in the urban areas of the western bay district
- WBOPDC has prepared a draft Catchment Management Plan (CMP) to provide for an integrated and comprehensive approach to the management of stormwater from urban areas Te Puke, Maketu, Paengaroa and Pukehina
- The approach would include a design philosophy of minimising runoff and maximising quality through low impact design solutions

- There would be a focus on water quality, water quantity, protection and maintenance of existing aquatic and riparian habitats; and maximising the visual and recreational amenity of the environment that received the storm water
- Research to date had indicated that the waterways within the eastern catchments were in moderate to poor condition. This had suggested that waterways were negatively influenced by land use intensification. WBOPDC would complement this initial research with baseline environmental and stormwater monitoring which would establish areas for environmental enhancement
- In the short term, WBOPDC would look to maintain the current level of service, review and, if necessary, change its Stormwater Strategy, Asset Management Plan and Development Code. WBOPDC would also undertake ongoing assessments of primary and secondary flow paths
- The first step is finalising the catchment plan, the next the monitoring program and issues downstream from Te Puke (3-5yrs)
- The Catchment Management Plan covers the eastern part of the western bay district and includes Te Puke, Maketu, Little Waihi, Pukehina and Paengaroa urban areas
- Stormwater activities outside the urban areas such as the Te Puke industrial area were not within the control of WBOPDC
- Engagement opened on 15 August and closed on Friday, 16 November 2018.

Points raised by Members

- Highlighted the importance of addressing the on-going issue of stormwater from the Te Puke industrial area as well as future urban growth area changes as outlined in SmartGrowth and expressed the hope that the Catchment Management Plan would address this matter
- The criteria for assessing water quality should include a number of components such as ecological health not just erosion.
- The differences between long term and short term commitments needed to be clearly defined
- Thorough consultation with the Bay of Plenty Regional Council's Rivers and Drainage Team was critical
- WBOPDC needed to consult all affected iwi groups in individual, separate sessions, including Waitaha
- The government's 3 Waters review is indicating we need to be doing more in this space which should also be taken on board as part of the Catchment Management Plan process.
- BOPRC was doing a great deal of work on freshwater in the Kaituna catchment to implement the National Policy Statement for Freshwater Management which includes catchment modelling. The offer was made for WBOP to contact BOPRC staff to help with making sure the best information was made available to inform the catchment plan work.

Resolved

That Te Maru o Kaituna River Authority:

- 1. Mandates the Chairperson and Deputy Chairperson of Te Maru o Kaituna River Authority to submit feedback on behalf of the Authority to the Western Bay of Plenty District Council on the Eastern Catchments – Draft Stormwater Catchment Management Plan, based on the values contained in the Kaituna River Document and that the draft submission be circulated to members of the Authority via email prior to the submission on Friday, 16 November 2018.**

Thomas/Tapsell

CARRIED

9.3 **Presentation: Kaituna Catchment Operations Update**

Refer PowerPoint presentation – Objective ID A3028901

Kaituna Catchments Manager Pim De Monchy provided a PowerPoint Presentation outlining an update on Bay of Plenty Regional Council Toi Moana's operations in the Kaituna Catchment area.

Key Points of Presentation

- Kaituna River Re-diversion Project
 - Progress: 24% complete, 14% of time elapsed
 - Key actions:
 - New stopbank RL2.2m
 - Dredged 17,000m³
 - Papahikahawai causeway
 - Te Pa Ika wetlands
 - Mauri baseline assessment
- Te Pourepo o Kaituna Wetland Project
 - Progress: On track, aiming for consent lodgement in April 2019
 - Key actions:
 - Concept design workshops
 - Land negotiations
 - Hydraulic modelling
 - Wetland construction
- Kaituna Catchment Control Scheme
 - Key actions:
 - Washer Rd weir reinstated to protect property
 - Temporary pumps installed at Bell Rd and Seddon St
 - Drain de-silting and de-weeding operations
 - Ford Rd pump station options
- Quarterly Public Meeting planned for 7 November 2018 with a community site tour and update meeting at Tukotahi Marae. Ford Road and boat ramp closures: in terms of consent requirements all vehicle and pedestrian access needed to be re-opened for the period 20 December 2018 to 7 February 2019 to allow the community the opportunity to fish during the summer months.

Points raised by Members

- It was paramount to ensure that sufficient health and safety requirements were in place during the temporary re-opening of the Ford Road and boat ramp.
- Supported a future vision of potentially linking all open public area spaces with a similar look and feel to ensure a common flow.

9.4 **Te Maru o Kaituna River Authority Quorum Matters**

Governance Manager Yvonne Tatton presented the report.

Chairperson Dean Flavell provided an update on the vacant seat of the joint Tapuika/Waitaha membership. Correspondence had been sent to the Tapuika and Waitaha Iwi Authority Chairpersons dated 9 October 2018 to follow up on progress made with the filling of the vacancy. No response had been received as yet.

Points raised by Members

- Acknowledged the frustrations caused as a result of the vacant seat of the joint Tapuika/Waitaha membership
- Supported reinstating the principle of rotating meeting venues between ngā marae and councils' chambers, commencing 2019

Staff Follow-up

- Rotation of meeting venues between ngā marae and councils' chambers, commencing 2019
- 14 December 2018 meeting/workshop to be followed by an end of year function.

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Te Maru o Kaituna River Authority Quorum Matters;**
- 2 Supports meetings being held at alternate marae and council venues.**

**Tahana/Hancock
CARRIED**

9.5 **Public Excluded Section**

Resolved

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
Te Maru o Kaituna River Authority Action Plan - evaluation of proposals and decision to engage	To carry out commercial and industrial negotiations	Good reason for withholding exists under Section 48(1)(a)

**Flavell/Nees
CARRIED**

Public Section - Continued

10 Reports

10.1 Te Maru o Kaituna River Authority Action Plan - evaluation of proposals and decision to engage - continued

Refer PowerPoint presentation – Objective ID A3015237

Consultant Elva Conroy from Conroy and Donald Consultants Limited provided an introductory presentation outlining the impending process of developing the action plan for the Kaituna River Document:

Key Points of Presentation

- Introduction / background
- Examples of the previous work undertaken by Conroy and Donald Consultants Limited
- Elva Conroy's role as consultant in the action plan development
- The proposed approach
- Defining the success factors
- Guidance required:
 - Focus Group Hui
 - Extent of involvement of TMoK members with focus group hui?
 - Iwi-specific hui: Who to invite? Other ways to engage with whanau?
 - Other stakeholders: Anyone in particular?
 - Criteria for Prioritising Actions (anything missing or not needed?):
 - Achieve multiple objectives and/or desired outcomes
 - Enables collective impact
 - Complements existing projects
 - Involves opportunities for environmental education
 - Involves opportunities to build capacity/capability of Iwi/hapū/local communities.

Points raised by Members

- Since a lot of work was taking place within the catchment area, the document needed to be dynamic in nature to ensure it remained current
- Funding options for rolling out the actions would be determined once the priorities had been identified. The final action plan would ultimately identify the funding options/status for each individual action (funding options could include the use of TMoK funding or lobbying agencies)
- Suggested a literature review to provide social and environmental context as this would reveal the impact and determine remedies required
- Suggested that an initial workshop with the TMoK members be undertaken before consultation with the focus groups commenced. This would allow an opportunity for members to review the desktop analysis, to further develop the framework and then determine the contents/agenda for the focus group conversations
- When visiting schools / engaging with the community for consultation members of TMoK could be invited to attend where possible
- Online engagement should be considered as a possibility
- As an outcome from the initial workshop with TMoK members, the key stakeholders/agencies to be consulted would be identified (iwi stakeholder focus group / key stakeholder focus group)

- Noted that some agencies, in their submissions as part of the River Document Consultation process, had expressed an interest to be part of the development of the action plan
- Key Land Trusts to be included in the consultation process.

12:37pm - Councillor Tania Tapsell **withdrew** from the meeting.

Staff Follow-up

- The formal meeting scheduled for 14 December 2018 to be shortened to enable the main focus of the hui to be a workshop discussion focusing on the following matters:
 - Change 5 update (formal meeting)
 - Water update on matters relating to fresh water and coastal water quality (science and modelling results) (Workshop)
 - Action Plan Development (Workshop).

10.2 Governance Update

Committee Advisor Merinda Pansegrouw presented the report on the following administrative matters: updated Authority membership appointments, financial status as at 30 September 2018 and the proposed 2019 meeting schedule.

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Governance Update;**
- 2 Acknowledges the appointment of Piki Thomas as the appointed member and Rawiri Kingi as the alternate member for Te Pumautanga o Te Arawa Trust;**
- 3 Notes the financial position of the Authority as at 30 September 2018;**
- 4 Approves the proposed 2019 meeting dates for the Authority, being: 22 February, 22 March, 3 May, 28 June and 30 August.**

**Nees/Thomas
CARRIED**

10.3 Freshwater policy update

Refer PowerPoint presentation – Objective ID A3014552

Senior Planner (Water Policy) Jo Watts provided a Freshwater update, outlining the following:

Key Points of Presentation

- National Update
 - Government has recently released a blueprint document for the management of freshwater - *Essential Freshwater: Healthy Water, Fairly Allocated* which outlines key actions to be completed over the next two years.
 - Alongside this report Government released a supporting document *Shared Interests in Freshwater: A new approach to the Crown/ Māori Relationship for*

Freshwater which reinforces the need for Maori to be engaged and involved in the development of actions identified within *Essential Freshwater*

- Outlined key actions government will be taking in the next two years to improve freshwater management
- Plan Change updates
 - PC 9: Region Wide Water Quantity
 - Change 3: Rangitāiki River
 - Draft plan change 14 – OSET
 - Plan Change 12
- Issues raised by tangata whenua
- Kaituna-Pongakawa-Waitahanui issues
- Technical work in progress.

Next steps / Staff Follow-up

- At the 14 December 2018 meeting of Te Maru o Kaituna River Authority, a workshop session be held to provide members with an update on fresh water and coastal water quality (science and modelling results)
- The content of the water workshop should be guided by the Kaituna River Document.

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Freshwater policy update;**

**Horne/Hancock
CARRIED**

10.4 **Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement**

Regional Integrated Planning Manager and Acting Water Policy Manager David Phizacklea presented the report providing an overview of the process for embedding the Kaituna River document in the proposed Bay of Plenty Regional Policy Statement.

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement.**
- 2 Notes Te Maru o Kaituna River Authority will be involved throughout Proposed Change 5 key stages.**

**Flavell/Thomas
CARRIED**

10.5 **General Matters**

Update: Proposed joint hui - Te Maru o Kaituna River Authority and Rangitāiki River Forum

Chairperson Dean Flavell advised that following a letter received from the Rangitāiki River Forum Chairperson, Maramena Vercoe. An informal agenda discussion had

taken place following which Maramena Vercoe had suggested a site visit to the Kaituna River be undertaken as part of the joint hui.

Item for Staff Follow-up

- Staff to arrange the joint hui for Te Maru o Kaituna River Authority and Rangitāiki River Forum in close proximity of the Kaituna River in order to incorporate a field trip to the lower Kaituna River.

The meeting closed at 1:04 pm.

Confirmed

Dean Flavell, Chairperson, TMOK

Date

Minutes of the Tauranga Moana Advisory Group meeting held at the Cruise Deck, Club Mount Maunganui, 45 Kawaka Street, Mount Maunganui, on Friday, 16 November 2018 commencing at 9.30am

Present:

Chairperson: Cr Norm Bruning - Bay of Plenty Regional Council

Deputy Chairperson: Charlie Tawhiao - Ngāi Te Rangi

Members: Cr Andrew von Dadelszen - Bay of Plenty Regional Council
Cr Paula Thompson - Bay of Plenty Regional Council
Cr Catherine Stewart - Tauranga City Council
Cr Mark Dean - Western Bay of Plenty District Council
Cr Peter Mackay - Western Bay of Plenty District Council
Riki Nelson - Ngāti Ranginui
Piatarihi Bennett - Ngāi Te Rangi

Observer: Jeff Milham - Department of Conservation

In Attendance:

Bay of Plenty Regional Council (BOPRC):

Cr Jane Nees; Sarah Omundsen - General Manager Regulatory Services; Sam Rossiter-Stead - Communications Manager; Toby Barach - Principal Advisor, Tauranga Catchments; Heidi Fraser - Programme Coordinator Integrated Catchments; Hamish Dean - Team Leader, Tauranga Catchments; Santiago Bermeo - Senior Planner; Glenys Kroon Senior Policy Analyst (Water Policy); Harry Singh - Marketing and Communications Advisor; Josie Crawshaw - Environmental Scientist; Braden Rowson - Land Management Officer; Merinda Pansegrouw - Committee Advisor

Tauranga City Council (TCC):

Joel Peters - Principal Strategic Advisor

Other:

Elva Conroy and Nessie Kuka - Conroy and Donald Consultants; Dr Rebecca Lawton - Senior Research Fellow University of Waikato; John Burke, Lawrie Donald and Dr Peter Maddison - Te Mania Catchment Community Group, Uretara Estuary Managers

Apologies:

Te Pio Kawe - Ngāti Ranginui; Kahurangi Tapsell - Ngāti Pūkenga; Cr Matemoana McDonald - Bay of Plenty Regional Council and Cr Kelvin Clout - Tauranga City Council

1 Opening Karakia/Mihi

Deputy Chair Charlie Tawhiao opened the meeting with a mihi and karakia.

New alternate for Ngāi Te Rangi Piatarihi Bennett was welcomed to the table.

2 Apologies

Resolved

That the Tauranga Moana Advisory Group:

- 1 Accepts the apologies tendered by Te Pio Kawe, Kahurangi Tapsell, Cr Matemoana McDonald and Cr Kelvin Clout.

Bruning/Von Dadelszen
CARRIED

3 Declarations of Conflicts of Interest

Nil.

4 Previous Minutes

4.1 Tauranga Moana Advisory Group Minutes – 10 August 2018

Resolved

That the Tauranga Moana Advisory Group:

- 1 Confirms the Tauranga Moana Advisory Group Meeting Minutes of 10 August 2018, as a true and correct record.

Tawhiao/Von Dadelszen
CARRIED

5 Update from Partners

5.1 Ngāi Te Rangi

Mr Charlie Tawhiao updated members on Ngāi Te Rangi matters:

Key Points

- Ngāi Te Rangi iwi had received a letter on 9 November 2018 confirming that the Waitangi Tribunal had agreed to hear their urgent claim against the Crown, submitted by the iwi in March 2017. Twelve claims had been submitted and six had been accepted for urgent hearings.

5.2 Ngāti Ranginui

Mr Riki Nelson provided the following update:

Key Points

- Ngāti Ranginui's urgent claim against the Crown has also been approved to be heard by the Waitangi Tribunal
- It was unfortunate that there were some applications, such as Hauraki's, that would not be heard although they had good cases; Hauraki's application contained specific kōrero that would have supported Ngāti Ranginui's case

- Recent kaupapa engagement, involving cross-negotiations with Ngāti Hinerangi, could possibly offer a successful template for future cross-claims negotiations.

5.3 Ngāti Pukenga

Further updates to be provided at the next meeting.

5.4 Western Bay of Plenty District Council

Refer PowerPoint Presentation Objective ID A3047470 and A3047455

Western Bay of Plenty District Council Councillors Peter Mackay and Mark Dean provided an update highlighting the following:

Key Points of Presentation

- Reserves & Facilities Bylaw 2018 Review
 - Following a review, the updated Bylaw came into effect 9 November 2018
 - Horse riders would be able to continue to use the majority of the area previously allowed, but would no longer be permitted beyond the small island located on the estuary side of Tuapiro Point as this has been identified as a kaimoana gathering area
 - Thanked everyone from the Ngati Te Wai Hapū and the equestrian community for finding a compromise that would enable horse riding to continue while protecting the ecologically and culturally significant areas
 - Council would work with hapū to develop more signage around the Point to share the history and significance of the treasured place
- Kaitikaiti/Waihi Beach Reserve Management Plan review
 - Council to adopt Reserve Management Plan at the December 2018 meeting
- Katikati Boating Club storage facility
 - Needed a site near the harbour for boat storage; area off the end of Beach Road was most suitable
 - Boating Club was in process of obtaining necessary consents to establish a storage facility on site
- Omokoroa Domain
 - Comprehensive community engagement had been undertaken (decision story available on Council's website)
 - Required increased accessibility and parking but needed to maintain green space, recreational values and character of the area
 - Funding in 2019/20 Annual Plan for Destination Playground, Boardwalk and new signage
 - Long term harbour launching options and access would be considered in harbour access study
- Omokoroa to Tauranga Cycleway
 - Section between Mangawhai Estuary rail bridge and Huharua Park – under construction (Pats Lane section)
 - Katikati – Park Road Reserve to Preston Drive cycleway under construction
 - Waihi Beach – various trails under construction

Points Raised by Members

- It was mentioned that a unique law applied to the intertidal zones within the Tauranga Harbour area: as an exception to most parts of New Zealand where regional councils were responsible for intertidal zones. In the case of Tauranga City and the Western Bay District, the City and the District Council were responsible for the administration of the intertidal zones. Since there was a difference in the

understanding of the law, it was agreed that further clarification be obtained in this regard.

Items for Staff Follow-up

- Clarification of the legal requirements relating to the roles and responsibilities of intertidal zones within the Tauranga area
- To provide an update on the value of possibly reconstituting the Northern and Southern Tauranga Harbour Recreation Users Forums.

5.5 Tauranga City Council

Cr Catherine Stewart highlighted Tauranga City Council's (TCC) key work streams as follows:

Key Points

- The Southern pipeline under the Harbour was currently operational; staff were testing the pipeline and the Te Maunga plant. Flows into Te Maunga have increased with a corresponding drop in flows to the Chapel Street plant
- The thickening and dewatering plant construction was progressing well. The forecasted completion date was still April 2019
- As part of City Water's drive to reduce wastewater blockages in the network, a wet wipe campaign "Save our pipes from wipes" had gone live. Wet wipes were currently marketed as 'flushable' and 'biodegradable'. However, data showed that on average 30% of blockages within the TCC network each year were caused by wipes. The campaign was aimed at getting people talking publically about a private behaviour, creating awareness in the community that would see a behaviour change
- A new timber sea wall had been completed at Kulim Park, designed to increase the size of the high tide beach enabling an increase in use of this popular harbour reserve
- The updated Beaches Bylaw was on track to come into effect 1 December 2018
- The Dog Bylaw deliberations were ongoing with the bylaw anticipated to come into effect 1 March 2019
- Upgrades to Durham Street and Durham Lane streetscapes were currently underway. These upgrades included stormwater treatment in the form of raingardens to improve the stormwater quality discharging to the harbour at Spring Street
- Further investigative stormwater monitoring was ongoing in a number of catchments such as the Mount Industrial catchment to identify possible sources of contaminants reported in the five-yearly monitoring report, and identify preferred areas for mitigation / treatment
- TCC was collaborating with BOPRC on a summer industrial audit programme aimed at identifying potential stormwater contamination risks from industrial sites, potential sites requiring discharge consents and improving stormwater discharge quality.

5.6 Bay of Plenty Regional Council

Cr Norm Bruning outlined BOPRC priorities, namely:

Key Points

- Consultation on the draft On-Site Effluent Treatment plan change was now closed. Feedback on the Draft Plan Change would be used to develop a Proposed Plan Change which would be publicly notified in mid-2019

- Hearings on Proposed Plan Change 13 (air quality) took place through October; the Hearings Panel was currently in deliberations
- On 18 September, Council made decisions on recommendations from the hearing committee for the region-wide water quantity plan change (Plan Change 9). These decisions were publicly notified in October and any appeals needed to be lodged with the Environment Court by 21 November 2018
- Air quality in the Mount Industrial area: six new monitoring stations were now live and collecting data. New monitoring stations had also been deployed at De Havilland Drive / Aerodrome Rd where there had been ongoing concerns about nuisance dust
- The Kaimai Mamaku Forest Forum met in August and agreed on a new management structure. This included a steering group and three project groups focusing on biodiversity, water and people. The Biodiversity project group would meet in November.

Points raised by Members

- The Ministry of Transport was currently seeking public and sector input into a decision on whether New Zealand should sign up to an international treaty restricting air emissions from ships.

6 Conservation Update

6.1 Department of Conservation

Refer PowerPoint Presentation Objective ID A3047485

Department of Conservation District Manager Jeff Milham provided an update, outlining the following:

Key Points of the Presentation

- Department of Conservation's (DOC) Kauri Dieback Management in the Kaimai Mamaku Conservation Park
- Background:
 - DOC was responsible for protecting kauri on the land it managed
 - Supported the multi-agency response to protect Kauri, with its work led by the *Kauri Dieback Recreation Project*
 - Kauri forests faced the threat of extinction from the devastating Kauri dieback disease
- What was Kauri Dieback / Spreading / Symptoms
- Why do we care
 - Kauri were ancient species, alive when dinosaurs roamed earth. They were among the longest-living tree species, reaching ages of more than 2000 years, as well as being the largest trees in the world
 - Kauri forests once covered 1.2 million ha when the first people arrived in NZ around 1000 years ago. Today, there were about 7000 ha left
 - The iconic species were an important part of NZ's history
 - Kauri deserved every effort of protection to ensure they survived for generations to come
 - Cultural significance
- What we could do to help: required the support of our communities to win the fight against Kauri dieback disease.

Item for follow-up by DOC

- Confirmation of the percentage of trees dying from kauri dieback in the Northern Forests diagnosed with kauri dieback as opposed to those surviving.

7 Presentations

7.1 Project Parore

Refer PowerPoint Presentation Objective ID A3046121

Bay of Plenty Regional Council Land Management Officer Braden Rowson and representatives from Te Mania Catchment Community Group, Uretara Estuary Managers, John Burke, Lawrie Donald and Dr Peter Maddison outlined the following key points:

Key Points of the Presentation

- Overview of members and Uretara Estuary Managers Inc.
- Why Project Parore was necessary
 - Native herbivore fish, also known as luderick or black bream was previously abundant but habitat degradation has led to decline
- Project Vision
 - Te Mania catchment to be a place where people enjoyed; an engaged community that cared for and had a sense of pride in the environment in which they lived
 - Landowners and residents to manage the ecosystems that provided livelihoods in a sustainable way and would collaboratively take action to restore and maintain the health and quality of the catchment's land, water and native wildlife entity relationships
- Overarching Outcomes
 - Improved environmental stewardship
 - Implementation of good management practices for all land uses
 - Enhanced water quality and greater, more stable native biodiversity
 - A community ecological monitoring system in place
- Successful implementation of Project Parore in Te Mania would serve as a blueprint for other catchments feeding the Tauranga Moana – Te Mania was the pilot project
- Progress to date
- Catchment focus
- Community engagement process
- Tackling the issues: water quality, native flora & fauna restoration.

In response to Questions

- The project could potentially be applied as a blueprint across all 17 catchments feeding into Tauranga Harbour
- Communities working together were critical.

Item for staff Follow-up

- Consideration of the value that future field trips by members of the Tauranga Moana Advisory Group to particular sites of interests in the catchment area could add.

7.2 National Policy Statement for Freshwater Management – Te Mana o Te Wai

Refer PowerPoint Presentation Objective ID A3034426

Bay of Plenty Regional Council Senior Planner Santiago Bermeo and Glenys Kroon Senior Policy Analyst (Water Policy) provided an update on ongoing work under the National Policy Statement for Freshwater Management, outlining the following:

Key Points of the Presentation

Central government's *Essential Freshwater* announcements:

- Objectives
 - To stop further degradation & loss: material improvement within 5 years
 - To reverse past damage: waterways in a healthy state within a generation
 - To address water allocation issues (water takes and nutrient discharges):
- The main work streams
 - NPS-FM amendments
 - National Environmental Standard - Freshwater Management
 - Resource Management Act amendments
 - Allocation
 - Alignment with other policies (e.g. Billion Trees, 3 Waters, Climate Change, stock exclusion)
- The players and a new approach to Māori-Crown relationship on fresh water
- Timeframes and implications for Tauranga Moana freshwater management

Plan Change 9 - Region-wide Water Quantity

- Purpose was to hold the line, to fix problems and help ensure that better information about water use could be gathered
- As a next step a more detailed process was required. The intent to deliver that process was clearly documented in Council plans and was already underway. PC9 was a step in that direction
- Outcomes from PC9
- Compliance and PC9 requirements
 - All permitted activities to be registered within 12 months of the rule becoming operative
 - New controlled activity rules established for existing unauthorised dairy shed water takes and for existing previously permitted takes that now required a resource consent
- Metering and consents
- Web based groundwater accounts: soon to be available on line with live groundwater accounts that would enable communities/applicants to see how much water was available.

11:05 am The meeting **adjourned**.

11:20 am The meeting **reconvened**.

Points raised by Members

- A question was raised regarding the web based groundwater accounts which would soon be available on-line and whether Māori values and the potential effect on tangata whenua values and interests had been taken into consideration in the development.

Item for Staff Follow-up

- To circulate web links to members of the Tauranga Moana Advisory Group, providing additional information on Central Government's recent freshwater announcements.

Minute note: The following links were circulated to members providing additional information on Freshwater Announcements by Central Government:

- <https://www.beehive.govt.nz/release/taking-action-improve-water-quality>
- https://www.boprc.govt.nz/media/786898/ai-85-supporting-document_essential-freshwater.pdf
- https://www.boprc.govt.nz/media/786899/ai-85-supporting-document_shared-interests-in-freshwater.pdf
- <https://www.boprc.govt.nz/media/786896/regional-direction-and-delivery-committee-public-meeting-agenda-30-october-2018.pdf> (starting at page 75).

7.3 State of the Environment Summary

Refer PowerPoint Presentation Objective ID A3047086

A PowerPoint presentation outlining the State of the Environment was presented to the Tauranga Moana Advisory Group. Contributors were Conroy and Donald Consultant Elva Conroy, Bay of Plenty Regional Council Marketing and Communications Advisor Harry Singh, Nessie Kuka, Senior Research Fellow Dr Rebecca Lawton from the University of Waikato and Bay of Plenty Regional Council Team Leader, Tauranga Catchments Hamish Dean.

11:35 am Chairperson Norm Bruning **withdrew** from the meeting.

Deputy Chairperson Charlie Tawhiao assumed the Chair for the remainder of the meeting.

Key Points of the Presentation

- Partnership approach: Integrating the Māori Perspective – tangata whenua viewpoints
- State of Tauranga Moana: Science Summary
- Bringing the State of the Environment Report to life to tell the stories of our environment
- Final report to be available early 2019.

Points raised by Members

- The Executive Summary of the State of the Environment Report required more refinement as it was too generalist in approach. Consideration should be given as to who the target audience should be and the purpose/message of the publication
- The final executive summary should only be published once the Tauranga Moana Advisory Group has familiarised itself with the contents of the full report and were comfortable with the outcomes/conclusions
- Incorporating a dashboard to provide a trend analysis would be helpful – statistical data should clearly support statements made
- The final report needed to be real, credible and transparent. Ultimately, the final Executive Summary should be a call to action
- Communication should focus on story telling – telling the stories of Tauranga's magnificent harbour – sharing the cultural, historical and ecological treasures and be inspirational.

In Response to Questions

- The purpose of the presentation on the State of the Environment was to make members of the Tauranga Moana Advisory Group aware of current ongoing work in the development of the final report due early 2019. The detailed report and final recommendations would follow at the next hui scheduled for February 2019
- Trends would be developed going forward since there was now a baseline in place to build on
- The goal of the communications plan would be to have levels of information available for the public to drill down should they require more detail
- The ultimate goal would be to raise the cultural awareness and scientific understanding of our community, uniting Māori and non-Māori around common values, collaborating from the start of projects rather than consulting at the end and giving considered weighting to cultural concerns and perspectives.

7.4 Reserves and Facilities Bylaw

Refer PowerPoint Presentation Objective ID A2935610

Addressed under item 5.4.

7.5 Tauranga City Council Environment Strategy

Refer PowerPoint Presentation Objective ID A3048394

Tauranga City Council (TCC) Principal Strategic Advisor Joel Peters provided an outline on progress made with the development of the Environment Strategy:

Key Points of the Presentation

- Update on the Environment Strategy
 - Released the Future Development Strategy and the Tauranga Urban Strategy
 - Confirmed the outcomes of work to date with the Tangata Whenua Collective
 - Working with teams in TCC
- Strategy Focus
 - Water, Urban Forest, Changing Climate, Culture, Education and Identity
- Strategy Challenges
 - Working to align big outcomes. land supply, affordable housing, environmental impacts
- Next Steps
 - Submitted a draft for review to the Steering Group
 - Steering Group to determine timelines
 - Look, feel, expectations from partners.

7.6 Overview – Tauranga Moana Wai Māori Strategy

Refer PowerPoint Presentation Objective ID A3048395

Ngāi Te Rangi Representative Piatarihi Bennett provided an overview of the Wai Māori Strategy as follows:

Key Points of the Presentation

- The importance of adding a Māori viewpoint
- Wai Māori Workshop outcomes
 - Te Puna Wai Māori o Tauranga Moana mandate to advance PC16
 - Agreed to lodge a Wai Māori Statement – to be lodged with Bay of Plenty Regional Council shortly

- Agreed approach to water consents
- Agreed 'Involvement Strategy'
- Initial list of awa and criteria
- Ongoing relationship with Water Policy
- Other – PC9 appeal
- Key Levels of Involvement
- Technical Objectives
 - Effective, equitable and respectful working partnership with BOPRC on all matters concerning Wai Māori in accordance with Te Tiriti o Waitangi
 - Māori relationship with Wai Māori to be recognized and provided for and rights and responsibilities advanced, respected, supported and clearly reflected in PC16
 - Te Mana o Te Wai embedded across all processes and functions and underpinned all decisions concerning Wai Māori and PC16 provisions.

Item for Staff Follow-up

- "Tauranga Moana Wai Māori Strategy Update" to be added to the agenda of the Tauranga Moana Advisory Group as a standing item.

8 Reports

8.1 State of the Environment Report - Tauranga Harbour

Refer PowerPoint Presentation Objective ID A3047086

Bay of Plenty Regional Council Team Leader, Tauranga Catchments Hamish Dean presented the State of the Environment Report – Tauranga Harbour that was taken as read.

Resolved

That the Tauranga Moana Advisory Group:

- 1 Receives the report "State of the Environment Report Tauranga Harbour" dated 16 November 2018.**

**Thompson/ Von Dadelszen
CARRIED**

8.2 Tauranga Moana Programme Update – November 2018

Bay of Plenty Regional Council Team Leader, Tauranga Catchments Hamish Dean presented the Tauranga Moana Programme Update report that was taken as read.

Items for Staff Follow-up

- Future reports to provide more detailed information: preferably with a dashboard approach providing management information from a governance perspective
- Future reports to include information on the Kopurererua Valley Redevelopment Project
- Feedback to be provided on progress made with the Methyl Bromide boundary monitoring at the of Port of Tauranga
- Feedback to be provided on the interpretation of quantitative data available on land and water litter clean-ups.

Resolved

That the Tauranga Moana Advisory Group:

- 1 Receives the report “Tauranga Moana Programme Update – November 2018” containing the Tauranga Moana Programme Dashboard dated November 2018.

Thompson/Von Dadelszen
CARRIED

9 Consideration of General Business

Future site visits by the Tauranga Moana Advisory Group

- o Members reaffirmed their support for future site visits as raised under item 7.1 as this would be informative and value adding.

Tauranga Moana Plan Change 16

- o Noted that Plan Change 16 (Tauranga Moana) planned for 2021 – 2023/24 was still on track as scheduled.

Change in consultation approach by Central Government

- o Ngāi Te Rangi Representative Charlie Tawhiao noted that following the change in Central Government since the National Elections in 2017, there had been a move towards Māori as the identifier rather than whānau, hapū and iwi. He was concerned that this changed approach could potentially undermine Treaty relationships with whanau, hapū and iwi.

10 Next Meeting – 15 February 2019

Members noted that the next meeting had been scheduled for 15 February 2019.

11 Closing Karakia

Charlie Tawhiao closed the meeting with a karakia.

The meeting concluded at 12:28 pm.

Confirmed

Chair, Tauranga Moana Advisory Group

Date

Joint Committee Minutes - For Information Only

Minutes of Meeting No. SG18/9 of the SmartGrowth Leadership Group held on 7 September 2018 in the Mauao Room, Bay of Plenty Regional Council, 87 First Ave, Tauranga commencing at 12:30pm

Present

Independent Chairperson

W Wasley

Bay of Plenty Regional Council

Chairman: D Leeder

Councillors: P Thompson, S Crosby, A von Dadelszen (alternate)

Tauranga City Council

Mayor: G Brownless

Councillors: L Baldock, T Molloy

Deputy Mayor: K Clout (alternate)

Western Bay of Plenty District Council

Mayor: G Webber

Councillors: M Williams, D Thwaites, M Murray-Benge (alternate)

Tangata Whenua Representatives

M Tapsell, I Walker, B Mikaere, P Ihaka

NZ Transport Agency

P McLean

Bay of Plenty District Health Board

R Scott

In Attendance

SmartGrowth

K Tremaine – Strategic Advisor

V Jones – SmartGrowth Administrator

S Rolleston - Tu Pakari Advisor

B Fraser – Strategic Communications Consultant

Bay of Plenty Regional Council

Fiona McTavish – Chief Executive

A Fort – Senior Planner

D Phizacklea – Regional Integrated Planning Manager

Tauranga City Council

M Grenfell – Chief Executive

C Jones – General Manager, Growth & Infrastructure

D Spittle – Principal Strategic Advisor

A Hancock – Urban Strategy Planner

R Hudson – Team Leader: Strategy Development

A Mead – Manager: City & Infrastructure Planning

Western Bay of Plenty District Council

M Taris – Chief Executive Officer

R Davey – Group Manager Policy, Planning & Regulatory Services

G Allis – Deputy Chief Executive/Group Manager Infrastructure
Services

P Martelli – Resource Management Manager

Apologies

Cr J Nees, Cr L Brown, Cr J Scrimgeour

Lateness: Chairman D Leeder

Early departure: P Ihaka, Cr T Molloy, I Walker & Mayor G Brownless

SG18/9.1

APOLOGIES**Moved** Mayor G Webber / **Seconded** Cr D Thwaites**That it be Resolved*****That apologies be received for Cr J Nees, Cr L Brown, Cr J Scrimgeour and Chair Leeder for lateness.*****CARRIED**

SG18/9.2

**CONFIRMATION OF MINUTES – SMARTGROWTH LEADERSHIP GROUP
(SG18/6) – DATED 20 JUNE 2018**

The Committee considered the minutes of the SmartGrowth Leadership Group (SG18/6) dated 20 June 2018 as circulated with the agenda.

Moved Cr M Williams / **Seconded** Cr S Crosby(Page 8) update 2nd bullet point should be Rangatahi**That it be Resolved*****That the minutes of the SmartGrowth Leadership Group (SG18/6) dated 20 June 2018 be confirmed as a true and correct record.*****CARRIED**

SG18/9.3

**SMARTGROWTH HOUSING AND BUSINESS DEVELOPMENT CAPACITY
ASSESSMENT (PAPER A)**

It was noted that the SmartGrowth Housing and Business Development Capacity Assessment document sits behind the FDS document.

Key comments from committee:

3rd paragraph on page 4/18 Te Tumu/Rangiuru in brackets needs more emphasis. Ken noted this will be amended.

Growth drivers for the region - young families moving into the region - Who is concerned about the children and creating new schools for the additional growth? We are looking at ageing population.

Page 27 Graph - Ken will do some simplified wording.

Moved Mayor G Webber / **Seconded** Cr L Baldock

That it be Resolved

That the SmartGrowth Leadership Group

1. **Receive** the report
2. **Endorse** the SmartGrowth Housing and Business Development Capacity Assessment 2017 as final as per amendments noted at meeting, and to be made available on the SmartGrowth website during public consultation on the Future Development Strategy.

CARRIED

SG18/9.4

TRANSPORT MATTERS (PAPER B)

It was noted that a closed workshop had been held in the morning on transport matters and recommendations were placed before the SLG for consideration.

Moved Mayor G Brownless / **Seconded** Cr P Thompson

That it be Resolved

- a) **That** Chief Executives to urgently prepare an 'Urban Form and Transport Initiative' Terms of Reference and 'Initiative' Project Proposal which will address:
 - a. John Hutchings recommendations which includes progressing initiatives resulting from the 'Leadership and Partnerships' workstream
 - b. The idea of an 'Interim' approach to make progress now and evolve over time
 - c. The 7 priority Transport System Issues

- d. Medium/long term interventions with multi-partner impact and assessed as 'Status Red'
 - e. Governance, resourcing and delivery arrangements
- b) That a Reference Group of Mayors, Chair, Chair CTWF, Tu Pakari Advisor and CEs reviews and endorse the draft Terms the Reference and Initiative Proposal in advance of presentation to NZTA on 25 September.

Central government partnerships

- c) Work with NZTA and other government agencies, actively progress the Urban Form and Transport Initiative, including securing appropriate resources for delivery.

Immediate actions

- d) SLG communicate to NZTA that in respect of TNL:
- Express concern that the re-evaluation has not been an active SG partnership process.
 - Request that going forward the partner Councils are actively engaged in the corridor scoping, option assessment and Board recommendation development.
- e) Request NZTA:
- Commitment and resources to enable NZTA to actively participate in UFTI
 - Dedicated Senior Investment Advisor / Business Case guidance & approval facilitator based in Tauranga.
- f) Note that the 3 CEs will meet NZTA CE to discuss issues and way forward.
- g) Note that key messages and areas of focus will be developed for NZTA meeting 25 September. (Messages agreed by Mayors, Regional Chair, Tu Pakari Advisor, Chair CTWF, CEs and Independent Chair prior)
- h) Note CEOs will take responsibility for recruiting appropriate resources for 'Urban Form and Transport Initiative' will immediately commence and funded from the approved SmartGrowth budget.

Moved Cr P Thompson **Seconded** Cr T Molloy

That it be Resolved

That the SmartGrowth Leadership Group:

1. That the SmartGrowth Leadership Group express it's sincere thanks for the quality of the work that has been under taken and presented today.
2. That a media release be distributed noting we are working together on transport issues in the western Bay.

CARRIED

THESE MINUTE Page 108 of 262 **E CONFIRMED**

To be confirmed by the SmartGrowth Leadership Group on 19 September 2018

SG18/9.5

**FUTURE DEVELOPMENT STRATEGY - FINAL DRAFT FOR
CONSIDERATION AND RECOMMEND ITS APPROVAL FOR
CONSULTATION (PAPER C)**

Final draft of FDS has been prepared and recommended for approval

Proposed FDS – What is new?

- A lot of detail moved into appendices to make document easier to read
- New national context section
- New sub-regional issues section
- New Our Development history section
- General risks covered in sub-regional issues and other sections, specific implementation risks under 'Key Risks to Delivering Sufficient Development Capacity'

Next Steps

- Separate report on consultation and engagement process
- The Proposed FDS, as notified, will be sent to MBIE/MfE for any feedback – they will provide ongoing input through the drafting process
- Consultation will occur in October / November and SLG workshop in December to discuss input received
- Any updated version of Proposed FDS will be submitted to the government by 31 December 2018
- Recommended that final SLG decisions be deferred until early 2019 – once we know the outcomes of NZTA evaluations relating to key State highway projects. Also allows time for any amendments arising from feedback from government officials.

The Committee expressed gratitude to Ken, Adam and the team.

Comments from the Committee included;

- Appendix 1 Page 3 under Accessibility: Remove the sentence below: Settlement pattern options were assessed to result in the most efficient transport system.
- GPS & NPS - Have a conversation at the front of the document explaining that there is not currently full alignment between the land and transport alignment. Note we are working hard to work towards getting these connections.
- Photographs in the FDS document need to show the current situation in regards transport congestion.
- Affordability – It was noted the committee would like to see stronger emphasis in the FDS document in regards to affordability. Reviewing how do we achieve this? What does it look like and mean? How to pay for infrastructure and the ability to deliver affordable housing.
- Rail – Attention to this in regards to passenger and freight. Bay of Plenty rail strategy needs to go into this discussion.

Moved Cr S Crosby / **Seconded** Mayor G Webber

That it be Resolved

That the SmartGrowth Leadership Group

1. **Approves** both the Proposed SmartGrowth Future Development Strategy and the Summary document for use in the statutory consultation process, subject to the addition of the caveats that have been discussed at the meeting or for the purposes of editorial or graphic design purposes.
- 1a. **Agrees** that staff be requested to produce the wording for those caveats for sign off by the SmartGrowth Leadership Group on 19 September 2018.
2. **Notes** that the Tauranga Urban Strategy will be consulted on at the same time as the Proposed Future Development Strategy.
3. **Delegates** to the SmartGrowth Leadership Group Independent Chair the authority to sign off on any subsequent minor amendments that do not change the intent of the FDS following the 7 September meeting.
4. **Agrees** that there will be a consultation process on the Proposed SmartGrowth Future Development Strategy in accordance with the requirements of Policy PC14(a) of the National Policy Statement on Urban Development Capacity 2016 and the Special Consultative Procedure under section 83 of the Local Government Act 2002.
5. **Agrees** that the main points arising from the consultation will be discussed by the SmartGrowth Leadership Group at its December 2018 meeting.
6. **Agrees** that final decisions on the Future Development Strategy will be deferred until early 2019, once the New Zealand Transport Agency has re-evaluated State highway improvement proposals.

CARRIED

SG18/9.6

PROPOSED FUTURE DEVELOPMENT STRATEGY: COMMUNITY CONVERSATIONS PROPOSAL (PAPER D)

Bruce Fraser outlined the community conversations proposal which included;

- Consulting on the FDS & Tauranga Urban Strategy together
- Focus on inform and consult
- Challenges associated with community engagement on a high level strategy
- Multi-channel approach to reach as many people as possible
- No hearings

Key Actions

- Community conversations - Katikati, Te Puke and Tauranga (3)
- SmartGrowth website as central information portal
- SmartGrowth forums hui
- Combined Tangata Whenua hui
- Written submissions
- Present to full SLG workshop meeting
- SmartGrowth monthly newsletter
- Media releases
- Hui with Maori land trusts
- Social media postings
- Information on partner websites
- Komiti Maori updates
- Newspaper notifications
- Direct emails to SmartGrowth stakeholders

Next steps:

- Staff summarise points from meetings and submissions
- Staff produce issues and options paper
- SLG consider paper at December meeting
- Feedback on the Tauranga Urban Strategy will also be sent to TCC's City Transformation Committee
- Comments and discussion included the following;
- Overall, general support for the approach with no hearings, various community conversations and a range of communications tactics
- Some calls to hold more meetings eg Don Thwaites and Omokoroa, Cr L Baldock more meetings in Tauranga
- Need to resource forums to enable them to get out to their networks eg
- Environment Forum and Social Sector Forum would hold their own meetings and use a writer to sum up their points and then present these to SLG
- No formal presentations to SLG but perhaps informal discussions in a workshop setting
- Create TUS cheat sheet for SLG members to have when hosting community conversations in Te Puke and Katikati
- Create specific discussion questions for each meeting to ensure that they are relevant for the people there
- Work with other organisations eg Te Puke Edge and Katch Katikati to support them to run their own meetings
- Messages in FDS will shock some Maori communities – need to emphasise kinship links to land to resonate with those people

The Committee acknowledged the work completed in regards to communication and engagement.

Moved Mayor G Webber / **Seconded** Mayor G Brownless

That it be Resolved

That the SmartGrowth Leadership Group

1. **Receives** the report
2. **Approves** the communications and engagement aspects for consultations outlined above
3. **Notes** the Community Conversations component and agrees to attend appropriate meetings
4. **Notes** that the consultation period will be from Friday 5 October ending on Monday 5 November

CARRIED

SG18/9.7

REPORTING BACK: LOCAL GOVERNMENT AND OTHER FORUMS

Verbal updates on the following from SmartGrowth Chief Executives and Combined Tangata Whenua Forum

- Metro sector
Concerns around urban development authority powers to enforce – Government - Do it yourselves or we will do it for you. This is our time to show the councils can achieve the challenges at hand.

Cr S Crosby noted in regards to the 3 water space government is making some changes in the water plan, ongoing discussion and government will make announcement around Oct on how they are going to proceed in regards to water and waste water.

In respect of climate change, various announcements to be made.

In the housing area a lot of activity trying to speed up delivery and linking to pricing in different models. The rural and provincial sector is getting a boost, the provincial growth fund will help in many areas of communities.

The meeting concluded at 2.10 p.m.

Confirmed as a true and correct record

W Wasley
Independent Chairperson

Date

Minutes of Meeting No. SG18/9 of the SmartGrowth Leadership Group held on 19 September 2018 in the Mauao Room, Bay of Plenty Regional Council, 87 First Ave, Tauranga commencing at 9:30am

Present

Independent Chairperson

W Wasley

Bay of Plenty Regional Council

Chairman: D Leeder

Councillors: J Nees, P Thompson, S Crosby

Tauranga City Council

Mayor: G Brownless

Councillors: L Baldock, L Brown, T Molloy

Western Bay of Plenty District Council

Mayor: G Webber

Councillors: D Thwaites, J Scrimgeour,
Cr M Murray- Benge (alternate)

Tangata Whenua Representatives

M Tapsell, B Mikaere, Verna Ohia-Gate (alternate)

In Attendance

SmartGrowth

K Tremaine – Strategic Advisor

V Jones – SmartGrowth Administrator

S Rolleston - Tu Pakari Advisor

B Fraser – Strategic Communications Consultant

Bay of Plenty Regional Council

Fiona McTavish – Chief Executive

N Poutasi – Acting General Manager – Strategy and Science

A Fort – Senior Planner

D Phizacklea – Regional Integrated Planning Manager

J Metcalfe – Senior Transport Planner

Tauranga City Council

M Grenfell – Chief Executive

C Jones – General Manager, Growth & Infrastructure

D Spittle – Principal Strategic Advisor

A Hancock – Urban Strategy Planner

R Hudson – Team Leader: Strategy Development

A Mead – Manager: City & Infrastructure Planning

Western Bay of Plenty District Council

M Taris – Chief Executive Officer

G Allis – Deputy Chief Executive/Group Manager Infrastructure Services

P Martelli – Resource Management Manager

SG18/9.1

APOLOGIES**Moved** Chairman D Leeder / **Seconded** Cr T Molloy**That it be Resolved****That** apologies be received for Cr M Williams, I Walker, P Ihaka**CARRIED**

SG18/9.2

**CONFIRMATION OF MINUTES – SMARTGROWTH LEADERSHIP GROUP
(SG18/9) – DATED 7 SEPTEMBER 2018**

The Committee considered the minutes of the SmartGrowth Leadership Group (SG18/9) dated 7 September 2018 as circulated with the agenda.

Moved Chairman D Leeder / **Seconded** Cr T Molloy**That it be Resolved****That the minutes of the SmartGrowth Leadership Group (SG18/9) dated 7 September 2018 be confirmed as a true and correct record.****CARRIED**

SG18/9.3

**PROPOSED FUTURE DEVELOPMENT STRATEGY CHANGES AS
DISCUSSED AT THE LAST MEETING**

Committee noted further amendments as below which included in document, otherwise Committee pleased with the changes explained.

- 2nd paragraph in foreword expand to include full name of partners
- 5th paragraph include “transport program”
- 6th paragraph remove “At present”

Moved Cr S Crosby / **Seconded** Cr L Baldock**That it be Resolved****That** the SmartGrowth Leadership Group:

1. **Approves** the changes to the Proposed SmartGrowth Future Development Strategy and Summary document as outlined in Appendix 1 to the FDS report, and amendments discussed today.

CARRIED

The Committee acknowledged the work completed in regards to the Future Development Strategy.

SG18/9.4

FUTURE DEVELOPMENT STRATEGY COMMUNICATIONS AND ENGAGEMENT UPDATE

Moved Cr P Thompson / **Seconded** M Garry Webber

That it be Resolved

That the SmartGrowth Leadership Group:

1. **Receive** this update report on the Future Development Strategy consultation elements
2. **Note** the arrangements for the various meetings planned.

CARRIED

The Committee acknowledged the work completed by Bruce Fraser and the team.

SmartGrowth Leadership Group – Public Excluded

Moved Cr P Thompson / **Seconded** Mayor G Webber

That it be Resolved

That the SmartGrowth Leadership Group:

1. **Agree** that Nigel Tutt and Greg Simmonds from Priority One are included in the public excluded session.
2. **Agree** that the public be excluded from the following parts of this meeting:
 - a) Transport funding negotiations and future delivery arrangements
3. **Note** that the reasons for excluding the public are that these matters are subject to negotiations between the various parties and that these need to remain confidential in order not to prejudice the interests of any party.
4. **Note** that this resolution is made in reliance on section 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 this part of the proceedings of the meeting in public.

The meeting concluded at 10.30 a.m.


Confirmed as a true and correct record

W Wasley
Independent Chairperson

Date

DRAFT

Minutes - Eastern Bay of Plenty Joint Committee 12 November 2018

	Details of Meeting:	EASTERN BAY OF PLENTY JOINT COMMITTEE MEETING HELD IN THE COUNCIL CHAMBERS, CIVIC CENTRE, WHAKATĀNE ON MONDDAY, 12 NOVEMBER 2018 COMMENCING AT 1.00 PM
	Present:	Deputy Mayor J A Turner (Chairperson) and Mayor A A Bonne (Whakatane District Council), Mayor M Campbell and Councillor D Sparks (Kawerau District Council), Councillors N Bruning and W Clark (Bay of Plenty Regional Council) and Councillor L Riesterer (Opotiki District Council)
	In Attendance:	A Lawrie (Opotiki District Council), R George (Kawerau District Council), S Lamb (Bay of Plenty Regional Council), D Bewley, J Gardyne, K Stasiewicz and H J Storey (Whakatāne District Council)
	Visitors:	F Pauwels - ToiEDA
	Apologies:	Mayor J Forbes

1 CONFLICTS OF INTEREST

No conflicts of interest were noted.

2 CONFIRMATION OF MINUTES: 3 JULY 2018

Refer to pages 8-12 of the agenda.

RESOLVED:

THAT the minutes of the EBOP Joint Committee meeting held on Tuesday, 3 July 2018 be confirmed as a true and correct record.

Clark/Mayor Bonne

CARRIED

Attendance: Councillor Sparks entered the meeting at 1.08 pm

3 REPORTS

3.1 EBOP Friendship Agreement and Proposed Delegation to Jiangxi China

Refer to pages 14-67 of the agenda.

Discussion ensued on the proposed Memorandum of Understanding and the proposed delegation visit to Jiangxi from 31 March to 6 April 2019. It was agreed that the timing of the delegation was appropriate and it was requested that the Memorandum of Understanding be provided to each Council for approval prior to the proposed visit.

RESOLVED:

1. **THAT** the Jiangxi Friendship Agreement Update Report be received; and
2. **THAT** the Memorandum of Understanding with Jiangxi Province be provided to the Kawerau, Ōpōtiki and Whakatane District Councils for approval.

Mayor Bonne/Riesterer

CARRIED

3.2 ToiEDA Update

Refer to pages 68-71 of the agenda.

Mr Pauwels noted the following additional points:

- The Board had approved the 2018-19 ToiEDA Work Plan
- The ToiEDA Chairperson had held discussions with representatives from KiwiRail and noted that the issues on rail transport was progressing
- Food grade containers would need to be available in key areas when increased volumes of produce came on stream

RESOLVED:

THAT the ToiEDA Update report be received.

Bruning/Campbell

CARRIED

3.3 Update on Climate Change Activities

Refer to pages 72-77 of the agenda.

RESOLVED:

THAT the Update on Climate Change Activities report be received.

Clark/Bruning

CARRIED

4 CHAIRPERSON AND DEPUTY CHAIRPERSON FOR 2019

Refer to pages 78 of the agenda.

RESOLVED:

THAT Councillor Bill Clark be appointed as Chairperson of the EBOP Joint Committee for 2019 and L Riesterer be appointed as Deputy Chairperson.

Turner/Campbell

CARRIED

5 OTHER ITEMS

5.1 Productivity Commission Local Government Funding and Financing Issues Paper

It was noted that the Productivity Commission were seeking submissions on the issues paper by 15 February 2019 and Councils were encouraged to consider the 49 questions in the report. The Ōpōtiki District Council Chief Executive suggested that the EBOP authorities share responses prior to forwarding their submission.

THE MEETING FINISHED AT 1.57 PM

Confirmed this day of
CHAIRPERSON

Minutes of the Ōhiwa Harbour Implementation Forum Meeting held in Council Chambers, Ōpōtiki District Council, 108 St John Street, Ōpōtiki on Tuesday, 25 September 2018 commencing at 9.30 a.m.

Present:

Chairman: Councillor T Marr (Bay of Plenty Regional Council)

Deputy Chairman: Councillor L Riesterer (Ōpōtiki District Council)

Appointees: Councillor A Iles - Whakatane District Council; Te Runanga o Ngati Awa: Charlie Bluett, T O'Brien – Alternate; Gaylene Tuari-Kohunui - Whakatōhea Maori Trust Board; Te Upokorehe: Trevor Ransfield, Maui Manuel – Alternate.

Attendance in part: Rachel Korā, Kero Te Pou (Alternate) - Te Waimana Kaaku (Ngāi Tūhoe).

In Attendance: Bay of Plenty Regional Council Toi Moana: Simon Stokes – Eastern Catchments Manager, Tim Senior – Land Management Officer, Lisa Bevan – Environmental Data Officer, S Kameta – Committee Advisor; Mike Houghton, Manager Places and Open Spaces – Whakatāne District Council; Gerard McCormack – Planning and Regulatory Group Manager, Ōpōtiki District Council; Department of Conservation Te Papa Atawhai: Mike Jones - Senior Community Ranger, Nikora Heitia – Community Ranger; Tanja Rother – Contractor; External Presenter: Dr Kura Paul-Burke – NIWA: Taihoro Nukurangi, Joe Burke – MUSA Dive Marine & Environmental Services.

Apologies: Councillor W Clark (Alternate) - Bay of Plenty Regional Council.

1 **Karakia**

Provided by Trevor Ransfield.

2 **Apologies**

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Accepts the apology from Cr Bill Clark tendered at the meeting.**

**Iles/Marr
CARRIED**

3 **Public Forum**

Nil

4 **Acceptance of Late Items**

Nil

5 **General Business**

Nil

6 **Confidential Business to be Transferred into the Open**

Nil

7 **Declaration of Conflicts of Interest**

Nil

8 **Previous Minutes**

8.1 **Ōhiwa Harbour Implementation Forum minutes - 19 March 2018**

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Confirms the Ōhiwa Harbour Implementation Forum minutes - 19 March 2018, as a true and correct record.**

**Marr/G Kohunui
CARRIED**

9 **Ōpōtiki District Council Verbal Update**

Councillor Lyn Riesterer provided an update on matters of interest for Ōpōtiki District Council.

Key points:

- Introduced new Planning and Regulatory Group Manager Gerard McCormack and advised that the Parks & Reserves Manager Garry Page would be working with the Forum;
- The proposed Ōpōtiki District Plan was at the appeal stage with no significant points raised for the Ōhiwa zone. The proposed plan aligned with the Ōhiwa Harbour Strategy, with protection of the Ōhiwa zone strengthened, stronger emphasis placed on harbour values, more consistency of boundary lines, setbacks and ridgeline controls and a managed approach taken to rural production activities;
- Maintenance was underway on walking and cycle paths around the eastern side of the harbour in readiness for summer season.

- Ōpōtiki District Council had provided funding for planting and trap placements to assist care group work under the umbrella of the Ōhiwa Harbour Strategy.
- Vehicles seen on mudflats and beaches around the Ōhiwa spit was still an ongoing concern, with publicity being undertaken to discourage bylaw breaches.
- Noted attendance at the blessing for installation of harbour signage at Ōhiwa spit and pending release of the Ōhiwa Harbour Trail pamphlets at information i-sites.

In response to Questions:

- Ōpōtiki District Council and other coastal territorial authorities were responsible for compliance monitoring and enforcement of the Vehicles on Beaches Bylaw.
- Noted Ōpōtiki District Council sent follow-up letters to vehicle owners who breached the bylaw, with records maintained followed by enforcement taken for repeat offenders.

10 Reports

10.1 Ōhiwa Harbour Integrated Catchment Programme Annual Work Plan results for 2017-18 and update to September 2018

Refer PowerPoint Presentation (Objective ID A2975792).

Land Management Officer Tim Senior presented the item.

Key points:

- 39 deliverables from the 2017-18 work programme had been completed with six still in progress and three incomplete;
- There was increased focus in water quality within the Nukuhou catchment, with over half of the catchment's land use in dairy.
- Fonterra had offered to fund the preparation of 10 farm environment plans. Once the farm plans were complete, Regional Council staff would arrange follow-up discussions with the respective farmers;
- Pest control undertaken by local volunteers continued to grow around the harbour margins;
- The submission made on behalf of the Forum to the Whakatāne District Bylaw review had been assisted with guidance of the Ōhiwa Harbour Recreation Strategy;
- Ministry for Primary Industries (MPI) staff had attended the OHSCG hui in May and were keen to engage with the Forum's work.
- Summarised the MPI compliance report and 2016 intertidal shellfish monitoring noting: impacts from sediment sizing was still unknown, starfish had not been considered, with the next MPI survey would be undertaken sometime in 2019;
- Removal of the Tuck house at Te Onekawa Te Mawhai Regional Park completed. The area has been incorporated into sheep pasture and transformed the park, with subsequent opportunity to transform the space into a picnic area.

- Provided a brief overview of the draft Ōhiwa Harbour website;

In response to questions:

- Farm environment plans being prepared by Fonterra were estimated to cost between \$2,500-5,000 per plan, which would include staff time and consideration of farm size and complexity;
- Commercial fishing quotas were held in perpetuity, could be transferred or retired by the quota holder, or ceased, subject to due diligence by authority of the Minister of Primary Industries. Quota holder information was public knowledge and could be obtained.
- Archaeological sites within Te Onekawa Te Mawhai Regional Park were mapped to ensure they were managed appropriately.

Members' Comments:

- Ngati Awa issued customary permits for pipi that were in excess of recreational takes however, were being more proactive to ensure takes were not excessive.
- Personal observations of pipi and cockle numbers reflected that reported within the MPI report;

10:21 am – Rachel Kora and Kero Te Pou **entered** the meeting.

- The Ōhiwa Wharf was progressing well with the toilet block to be installed and the Lions' shed extended for a period of two years.

Follow-up Action:

- Request that staff provide further information on commercial fishing quota holders.
- Request the proposed website replace use of "Jewel" with "Taonga".

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Ōhiwa Harbour Integrated Catchment Programme Annual Work Plan results for 2017-18 and update to September 2018;**
- 2 Requests a letter of appreciation to be sent to Fonterra for supporting the preparation of 10 farm environment plans for dairy farmers in the Nukuhou catchment.**

**Iles/Riesterer
CARRIED**

Order of Business

With the leave of the Forum, the Chairman asked that Agenda item 10.3 'Shellfish Restoration Trial in Ōhiwa Harbour 2018-2019' be taken next to accommodate the departure of the presenter.

10.2 Shellfish Restoration Trial in Ōhiwa Harbour 2018-2019

Refer PowerPoint Presentation (Objective ID A2981402).

Dr Kura Paul-Burke from NIWA was accompanied by her husband and MUSA expert diver Mr Joe Burke and were in attendance to present the item.

Key points:

- Outlined the project aims and actions to trial growing and restoring mussel spat on lines in Ōhiwa harbour for recruitment into the substrate;
- The trial would be a first of its kind to trial different design methods and natural (Mātauranga Māori) and artificial materials. Cage designs would allow for water flow and trial how mussel and starfish would react;
- Consultation with Ngati Awa, Upokorehe, the Harbour Master and maritime staff had been undertaken for the selection of four restoration sites at remaining mussel beds;
- Co-funding had been provided by Bay of Plenty Regional Council and NIWA over two financial years;
- Stage 1 and 2 would commence in October 2018 when water conditions were clear. Monitoring and maintenance would start in November 2018 and continue through 2019, with reporting and recommendations completed in March 2020.
- Acknowledged the support of those who had assisted with the project, noting NIWA was open to collaborate and assist the Forum on this work.
- Hoped the trial would provide answers to a number of questions, including mussel restoration success, level of seastar predation, how collective ideas worked, level of resourcing and options for biodiversity moving forward;

In response to questions:

- Mrs Paul-Burke and Mr Burke had worked closely with the harbour master to ensure the trial was protected, away from recreational users and navigation lanes;
- Sites were adjacent to the swimming area on the western side of the harbour, parallel to the shore and shallow in depth at low tide;
- It was hoped that control sites would identify levels of starfish predation, which would be beneficial to the study;
- Origin of spat from the sea was unknown and overseas studies had reported that the transfer of spat was low;
- Funding from Auckland University had been unsuccessful, however the trial would look at other options moving forward.

Comments:

- Eastern Catchments Manager Mr Simon Stokes acknowledged the Forum's patience and perseverance regarding seastar concerns and the importance of the trial. Mr Stokes expressed appreciation to Mrs Paul-Burke and Mr Burke for their continued support, in anticipation of the progress that would be made.

- Forum partners were asked to communicate to their organisation and wider networks the importance and need for support and awareness of the project.
- Noted several Iwi from the North Island had visited Ōpōtiki to discuss spat and that the Ōpōtiki mussel marine area maybe a potential option for consideration in the future.

Follow-up Action:

- Requested Mrs Paul-Burke present to the Whakatōhea Māori Trust Board, which she acknowledged and supported.
- Staff to provide public communication to bring awareness of the project.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Shellfish Restoration Trial in Ōhiwa Harbour 2018-2019.**
- 2 Endorse the proposed actions.**

**Marr/Kora
CARRIED**

11.00am – The meeting **adjourned** and **reconvened** at 11:16 am.

10.3 **State of Environment Report for Ōhiwa Harbour and Catchment**

Refer PowerPoint Presentation (Objective ID A2977880).

Environmental Data Officer Lisa Bevan gave an update on the current State of Ōhiwa Harbour and Catchment since the previous report in 2013.

Key points:

- State of the Environment Report provided an important role of collating information from various sources and identifying negative changes;
- Nukuhou River water quality trends were significantly improving over time and ecosystem health was good however, water temperature levels could be assisted with more riparian planting to reduce stress on aquatic life;
- Estuary water quality overall was good in comparison to similar estuaries around New Zealand and was safe for swimming and kaimoana gathering;
- Threat of myrtle rust was predicted to have a severe impact on two plant species;
- Pest control was important to safeguard threatened plant and bird species. It was noted that NZ Dotterel, North Island Fernbird and Pimelea tomentosa had increased because of pest control operations.
- Faecal contamination indicator levels on the eastern side of the harbour had showed an increasing trend, however work was occurring to help improve water quality;

In response to Questions:

- Six parameters had been used in comparing Ōhiwa harbour water quality with other estuaries, of which Ōhiwa Harbour was in the top half;
- Faecal source tracking hadn't been undertaken in the Nukuhou catchment, but tracking carried out in the Waioatahe catchment had found a vast majority of faecal contamination was from cows with some from avian sources and it was suspected that similar findings would be present in other tributaries like the Nukuhou River, possibly with some presence of human influence from septic tanks;
- Staff would continue to work with landowners and industry to mitigate and minimise contaminants entering the river and harbour system;
- Combining climatic condition impacts for water temperature levels would be difficult with sampling occurring on an annual basis only;
- Bank stability along the Nukuhou River made revegetation difficult, but planting of shrub willows was occurring to help improve water temperatures over time;
- Under the National Policy Statement for Freshwater Management (NPS-FM) the Nukuhou River at the Glenholme monitoring site rated in the highest band for nitrate levels, meaning this was unlikely to affect the river's ecosystem. However, the indicator for ecosystem health, macroinvertebrate indices had showed possible degradation and was unlikely to improve to an excellent state. As there were multiple factors that could affect ecosystem health (such as substrate, temperature and riparian planting), these other factors could be affecting the health of the ecosystem.
- Mr Stokes advised that land management staff had been asked to put greater effort into the nutrient management trends with Nukuhou landowners;
- Farm environment plans were between Fonterra and the landowners however, collaboration was occurring with Bay of Plenty Regional Council staff; and a summary of issues and recommendation could be reported back to the Forum.

Members' Comments:

- Over August, Ōpōtiki had recorded more rainfall compared to the last two years and with climate change, anticipated more intense rain events;
- Considered faecal contamination was a key indicator over time that should be monitored as an ongoing measure. It was noted that the State of Environment report had a recommendation for respective councils to action;
- Requested more detailed information on monitoring trends in the State of Environment report;

11:55 am – Cr Lyn Riesterer **withdrew** from the meeting.

- Queried progress made on reducing swan numbers in Ōhiwa harbour.
- Supported the continuation of State of Environment reporting and implementation of the recommendations contained under Part 7 of the State of Environment report.

Staff Follow-up Action:

- Investigate ways to manage swans in Ōhiwa Harbour. Department of Conservation Senior Community Ranger Mike Jones advised the Department would assist with multi-agency coordination.

Resolved**That the Ōhiwa Harbour Implementation Forum:**

- 1 Receives the report, State of Environment Report for Ōhiwa Harbour and Catchment;**
- 2 Notes the importance of the monitoring programme and supports the ongoing implementation of the monitoring programme.**
- 3 Supports the implementation of the recommendations contained within Part 7 of the State of Environment Report for Ōhiwa Harbour and Catchment 2018.**

Iles/Tuari-Kohunui
CARRIED

10.4 Mangrove management in the Ōhiwa Harbour 2011 - 2018

Refer PowerPoint Presentation (Objective ID A2976163).

Land Management Officer Tim Senior was accompanied by contractor Tanja Rother and presented the item on the Ohiwa mangrove management project.

Key points:

- Outlined the spread and extent of mangroves since 2008 and work undertaken by the Regional Council and Te Upokorehe to gain resource consent for removal;
- The consent referred to mangrove coverage recorded in 2007, allowed for removal on the seaward side of the consent boundary to avoid biodiversity areas and DOC reserves with hand-held tools only, which required hard intensive labour;
- Observations showed mangroves had not expanded from the 2011 map extents;
- Next steps would involve revisiting mangrove removal around the islands, requiring boats, which would present some challenges;
- The current consent would expire in 2020, which would require coastal planner input, consideration of renewal and public engagement. An update on this matter would be provided to the next Forum meeting;
- Acknowledged the support of Te Upokorehe who had led and obtained consent and provided voluntary labour;
- Sought feedback from members on next steps and their desire to support consent renewal and the opportunity to engage the wider community on the removal or retention of mangroves;

- Considered a mana whenua-led consent application would go a long way to gain and develop support from the community;

In response to Questions:

- Utilising periodic detention workers had been trialled previously without success, with the current crew established and working well;
- Access to Department of Conservation reserve would be difficult and removal of native plants from reserves was illegal;
- Mangrove removal as a commercial venture had been considered however, noted current costs, including providing participants with a koha was \$10,000 and provided volunteers with additional income.

Members' Comments:

- Recognised the labour intensive work of removing mangroves however, supported the renewal of consent, which needed to be considered;
- Tūhoe members would take the matter back to their Iwi/hapū for consideration.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Mangrove management in the Ōhiwa Harbour 2011 – 2018.**

Iles/Ransfield
CARRIED

10.5 An introduction to the draft Bay of Plenty Conservation Management Strategy

Refer PowerPoint Presentation (Objective ID A2981403).

Department of Conservation Senior Community Ranger Mike Jones provided a summary of the report.

Key points:

- Provided background on the statutory framework and Conservation Management Strategy (CMS) proposed new structure, which would be out for consultation;
- The new CMS was currently at the pre-notification stage for drafting, with conversations initiated with Iwi partners across the Bay of Plenty region;
- Outlined the outcome statement and proposed wording currently within the working draft CMS.

Members' Comments:

- Supported the suggestion made by Eastern Catchments Manager Simon Stokes for the CMS to align with the Ōhiwa Harbour Strategy objectives as a starting point;

- Sought recognition of the relationship of Ōhiwa and its association with a number of people and tangata whenua affiliations, which was noted and acknowledged.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, An introduction to the draft Bay of Plenty Conservation Management Strategy.**

Iles/Ransfield
CARRIED

10.6 **Business Case: Western Coastal Cycle Trail Extension**

Refer PowerPoint Presentation (Objective ID A2977663).

Whakatane District Council Manager Places and Open Spaces Mike Houghton outlined the the Western Coastal Cycle Trail Extension joint project between Whakatane and Ōpōtiki District Councils.

Key points:

- Stage 1 concept proposal had been completed with support indicated from the Ministry of Business, Innovation & Employment (MBIE) for a Mōtū trail extension from Ōpōtiki to Whakatāne Airport;
- Stage 2 Business Case had been lodged with MBIE to request funding to proceed to Stage 3 with more detailed work, costings and consenting required;
- Outlined the proposed area of interest to the Forum within the Ōhiwa Harbour catchment and the impacts on the harbour from the trail at the Ōhiwa Loop Road and Port Ōhope boat ramps or wharf where ferry services were proposed.
- The proposal had been previously reported to the Forum in 2017 and aligned with the Ōhiwa Harbour Strategy and Ōhiwa Recreation Strategy;
- Independent Cost Benefit Analysis undertaken by Martin Jenkins Consultant outlined forecasted economic growth and contribution to local economy;
- The business case was seeking funding of approximately \$18M however, cost estimates for a new walking and cycling bridge over Whakatane River had come down to \$14M for the total trail.

In Response to Questions:

- The potential funding split being sought from MBIE was 90 percent of the cost, with 10 percent to come from the two councils at a cost of \$2 million each;
- MBIE did not support applications being made to both the Provincial Growth Fund and New Zealand Cycle Trail: Enhancement and Extension Fund;
- Further consultation with the Forum partners would be needed, and it was noted that separate consultation with Iwi partners was still to come;
- The full business case was available to Forum members on request.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Business Case: Western Coastal Cycle Trail Extension.**

**Iles/Kora
CARRIED**

The meeting closed at 1:11 pm.

CONFIRMED DATE

Councillor Tīpene Marr, Chairperson

Reports

Receives Only – No Decisions



Report To: Regional Council

Meeting Date: 13 December 2018

Report From: Douglas Leeder, Council Chairman

Chairman's Report

Executive Summary

Since the preparation of the previous Chairman's Report (for the 1 November 2018 Council meeting) I have attended and participated in a number of meetings and engagements as Chairman on behalf of the Bay of Plenty Regional Council.

This report sets out those meetings and engagements and highlights key matters of interest that I wish to bring to Councillors' attention.

Recommendations

That the Regional Council:

- 1 Receives the report, Chairman's Report.**

1 Purpose

The purpose of this report is to update Council on meetings and engagements I have attended and participated in as Chairman and to highlight key matters that will be of interest to Councillors.

The following section summarises these meetings and engagements. I will provide further detail at the meeting in response to any questions you may have.

2 Meetings and Engagements

Date	Meeting/Engagement	Comment
24 October	Transport Workshop – <i>Tauranga</i>	Attended.
26 October	Provincial Growth Fund announcement - <i>Kawerau</i>	Minister for Regional Economic Development Hon Shane Jones announced investments for the region.

Date	Meeting/Engagement	Comment
26 October	Provincial Growth Fund: Western Bay approach – <i>Tauranga</i>	Attended by Western Bay of Plenty key stakeholders.
27 October	HMNZS NGAPONA - Tauranga Unit Dinner 2018 – <i>Mount Maunganui</i>	Attended.
30 October	Breakfast meeting with Mayor of Western Bay of Plenty District Council - <i>Tauranga</i>	Attended.
31 October	Official Pohiri and Luncheon for the Duke and Duchess of Sussex - <i>Rotorua</i>	Attended.
1 November	Blessing of the Whakatāne Office – <i>Whakatāne</i>	Attended.
2 November	Rotorua Te Arawa Lakes Strategy Group - <i>Rotorua</i>	Attended.
5 November	Informal catch-up with Angie Warren-Clark – <i>Tauranga</i>	Attended.
7 November	Fonterra evening function – <i>Hamilton</i>	Attended.
9 November	Westpac Tauranga Business Awards Gala Dinner – <i>Mount Maunganui</i>	The Awards recognise and celebrate the excellence, innovation and success of businesses in the Bay of Plenty.
13 November	Cawthron Foundation 2018 New Zealand River Awards – <i>Wellington</i>	Tarawera River at Awakaponga were the regional winners for the Bay of Plenty this year.
14 November	Meeting with Hon Anne Tolley – <i>Tauranga</i>	Attended with Fiona McTavish. Discussed Rangitaiki River/Kopuriki Bridge flooding and the effect on Farmers.
15 November	Meeting with Zespri Chairman, Director, and Chief Grower and Alliances Officer – <i>Mount Maunganui</i>	Attended with Fiona McTavish.
	Meeting with representatives of the Galatea and Lake Aniwhenua community – <i>Whakatāne</i>	Attended.
16 November	Bay of Plenty Triennial Agreement meeting – <i>Rotorua</i>	This is covered in more detail in the following section.

Date	Meeting/Engagement	Comment
	Bay of Connections Governance Group Extraordinary meeting – <i>Rotorua</i>	Attended.
17 November	Opotiki Eastern Bay AgFest – <i>Ōpōtiki</i>	Attended, and took part in some event judging. The event celebrated the local diverse rural community.
19 November	SmartGrowth meeting with Mayors and Chief Executives – <i>Tauranga</i>	Attended.
20 November	Meeting with Ōpōtiki District Council Mayor and Chief Executive – <i>Whakatāne</i>	Attended with Fiona McTavish.
	Dinner with Te Urewera Board Members – <i>Tāneatua</i>	A meet and greet event, and an opportunity to further understand and grow our relationship.
21 November	SmartGrowth Leadership Group Workshop – <i>Tauranga</i>	Attended.
23 November	UNISA meeting – <i>Auckland</i>	Attended.
24 November	Hukutaia Domain Centennial - <i>Hukutaia Domain</i>	Briefly spoke at the celebration of the 100 year history of the Hukutaia Domain. Councillor Clark also attended.
29 November	Pre-Regional Sector Group Tour – <i>New Plymouth</i>	A tour of some sites in the New Plymouth area including: Methanex NZ Waitara Valley Plant and Pukeiti Lodge.
	Regional Sector Dinner – <i>New Plymouth</i>	Attended.
30 November	Regional Sector Meeting – <i>New Plymouth</i>	This is covered in more detail in the following section.

3 Matters of Potential Interest

3.1 Bay of Plenty Triennial Agreement Meeting

The triennial meeting was held in Rotorua on 16 November 2018. The following were some of the topics discussed:

- Anthony Robertson, Executive Director, Corporate Services, Toi Ohomai spoke about tertiary education in the Bay of Plenty and South Waikato, and responding to challenges and opportunities.

- Craig O'Connell, Chair, BOPLASS spoke about councils partnering for value and service. Joint procurement, solid waste opportunities and examples of savings were amongst the items discussed.

The draft minutes for the triennial meeting are available in Stellar Library.

3.2 Regional Sector Meeting

At the RSG meeting on 30 November 2018, for regional/unitary council Chairs/Mayors and Chief Executives, a variety of topics were discussed including:

- Costs Framework for Treaty Settlements – Minister of Treaty Settlements Hon Andrew Little provided the Government's response to the costs framework for Treaty Settlements. Generally the framework is fit for purpose but they are looking to increase funding in some areas based on the 2010 principles. Funding contributions will be assessed on a case by case basis.

The Minister still thinks it is appropriate for regional councils to take the lead in the administration of Treaty settlements.

Officials have been asked to seek more information before going back to cabinet.

- Primary Sector Council – is an advisory group to Minister O'Connor, who will present a primary sector strategy and "flight paths" of what needs to change to Ministers in March next year.
- Forestry Ministerial Advisory Group – As part of their goal of planting one billion trees by 2028, the government announced a financial boost of \$118million from the Provincial Growth Fund for farmers and organisations wanting to plant trees.

Central government are seeking to work with councils on supporting this initiative with potential funding to Regional Councils over the next 3 years.

Doug Leeder
Chairperson

for Council Chairman

3 December 2018

Receives Only – No Decisions



Report To: Regional Council
Meeting Date: 13 December 2018
Report From: Fiona McTavish, Chief Executive

Chief Executive's Report

Executive Summary

This report provides Council with an update on progressing those strategic issues and identifies the related Council papers in the agenda.

Recommendations

That the Regional Council:

- 1 Receives the report, Chief Executive's Report.

1 Purpose

The purpose of this report is to provide Council with a regular update on progressing council strategic issues as well as identifying the related Council papers in this agenda.

2 Strategic Issues Update

Strategic Issue	Update	Key Focus for Past Month
Confirming BOPRC Role and Priorities	Further progress has been made on the Council's Fit for Purpose changes with people leadership changes being implemented. Gaining approval for the 2019/2020 Annual Plan consultation priorities is also on this agenda.	Yes

Strategic Issue	Update	Key Focus for Past Month
Climate Change	<p>External stakeholder and community initiatives continue to be engaged with or information sought to help inform Council direction - for example, the Carbon Neutral Advantage project coordinated by Venture Southland.</p> <p>Work is continuing on incorporating climate change into Council's decision-making, adaptation planning and CEMARS certification. See also the agenda item on 2019/2020 Annual Plan consultation priorities where Council will consider additional funding for Climate Change.</p>	
Biosecurity and Urban Growth	<p>Our Biosecurity Manager Greg Corbett was awarded the 2018 Minister's Biosecurity Award by Minister for Biosecurity Hon Damien O'Connor.</p> <p>See also the agenda item on 2019/2020 Annual Plan consultation priorities where Council will consider additional funding for Kaimai Mamaku pest control work.</p> <p>See also the separate agenda item on the Western Bay Urban Form and Transport Initiative.</p>	Yes
Regional Development	<p>See the separate agenda item on Bay of Connections Review.</p> <p>Staff are working towards Progressing the Eastern Bay of Plenty Regional Leadership Group Report.</p>	Yes
Uncertain Operating Environment	<p>Nathan Capper will be seconded to the Ministry for the Environment Freshwater Taskforce Group from January 2019 to support this work.</p> <p>See also the Chairman's agenda item on the Regional Sector Group Update.</p>	
Managing Iwi Expectations	<p>Members of the Rangitāiki River Forum and Te Maru o Kaituna met recently at Whakaue marae for a meet and greet (whakawhanaungataga).</p> <p>Chairs of both Forums facilitated discussions on a number of challenges and opportunities for co-governance in the future.</p>	

Strategic Issue	Update	Key Focus for Past Month
Strategic Conversations/Partner Consequences	<p>We continue to work closely with all stakeholders in the Mount Maunganui Industrial Area to manage both emerging issues and the existing permitted and consented activities. An update report has been provided to RDD (11 December 2018).</p> <p>Key discussions on the National Disaster Resilience Strategy took place during the consultation period which ended on 7 December 2018. The proposed strategy will replace the current National CDEM Strategy. It will have a broader approach to building national disaster resilience, which will have implications for Council.</p>	Yes

Fiona McTavish
Chief Executive

3 December 2018



Report To: Regional Council

Meeting Date: 13 December 2018

Report From: Chris Ingle, General Manager, Integrated Catchments

Amendments to Rotorua Te Arawa Lakes Strategy Group Agreement and Terms of Reference

Executive Summary

This item was presented to the 1 November 2018 Council meeting and was left to lie on the table for further information and discussion.

Members of the Rotorua Te Arawa Lakes Strategy Group (RTALSG) requested a review of the Agreement in order to amend the membership to make provision for a non-voting Independent Chairperson. An agreement to amend the Agreement will have no effect until recorded in writing and signed by each of the Organisations of the Strategy Group. Council is therefore asked to approve the membership amendment on the recommendation of the Strategy Group.

Recommendations

That the Regional Council:

- 1 Receives the report, Amendments to Rotorua Te Arawa Lakes Strategy Group Agreement and Terms of Reference;**
- 2. Approves the following amendment to the Rotorua Te Arawa Strategy Group Agreement:**

2. Membership:

The membership of the Group shall comprise of six members:

- 2.1 Two members of the Te Arawa Lakes Trust Entity appointed by that entity one of whom is a governance member and one of whom is a senior executive; and**
- 2.2 Two members of the Bay of Plenty Regional Council appointed by that Council one of whom is the Chairperson of that Council; and**
- 2.3 Two members of the Rotorua Lakes Council appointed by that Council one of whom is the Mayor of that Council.**

2.4 Plus one non-voting Pou Tākiwaiora (Chairperson), appointed by the Strategy Group members for a three year term in alignment with the Local Government triennium.

3. Approves the additional amendments to the Rotorua Te Arawa Strategy Group's Terms of Reference.

1 Updated Information from Rotorua Te Arawa Lakes Strategy Group Meeting 2 November 2018

RTALSG members considered responses from both Councils and supported the overall recommendations with a further amendment to remove the last two bullet points referring to climate change and declining water quality within the specific responsibilities and delegated function of the Terms of Reference (Appendix 2). It was recognised removing the two additional points did not restrict the Strategy Group's ability to identify and discuss such matters.

The Strategy Group also resolved that Te Arawa Lakes Trust be requested to provide an appropriate title for the independent status of the Chairperson position.

Te Arawa Lake Trust has advised the Chairperson title be changed to "Pou Tākiwaiora" - Protector of the water's health

Pou Tākiwaiora has been chosen by Sir Toby Curtis – Chairman of Te Arawa Lakes Trust to commemorate esteemed Ngāti Whakaue Kaumātua, Pihopa Kingi – see [Appendix 3](#).

1 Background

This information formed the previous report to 1 November 2018 Council Meeting.

At its meeting on 15 June 2018, Rotorua Te Arawa Lakes Trust Strategy Group's (RTALSG) members recognised the need to ensure RTALSG membership remained effective.

While the Strategy Group members acknowledged the principles of the Agreement at the time it was signed between the three parties, it had not adhered to the requirement of annual rotation of the Chair and felt it appropriate to amend the Agreement's membership to meet current needs.

The Strategy Group therefore supported Te Arawa Lakes Trust's request to consider amending the membership to allow for the appointment of an Independent Chairperson without voting rights and therefore enabling both Te Arawa members to fully participate in the meetings.

Members also discussed the need for RTALSG's Terms of Reference to remain cognisant of changing environmental issues whose impacts should be considered and included in the Strategy Group's function. These included: climate change impacts, lake related biosecurity matters, fisheries bylaw enforcement, Lake Tarawera as a priority lake.

The recommended changes to the Agreement and Terms of Reference were reviewed and supported by the RTALSG Project Steering Group.

2 Legislation

RTALSG was established under the Te Arawa Lakes Deed of Settlement. The RTALSG Agreement (2004) forms part of the Relationship Schedule (Schedule 1, Part 1) of the Te Arawa Lakes Deed of Settlement, under the umbrella of the Te Arawa Lakes Claims Settlement Act 2006. The Agreement informs the functions and membership of RTALSG.

On further investigation it is deemed the legislation is not a constraint to changing the Agreement and in fact accommodates amendments so far as they are done in a manner provided for in the Agreement, which requires consensus of all three parties (not including the Crown).

The definition of Rotorua Lakes Strategy Group Agreement as stated in the Te Arawa Lakes Claims Settlement Act 2006 also accommodates further amendments to the Agreement.

3 Rotorua Te Arawa Lakes Strategy Group Agreement

Section 8.1 of the Agreement enables the Agreement to be amended with the consent of each of the partner organisations.

Under section 8.2 an agreement to amend the RTALSG Agreement will have no effect until recorded in writing and signed by each of the Organisations of the Group.

Section 4.2 and 4.4 of the Agreement identify the Strategy Group's functions as identifying significant existing and emerging issues affecting the Rotorua Lakes; and the identification, monitoring and evaluation of necessary actions by the Organisations and other relevant organisations. These sections enable the Strategy Group to include emerging environmental issues and the monitoring and evaluation of necessary actions without the need to specifically identify these in the Agreement.

4 Agreement Amendment Required

At the request of the Te Arawa Lakes Trust the RTALSG members supported the inclusion of a non-voting Independent Chairperson to preside at meetings. The role of the Independent Chairperson sits outside the voting membership of the Group and therefore is not deemed to be a member for the purposes of a quorum. The amended Agreement is [Appendix 1](#). The amendments have also been reflected in the revised Terms of Reference along with wording changes to provide clarity of meaning ([Appendix 2](#)).

Once agreed by all parties the amended Agreement will replace the Rotorua Lakes Strategy Group Agreement 2004 (renamed Rotorua Te Arawa Lakes Strategy Group in 2009) and becomes the defining Agreement and the current Terms of Reference for the meetings will be updated.

5 Implications for Māori

The amendments to the Rotorua Te Arawa Lakes Strategy Group are responding to a request from Te Arawa Lakes Trust to ensure their members' participation on the

Strategy Group is fully effective without the need to act in the role of facilitation while enabling Te Arawa Lakes Trust greater flexibility in determining their representation. In agreeing to the amendments Council is actively responding to the representation needs of Te Arawa.

6 Council's Accountability Framework

6.1 Community Outcomes

This project/proposal directly contributes to A Vibrant Region and A Healthy Environment Outcomes in the Council's Long Term Plan 2018-2028 through the partnership Agreement between Te Arawa Lakes Trust, Rotorua Lakes Council and Bay of Plenty Regional Council.

6.2 Long Term Plan Alignment

This work is planned under the Governance Activity in the Long Term Plan 2018-2028.

Current Budget Implications

The Independent Chairperson will receive a meeting fee of \$200 per meeting in line with the current Elected Members and Appointed Members Remuneration and Expenses Policy which is within the current budget for the Governance Activity in Year 1 of the Long Term Plan 2018-2028.

Yvonne Tatton
Interim Governance Manager

for General Manager, Integrated Catchments

20 November 2018

APPENDIX 1

2018.10.10 Amended Rotorua Te Arawa Lakes Strategy Group Agreement November 2018

TE ARAWA LAKES TRUST

ROTORUA LAKES COUNCIL

BAY OF PLENTY REGIONAL COUNCIL

**ROTORUA TE ARAWA LAKES STRATEGY
GROUP AGREEMENT**

Amended 2 November 2018 from the original Agreement dated 8 October 2004

Amendments are shown in italics

THIS AGREEMENT includes Amendments to the original 2004 Agreement and is made on the 2nd day of November 2018 6

PARTIES: TE ARAWA LAKES TRUST (previously ARAWA MAORI TRUST BOARD) on behalf of **TE ARAWA**)

AND: ROTORUA LAKES COUNCIL (previously known as ROTORUA DISTRICT COUNCIL)

AND: BAY OF PLENTY REGIONAL COUNCIL

BACKGROUND:

- A.** The Parties have established the Rotorua Lakes Strategy Joint Committee (*now known as the Rotorua Te Arawa Lakes Strategy Group*) on the basis set out in the Rotorua Lakes Strategy Co-management Options Report dated October 2001 ("the Report").
- B.** As expressed in the Report the Parties wish to ensure that Te Arawa is a member of the joint committee as of right formalised through Te Arawa's Settlement Legislation, so that the joint committee is a permanent committee, which is not able to be discharged on or following a local authority triennial general election.
- C.** The Deed of Settlement between the Crown and the Arawa Maori Trust Board will record that the Settlement Legislation will provide that:
- (i) the Bay of Plenty Regional Council and the Rotorua District Council will establish, with the Te Arawa Governance Entity, the Rotorua Lakes Strategy Group ("the Group") no later than the Settlement Date;
 - (ii) the Group is deemed to be a joint committee within the meaning of clause 30(1)(b) of Schedule 7 of the Act, despite the Te Arawa Governance Entity's membership of that Group as of right;
 - (iii) despite anything to the contrary in Schedule 7 of the Act, the joint committee is to be permanent and the quorum at meetings of the Group is to be as herein provided.

OPERATIVE PART

Conditionally upon Settlement Legislation so enabling them, the parties agree as follows:

1 Interpretation

1.1 In this Agreement:

'Act' means the Local Government Act 2002;

"Organisations" means the Te Arawa Governance Entity (*now known as Te Arawa Lakes Trust*), the Rotorua Lakes Council and the Bay of Plenty Regional Council, sometimes referred to as "Partner Organisations";

"Rotorua *Te Arawa* Lakes" means Lakes Rotorua, Rotoiti, Rotoehu, Rotorua, Okataina, Tikitapu, Okareka, Tarawera, Rotomahana, Rerewhakaaitu, Okaro.¹

- 1.2 Unless the context requires otherwise, terms or expressions defined in the Deed of Settlement between the Crown and Te Arawa and the Settlement Act have the same meaning in this Agreement.

2 Membership

The membership of the Group shall comprise:

- 2.1 *Two members of the Te Arawa Lakes Trust Entity appointed by that entity - one of whom is a governance member and one of whom is a senior executive; and*
- 2.2 Two members of the Bay of Plenty Regional Council appointed by that Council one of whom is the Chairperson of that Council; and
- 2.3 Two members of the Rotorua Lakes Council appointed by that Council one of whom is the Mayor of that Council.

Plus one Independent non-voting Chairperson appointed by the members for a three year term in alignment with the Local Government triennium and is to be reviewed and confirmed at the first meeting of the Group following the local government elections.

The Independent Chairperson is not deemed to be a member of the Rotorua Te Arawa Lakes Strategy Group for the purposes of a quorum.

The Independent Chairperson shall assume the role and responsibilities as defined in the Rotorua Te Arawa Lakes Strategy Group Independent Chairperson Guidelines.

3 Quorum

- 3.1 The ordinary quorum for a meeting of the Group will be one member from each of the Organisations.
- 3.2 The special quorum for a meeting of the Group will be four members of the Group.
- 3.3 In the event that the ordinary quorum is not satisfied at three consecutive meetings of the Group in circumstances , where in the case of each such meeting:
- 3.3.1 It was notified in accordance with the Standing Orders;
- 3.3.2 Order papers were sent to each member of the Group in accordance

¹ Notes the deletion of Lake Rotokakahi as from the original Agreement as Rotorua Te Arawa Lakes Strategy Group has no jurisdiction over this lake.

- 3.3.3 The meeting had not been cancelled for any reason, then the
- 3.3.4 member in attendance may declare the third meeting inquorate according to the Standing Orders and the special quorum will then be substituted.
- 3.4 At any subsequent meeting, the ordinary quorum will be restored as soon as clause 3.1 is satisfied.
- 3.5 No matters that were not on the order paper for the meeting at which the special quorum was established under clause 3.3 can be considered by a special quorum meeting.

4 Functions

The Group will initially have the following functions:

- 4.1 The provision of leadership to the Organisations and the community in relation to implementation of the *Vision and Strategy for the Lakes of the Rotorua District*;
- 4.2 The identification of significant existing and emerging issues affecting the Rotorua Lakes;
- 4.3 The preparation, approval, monitoring, evaluation and review of agreements , policies and strategies to achieve integrated Outcomes for the Rotorua Lakes;
- 4.4 The identification, monitoring and evaluation of necessary actions by the Organisations and other relevant organisations;
- 4.5 The receiving of reports on activities being undertaken by the Organisations and other relevant organisations;
- 4.6 Involvement during the preparation of statutory plans in relation to significant issues. Such plans include but are not limited to iwi and hapu management plans, district and regional plans, reserve management plans, and annual plans;
- 4.7 Involvement in applications for activities in relation to significant issues not addressed by existing policies of the co-management partners. Such activities include but are not limited to resource consents, designations, heritage orders, water conservation orders, restricting access to the lakes (during special events or in particular circumstances), and transferring and/or delegating of statutory authority.
- 4.8 *Consider the effects of Climate Change in all work within the Rotorua Te Arawa*

- 4.9 Respond to declining water quality in all Rotorua Te Arawa Lakes by pursuing appropriate intervention and funding to respond. This may include lakes not currently funded by Deed funding e.g. Tarawera.

5 Prior committee discharged

- 5.1 Contemporaneously with the establishment of the Group the Bay of Plenty Regional Council and the Rotorua District Council will discharge, pursuant to clause 30(5) of Schedule 7 of the Act, the joint committee known as the Rotorua Lakes Strategy Joint Committee.

6 Standing Orders

- 6.1 The New Zealand Standard Model Standing Orders for Meetings of Local Authorities and Community Boards (NZS9202:2003) will apply to the Group unless the members of the Group unanimously agree to vary those orders as they apply to the Group ("*Standing Orders*").
- 6.2 An agreement to vary the Standing Orders as they apply to the Group will have no effect until recorded in writing and signed by each of the members of the Group.

7 Te Arawa Governance Entity to execute Covenant

- 7.1 The Arawa Maori Trust Board will procure the execution by the Te Arawa Governance Entity of a deed of covenant in the form set out in Schedule 3 of the Deed of Settlement.

8 Amendments to this agreement

- 8.1 This agreement may be amended with the consent of each of the Organisations of the Group.
- 8.2 An agreement to amend this agreement will have no effect until recorded in writing and signed by each of the Organisations of the Group.
- 8.3 Amendments as italicised in this Agreement are agreed to by and on behalf of the entity below.

IN WITNESS WHEREOF those present have been executed the day and year first hereinbefore written.

EXECUTED for and on behalf of **TE ARAWA LAKES TRUST**
by its authorised signatories:

Trust Chairman

Chief Executive

EXECUTED for and on behalf of **ROTORUA LAKES COUNCIL**
by its authorised signatories:

Mayor

Chief Executive

EXECUTED for and on behalf of **BAY OF PLENTY REGIONAL COUNCIL**
by its authorised signatories:

Chairman

Chief Executive

APPENDIX 2

2018.10.10 Rotorua Te Arawa Lakes Strategy Group Terms of Reference Draft Amendments



Rotorua Te Arawa Lakes Strategy Group Terms of Reference

Interpretation

“Organisations” means the Te Arawa Lakes Trust, the Rotorua Lakes Council, and the Bay of Plenty Regional Council; **sometimes referred to as “Partner Organisations”.**

“Rotorua /Te Arawa Lakes” means Lakes Rotorua, Rotoiti, Rotoehu, Rotomā, Ōkātina, Tikitapu, Ōkāreka, Tarawera, Rotomahana, Rerewhakaaitu, Ōkaro. **and Rotokakahi.**

“Group” means the Rotorua Te Arawa Lakes Strategy Group, formed as a Joint Committee under Clause 30 of Schedule 7 of the Local Government Act 2002; **Sometimes referred to as the “Strategy Group”.**

Comment [YT1]: Deleted as RTALSG has no jurisdiction over this lake.

Purpose

The purpose of the Group is to contribute to the promotion of the sustainable management of the Rotorua **Te Arawa** Lakes and their catchments, for the use and enjoyment of present and future generations, while recognising and providing for the traditional relationship of Te Arawa with their ancestral lakes.

Membership

The membership of the Group comprises of six members:

- **Two members of the Te Arawa Lakes Trust Entity appointed by that entity - one of whom is a governance member** and one of whom is a senior executive; and
- Two members of the Bay of Plenty Regional Council appointed by that Council - one of whom is the Chairperson of that Council; and
- Two members of the Rotorua Lakes Council appointed by that Council - one of whom is the Mayor of that Council.

Comment [YT2]: Previously the Chairman

Plus one non-voting Independent Chairperson appointed by the members for a three year term in alignment with the Local Government triennium and is to be reviewed and confirmed at the first meeting of the Group following the local government elections.

The Independent Chairperson is not deemed to be a member of the Rotorua Te Arawa Lakes Strategy Group for the purposes of a quorum.

The Independent Chairperson’s shall assume the role and responsibilities as defined in the



Rotorua Te Arawa Lakes Strategy Group Independent Chairperson Guidelines.

The Deputy Chairperson shall be appointed from the membership at the first meeting of the Group following the local government elections.

Quorum

The quorum for a meeting of the Group will be one appointed member from each of the partner organisations

The special quorum for a meeting of the Group will be four members of the Group.

In the event that the ordinary quorum is not satisfied at three consecutive meetings of the Group in circumstances, where in the case of each such meeting:

- It was notified in accordance with the Standing Orders;
- Order papers were sent to each member of the Group in accordance with the Standing Orders; and
- The meeting had not been cancelled for any reason, then the members in attendance may declare the third meeting inquorate according to the Standing Orders and the special quorum will then be substituted.

At any subsequent meeting, the ordinary quorum will be restored

No matters that were not on the order paper for the meeting at which the special quorum was established can be considered by a special quorum meeting.

Term of the Committee

The Rotorua Te Arawa Lakes Strategy Group is a permanent joint committee established under the Te Arawa Lakes Settlement Act 2006 (Te Arawa Lakes Deed of Settlement - Cultural Redress: Lakes Management and Relationships, clauses 9.1 to 9.3 -December 2004) and is not disestablished as a consequence of a local government election.

The Group's Terms of Reference are derived from the Rotorua Lakes Strategy Agreement included in Part 1 of the Relationship Schedule to the Deed of Settlement, December 2004.

Specific Responsibilities and Delegated Functions

The Group has the following functions:

- Provide leadership to the Organisations and the community in relation to implementation of the Vision and Strategy for the Lakes of the Rotorua District originally adopted in 2000 and refreshed version adopted by the Strategy Group in 2013.
- Identify significant existing and emerging issues affecting the Rotorua Te Arawa Lakes and respond appropriately.
- Approve, monitor, evaluate, and review agreements, policies and strategies and all other proposals to achieve integrated outcomes for the Rotorua Te Arawa Lakes.



- Identify, monitor, and evaluate necessary actions by the partner organisations and other relevant organisations.
 - Receive reports on activities being undertaken by the partner organisations and other relevant organisations.
 - Participate in the preparation of statutory plans in relation to significant issues. Such plans include but are not limited to Iwi and hapū management plans, district and regional plans, reserve management plans and annual plans.
 - Participate in applications for activities in relation to significant issues not addressed by existing policies of the partner organisations. Such activities include but are not limited to resource consents, designations, heritage orders, water conservation orders, restricting access to the lakes (during special events or in particular circumstances), and transferring and/or delegating of statutory authority.
- ~~• Consider the effects of Climate Change in all work within the Rotorua Te Arawa Lakes Programme.~~
- ~~• Respond to declining water quality in all Rotorua Te Arawa Lakes by pursuing appropriate intervention and funding to respond. This may include lakes not currently funded by Deed funding e.g. Tarawera.~~

Power to Recommend

To the partner organisations on any matters within the Strategy Group's delegated functions as it deems appropriate.

The Rotorua Te Arawa Lakes Strategy Group report directly to their own Organisations.

APPENDIX 3

**2018 11 20 Letter from TALT naming of Pou Takiwaiora
(Independent Chair) position**

20 November 2018



TE ARAWA LAKES TRUST

Yvonne Tatton
Governance Manager
Bay of Plenty Regional Council
Sent via email; Yvonne.Tatton@boprc.govt.nz

Tena koe Yvonne,

Renaming of RTALSG Independent Chair

I am pleased to advise that Taa Toby Curtis has confirmed the new name for the Independent Chair.

Pou Tākiwaiora - Protector of the water's health

Pou Tākiwaiora has been chosen to commemorate esteemed Ngāti Whakaue Kaumātua, Pihopa Kingi.

The late Mr Kingi was an excellent orator, and led most official cultural engagements with dignitaries from New Zealand and abroad whilst they visited Rotorua.

Mr Kingi would often commence his whaikōrero, reciting the following phrases;

Homai te waiora,

Tākiwai,

Tākiwai,

Tākiwaiora

Nā, Pihopa Kingi

If you require any further information please contact me directly.

Naku noa Na,

Karen Vercoe
Chief Executive Officer





Report To: Regional Council

Meeting Date: 13 December 2018

Report From: Namouta Poutasi, General Manager, Strategy & Science

University of Waikato Science Chairs - Renewal of the Memorandum of Agreement

Executive Summary

The Regional Council Chairs in Lake and Freshwater Science, and Coastal Science are an important part of our science work and support a number of work programmes. The Chairs are the basis of a long-term working relationship with the University of Waikato and this relationship is currently supported by two Memoranda of Agreement.

A new Memorandum of Agreement has now been negotiated covering both Chairs. This retains the core objectives of the existing agreements, and clarifies the funding arrangements. The proposed term of the Memorandum of Agreement is August 2018 to 31 December 2024. Council's proposed financial contribution for the two Chairs is \$588,250 per annum plus \$71,500 additional funding for student funding (excluding GST). The total value of the Council's financial commitment is approximately \$4,000,000 which exceeds the Chief Executive's financial delegation, Council approval is sought to proceed with this new agreement with the University of Waikato.

Recommendations

That the Regional Council:

- 1 Receives the report, University of Waikato Science Chairs - Renewal of the Memorandum of Agreement;**
- 2 Notes that the value of the Memorandum of Agreement is \$660,000 per annum for six years with a total value of approximately \$4,000,000. This exceeds the Chief Executive's delegation limit of \$400,000 as defined in the Council's Chief Executive Delegations Manual;**
- 3 Approves the Memorandum of Agreement as presented in Appendix 1;**
- 4 Provides the Chief Executive with the delegated authority to approve the final Memorandum of Agreement.**

1 Background

Councillors will be aware that the Regional Council funds two Chairs in Science with the University of Waikato; the Chair in Lake and Freshwater Science and the Chair in Coastal Science. Professors Troy Baisden and Chris Battershill lead research programmes in their respective disciplines to support the programmes of work that the Regional Council undertakes in the lake, freshwater and marine environments.

This work has been underpinned by two separate Memoranda of Agreement between the Regional Council and the University of Waikato. The Lake and Freshwater Chair agreement expired in 2017 while the current agreement for the Coastal Chair expires in 2019.

Councillors may recall that an independent review of the agreements for these Chairs was undertaken in 2017. That review was undertaken by ForeConsulting and was presented to the Regional Direction and Delivery Committee in September 2017. The review was broad but generally looked at whether Council was receiving value for money for this investment, and whether there were any improvements that could be made to the agreement and working relationship to improve the associated outcomes.

Key findings of the review included that the achievements and volume of outputs of the Chairs are significant, both have performed to internationally leading standards and that the Regional Council has received exceptional value as a result. It was also found that significant value is being generated beyond scientific outputs, with the broader objectives of the two Memoranda of Agreement being met.

The review concluded with ten recommendations, one of these was for the University and Regional Council staff to jointly review and develop a new Memorandum of Agreement covering the two Chairs.

2 The New Memorandum of Agreement

A new Memorandum of Agreement has now been negotiated (see Appendix 1). This retains the core objectives of the existing agreements and clarifies the funding arrangements. The proposed term of the Memorandum of Agreement is August 2018 to 31 December 2024. Council's proposed financial contribution for the Lakes Chair and Coastal Chair is \$588,250 per annum plus \$71,500 additional funding for student funding (excluding GST). The total value of the Council's financial contribution is approximately \$4,000,000 which exceeds the Chief Executive's financial delegation,

The purpose of this report is to seek Council approval to proceed with this new agreement with University of Waikato. The revised Memorandum of Agreement also deals with other recommendations of the review. These are related to reviewing and managing the workloads of both positions, and ensuring regular and frequent management reviews are undertaken to establish a single interface between the Regional Council and the University.

Note that staff are aware of the proposed new facility for the Coastal Marine Research Centre and are working on this with staff at the University of Waikato and Tauranga City Council. In the event that the University of Waikato requests funding support for the Research Centre, this may be considered under the Third Party Infrastructure Funding Policy for capital grants or through an amendment to this new Memorandum of Agreement.

3 Implications for Māori

One of the Objectives of the Memorandum of Agreement is to encourage co-operation and engagement with community and iwi led initiatives that will benefit from scientific input and support. The Chairs have put particular emphasis on engaging and working with Māori and bringing 'western science' together with traditional Māori science techniques. It is expected that this work will gain further momentum as Council increases its efforts to consider Mātauranga in its monitoring and decision making.

4 Council's Accountability Framework

4.1 Community Outcomes

This project/proposal directly contributes to the Freshwater for Life and A Healthy Environment Community Outcomes in the Council's Long Term Plan 2018-2028.

4.2 Long Term Plan Alignment

This work is planned under the Rotorua Catchments Activity, the Tauranga Harbour Activity and the Science Activity in the Long Term Plan 2018-2028.

Current Budget Implications

This work is being undertaken within the current budget for the Rotorua Catchments Activity, the Tauranga Harbour Activity and the Science Activity in the Annual Plan 2018/2019 or Year 1 of the Long Term Plan 2018-2028.

Future Budget Implications

Future work under the proposed Memorandum of Agreement is provided for in Council's Long Term Plan 2018-2028.

Rob Donald
Science Manager

for General Manager, Strategy & Science

5 December 2018

APPENDIX 1

Final version - Memorandum of Agreement between BOPRC and University of Waikato



Memorandum of Agreement

BETWEEN

Bay of Plenty Regional Council / Toi Moana

AND

University of Waikato

AGREEMENT dated this [] day of [] 2018

PARTIES

- 1. **Bay of Plenty Regional Council / Toi Moana** a Regional Council established pursuant to the Local Government Act 2002, with its usual business address at 5 Quay Street, Whakatāne (**the Council**).
- 2. **The University of Waikato** a University, with its usual business address at Te Whare Wānanga o Waikato, Gate 1, Knighton Road, Hamilton (**the University**).

AGREED AS FOLLOWS

- A. The parties agree to enter into this Agreement to formalise the ongoing financial arrangement and commitment for the Bay of Plenty Regional Council Chair in Lake and Freshwater Science and the Bay of Plenty Regional Council Chair in Coastal Science (**the Chairs**) at the University.
- B. The Council will continue to financially support the Chairs at the University in accordance with the terms and conditions set out in this Agreement and Schedule One. The Council will also provide financial support for research and technical support positions and post-doctoral fellowships in accordance with the terms and conditions set out in this Agreement and Schedule One.
- C. The University is qualified, skilled and experienced in undertaking and managing the Research Programme.

EXECUTED AS AN AGREEMENT

SIGNED by the **Bay of Plenty Regional Council** by:

(Duly Delegated Authority signature)

(Duly Delegated Authority signature)

Signatory's full name (please print)

Signatory's full name (please print)

Date: ____/____/____

Date: ____/____/____

SIGNED by the **University** by:

(University signature)

Signatory's full name (please print)

Date: ____/____/____

Terms and Conditions

1. PREAMBLE

The Toi Moana Bay of Plenty coastal zone, Te Arawa Lakes of Rotorua, and the rivers and estuaries connecting these areas are ecological, cultural and tourist assets of enormous worth. Changing land use and increasing population pose threats to these ecosystems, and there is heightened public perception and expectation to protect these nationally significant assets. The Council recognises the need to develop strategic and applied science supporting integrated zones, catchments and a mountains-to-the-sea approach to policy and management. Doing so will enable the responsibilities under legislation and national policy statements to be fulfilled, and enable better management of the regions resources. A 2017 review has confirmed that the operation of the lakes Chair since 2002 and the coastal Chair since 2009 have accrued considerable benefits to the region. The review also identified opportunities to improve the functioning and resourcing of the Chairs.

2. OBJECTIVES

- 2.1 To foster and develop independent, strategic and applied science within integrated zones, catchment and mountains-to-the-sea approaches to support policy and management in lake, freshwater and coastal ecosystems within the Bay of Plenty region.
- 2.2 To encourage, support and undertake research that has management and restoration objectives, including the development of nationally or internationally significant collaborations, programmes, and/or centres attracting appropriate levels of external funding focussed on lake, freshwater and coastal science and management.
- 2.3 To encourage co-operation between the University and territorial and regional governments, and engage with community and iwi led initiatives that will benefit from scientific input and support.
- 2.4 To build knowledge and human capital in areas of environmental science, restoration and management through outreach, engagement, undergraduate teaching and postgraduate research and training.
- 2.5 To appoint and maintain research teams operating as national and international leaders and science communicators in their fields, and to act in an expert capacity as scientific and technical advisors to the Council.

3. RESEARCH PROGRAMME

- 3.1 The representatives nominated in clause 5.1, 5.2 and 5.3 will maintain and review the Research Programme set out as per Schedule 2 (**the Research Programme**). The Research Programme will be a living document between the parties.
- 3.2 The scope of expectations for the Chairs and their respective research teams shall fall within the following:
 - (a) Carry out a programme of research and teaching that would provide a focus for lake, freshwater and coastal science in New Zealand.
 - (b) Encourage, facilitate and coordinate University staff and students in lake, freshwater and coastal science in the Bay of Plenty region.
 - (c) Encourage, facilitate and coordinate International expertise and student linkages as may be beneficial to the University and the Council in lake, freshwater and coastal science in the Bay of Plenty region.

- (d) Focus attention on the fundamental and management issues pertaining to lake, freshwater and coastal zones and in particular the Rotorua/Te Arawa Lakes and Toi Moana Bay of Plenty coastal zone.
- (e) Organise and participate in technical forums involving range of organisations, to discuss environmental management and restoration.
- (f) Participate in undergraduate, graduate and postgraduate teaching and supervise student research on lake, freshwater and coastal issues.
- (g) Evaluate and report on appropriate lake, freshwater and coastal management and restoration strategies.
- (h) Provide advice to the Council on relevant issues, including attendance at technical advisory groups and strategy workshops, and proactively engage with the Council staff and bodies with formal statutory, kaitiaki or mana whenua responsibilities.
- (i) Promote education and understanding to the community.
- (j) Provide input and review to the Council's environmental research and monitoring programmes.
- (k) Publish the results of research in appropriate disciplinary and popular forums including books, academic journals, magazines, and via internet, as appropriate, as well as disseminating research finding through local, national and international conferences.

4. TERM

- 4.1 This Agreement will come into effect from July 2018 and will expire on 31 December 2024, unless terminated earlier in accordance with clause 8.3.

5. MANAGEMENT, PAYMENT AND REPORTING

- 5.1 The General Manager Science and Strategy and the General Manager Integrated Catchments of the Council are responsible for the overall management of this Agreement on behalf of the Council.
- 5.2 The Senior Deputy Vice-Chancellor and the Deputy Vice-Chancellor (Research) are responsible for the overall management of this Agreement on behalf of the University.
- 5.3 The University of Waikato Dean of Science, the Research and Enterprise Office representative, the Chairs, the Council Science Manager, and relevant Catchment and Operations Managers are responsible for reviewing and updating Schedule 1 and Schedule 2 by mutual agreement.
- 5.4 The people listed at clause 5.3 shall form a Committee (**the Committee**). The Committee shall convene quarterly to ensure that the Research Programme is on track and the terms of this Agreement are being met. The Committee shall strive to ensure that the workload of and support for the Chairs and their teams is sustainable, and is leading to appropriate development of human and knowledge capital as set out in the objectives of this Agreement.
- 5.5 The University will invoice in advance the Council on a quarterly basis for the agreed costs as specified in Schedule 1.
- 5.6 Schedules 1 and 2 shall primarily serve to record the financial support provided by the Council, the University and associated expectations.

- 5.7 Schedules 1 and 2 will maintain up to date register of university staff and postgraduate students and associated levels of financial support through this Agreement, as well as points of contact in the Council.
- 5.8 Aligned contractual consultancy arrangements with specific deliverables may also be undertaken when based on agreed terms and conditions. Any such arrangements will not be included in this Agreement but should be recorded in Schedule 2 and considered in quarterly meetings to ensure that any supervision, review or other activity provided can be recognised as a component of the workload of staff managed through this Agreement.
- 5.9 Student research projects will be reported annually in April in writing to the Council.
- 5.10 Meetings to discuss the projects and findings will be programmed for May each year and will include discussions around Schedule 2.
- 5.11 The appointee to the position will report to the Council in May on relevant items or issues associated with the Chairs.
- 5.12 Unless otherwise agreed the meetings will be held at the Council's offices in Tauranga.

6. APPOINTMENT TO CHAIR

- 6.1 The Council will participate in the selection process for any re-appointment of a suitable candidate to the Chair positions.
- 6.2 The Council acknowledges that the Chairs will be, at all times, employees of the University and is therefore under the control and the responsibility of the University.
- 6.3 If for some reason a Chair position becomes vacant the University will endeavour to ensure appropriate cover for the position until a new appointee is found.
- 6.4 Notice of termination or renewal of the Chairs shall be decided at least six months, but preferably one year, before the end of the term of the Agreement.

7. FUNDING AND EXPECTATIONS

The Bay of Plenty Regional Council Chair in Lake and Freshwater Science

- 7.1 The University and the Council will jointly fund the Bay of Plenty Regional Council Chair in Lake and Freshwater Science.
- 7.2 The Council will:
 - (a) Provide the University 80% of the salary for the Chair position for the term of the Agreement.
 - (b) Provide 100% funding to support a post-doctoral fellow (freshwater) to develop and apply models to the Rotorua/Te Arawa Lakes and/or freshwater catchments.
 - (c) Provide 50% of the salary costs of a senior research officer (freshwater) position at the University to support field based monitoring programmes for the Rotorua/Te Arawa Lakes.
 - (d) Provide 50% of the salary costs of a full-time technician position based on the University to support the research to the Chair.
 - (e) Consider contributions to funding of capital investment proposals from the University to assist with the lake and freshwater research and monitoring programme.

- (f) Provide ongoing financial support for post graduate student research on the Rotorua/Te Arawa Lakes, and freshwater catchments. The Council would be involved with the University in the definition of research topics for students.
 - (g) Provide in-kind boat and equipment support to the University research programme on the Rotorua Lakes, and freshwater catchments.
 - (h) The provision of boat and equipment support will be for specific projects arising from this agreement, and will be limited to existing Council equipment, vessels and supporting staff (subject to Council operational needs).
 - (i) Provide access, as appropriate, to historical and current data held by the Council on the Rotorua/Te Arawa Lakes, and freshwater catchments.
 - (j) Provide ongoing staff involvement in, and possible supervisory assistance for, student research.
- 7.3 The Council's financial contribution is presented in Schedule 1 and excludes other agreed contractual arrangements as provided for in clause 5.8.
- 7.4 Funding will be suspended for a position listed in clause 7.2 above when that position is not filled or the person holding the position ceases working on the Research Programme.
- 7.5 The University will:
- (a) Make provision for the remaining 20% of the salary for the position for the term of the Agreement.
 - (b) Cover the costs of administering the Chair including transport costs to attend meetings with the Council, and any replacement costs.
 - (c) Provide continuous office, laboratory and student research space associated with the Chair.
 - (d) Provide access for students and the person appointed to the Chair to laboratory and field equipment, including sampling gear, water analysis equipment, microscopes, vehicles, boats and other such agreed equipment.
 - (e) Submit high level research grant applications and explore any other opportunities to add value to the position.
 - (f) Make provision for 50% of the salary costs of a senior research officer position at the University, together with suitable office space, to support field based monitoring programmes for the Rotorua/Te Arawa Lakes.
 - (g) Make provision for 50% of the salary costs of a full-time GIS/Data technical officer position based at the University, together with suitable office space, to support the research of the Chair.
 - (h) Support the Chair acting as an expert witness related to lake issues for the purpose of consent hearings, in consultation with the Council.
 - (i) Demonstrate a long-term commitment and goodwill towards the support from the Council through continuity of research support, facilities and funding, as described above.

- (j) Where coordination with other research institutes is required to deliver projects under this Agreement, facilitate and manage that coordination, including supervision of students working in relevant projects.
- (k) Work with the Council to promote and advertise the Lakes Chair position including leveraging the relationship to explore the development of a centre of excellence in lake research and to benefit the University's Environmental Research Institute.

The Bay of Plenty Regional Council Chair in Coastal Science

7.6 The University and the Council will jointly fund the Bay of Plenty Regional Council Chair in Coastal Science.

7.7 The Council will:

- (a) Provide the University 100% of the salary for the position for the term of the Agreement, unless the Agreement is subsequently varied to include a post-doctoral fellow in which case this figure will reduce to 80%.
- (b) Express an intent, subject to formal confirmation by the Council, to provide 100% funding to support a post-doctoral fellow to develop and apply experimental research toward integrated coastal dynamic models of the Moana a Toi with a focus on catchment influences.
- (c) Provide ongoing financial support for post graduate student research on the Council coastline. The Council will be involved with the University in the definition of research topics for students.
- (d) Provide in-kind boat and equipment support to the University research programme on the Council coastline.
- (e) The provision of boat and equipment support will be for specific projects arising from this agreement, and will be limited to existing Council equipment, vessels and supporting staff (subject to Council operational needs).
- (f) Provide access, as appropriate, to historical and current data held by the Council on freshwater, coastal and estuarine areas in the region.
- (g) Provide ongoing staff involvement in research projects and where possible, supervisory assistance for student research.

7.8 The Council's financial contribution is presented in Schedule 1 and excludes other agreed contractual arrangements as provided for in clause 5.9.

7.9 Funding will be suspended for a position listed in clause 7.7 above when that position is not filled or the person holding the position ceases working on the Research Programme.

7.10 The University will:

- (a) Cover the costs of administering the Chair in Coastal Science, including any replacement costs.
- (b) Provide office space, laboratory space and student research space.

- (c) Provide access for students and the person appointed to the Chair to laboratory and field equipment, which includes sampling gear, water analysis equipment, microscopes, vehicles, boats and other such agreed equipment.
- (d) Demonstrate a commitment to the position in the long term. This is an essential part of securing quality research capability.
- (e) Where coordination with other research institutes is required to deliver projects under this Agreement, facilitate and management that coordination, including supervision of student working in relevant projects.
- (f) Encourage the involvement of University staff in relevant Departments and Schools in the development of a multi-disciplinary, multi-institutional Environmental Research Institute (ERI). The proposed ERI will develop strong partnerships with external research institutes and end-users to address multi- disciplinary issues. These partnerships will provide the necessary mechanisms and processes to effectively implement research outputs into successful outcomes.
- (g) Work with the Council to promote and advertise the Coastal Chair position including leveraging the relationship do develop major initiatives in coastal marine research with establishment of a coastal research facticity in the Bay of Plenty as part of the University's Environmental Research Institute.

8. GENERAL TERMS AND CONDITIONS

- 8.1 **Conflicts of interest:** Each party must tell the other immediately, and in writing, if any conflict of interest exists or arises in relation to this Agreement and discuss, agree and record in writing whether it can be managed and, if so, how. Each party must pay its own costs in relation to managing a conflict of interest.
- 8.2 **Disputes:** In the event of any dispute between the parties in relation to this Agreement, the parties shall first seek to resolve such dispute by promptly giving notice of the dispute to the other party and co-operatively endeavouring to resolve such dispute and will involve the Chief Executive of the Council and the Vice-Chancellor of the University where resolution cannot otherwise be achieved. If the dispute remains unresolved the parties shall then seek a resolution through the use of mediation or arbitration prior to seeking resolution through the Courts with the costs to be shared equally between the parties. The parties acknowledge that an actual or threatened breach of this Agreement may cause damage to the other that is unable to be adequately compensated for by monetary damages. In such circumstances a party may seek urgent injunctive relief from the Court.
- 8.3 **Termination:** Either party may terminate this Agreement (at the party's sole discretion) by giving three months' written notice to the other party. The Council may terminate this Agreement immediately by giving written notice to the University if:
- (a) the University breaches this Agreement and fails to remedy the breach within 14 days of receipt of written notice of the breach;
 - (b) the Research Programme ends or is put on hold;
 - (c) the University uses some or all of the funding for purposes other than as set out in this Agreement, including misappropriation or fraud;
 - (d) the University gives any information, representation or statement to the Council that is misleading or inaccurate in any material respect; or

(e) the University becomes bankrupt, insolvent, is wound up, has a receiver, manager or administrator appointed, or goes into liquidation or receivership.

- 8.4 **Intellectual Property:** All intellectual property brought by each party to the relationship under this Agreement remains the ownership of that party. The parties will share any intellectual property that may be developed during the course of the Research Programme. Each party may use, copy, modify and distribute any intellectual property provided such action aligns with the functions, powers or direct business of the party concerned.
- 8.5 **Confidentiality:** Neither party will disclose to any third party any information of a confidential nature belonging to another party or which it might receive as part of the Research Programme under this Agreement. The parties will hold and maintain all confidential information in strict confidence and as a trade secret.
- 8.6 **Privacy:** the parties acknowledge that the University may have access to sensitive and personal information held by the Council. As such, the University agrees at all times, to comply with the requirements of the Council, the Council's relevant policies and procedures and the Privacy Act 1993 in relation to such information. The University agrees that it shall only access or use such information that it is expressly authorised to access by the Council as part of the Research Programme. Any personal information held shall at all times constitute confidential information.
- 8.7 **Publication:** All official correspondence and signage involved with the Chairs will acknowledge the support of the Council. Otherwise, neither party will use the name, resources, logos of any other party (or any of the other party's employees or contractors) in any publicity or publication, or make any public statement relating to the Research Programme, without the prior consent of the other party.
- 8.8 **Information:** The University acknowledges that the Council is a local authority and information held by it as a result of the Research Programme may be subject to the Local Government Official Information Act 1987 (**the LGOIMA**). If either party receives a request from a third party relating to this Agreement or the Research Programme, the parties will have the right to decide whether or not the requested information is to be released or withheld under the LGOIMA.
- 8.9 **Costs:** Each party will bear their own legal and other costs relating to the preparation and execution of this Agreement as well as meeting other costs and expenses not outlined in this Agreement and incurred in connection with undertaking the Research Programme.
- 8.10 **Indemnity:** This Agreement does not constitute an indemnity and each party at its discretion will maintain insurance and indemnity protection against any claim, penalty, loss, damage or cost incurred as a result of undertaking the Research Programme.
- 8.11 **Non-circumvent:** The parties will not circumvent or attempt to circumvent the provisions and/or intent of this Agreement.
- 8.12 **Variation:** Any modification to or variation of this Agreement must be in writing and signed by each party.
- 8.13 **Relationship:** This Agreement does not create a joint venture, partnership, agency, or employer/employee relationship between the parties.
- 8.14 **Assignment:** The parties shall not assign, transfer or purport to assign or transfer their rights or obligations under this Agreement without the prior written consent of the other party.
- 8.15 **Governing law:** This Agreement shall be interpreted in accordance with New Zealand law.

8.16 **Entire Agreement:** This Agreement including Schedules 1 and 2 constitutes the entire Agreement and understanding between the parties and supersedes all prior discussions and agreements covering the subject matter of this Agreement.

8.17 **Counterparts:** This Agreement may be executed in counterparts (which may be facsimile or electronic copies) and all of which, when taken together constitute the one document.

Schedule 1

2017 Lakes and Coastal Chair funding (per annum)			2018 proposed Lakes Chair and Coastal Chair (per annum)		
Position	FTE	Amount	Position	FTE	Amount
Professor salary (Freshwater)	80%	\$122,500	Professor salary (Freshwater)	80%	\$144,000
Post-doctoral support (Freshwater)	100%	\$78,000	Post-doctoral support (Freshwater)	100%	\$85,000
Senior Research officer (Freshwater)	50%	\$35,000	Senior research officer (Freshwater)	50%	\$40,250
Technical officer (Freshwater)	50%	\$28,500	GIS/data technical officer (Freshwater)	50%	\$34,000
Operating costs (Freshwater)		As needed	Analysis costs (Freshwater)		\$30,000
Professor salary (Coastal)	100%	\$171,045	Professor salary (Coastal)	80%	\$140,000
			Post-doctoral support (Coastal) - this funding starts from the 2019-2020 financial year	100%	\$85,000
			Operations costs (Coastal)		\$30,000
Subtotal		\$435,045			\$588,250

Student Funding Additional funding as agreed (per annum)* Schedule 1(f)		
PhD support (stipend plus fees)	100%	\$31,500
MSc support (stipend plus fees)	100%	\$20,000
Operational costs as agreed – equipment and student costs	Approx.	\$20,000

Subtotal		\$71,500
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These figures have not been adjusted for inflation, which will be negotiated annually with the University. Student support costs will also be agreed annually. These figures are GST exclusive.

Schedule 2

The Research Programme

A Research Programme will be developed and reviewed quarterly by the Committee established under clause 5.4 in the Agreement and will include the following details:

1. List of staff and students and both organisations and contact details;
2. List of projects;
3. Project resourcing requirements;
4. Delivery dates;
5. Person responsible at each entity;
6. Relevant risks, issues and management or mitigation;
7. Conflict of Interest Management;
8. Cost;
9. Confirmation of Funding under MOA or separate contracted arrangement;
10. Any multi-agency collaboration requirements and responsibilities; and
11. Student research reporting requirements.



Report To: Regional Council

Meeting Date: 13 December 2018

Report From: Chris Ingle, General Manager, Integrated Catchments

River Scheme Governance

Executive Summary

The purpose of this paper is to report on work evaluating the operation of Council's River Scheme Advisory Groups, assessing whether they are fit for purpose and if so identifying any opportunities for improvement.

The Advisory Group model (form) is aligned with its function and is similar to processes used by other councils. The conclusion of the Opus 2014 review still stands that the model provides the best flexibility for the future and that other models do not provide significant benefits above the current. However, the central government Three Waters Review and potential new models of ownership and governance may have future 'spillover' implications for flood management. Moreover, considering the wider context, there are twin pressures on the affordability of the river schemes in conjunction with increasing 'demands'. These demands include climate change adaptation and provision of wider values. It is these pressures on which Council should focus.

The Advisory Groups largely work well, and are valued by members as a way of keeping in touch with scheme matters. There are opportunities and needs however to enhance the way the groups operate; including how members provide effective input, dissemination of information, and collaboration with other groups in the catchments.

Recommendations

That the Regional Council:

- 1 Receives the report, River Scheme Governance;**
- 2 Resolves to:**
 - a. retain the advisory group model;**
 - b. endorse the enhancements to advisory group operations detailed in section 2.3;**
 - c. pay attention to the wider context of river scheme affordability, increasing demands on schemes, and potential new models in water infrastructure governance.**

1 Background

The purpose of this paper is to report on work evaluating the operation of Council's River Scheme Advisory Groups, assessing whether they are fit for purpose and if so identifying any opportunities for improvement. It also responds to the issues in the letter received from Mr Colin Holmes (see Appendix), following a meeting in Edgecumbe in May 2018, on proposals to strengthen governance of the Rangitāiki-Tarawera River Scheme. This work has involved observing and receiving feedback from each Advisory Group, speaking with a range of staff involved, and consideration of the wider context.

BOPRC contracted Opus Consultants in 2014 to review the ownership and governance model for the four major river schemes as part of the River Scheme Sustainability Project. Following a global scan and analysis of different models, retention of the 'in-house' model was recommended due to the high level of uncertainty in coming years (for example, the impacts of climate change, the viability of the funding model, and treaty settlements). The current ownership and governance model was retained to provide for maximum flexibility in the future.

When this work was reported back to Council, it decided to retain the existing governance with modernisation of the ratepayer liaison groups into advisory groups. In December 2016, Council resolved to adopt the proposed Terms of Reference, noting the new name from 'River and Drainage Scheme Liaison Groups' to 'River and Drainage Advisory Groups'. Thorough consultation with the existing Liaison Group members was carried out prior to this change.

The purpose of the advisory groups is to enable effective communication and liaison between scheme ratepayers and BOPRC Councillors and staff. The advisory group members are to represent (to some extent at least) their scheme ratepayers and the ratepayer's views on scheme expenditure and priorities, but the Advisory Groups do not have any delegated nor statutory functions, nor any authority to make decisions on Council matters. Under the Terms of Reference the number and structure of the advisory groups' membership is intended to provide a broad representation of ratepayer interest groups, geographical extent of the Scheme, and rating categories.

2 Analysis and Discussion

The following analysis considers the wider context, the advisory group model, and the operation of the model.

2.1 Wider Context

In New Zealand regional authorities spend approximately \$200M each year on river scheme maintenance and capital improvements. This is funded from regional rates, normally this is predominantly through targeted rates paid by directly benefiting property owners. These schemes protect 100 towns and cities and 1.5m ha of productive land. The requirements on these schemes are changing. Climate change is causing more intense rainfall events, and raising the previously expected 1 in 50 and 1 in 100 year flood levels. We are experiencing more frequent and more intense floods, while more and larger communities and assets are now at risk from these floods.

Additionally the community is requiring that schemes contribute to wider values such as water quality, fish habitat and iwi values.

The central government Climate Change Adaptation technical working group recommended the inclusion of adaptation funding into the inquiry into local government funding. The Productivity Commission is now conducting the inquiry into local government funding and financing which makes specific reference to pressures with the costs of adapting communities and infrastructure to mitigate risks and hazards associated with climate change¹. At the time of writing an issues paper has been released which identifies the issue of adaptation to climate change and cost and funding implications, which Council will submit on. The final report is due on 30 November 2019.

In the Bay of Plenty, the River Scheme Sustainability Project is looking at the long-term risks of flooding and reviewing how we provide flood protection through our major river schemes and minor river and drainage schemes. A key focus is taking a sustainable approach that balances affordability and community acceptance, and includes the ongoing implications of climate change. In the Rangitāiki this work is already well underway, with senior staff and consultants working on an assessment of future options that take into account the projected impacts of climate change and the recommendations of the Rangitāiki River Scheme Review.

In the Rangitāiki and the Kaituna catchments the River Scheme Advisory Groups are joined by the Freshwater Futures Advisory Groups and Co-governance fora. The Freshwater Future Advisory Groups help council develop solutions for managing water in their catchment, particularly in terms of the National Policy Statement for Freshwater. They provide advice, share knowledge, and disseminate information. Group members are local people that have a close relationship with and understand the water bodies in their areas and provide a range of perspectives. Other catchments will enter the Freshwater Futures process subsequent to Kaituna and Rangitāiki. The Rangitāiki River Forum and Kaituna River Authority are established under treaty legislation and promote integrated management and enhance the environmental, cultural and spiritual health and well-being of the rivers. Membership includes representatives of the various iwi associated with the rivers and representatives of the relevant regional and district councils. Both have prepared river documents that are recognised in council resource management consenting and planning documents. Community desire for the management of wider values from the river schemes (e.g. habitat, water quality, fish passage, room for rivers) is becoming apparent.

Conclusion:

In taking the wider national and medium term perspective; there are pressures on the way river schemes operate, and are funded. These are the pressing issues facing the schemes. There are expectations of higher performance to account for climate change and to provide for other values, while many schemes protect catchments with declining populations and/or declining ability to pay.

Council should pay attention to the wider issues of river scheme affordability and wider demands on scheme performance. The River Scheme Sustainability Project (RSS) is the key tool for Council to resolve these issues and the sustainability of river schemes is a strategic issue for council. If there were any major funding model changes then this could impact on future Long Term Plan development and on governance arrangements.

¹ <https://www.productivity.govt.nz/inquiry-content/3819?stage=2>

2.2 Advisory Group Model

The role and scope of the Advisory Groups is to represent River Scheme ratepayer's views and to provide effective input into Scheme Operation (e.g. proposed annual work programmes). The Advisory Groups have become local contacts for river and drainage issues, including involvement with local groups and assisting with dissemination of Scheme information to ratepayers. The River Scheme Advisory Groups do not have any delegated authority and do not operate under the Local Government Act. Their purpose and operation is dictated by their terms of reference.

The number and structure of members is intended to provide a broad representation of ratepayer interest groups, geographical extent of the Scheme, and rating categories. Members are appointed for a period of three years with a maximum term of six years. People eligible for nomination must be targeted ratepayers in the Scheme. Urban and general scheme representatives are determined by BOPRC following a public nomination process. The River Scheme Chairperson is an elected member of BOPRC. There are generally two meetings held per year in March and September. Meetings are called by the Chairperson. Agendas for the meetings are compiled by the Rivers and Drainage Assets manager, and his staff service the meetings.

The alternate model described in the letter from Mr Holmes is along the lines of a Council Controlled Organisation (CCO) model, with a board of directors directing staff and operational spending. Opus investigated the CCO model and concluded that it did not provide benefits above and beyond the existing model. However, it is worth noting that the Department of Internal Affairs are carrying out a review of 'Three Waters' delivery in New Zealand, as part of the response to Havelock North. A number of models are being investigated for potential delivery of dedicated and aggregated 'Three Waters' supply, including CCOs. While this is not being investigated for the 'Fourth Water' (flood management), it is part of the useful wider context. Working examples of CCO's for water include Auckland Watercare, which is wholly owned by Auckland Council and delivers drinking and wastewater services for Auckland. It owns, operates and upgrades its assets and is funded by service charges and borrowing. It has its own board who appoint its Chief Executive. Many of the outcomes sought in the letter, such as: greater input from members, better connection to wider ratepayers, and closer links to the River Forum; can be achieved without changing the model.

Most councils operate liaison or advisory groups with a similar function as that at BOPRC - to provide ratepayer input into river scheme operation and provide a link to the ratepayers. Some meet annually, some more frequently. With regards a model, form should follow function. The function of the groups is to provide effective input into scheme operations, be a local conduit, and promote collaboration. The form of an Advisory Group aligns with the function, and it also provides flexibility should there be any changes in the wider context (Opus' conclusion remains true).

Conclusion:

Council should retain the Advisory Group model as it does provide a combination of connection to and input from ratepayers, along with flexibility given the large number of 'bigger wheels in motion'. However, there is need to enhance the way the Advisory Groups operate, particularly with provision of input into the scheme operation and moreover Council should pay attention to the 'Three Waters review' and implementation of potential new models water governance.

2.3 Ways of Working

The role of the Advisory groups is to provide effective input into scheme management and operation, be the local contact for river and drainage issues, including involvement with local groups and promoting opportunities for collaboration, and assist BOPRC with advice on the dissemination of Scheme information to ratepayers. Feedback obtained from the Advisory Groups was around these three themes.

Scheme members value the groups highly and members are actively providing input into scheme operation. Examples of this observed include on-the-ground records of events, pumps that need checking, and staff responding to questions e.g. change in riverbed dynamics. The use of an action plan to track agreed actions was valued by the members, however it is not always obvious when input is being taken on, nor how it will be used. Some members were clearly thinking to the long term and strategic issues such as climate change and making room for rivers. There is the opportunity and need to get more 'value' from this.

Some members felt overwhelmed by information and were not sure when they were supposed to provide input, or felt unable to. While members felt well connected themselves they found it difficult to disseminate information to the wider ratepayers and also difficult to keep in touch with the scheme happenings with only meeting twice a year. Currently relevant wider information is emailed to Advisory Group members throughout the year as it becomes available. Some groups felt disconnected from happenings in the wider catchment and their place within these, especially where co-governance exists. Co-Governance Forum minutes are currently circulated with the Advisory Group minutes, for member's information. There is an opportunity and need to strengthen this connection.

Members valued the wider membership of the groups and link to the urban community and there was evidence of other wider values coming to the table e.g. whitebait habitat. Each group had items that involved 'third parties' (outside regional council and ratepayers), none of these third parties attended.

Suggested ways to enhance the workings of the Advisory Groups are:

2.3.1 Effective Input

- a. Ensure meeting agendas are up on the website in the week before the meeting so that members of the public can see what is on the agenda and Advisory Group members can seek any feedback to bring to the table. Ensure the place of meeting is accessible and that the meeting time and place is visible on the website, separate from the agenda.
- b. To ensure members are able to contribute to the groups, provide for members to claim mileage for attending meetings (above a threshold of 30kms for example).
- c. To assist effective input, be clear on the purpose of each agenda item, the pathway for input to be used (e.g. annual work programme, Long Term Plan) and make it visible when input is being taken on and what will happen with the input provided.
- d. Agendas could be structured around themes to make it easier to understand and to provide input, for example: operational /financial, wider catchment, and

strategic issues. Time for discussion and feedback needs to be either 'built into' the agenda or provided by the chair.

- e. The current Integrated Catchment slot could be used to provide the wider catchment context e.g. freshwater planning, land management and biodiversity initiatives, and co-governance. Related items, such as forestry harvesting (risk to schemes) could be raised under general business by members, and addressed at subsequent meetings (dependent on staff availability).
- f. Time could be made for a strategic session each six months by making the River Scheme Sustainability project much more visible as the strategic instrument and providing time for discussion and input.

2.3.2 Dissemination of information

- g. To keep the Advisory Groups connected or to deal with particular issues or opportunities; an optional workshop or field trip could be used as required. This has already been implemented in Rangitāiki -Tarawera.
- h. To help with dissemination of information and connection across a catchment, a wider catchment (biannual or quarterly) newsletter could be developed that integrates: freshwater planning, integrated catchments, river schemes, and river fora. An email version could be sent to Advisory Group members to forward on or share with their networks and the newsletter content would help them make catchment connections. Members could also suggest scheme content for inclusion that would be of interest to wider ratepayers. Also see j.

2.3.3 Opportunities for collaboration

- i. To strengthen connections between the Advisory Groups and Co-governance Fora, at the next review of councillor responsibilities consider aligning councillors on both groups. Additionally, have a nominated member of the Advisory Group to attend the appropriate River Forum/Authority as an observer (note forum membership is dictated by legislation) and invite a member of the River Forum/Authority to attend the Advisory Group meetings. The purpose is to strengthen connections, which can be done without 'voting rights at the table'. Co-governance membership of the Advisory Groups could subsequently be enacted with an 'omnibus' update of the terms of reference.
- j. Consider holding an annual forum of catchment Advisory Group, River Authority, and Freshwater Futures members to share current work, issues, and discuss opportunities for synergy. This could involve a field visit or be attached to other events such as an existing meeting. By making this forum accessible to the wider ratepayers it could also fulfil a role of communication.
- k. When agenda items are dealing with issues that involve other agencies, these agencies could be invited to attend. Groups like these work best when they integrate the work of different agencies.

Conclusions:

The Advisory Groups are highly valued by members as a way of keeping in touch with scheme matters and by and large work well. However there are opportunities to enhance the way that members can provide effective input into the schemes, help disseminate information, and promote collaboration with other groups. Changes to the Terms of Reference are not needed to implement any of the suggested enhancements. However, before the next change of membership, the Terms of Reference could be amended to: include a member from upper Whakatāne in the Whakatāne-Tauranga Group, incorporate mileage allowance, and provide for membership of a co-governance representative.

3 Council's Accountability Framework

3.1 Community Outcomes

This proposal directly contributes to the 'Safe and Resilient Communities' Community Outcome in the council's Long Term Plan 2018-2028.

3.2 Long Term Plan Alignment

Current work is planned under the Flood Protection and Control in the Long Term Plan 2018-2028.

Future Budget Implications

Future work provided for in Council's Long Term Plan 2018-2028.

Nic Newman
Principal Advisor

for General Manager, Integrated Catchments

22 November 2018

APPENDIX 1

Notes provided to BOPRC

Notes for meeting of Rangitaiki/Tarawera River Scheme Ratepayers Meeting

Fonterra Rooms - Edgecumbe

Tuesday 26th June at 1.00pm.

The purpose of this meeting is to discuss a proposal to strengthen the governance of the River Scheme.

Since 2004, there has been widespread disappointment amongst the community about the schemes fitness for purpose and consequent ability to withstand 100-year events. The 2017 flood has served to confirm that. As with any enterprise failure, it is those who govern who must bear the responsibility. In the case of our scheme, it is the lack of clear and interested governance which has contributed significantly to the failure. Our purpose must be to improve that governance using the tools at our disposal rather than looking for novel or radical solutions. That is, ownership and ultimate responsibility must remain with regional council but the natural interests and abilities of the scheme beneficiaries and major funders (ratepayers) must be better utilised, recognized and respected.

This scheme is a sizeable undertaking with long lived assets and a great and complex array of variables affecting it. Variables which are in the main beyond our direct control. Climate change, hydro-electric dams, challenging geotechnical conditions, land use change, urban settlement patterns and treaty settlement considerations all add to the challenge posed by some very steep and impervious catchment and a large area of reclaimed wetland at or below sea level.

My experience of the current model is that if the views of the liaison committee and ratepayers had been respected and acted on more frequently we would be significantly better off. There are numerous examples to reinforce that view and I will expand on some. To improve the performance of the scheme we need structural change for the governance model and a cultural and attitude change from Council.

Ratepayer Governance:

- A suggested structure is: An elected Governance Committee

Method of Selection:

- By election as part of local body elections, the longest serving 50% of the committee come up for election every 3 years as a means of continuity and stability.

Size and Composition:

A committee of 8 being:

- 6 elected at large, nominated and elected by ratepayers.
- 1 nominee of the R.R Forum(need not be a RRF member)
- 1 appointment by the committee for the purpose of bringing expertise or better representation to the committee - 3-year term.
- Chairman to be elected by the committee from any of the above members.

Chairman:

- The Chair will manage the interface between committee and staff.
- Will have a direct link to RC Chair and CE-
- Has the right to present and advocate directly to Council if necessary.

Meetings and Meeting Procedure:

- Frequency bi-monthly with timing to have regard to B.O.P.R.C planning and reporting cycles.
- One of these to be an AGM of the scheme for the purpose of communication with ratepayers and ratification of major proposals where needed
- Meetings to comply with Local Govt Act requirements in all matters if and when required.

Delegation:

- There is little possibility of delegation being to a very high level however so delegations which currently exist with the executive could well be better placed with the committee and/or the chair.

Functions:

- The intention is for the committee to act as a board of directors for the scheme. The staff will report to the committee and take direction from them on all but exceptional matters of policy or expenditures. Obviously, some decision will have to be by way of recommendations to council, for example, rating or larger capex decisions. Within approved Annual Plan budgets larger items may come within the Chief Executives delegated authority.
-

Staff:

- The committee's relationship with the staff shall be exactly the same as Councils. The C.E is responsible for all staff issues.

Councils Role:

- Council will need to recognise that self-interest is a very powerful motivator for good governance by a ratepayer group. The exceptional circumstances of this scheme will call for bold decisions and a very long-term view. Those who make the plans, invest the capital and live with the consequences are best pleased to make these decisions.
- The inevitable consequence of bringing the scheme up to an acceptable standard will be increased rating, Council will have to develop mechanisms to separate out this effect on its average rates reporting if it wishes to persist with this somewhat irrational indicator.
- The scheme would not expect more autonomous governance to detract in any way from its ability to participate in or source benefits available to other ratepayers of RC

Next steps:

- The logical start period for an elected body is at the next local body elections but many of the changes need implementing immediately to increase the efficacy of the current liaison group and also to test new arrangements and to bed in new practices.
- It is essential that a refined and agreed proposal is taken to a full meeting of ratepayers. This is to ensure acceptance by them and more importantly to demonstrate to Council that the Community is demanding a major improvement in service delivery.

Colin Holmes



Report To: Regional Council

Meeting Date: 13 December 2018

Report From: Namouta Poutasi, General Manager, Strategy & Science

Hot Swap Service Provider Contracts

Executive Summary

Rotorua has a wintertime air pollution problem which imposes health costs onto the community, mainly caused by smoke from home heating fires. Rotorua has a gazetted (polluted) Airshed as the urban area exceeds the National Environmental Standards for Air Quality (NESAQ). The NESAQ has a compliance date. By 1 September 2020 Rotorua will only be permitted to have one exceedance per annum.

Over a number of years the Regional Council has implemented voluntary incentive schemes to assist homeowners with upgrading their old, smoky fires and/or insulating their properties. The Hot Swap Scheme is one of Council's initiatives to improve Rotorua's air quality. It supports regulations contained in Plan Change 13 (Air Quality) to the Regional Natural Resources Plan and the Rotorua Air Quality Control Bylaw 2017. Hot Swap will continue to enable homeowners to replace their old fires in response to the regulations. Hot Swap is approved in the Long Term Plan 2018-2028 until 30 June 2021.

Since Hot Swap began in 2010 the work has been retendered every two years for new service providers. This is the fifth (and final) retender. The current Hot Swap service providers' contracts expire on 30 November 2018. Staff will retender for new heating and insulation service providers following this meeting, subject to Council approval. This report proposes a similar approach to the last tender round which included caveats to stop individual contracts if the maximum number of units across the programme are reached (collectively by the service providers).

Service provider contracts will span over three financial years (2 ½ year contract duration). This work is being undertaken within the current budget for the Resource Regulation and Monitoring Activity in Year 1, 2 and 3 of the Long Term Plan 2018-2028, however, service provider contracts will exceed the Chief Executive's financial delegation.

Staff are requesting approval to: tender for heating and insulation service providers; approval of the recommended approach; and delegation from Council to the Chief Executive of financial authority to sign the Hot Swap service provider contracts when they are negotiated and any contract variations in 2019/20 and 2020/21 financial years.

Recommendations

That the Regional Council:

- 1 Receives the report, *Hot Swap Service Provider Contracts*;
- 2 Approves the tendering for Rotorua Hot Swap heating and insulation service providers;
- 3 Approves the following recommended approach for the next Hot Swap service provider contracts:
 - (i) Each heating service provider's contract will permit them to install up to 325 Hot Swap loans per annum to an annual (collective) Maximum Contract Value of \$1,560,000 exclusive GST.
 - (i) Each insulation service provider's contract will permit them to install up to 135 Hot Swap loans per annum to an annual (collective) Maximum Contract Value of \$540,000 exclusive GST.
 - (ii) If collectively, the number of Hot Swap loans reaches the budgeted number of Hot Swap loans, all service providers will be notified their contracts will be stopped.
 - (iii) If an individual service provider's contract comes within \$60,000 (approximately 12 loans) of their Maximum Contract Value they will be notified their contract is about to be stopped.
 - (iv) Financial years 2019/20 and 2020/21 will become a Variation to Contract and subject to Council's Annual Plan processes.
- 4 Notes that service provider contracts have a duration of two and a half years and span over three financial years and winters.
- 5 Delegates authority to the Chief Executive to sign the Hot Swap Service Provider contracts when they are negotiated and subsequent Variations to Contracts.
- 6 Notes that the Hot Swap Scheme funding is approved in Years 1, 2 and 3 of the Long Term Plan 2018-2028.

1 Purpose

The purpose of this report is to seek approval:

- to tender for Hot Swap heating and insulation service providers
- of the recommended approach; and
- for delegation from Council to the Chief Executive of financial authority to sign the service provider contracts and any contract variations in the following two years.

2 Background

The Rotorua urban area has a wintertime air pollution problem, mainly caused by smoke from home heating fires. Every year Rotorua exceeds the National Environmental Standards for Air Quality (NESAQ) set by Central Government.

The NESAQ are regulations made under the Resource Management Act 1991 which aim to set a guaranteed minimum level of health protection for all New Zealanders. It is recognised that air pollution causes health effects such as respiratory illnesses with the most vulnerable being the elderly and the young.

The Regional Council has been working with the Rotorua community (and partner agencies) to improve air quality. There have been a number of initiatives introduced. The Hot Swap Scheme is one of those.

Appendix 1 is an extract from the heating service provider Request for Proposal document that will be released subject to Council's decision. Further information on the Hot Swap Scheme is available on the website www.cleanairrotorua.co.nz.

Appendices Two and Three are copies of the Procurement Plans (one for each contract).

3 Hot Swap Scheme

The Rotorua Hot Swap Scheme is a voluntary targeted rate that assists homeowners to upgrade non-compliant (pre-2006) wood burners to cleaner heating and/or insulate their properties. Loans are repaid over ten years on the property rates. Zero emission appliances are interest-free while solid fuel burner and insulation loans are interest-bearing.

Heating and insulation specialists undertake the work for Council. They assess each property, remove any non-compliant solid fuel burners and supply and install replacement heating and/or insulation. Council also carries out regular auditing procedures of installations.

The work is retendered every two years for new service providers. This is the fifth (and final) retender as the Hot Swap Scheme ceases in 2021. Over 2200 homeowners have used the scheme since its inception in 2010.

3.1 How is the Hot Swap Scheme funded?

Loans are internally funded through Council's treasury activity and are paid back through the Air Quality activity (by the property owners). Funding for the loans is approved in the Long Term Plan 2018-2028. As with previous rounds the contracts will be conditional on future funding being agreed by Council.

As the contracts span over three financial years funding will need to be confirmed in the 2019/20 and 2020/21 Annual Plans. The contracts include three winter seasons - service providers' busiest time of the year and a focus for the programme.

4 Retendering process for Hot Swap Service Providers

The four current Hot Swap service providers' contracts expired on 30 November 2018. The tender documents will be released following this meeting, subject to Council's approval.

Council's procurement guide categorises Hot Swap into the category of *low* risk and complexity but *high* dollar total value.

- Low risk due to all loans having capped amounts, structured quality control systems in place, and the fact that homeowners repay their loans.
- Total (\$) value is well over the \$100,000 *procurement guide*, however, 325 heating and 135 insulation Hot Swap loans per annum is within the budget for the Resource Regulation and Monitoring Activity in Years 1, 2 and 3 of the Long Term Plan 2018-2028.

5 Proposed Contracts

Flexibility is required with service provider contracts due to the two and a half year term, and an ability to allow each service provider to work according to demand for their particular product and service. Having multiple service provider contracts to deliver the programme allows flexibility for them to collectively achieve greater installation numbers.

A Rotorua Air Quality Working Group initiative included a Regional Council and Rotorua Lakes Council joint venture to co-share a Home Performance Advisor role. Home Performance Advisors provide independent advice on fit-for-purpose heating and insulation to owners using the Hot Swap Scheme. Since the Regional Council began using this service there has been an increase in the number of insulation, zero emission appliances and ultra-low emission burner Hot Swap loans.

It is being proposed that the new service provider contracts will again be written to accommodate maximum contract values that recognise the contract term and that some suppliers may secure more installations than their competitors. Caveats will be used to stop individual contracts if the maximum number of units across the programme is reached.

Recommended approach:

- (i) Each service provider's two and a half year contract will permit them to install up to 325 heating Hot Swap loans per annum to an annual Maximum Contract Value of \$1,560,000 exclusive GST¹ and up to 135 insulation Hot Swap loans to an annual Maximum Contract Value of \$540,000 exclusive GST².
- (ii) The collective number of Hot Swap units (loans) over the contract term will be monitored to ensure the budget is not exceeded.
- (iii) If collectively, the number of Hot Swap loans reaches the budgeted number of loans, all service providers will be notified their contracts will be stopped.
- (iv) If an individual service provider's contract comes within \$60,000 (approximately 12 loans) of their Maximum Contract Value they will be notified their contract is about to be stopped. Council will work with the service provider to ensure they don't exceed their Maximum Contract Value.

¹ Individual Hot Swap heating loan values vary according to appliance types. Loan caps range from \$3,652 to \$5,900 exclusive GST. Staff have budgeted 325 loans at a \$4,800 exclusive GST cap.

² The individual Hot Swap insulation maximum loan value is up to \$4,000 exclusive GST.

- (v) Years 2019/20 and 2020/21 of the contract will become a Variation to Contract and subject to Council's Annual Plan approval.

6 Delegation from Council to Chief Executive

The recommended approach means that each service provider's Maximum Contract Value could exceed the Chief Executives financial delegation.

Financial authority around contracts that exceed \$400,000 exclusive GST is such that they are required to go to Council for approval.

To enable the tendering and contracting process to progress efficiently it is being recommended that Council delegate authority to the Chief Executive to sign, on Council's behalf, the Hot Swap service provider contracts (and subsequent variations).

7 Implications for Maori

The Hot Swap scheme provides a universal, population benefit for all residents of urban Rotorua and visitors. Every old fire removed from the urban area contributes towards improved air quality and therefore improved health for the community.

Rotorua landlords and owner-occupiers are able to use the Hot Swap Scheme for heating replacement and insulation retrofits. The programme does not track ethnicity.

Approximately fifty percent of properties in the Rotorua urban area are rentals. The Hot Swap Scheme has benefits to all occupants (owner-occupiers and tenants) in that homes will be made warmer, drier and healthier:

- (a) Māori owner-occupiers can access the Scheme to achieve improved housing by retrofitting new heating and insulation.
- (b) Landlords are a target group for the Hot Swap Scheme and improvements to the rental stock will benefit Māori tenants.
- (c) Improved housing directly benefits occupants' health, particularly those with respiratory illnesses, of which Māori and Pacific peoples have some of the highest statistics.

Council has other incentives that benefit low-income homeowners with heating and insulation and these have the potential to benefit Māori owner-occupiers.

8 Next steps

Subject to approval for the recommended contract approach staff will:

- (1) Release the Request for Proposal on the Government Electronic Tendering Service website.
- (2) Evaluate the proposals.
- (3) Negotiate the contracts.
- (4) Arrange for the Chief Executive to sign the Hot Swap contracts.
- (5) Refresh the Hot Swap communication package.

9 Council's Accountability Framework

9.1 **Community Outcomes**

This project directly contributes to 'A Healthy Environment' Community Outcome in Council's Long Term Plan 2018-2028. The work is designed to improve Rotorua's urban air quality.

9.2 **Long Term Plan Alignment**

The Hot Swap Scheme is budgeted in the Long Term Plan 2018-2028 through to 30 June 2021. Hot Swap service provider contracts are aligned to this date.

Current Budget Implications

This work is being undertaken within the current budget for the Resource Regulation and Monitoring Activity in Year 1 of the Long Term Plan 2018-2028.

Future Budget Implications

This work will be undertaken within the budget for the Resource Regulation and Monitoring Activity in Year 2 and 3 of the Long Term Plan 2018-2028.

As Hot Swap service provider contracts end on 30 June 2021, subject to Council approval, this work will form part of the 2019/20 and 2020/21 Annual Plan processes.

Marion Henton
Senior Planner

for General Manager, Strategy & Science

5 December 2018

APPENDIX 1

This opportunity in a nutshell_

This opportunity in a nutshell

This Request for Proposal (RFP) invites Respondents to submit a Proposal for the supply and installation of heating appliances for Bay of Plenty Regional Council's Rotorua Hot Swap Scheme.

A bit about us and what we are doing

Bay of Plenty Regional Council has been working with the community to improve Rotorua's wintertime air pollution since 2007. The air pollution is mainly caused by smoke from fires. To reduce the smoke from non-compliant (installed pre-2006) fires Council introduced its Hot Swap Scheme ("the Scheme") in 2010. The Scheme supports Rotorua solid fuel burner (SFB) rules that require property owners to remove (or stop using) non-compliant burners. Under Hot Swap property owners can remove their non-compliant SFB and install replacement heating. The cost goes onto their property rates (as a voluntary targeted rate). The homeowner pays the loan back over ten years. Some loans are interest-free while others are interest-bearing. The Scheme ceases on 30 June 2021 which coincides with the term of service provider contracts.

What we need

There are approximately 3000 non-compliant SFBs in Rotorua. Owners have the opportunity to use the Scheme to replace them. Council is seeking a pool of service providers who can supply and install: heat pumps; wood burners; ultra-low emission burners; flued gas fires; infra-red heaters; and pellet fires for the Scheme. Tenderers can supply single or multiple heating appliance types. Council is looking for providers who support, and rigorously adhere to, existing (and future) SFB regulations. Council's quality assurance and administrative processes are such that providers will need excellent administrative and technical expertise.

What we don't want

The supply and installation of insulation is excluded from the scope of this RFP. Insulation is covered by a separate RFP process that is on www.GETS.govt.nz now.

What's important to us?

As this RFP is for physical works it is a mandatory requirement that successful tenderers become Bay of Plenty Regional Council Qualified Health and Safety Contractors. Organisations that are not pre-qualified should refer to the SHE [website](#) for more information. Council will not finalise a contract with unqualified providers, however, accreditation can be undertaken when contract negotiations begin. Council is looking for service providers who have a good track record, a robust way of managing their work, understand their customers, have sufficient capacity and capability to do the work within the given timeframes, and can offer a good product range.

Why should you bid?

This is a scheme that makes a difference to homeowners/occupants and the wider community. Each retrofit results in warmer, healthier homes and contributes to better air quality for Rotorua.

A bit about us

The Regional Council delivers services and projects following the direction set by elected members. Approval for this contract will be outlined in our statutory documents: the Long Term Plan and the Annual Plan.

APPENDIX 2

2019 0065 Rotorua Hot Swap Insulation Service Providers Procurement Plan - signed

PROCUREMENT PLAN

1. Overview of procurement	
Short description	Seeking proposals from retailers who will supply and install insulation for Council's Hot Swap Scheme
Project name (if applicable)	2019 0065 – RFP Rotorua Hot Swap Insulation Service Providers
Procurement Project Leader	Marion Henton
Date of Procurement Plan	15 November 2018
Proposed supply arrangement	2-4 suppliers. Term of contract is 2 ½ years.

2. Summary of requirements	
The requirements	<p>Council is seeking service providers who have the capacity and capability to supply and install insulation for the Rotorua Hot Swap Scheme between January 2019 and 30 June 2021. The Hot Swap Scheme is a voluntary targeted rate (loan) designed to assist homeowners (landlords and owner-occupiers), whose properties are within the Rotorua Airshed, to insulate their properties. This is the fifth (and final) retender as the Hot Swap Scheme ends on 30 June 2021.</p> <p>Hot Swap's key objectives are:</p> <ol style="list-style-type: none"> To improve Rotorua's air quality by replacing old fires with cleaning heating technology, particularly zero emission appliances (which should only be installed in insulated homes). To provide an affordable option for owners to insulate their properties (through a loan system) to reduce heat loss and therefore energy use. Support solid fuel burner regulations.
Mandatory requirements	<p>It is essential that service providers:</p> <ul style="list-style-type: none"> Become SHE H & S accredited before contracts are signed Have the capacity and capability to supply and install insulation to industry standards All insulation products are listed on EECA's current List of Accepted Insulation Products.
Requirements relating to health and safety, sustainability, cultural needs or environmental protection.	N/A
Users	Bay of Plenty Regional Council staff only

3. Estimate of total cost	
Estimated total cost of the supply arrangement	This procurement exceeds the Chief Executive's financial delegation. On 13 December 2018 a report goes to Council

	<p>requesting delegated authority to the Chief Executive to sign the Hot Swap Service Provider contracts when they are negotiated and Variation to Contracts (Year Two and Three).</p> <p>Each service provider's two and a half year contract will permit them to install up to 135 insulation Hot Swap loans <u>per annum</u> to an annual dollar amount of \$540,000 exclusive GST.</p> <p>The Maximum Contract Value (for the life of the contract) will be up to \$1,620,000 excl. GST.</p>
Confirm budget available and cost centre code	<p>Hot Swap insulation loans are approved in Year's 1, 2 and 3 of the Long Term Plan 2018-2028.</p> <p>Cost code: 10.2301.42.996.2800</p>
Funding	Loans are internally funded by Council's Treasury and are paid back by property owners over ten years.

4. Overview of sourcing approach	
Degree of competition	Open tender advertised on the Government Electronic Tendering System
Stages and type of request	Standard RFP
Submissions	<p>Two envelope/two email system.</p> <p>One email must contain all proposal information (excluding price)</p> <p>One email must include price information</p>
Proposed form of contract	A bespoke contract for services will be used, in consultation with Council's in-house legal team.
Commentary to support any departure from the standard procurement procedures	N/A

5. Selection criteria	
Evaluation method	Weighted attributes
Criteria with weightings	<ul style="list-style-type: none"> • Methodology – clearly demonstrate a full understanding of Council's requirements and an explanation of how they will implement them (20%) • Relevant experience – experience and background of their organisation. New companies will be scored of the experience of their key personnel. (10%) • Relevant skills – key personnel will have sufficient technical skill(s), administration skills and appropriate qualifications (15%) • Track record - supporting Council's Rotorua Air Quality programme objectives; results from Council's due diligence; similar projects (new providers); protecting Council's reputation; cooperation and ability to resolve issues if/when they arise. Note: new providers will need to have a high quality track record in working with

	<p>households and/or working on similar insulation projects for councils, NGO's or government agencies. They need to provide referees and also receive positive feedback from Council's due diligence checks. (25%)</p> <ul style="list-style-type: none"> • Product – good range of products that include the latest technology. Excellent product warranties (that match the loan term) and post-installation support. (10%) • Price – (20%)
Due diligence (if any)	Comprehensive reference checks will be undertaken for all short-listed tenderers. As well as contacting listed referees Council staff will undertake their own due diligence.

6. Key milestones for procurement	
Approach market by:	14 December 2018
Submissions closing date:	25 January 2019
Supplier selected by:	8 February 2019
Contract commencement by:	15 February 2019

7. Staff involved	
Procurement Project Team	<p>Marion Henton (Chair Tender Team)</p> <p>Stephen Lamb (Manager)</p> <p>Andy Dixon (Financial Advisor)</p> <p>Glenn Seymour (External Technical Advisor)</p>
Others	<p>Trish Peers-Adams (Administration)</p> <p>Tracy Gowland (Hot Swap service provider checks)</p>

8. Commentary	
Summary of risks (if any)	<p>Council's procurement guide categorizes this procurement as a "B" - low risk and complexity but high dollar total value.</p> <ul style="list-style-type: none"> • Low risk due to all loans having capped amounts, structured quality control systems in place, and the fact that homeowners repay their loans. • Total (\$) value is well over the \$100,000 procurement guide, however, 135 insulation Hot Swap loans per annum is within the budget for the Resource Regulation and Monitoring Activity in Years 1, 2 and 3 of the Long Term Plan 2018-2028. <p>Other potential risks that will be managed:</p> <ul style="list-style-type: none"> • Faulty product (mitigated by warranty) • Poor workmanship (mitigated by BOPRC's independent auditing and service providers' insurance).
Issues or complexities	Flexibility is required with service provider contracts due to the two and a half year term, and an ability to allow each service provider to work according to demand for their particular product and service. Having multiple service provider contracts to deliver the



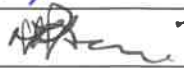
	<p>programme allows flexibility for them to collectively achieve greater installation numbers.</p> <p>It is being proposed that the new service provider contracts will be written to accommodate maximum contract values that recognise the contract term and that some suppliers may secure more installations than their competitors. Caveats will be used to stop individual contracts if the maximum number of units across the programme is reached.</p> <p>Recommended approach:</p> <ul style="list-style-type: none"> (i) Each service provider's two and a half year contract will permit them to install up to 135 insulation Hot Swap loans per annum to an annual Maximum Contract Value of \$540,000 exclusive GST. (ii) The collective number of Hot Swap units (loans) over the contract term will be monitored to ensure the budget is not exceeded. (iii) If collectively, the number of Hot Swap loans reaches the budgeted number of loans, all service providers will be notified their contracts will be stopped. (iv) If an individual service provider's contract comes within \$60,000 (approximately 12 loans) of their Maximum Contract Value they will be notified their contract is about to be stopped. Council will work with the service provider to ensure they don't exceed their Maximum Contract Value. (v) Years 2019/20 and 2020/21 of the contract will become a Variation to Contract and subject to Council's Annual Plan approval.
Further comments (if any)	N/A

9. Procurement process approvals	
Invitation is fit for release	Contract Manager
Selection / shortlisting recommendation is approved	Staff member with Delegated Financial Authority
Draft contract is appropriate	Contract Manager and Jessica Eastern
Award of contract (offer acceptance)	Staff member with Delegated Financial Authority

10. Probity

Probity in this procurement will be managed by: **Jessica Eastern, Solicitor BOPRC**

- acting fairly, impartially and with integrity, acting lawfully, and being accountable and transparent.
- ensuring compliance with the Council's code of conduct is complied with.
- ensuring that financial authority for the procurement is approved before proceeding to tender.
- identifying and effectively managing all conflicts of interest.
- protecting the supplier's commercially sensitive and confidential information.
- offering each supplier a comprehensive debrief at the end of the tender process.

11. Procurement Plan (this document) endorsements and approvals			
Description	Name / Position	Signature	Date
Prepared:	Marion Henton		20/11/18
Endorsed by Manager:	Stephen Lamb		21/11/2018
Endorsed by General Manager	Namouta Poutasi		22/11/18
Approved: (Delegated Financial Authority):	Mat Taylor		

Attachments

1. Conflict of Interest Declarations (all Procurement Project Team members)

APPENDIX 3

2019 0067 Rotorua Hot Swap Heating Service Providers Procurement Plan - signed

PROCUREMENT PLAN

1. Overview of procurement	
Short description	Seeking proposals from retailers of clean heat appliances who will supply and install them for Council's Hot Swap Scheme
Project name (if applicable)	2019 0067 – RFP Rotorua Hot Swap Heating Service Providers
Procurement Project Leader	Marion Henton
Date of Procurement Plan	15 November 2018
Proposed supply arrangement	3-6 suppliers. Term of contract is 2 ½ years.

2. Summary of requirements	
The requirements	<p>Council is seeking service providers who have the capacity and capability to supply and install clean heat appliances for the Rotorua Hot Swap Scheme between January 2019 and 30 June 2021. The Hot Swap Scheme is a voluntary targeted rate (loan) designed to assist homeowners (landlords and owner-occupiers), whose properties are within the Rotorua Airshed, to replace their old, non-compliant wood burners with cleaner heating technology. This is the fifth (and final) retender as the Hot Swap Scheme ends on 30 June 2021.</p> <p>Hot Swap's key objectives are:</p> <ul style="list-style-type: none"> (a) To improve Rotorua's air quality by replacing old fires with cleaning heating technology. (b) To provide an affordable option for owners to replace their heating (through a loan system) (c) Support solid fuel burner regulations.
Mandatory requirements	<p>It is essential that service providers:</p> <ul style="list-style-type: none"> • Become SHE H & S accredited before contracts are signed • Have the capacity and capability to supply and install appliances to industry standards • All submitted solid fuel burners are listed on the Ministry for the Environment's Authorised Wood/Pellet Burner List and have an emission rate of ≤0.60g/kg as measured by AS/NZS 4013.
Requirements relating to health and safety, sustainability, cultural needs or environmental protection.	N/A
Users	Bay of Plenty Regional Council staff only

3. Estimate of total cost	
Estimated total cost of the supply arrangement	This procurement exceeds the Chief Executive's financial delegation. On 13 December 2018 a report goes to Council

	<p>requesting delegated authority to the Chief Executive to sign the Hot Swap Service Provider contracts when they are negotiated and Variation to Contracts (Year Two and Three).</p> <p>Each service provider's two and a half year contract will permit them to install up to 325 heating Hot Swap loans <u>per annum</u> to an annual dollar amount of \$1,560,000 exclusive GST.</p> <p>The Maximum Contract Value (for the life of the contract) will be up to \$4,680,000 excl. GST.</p>
Confirm budget available and cost centre code	<p>Hot Swap heating (and insulation) loans are approved in Year's 1, 2 and 3 of the Long Term Plan 2018-2028.</p> <p>Cost code: 10.2301.42.996.2800</p>
Funding	Loans are internally funded by Council's Treasury and are paid back by property owners over ten years.

4. Overview of sourcing approach	
Degree of competition	Open tender advertised on the Government Electronic Tendering System
Stages and type of request	Standard RFP
Submissions	<p>Two envelope/two email system.</p> <p>One email must contain all proposal information (excluding price)</p> <p>One email must include price information</p>
Proposed form of contract	A bespoke contract for services will be used, in consultation with Council's in-house legal team.
Commentary to support any departure from the standard procurement procedures	N/A

5. Selection criteria	
Evaluation method	Weighted attributes
Criteria with weightings	<ul style="list-style-type: none"> • Methodology – clearly demonstrate a full understanding of Council's requirements and an explanation of how they will implement them (20%) • Relevant experience – experience and background of their organisation. New companies will be scored of the experience of their key personnel. (10%) • Relevant skills – key personnel will have sufficient technical skill(s) and qualifications (10%) • Track record - supporting Council's Rotorua Air Quality programme objectives; results from Council's due diligence; similar projects (new providers); protecting Council's reputation; cooperation and ability to resolve issues if/when they arise. Note: new providers will need to have a high quality track record in working with households and/or working on similar clean heat projects

	<p>for councils, NGO's or government agencies. They need to provide referees and also receive positive feedback from Council's due diligence checks. (30%)</p> <ul style="list-style-type: none"> • Product – good range of products that include the latest technology. Excellent product warranties (that match the loan term) and post-installation support. (15%) • Price – (15%)
Due diligence (if any)	Comprehensive reference checks will be undertaken for all short-listed tenderers. As well as contacting listed referees Council staff will undertake their own due diligence.

6. Key milestones for procurement	
Approach market by:	14 December 2018
Submissions closing date:	25 January 2019
Supplier selected by:	8 February 2019
Contract commencement by:	15 February 2019

7. Staff involved	
Procurement Project Team	<p>Marion Henton (Chair Tender Team)</p> <p>Stephen Lamb (Manager)</p> <p>Andy Dixon (Financial Advisor)</p> <p>Glenn Seymour (External Technical Advisor)</p>
Others	<p>Trish Peers-Adams (Administration)</p> <p>Tracy Gowland (Hot Swap service provider checks)</p>

8. Commentary	
Summary of risks (if any)	<p>Council's procurement guide categorizes this procurement as a "B" - low risk and complexity but high dollar total value.</p> <ul style="list-style-type: none"> • Low risk due to all loans having capped amounts, structured quality control systems in place, and the fact that homeowners repay their loans. • Total (\$) value is well over the \$100,000 procurement guide, however, 325 heating Hot Swap loans per annum is within the budget for the Resource Regulation and Monitoring Activity in Years 1, 2 and 3 of the Long Term Plan 2018-2028. <p>Other potential risks that will be managed:</p> <ul style="list-style-type: none"> • Faulty product (mitigated by warranty) • Poor workmanship (mitigated by BOPRC's independent auditing and service providers' insurance) • Service providers undermining Rotorua' solid fuel burner rules (mitigated by a bespoke contract that outlines ramifications).
Issues or complexities	Flexibility is required with service provider contracts due to the two and a half year term, and an ability to allow each service provider

	<p>to work according to demand for their particular product and service. Having multiple service provider contracts to deliver the programme allows flexibility for them to collectively achieve greater installation numbers.</p> <p>It is being proposed that the new service provider contracts will be written to accommodate maximum contract values that recognise the contract term and that some suppliers may secure more installations than their competitors. Caveats will be used to stop individual contracts if the maximum number of units across the programme is reached.</p> <p>Recommended approach:</p> <ul style="list-style-type: none"> (i) Each service provider's two and a half year contract will permit them to install up to 325 heating Hot Swap loans per annum to an annual Maximum Contract Value of \$1,560,000 exclusive GST. (ii) The collective number of Hot Swap units (loans) over the contract term will be monitored to ensure the budget is not exceeded. (iii) If collectively, the number of Hot Swap loans reaches the budgeted number of loans, all service providers will be notified their contracts will be stopped. (iv) If an individual service provider's contract comes within \$60,000 (approximately 12 loans) of their Maximum Contract Value they will be notified their contract is about to be stopped. Council will work with the service provider to ensure they don't exceed their Maximum Contract Value. (v) Years 2019/20 and 2020/21 of the contract will become a Variation to Contract and subject to Council's Annual Plan approval.
Further comments (if any)	N/A


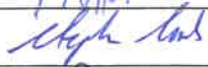

9. Procurement process approvals	
Invitation is fit for release	Contract Manager
Selection / shortlisting recommendation is approved	Staff member with Delegated Financial Authority
Draft contract is appropriate	Contract Manager and Jessica Eastern
Award of contract (offer acceptance)	Staff member with Delegated Financial Authority

10. Probity

Probity in this procurement will be managed by: **Jessica Eastern, Solicitor BOPRC**

- acting fairly, impartially and with integrity, acting lawfully, and being accountable and transparent.
- ensuring compliance with the Council's code of conduct is complied with.
- ensuring that financial authority for the procurement is approved before proceeding to tender.
- identifying and effectively managing all conflicts of interest.

- protecting the supplier's commercially sensitive and confidential information.
- offering each supplier a comprehensive debrief at the end of the tender process.

11. Procurement Plan (this document) endorsements and approvals			
Description	Name / Position	Signature	Date
Prepared:	Marion Henton		20/11/18
Endorsed by Manager:	Stephen Lamb		21/11/2018
Endorsed by General Manager	Namouta Poutasi		22/11/18
Approved: (Delegated Financial Authority):	Mat Taylor		

Attachments

1. Conflict of Interest Declarations (all Procurement Project Team members)



Report To: Regional Council
Meeting Date: 13 December 2018
Report From: Mat Taylor, General Manager, Corporate

Bay of Plenty Regional Council Representation on the Eastern Bay of Plenty Delegation to Jiangxi China

Executive Summary

The Regional Council has been invited to join the Eastern Bay of Plenty Mayoral delegation to Jiangxi Province China to participate in the formalising of an Eastern Bay of Plenty – Jiangxi Sister Province relationship.

Recommendations

That the Regional Council:

- 1 Receives the report, Bay of Plenty Regional Council Representation on the Eastern Bay of Plenty Delegation to Jiangxi China;**
- 2 Appoints Cr Clark and Cr Love as the Bay of Plenty Regional Council representatives on the Eastern Bay of Plenty Mayoral Delegation to Jiangxi China in April 2019.**

1 Background

The Whakatane, Kawerau and Opotiki District Councils, alongside the North East Asia CAPE, New Zealand China Friendship Society and Eastern Bridge has invited a Regional Council representative to join their official delegation to Jiangxi Province and participate in formalising an Eastern Bay of Plenty – Jiangxi Sister Province relationship. Businesses interested in exporting to China and schools from the Eastern Bay of Plenty region have also been invited to join the delegation.

The purpose of the delegation is to support the Eastern Bay of Plenty businesses and schools increase their awareness of China, while also providing tangible opportunities to build connections and networks in Jiangxi.

The delegation to Jiangxi China will occur 31st March to 6th of April 2019.

2 Eastern Bay of Plenty Sister City Relationships

The Jiangxi provincial government has proposed an overarching relationship between Jiangxi Province and the Eastern Bay of Plenty Region, with each district also developing a sister or friendship city relationship with a Jiangxi counterpart (Whakatane and Fuzhou, Kawerau and Yingtan, Opotiki and Xinyu).

2.1 Jiangxi



Jiangxi is an inland province, approximately 4 hours on a high-speed train west of Shanghai. The province is less developed than those of the East Coast of China however this should not deter New Zealand businesses. While in China's developed cities there is significant competition from international and domestic companies this isn't the case yet in Jiangxi. Also due to the lag in development the province's natural environment has been protected from unchecked economic expansion. The economy has a strong base in tourism, horticulture, food and medicine (TCM) processing and forestry. The province is now developing an eco - tourism

industry as well as becoming a popular domestic migration destination for families wanting to escape the pressures of the overcrowded East Coast. Other parallels with the Eastern Bay of Plenty in Jiangxi's geothermal energy sector and growing ambitions in aquaculture.

Population	49 million
GDP (NZD)	\$3,26 billion - 9% growth (2017)
Household Income (NZD)	\$28,000 (est)
Average Disposable income (NZD)	\$7,253.61 (8.5% growth)
Students	7.2 million students 30 universities
International Links	International Airport (Asia and Europe) International Rail (SEA)
Capital city	Nanchang
Consumers	Rapidly growing presence of international brands, hotels, Starbucks, international travel and education agencies.

3 Costs

At this stage costs associated with the delegation are indicative only.

Flights \$1,000 - \$2,000 (Recent Group Fare estimate - \$1350)

Domestic Travel	\$100
Accommodation	\$700
Visa Application Fee	\$140
Approximate Total	\$2, 300 - \$3,000

Delegates are expected to pay all other personal expenses.

The current budget allows for one Regional Council representative. If more than one representative is approved it is proposed that each be allocated 50% of the allocated budget and the shortfall be accommodated from their professional development allocation.

4 Expressions of Interest

Councillors were asked to express an interest identifying what the opportunities were in having a BOPRC representative on the delegation and what specific attributes they could bring to the delegation. Three responses were received.

The Chairman and Deputy Chair have recommended the following Councillors as the Regional Council's representatives:

As the Elected Member for the Eastern Bay of Plenty, Councillor Clark is the new Chair for the Eastern Bay of Plenty Joint Committee and as a promoter of sustainable regional development recommends the Regional Council continue to scope opportunities, build and support relationships that potentially add value to the region.

Councillor Love has worked closely with Opotiki District Council as an external advisor for a number of years and has an understanding of the issues facing this part of the region as well as the significant opportunities available. Councillor Love also brings previous cultural experience in relating to Chinese Government officials.

5 Council's Accountability Framework

5.1 Community Outcomes

This proposal directly contributes to A Vibrant Region Community Outcome in the council's Long Term Plan 2018-2028.

5.2 Long Term Plan Alignment

This work is part of the Governance Activity in the Long Term Plan 2018-2028.

Current Budget Implications

The funding for one representative is within the current budget for the Governance Activity in Year 1 of the Long Term Plan 2018-2028.

Future Budget Implications

Future delegation proposals are provided for in Council's Long Term Plan 2018-2028.

Yvonne Tatton
Interim Governance Manager

for General Manager, Corporate

5 December 2018



Report To: Regional Council

Meeting Date: 13 December 2018

Report From: Namouta Poutasi, General Manager, Strategy & Science

Bay of Connections Review Update: A Fresh Start

Executive Summary

On 1 November 2018, Bay of Plenty Regional Councillors considered the findings of the Bay of Connections Review. The Review found that a large shift had occurred in the regional economic development operating environment, and recommended significant changes be made in the delivery of regional development for the Bay of Plenty.

Due to the extent of change recommended, councillors requested Bay of Connections Governance Group feedback on the Review findings. The BOC Governance Group feedback and recommendations are attached.

Recommendations

That the Regional Council:

- 1 Receives the report, Bay of Connections Review Update: A Fresh Start;**
- 2 Notes the feedback and recommendations from the Bay of Connections Governance Group (Appendix attached);**
- 3 Agrees that a new operating model for supporting regional economic developed is needed;**
- 4 Agrees to dis-establish the Bay of Connections Governance Group;**
- 5 Agrees to establish a new regional leadership group;**
- 6 Agrees that a draft framework is developed for engagement with community and business leaders across the region, (including the potential focus on five key areas identified by Governance Group – Workforce, Māori Economic Development, Infrastructure, Land and Water, Decarbonisation);**
- 7 Agrees that staff establish a small working group (initially consisting of a sub-set of Governance Group members) to progress the recommendations.**

1 Background

In mid-2018, Bay of Plenty Regional Council (BOPRC) and Bay of Connections (BOC) commissioned an independent review of the Bay of Connections regional growth development framework, including its purpose/objectives, focus areas and stakeholder engagement.

Councillors considered the review findings and recommendations at 1 November Council meeting. The review found it is time for a change to the regional economic development framework, and a fresh start is required. Councillors requested Bay of Connections Governance Group feedback and recommendations before they made final decisions.

The Governance Group feedback and recommendations are provided in the Appendix to this report.

Ultimately, Governance Group members **agreed** and **recommended** that a change in the delivery of sustainable regional development support is needed.

This will mean ***a new operating model is developed and a new regional leadership group is established*** to support regional development and priorities across the Bay of Plenty.

In essence, this would mean ***dis-establishing the current framework and governance group***, drawing a line in the sand and making a fresh start as we move into the next 10 years.

1 Next Steps

If Councillors agree with the feedback and recommendations, it is proposed that we begin the process of a fresh start to regional economic development. In the immediate term this will involve developing a draft framework, and establishment of a new leadership group (or similar); and confirming the key focus areas.

The draft framework – including the key focus areas – would be discussed with community leaders and influencers, Maori, business/industry and science/education leaders, and then evolved as required.

Development of the draft framework and supporting process would begin prior to Christmas, for discussion and engagement with the region's community and business/industry leaders early in the New Year.

2 Implications for Māori

The Review has re-emphasised the significance of iwi to the regional economy. One of the proposed focus areas recommended by the review and the Governance Group involves; nurturing and developing Māori Economic Development. Exactly how this will look will materialise as we develop the new regional economic development framework and focus areas..

3 Council's Accountability Framework

3.1 Community Outcomes

This project/proposal directly contributes to the Vibrant Region Community Outcome in the council's Long Term Plan 2018-2028.

Through BOC we currently support economic development across the region. The proposed way forward will enhance the Council's ability to carry out its leadership role in regional economic development, and will ensure we are adding the most value we can under *A Vibrant Region*.

3.2 Long Term Plan Alignment

This work is planned under the Regional Economic Development in the Long Term Plan 2018-2028.

We anticipate current LTP budget to be sufficient to carry out the recommendations.

Future work on Regional Economic Development is provided for in Council's Long Term Plan 2018-2028.

Cheryl Lewis

Bay of Connections Portfolio Manager

for General Manager, Strategy & Science

5 December 2018

APPENDIX 1

031218_FINAL_BOC Review paper for BOPRC Councillors - PDF

DRAFT BOC Governance Group Paper

Feedback and Recommendations from 16 November Extraordinary Meeting: BOC Review Outcomes

Overview – Bay of Connections Review

After ten years of operation, a new Coalition Government, the development of the \$3b Provincial Growth Fund (PGF) and a significantly changed regional economic development environment, a review of the Bay of Connections (BOC) framework, activities and regional growth strategy was commissioned and undertaken through the middle of this year.

The review was undertaken by independent consultant, Anne Patillo, and co-funded through the PGF.

The review involved interviews, discussions and workshops with more than 200 Bay of Connections stakeholders, industry representatives, local government officials and Mayors across the wider Bay of Plenty region, as well as with key central government officials from Wellington and Auckland.

Review Process

During the course of the review, Anne met with regional stakeholders, relevant sector groups and leaders, including the region's mayors. This engagement included a Regional Council workshop with councillors on 29 August and the BOC yearly forum at the beginning of August. She covered three key questions:

1. What are the opportunities and challenges facing your communities, sector and region in the next 3-5 years?
2. What is the critical role and value that BOC could play or contribute to advancing your sector and the region in the next 30 years?
3. What, if anything, could BOC do to enhance how it engages and works with your sector, communities, and government?

Review Findings

The original scope of the review was twofold – *strategic* with a focus on objectives, purpose, goals and engagement; and *actions*, looking at key focus areas, sector activities and streamlining delivery and implementation success.

The review acknowledged the positive contribution of the Bay of Connections within the Bay of Plenty over the past decade, and it was also noted that a number of projects that have been supported by Bay of Connections over the past 10 years are in the process of being adopted and endorsed, and are being fast tracked for implementation due through the PGF.

Also noted was the recent significant changes in the local, regional and national context for regional development. The review found that these developments require a step-change in both the focus and delivery of sustainable regional development in the Bay of Plenty.

Initial Review Recommendations

The over-arching recommendation from the BOC review is that “it is time for a significant change” to the BOC framework and regional growth development. In particular, a shift away from a sector approach, to a strong focus on key priority areas that are more “enabling” in their nature, and will better support the growth of local communities. This focus will also better support the delivery of sub-regional and regional priorities, as well as a focus on community (including Council) relationships.

The review indicated that the Bay of Plenty needs an approach to regional economic development that:

- Has its economic development direction and priorities shaped by the people and leaders of the Bay of Plenty
- Has an economic development **strategy** that is focused on **sustainable economic development and community wellbeing**
- Has **commitment and buy in** from the leaders of communities and businesses of the Bay of Plenty
- Creates a balance between community-facing and business-facing relationships and activities
- Advocates successfully using a grounded knowledge of the opportunities and challenges of the region, its communities and businesses
- **Operating** approach that **is simple, clear, direct to create an experience of “lifting the load rather than adding to it”**
- Improved **alignment of economic development services** across the region
- Extends its relationships with critical regions and businesses beyond the Bay of Plenty

Bay of Plenty Regional Council

The review findings were discussed with Bay of Plenty Regional Councillors on 1 November.

This discussion highlighted BOPRC's desire to place a strong priority on supporting the progress and advancement of the wider Bay of Plenty and its communities. Councillors also reinforced the importance of business-led thinking for regional development in the future.

Councillors generally supported the need for change, but stressed the importance of seeking feedback from the BOC Governance Group regarding the review outcomes, recommendations, and the nature of the change required. Councillors sought potential solutions from the Governance Group regarding the future framework and focus for sustainable regional development.

BOC Governance Group Feedback

The Bay of Connections Governance Group received the full review report in confidence on 6 November and attended an extraordinary meeting on 16 November 2018. This included a presentation from Anne Patillo, followed by discussion on the review findings and recommendations.

In general, the Governance Group members expressed a level of surprise at some of the review findings, particularly in relation to the level of disconnectedness that has become apparent across the region.

Members also agreed that BOC has provided significant facilitative support for central government's regional economic development programmes and activities, which has been a distraction from its core focus.

Members agreed with the view that BOC is suffering from a lack of involvement from business and industry leaders in some sectors.

Members highlighted that BOC has provided an important mechanism to connect the region and to engage with Government, but that it was time for a step-change in the framework to support sustainable regional development, including a leadership group that is not representative-focused.

Recommendations

Ultimately, members **agreed** and **recommended** that a change in the delivery of sustainable regional development support is needed.

This will mean ***a new operating model is developed*** and ***a new regional leadership group is established*** to support regional development and priorities across the Bay of Plenty.

In essence, this would mean ***dis-establishing the current framework and governance group***, drawing a line in the sand and making a fresh start as we move into the next 10 years.

The Governance Group recommended that the following elements should be retained, added or considered in the future regional development support model:

- Focus on sustainable regional development

- Regional framework that is well-aligned with and supports local and sub-regional economic development priorities
- Focus on five key cross-cutting priorities to support the growth and development of a range of different sectors and projects across the wider region, as well as sub-regional priorities
 - Workforce: attraction, development and capability
 - Māori economic development: nurturing and developing Maori economic development
 - Infrastructure (including visitor economy): including transport and services to enable access to markets and jobs
 - Land and water (including aquaculture): access to land and water for sustainable development, including support to enable Maori to further develop collectively owned land
 - Decarbonisation/climate change/clean energy: aspirational target
- Consideration of the four well-beings (social, environmental, cultural and economic outcomes)
- High level of engagement with recognised leaders and influencers of industry, community and Maori
- Strong leadership, particularly business and community-focused leadership – rather than geographic representation – to guide and support regional development
- Avoid complexity
- Ensure political involvement is optimised to achieve progress and outcomes.

The Governance Group acknowledged the funding and resource provided by BOPRC to date, and reinforced that this support would be critical in order to drive the next phase of regional development support.

Next Steps

It was acknowledged by the Governance Group that in the first instance, the priority is to:

- Develop a draft framework, including the establishment of a new leadership group (or similar)
- Confirm the key focus areas in partnership with regional leaders and influencers
- Align local and sub-regional priorities and strategies
- Establish a mandate to support and progress sustainable economic development in the Bay of Plenty

In response to the Governance Group's recommendation for a fresh start, it is proposed that a small working group is established to begin this process.

The draft framework – including the key focus areas – would be discussed with community leaders and influencers, Maori, business/industry and science/education leaders, and then evolved as required.

This draft framework and supporting process would be developed prior to Christmas, for discussion and engagement with the region's community and business/industry leaders early in the New Year.



Report To: Regional Council
Meeting Date: 13 December 2018
Report From: Mat Taylor, General Manager, Corporate

Acting Chief Executive

Executive Summary

This report requests Council to appoint an Acting Chief Executive during a period of planned leave.

Recommendations

That the Regional Council:

- 1 Receives the report, Acting Chief Executive ;**
- 2 Appoints Mr Christopher Ingle, General Manager Integrated Catchments, as Acting Chief Executive for the period 7 to 13 January 2019 during a period of leave for the Chief Executive**

1 Acting Chief Executive

Chief Executive Fiona McTavish will be on leave from 7 to 13 January 2019. This report seeks Council's approval to appoint a designated Acting Chief Executive for that period of time.

It is proposed that Mr Christopher Ingle, General Manager Integrated Catchments, is appointed Acting Chief Executive for this period of planned leave. Mr Ingle will continue to maintain his General Manager responsibilities during the period.

2 Council's Accountability Framework

2.1 Community Outcomes

This proposal contributes to the Community Outcomes in the Council's Long Term Plan 2018-2028.

2.2 Long Term Plan Alignment

This work is planned under the Governance Activity in the Long Term Plan 2018-2028.

Current Budget Implications

This work is being undertaken within the current budget for the Governance Activity in the Annual Plan 2018/19 or Year 1 of the Long Term Plan 2018 - 2028.

Mat Taylor
General Manager, Corporate

5 December 2018

Receives Only – No Decisions



Report To: Regional Council

Meeting Date: 13 December 2018

Report From: Mat Taylor, General Manager, Corporate

Bay of Plenty Local Authority Shared Services (BoPLASS) Annual Report 2017/18

Executive Summary

This report provides the Annual Report for BoPLASS for 2017/18.

The BoPLASS Annual Report provides detailed information relating to performance and this highlights further cross council working groups established to increase collaboration on individual areas of work and significant insurance savings to all BoPLASS councils through effective procurement of services.

Recommendations

That the Regional Council:

- 1 Receives the report, Bay of Plenty Local Authority Shared Services (BoPLASS) Annual Report 2017/18;**
- 2 Notes the BoPLASS Annual Report 2017/18 and the performance information set out within it**

1 Background

BoPLASS is a Council Controlled Organisation (CCO). The Bay of Plenty Regional Council is a BoPLASS shareholder.

The Local Government Act 2002 requires a Council Controlled Organisation to provide shareholders with an Annual Report and Statement of Intent performance report at the end of the financial year.

BoPLASS has achieved some notable and significant financial savings for participating Councils in the areas of joint procurement, providing scale and economies not available to Council's acting individually.

2 2017/18 Annual Report Information

The BoPLASS Annual Report provides detailed information relating to performance and is available on Stella Library as a supporting document to this report.

Highlights from the Annual Report 2017/18

- Review of solid waste services and development of a regional waste facilities strategy approved.
- Collective negotiations for infrastructure insurance, achieving a 30% saving on premiums for the 41 councils involved.
- Cost reduction of almost \$100,000 in high-speed fibre network.
- Support of joint and sustainable procurement across councils
- Significant increase in membership to 72 local government related members

Statement of Intent (SOI) 2017/18 - Results

The SOI for 2017/18 included seven performance targets, all but one were met. There were ten new procurement initiatives undertaken compared to a target of at least four within the year.

The financial results for 2017/18 show that both revenue and expenditure were lower in 2017/18 than in 2016/17, and significantly lower than budgeted for the year. This was mainly due to lower than budgeted revenue and expenditure relating to aerial photography.

There was a net deficit of \$10,794 in 2017/18, compared to a net surplus in 2016/17 of \$2,253. This deficit reduced equity to \$39,757, from \$50,551 at the start of the year.

3 Financial Implications

Current Budget Implications

This work is being undertaken within the current budget for the Corporate Activity in Year 1 of the Long Term Plan 2018-2028.

Future Budget Implications

Future work is provided for in Council's Long Term Plan 2018-2028.

Mat Taylor
General Manager, Corporate

5 December 2018

**SUPPORTING DOCUMENT - BOPLASS Annual Report
2017/18**



Receives Only – No Decisions

Report To: Regional Council

Meeting Date: 13 December 2018

Report From: Mat Taylor, General Manager, Corporate

Local Government Funding Agency (LGFA) Limited - Annual Report 30 June 2018

Executive Summary

This report is to present Council with the Local Government Funding Agency's (LGFA) Annual Report for 2017/18 and up to date publications.

LGFA continues to grow in terms of numbers of council members and levels of borrowing for the local government sector.

Total lending exceeded \$8 billion during the period, with 56 council members.

Recommendations

That the Regional Council:

- 1 Receives the report, Local Government Funding Agency (LGFA) Limited - Annual Report 30 June 2018;**
- 2 Notes the Annual Report 2017/18 and supporting material.**

1 Background

The LGFA was established in 2011 as a Council Controlled Organisation (CCO) by the Crown and nine 'founding' Councils, of which the Bay of Plenty Regional Council is one. During the 2017/18 financial year the Bay of Plenty Regional Council participates in the Local Government Funding Agency scheme as a principal and 'non-borrowing' shareholder.

Council's interests as a shareholder are represented by the Shareholders' Council that is made up of appointees of shareholders (including an appointee from the Crown). Council's appointee to the Shareholder's Council is Mat Taylor, General Manager and CFO.

2 Local Government Funding Agency Annual Report 2017/18

The LGFA Annual Report for 2017/18 is provided as a supporting document for this agenda item, with a covering letter and an up to date highlight document provided at the recent Annual General Meeting, attached as appendices.

The Annual Report provides specific commentary on the operation of the LGFA, and the significant positive impact it has had on the sector in reducing the cost of borrowing to rate payers.

Highlights

- (i) Lending to Councils increased by \$1.1 billion in 2017/18.
- (ii) Total lending to Councils was \$8.1 billion at 30 June 2018.
- (iii) Net Profit reached \$11.8 million for the year, up from \$11 million in the previous year.
- (iv) At June 2018 there were 56 member councils, with more joining in early 2018/19.

3 LGFA Publications

Appendix 1 summaries the financial position for shareholder in the cover letter dated 28 August.

Appendix 2 provides a recent LGFA Overview with an update to 15 November 2018.

The LGFA Annual Report 30 June 2018 was adopted at the AGM held 21 November 2018.

4 Financial Implications

Current Budget Implications

This work is being undertaken within the current budget for the Corporate Activity of the Long Term Plan 2018-2028.

Future Budget Implications

Future work is provided for in Council's Long Term Plan 2018-2028.

Mat Taylor
General Manager, Corporate

5 December 2018

APPENDIX 1

Cover Letter to Shareholders LGFA Annual Report 2017 18

28 August 2018

Dear Shareholder

LGFA 2018 Annual Report

I attach our Annual Report for 2018 as required under section 8 of our Statement of Intent (SOI).

We are pleased to highlight another strong year for LGFA that included several achievements.

1. We have made longer dated borrowing options available to an increased number of council borrowers

By 30 June 2018, LGFA had loans outstanding of \$7.96 billion to fifty-six participating councils. This is an increase of \$180 million in loans and we added three new council members over the past year.

2. Market share of 70% of sector borrowing for the year.

For the 12-month period to 30 June 2018, LGFA provided 70% of the sector borrowing and we are appreciative of the support from our borrowing councils.

3. A strong financial position has ensured a dividend payment of 5.14% for shareholders.

The financial strength of LGFA has been enhanced with a Net Operating Profit of \$11.8 million for the 2017/18 year and Shareholder Equity of \$64.29 million as at 30 June 2018. A \$1.285 million dividend has been declared by the LGFA Board for the year ended 30 June 2018 and we will be sending out the dividend notice to you shortly. The dividend rate is \$0.0514 per paid up share and will be paid to you on Friday 7 September.

A copy of the Annual Report is attached, it will also be available on our website www.lgfa.co.nz from today. If you would like a hard copy version, please contact jane.phelan@lgfa.co.nz.

We intend holding our Annual General Meeting (AGM) on Wednesday 21st November 2018 in Wellington. We will send out the Notice of AGM and Agenda by Monday 24th September 2018.

Please do not hesitate to contact me if you have any comments or questions.

Kind regards



Mark Butcher
Chief Executive

APPENDIX 2

LGFA Overview 15 November 2018



LGFA

An overview

BUSINESS DESCRIPTION

The New Zealand Local Government Funding Agency (LGFA) is an agency specialised in financing the New Zealand local government sector. LGFA was established to raise debt on behalf of local authorities ("councils") on terms that are more favourable to them than if they raised the debt directly.

LGFA was incorporated as a limited liability company under the Companies Act 1993 on 1 December 2011, following the enactment of the Local Government Borrowing Act 2011. As LGFA is majority owned by councils, it constitutes a "council-controlled organisation" under the Local Government Act 2002.

CREDIT RATINGS

Domestic Currency AA+ / Foreign Currency AA (Stable Outlook) – Standard & Poor's
Domestic Currency AA+ / Foreign Currency AA (Stable Outlook) – Fitch Ratings
These credit ratings are the same as the New Zealand sovereign ratings.

OWNERSHIP

As at 15 November 2018 LGFA had 45 million ordinary shares on issue, 20 million of which remain uncalled. There are currently 31 shareholders, comprising the New Zealand Government at 20% and 30 councils at 80%. Any councils wanting to become new shareholders are required to purchase shares from existing council shareholders.

CAPITAL STRUCTURE

The capital structure of LGFA comprises fully paid shares, unpaid shares, retained earnings and borrower notes.

BORROWER NOTES

Borrower Notes are subordinated convertible debt instruments which each council that borrows from LGFA must subscribe for (in an amount equal to 1.6% of the total borrowing from LGFA by that council) LGFA will redeem Borrower Notes when the councils' related borrowings are repaid or no longer owed to LGFA. Currently there are NZ\$136 million of Borrower Notes on issue.

GUARANTEE STRUCTURE

LGFA's obligations in relation to its Securities issued are guaranteed by the councils that are Guarantors under the Guarantee. Other than the New Zealand Government, each shareholder in LGFA must be a Guarantor. In addition any council that borrows in aggregate NZ\$20 million or more from LGFA must be a Guarantor. The guarantee will be in favour of the obligations of LGFA. Any call under the guarantee will be allocated across all the guarantors on a pro rata basis in relation to their rates ("property tax") revenue.

LIQUIDITY FACILITY

The New Zealand Debt Management Office provides LGFA with a committed liquidity facility. The facility has an initial term of 10 years from December 2011. The facility's maximum aggregate principal amount is set at NZ\$1 billion unless LGFA selects a lower amount; and will vary depending on LGFA's credit rating (the available facility may reduce if LGFA's credit rating decreases). LGFA has a committed aggregate principal amount of NZ\$600 million for the period to February 2019.

AS AT 15 NOVEMBER 2018

- Enabled by Local Government Borrowing Act 2011
- Owned by 30 Local Authorities and New Zealand Government
- Same credit rating as New Zealand Sovereign
- Supported by New Zealand Government liquidity facility
- RBNZ Repo Eligible
- NZD Bonds are listed on the NZX Debt Market

Year to June 30	Funding p.a. (NZ\$m)	Securities on issue (NZ\$m)
FY 2015	1,500	4,955
FY 2016	1,265	6,220
FY 2017	1,285	7,535
FY 2018	1,229	8,119
FY 2019	1,320 est.*	8,199 est.*
FY 2020	1,270 est.*	8,339 est.*
FY 2021	1,410 est.*	8,329 est.*

*SOI FORECAST

LGFA



NEW ZEALAND
LOCAL GOVERNMENT
FUNDING AGENCY

CONTACT:

Mark Butcher – Chief Executive

Ph: +64 (04) 974 6744

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Level 8, City Chambers,
142 Featherston Street,
Wellington 6011, New Zealand
Bloomberg Ticker: NZLGFA

www.lgfa.co.nz

FUNDING

LGFA operates with the primary objective of optimising the debt funding terms and conditions for participating councils. To date this has been undertaken via tender operations and mainly issuing bonds with identical coupons and maturities as NZ Government Bonds. As at 15 November 2018 there are NZ\$8.914 billion of LGFA bonds on issue across eight maturities. These bonds are listed on the NZX Debt market and to date LGFA has only issued in NZD.

LGFA also issues 3 month and 6 month LGFA Bills via monthly tenders and private placements. As at 15 November 2018 there are \$415 million LGFA Bills on issue.

ABOUT NEW ZEALAND LOCAL GOVERNMENT

There are 78 local authorities in New Zealand comprising:

11 Regional Councils – 7 in the North Island and 4 in the South Island;

12 City Councils – 8 in the North Island and 4 in the South Island;

54 District Councils – 34 in the North Island and 20 in the South Island;

1 Unitary Territorial Authority – Auckland Council

Councils in New Zealand provide water, wastewater, storm water, regional transport and rubbish collection services, local amenities and parks.

Councils typically borrow to fund infrastructure investment in those areas.

Summary financial statistics for the sector at June 2017 are:

Total sector assets of \$138.1 billion

Total sector debt of \$15.2 billion

Total sector revenue of \$9.5 billion

Total rates (property tax) revenue of \$5.6 billion

LGFA PARTICIPANTS

- As at 15 November 2018 there are 59 Participating Local Authorities (“PLAs”).
- There are 58 borrowers amongst the PLAs with Rangitikei District Council the only non-Borrower.
- There are 48 Guarantors of LGFA. The only non-Guarantors (due to their small amount of borrowing) are Northland Regional Council and Grey, Central Hawkes Bay, Opoiki, Buller, South Wairarapa, Rangitikei, Stratford, Tararua, Wairoa and Westland District Councils.
- There are 31 shareholders, comprising 30 councils (80% shareholding) and the New Zealand government (20% shareholding).
- Auckland Council is limited to a maximum of 40% of LGFA’s total Local Authority assets.
- No more than the greater of NZ\$100 million or 33% of a council’s borrowings from LGFA will mature in any 12 month period.
- The 59 council members cover 97% of New Zealand local government sector debt.

NEW ZEALAND STATISTICS

Population 4.8853 million as at June 2018

Nominal GDP \$289 billion as at June 2018

Nominal GDP growth 2.7% as at June 2018

Nominal GDP per capita \$59,157 as at June 2018

CPI inflation 1.9% as at September 2018

Unemployment rate 3.9% as at September 2018

Total merchandise exports \$57.03 billion as at September 2018

Total merchandise imports \$62.22 billion as at September 2018

This document does not constitute or form part of any offer or solicitation to purchase or subscribe for securities and should not be considered as a recommendation by LGFA.

Information contained in this document has been compiled from sources believed to be reliable, but LGFA does not make any representation as to their accuracy or completeness.

BORROWERS as at 15 November 2018

Lending	NZ\$ m	%
Auckland	2,082	23.2
Christchurch	1,878	20.9
Wellington	464	5.2
Tauranga	420	4.7
Hamilton	400	4.5
Greater Wellington	330	3.7
Kapiti Coast	220	2.4
Hutt	187	2.1
Rotorua	149	1.7
Tasman	148	1.6
48 others	2,702	30.0
TOTAL	8,980	100

LGFA Bonds on Issue as at 15 November 2018

Coupon	Maturity	NZ\$ m
5%	15/03/2019	1,290
3%	15/04/2020	1,030
6%	15/05/2021	1,470
2.75%	14/04/2022	530
5.5%	15/04/2023	1,479
2.75%	15/04/2025	1,219
4.5%	15/04/2027	1,246
3.5%	14/04/2033	650
TOTAL		8,914

Shareholders as at 15 November 2018 (Paid-Up)

Shareholders	%
New Zealand Government	20.00
Auckland	7.46
Christchurch	7.46
Hamilton	7.46
Bay of Plenty	7.46
Greater Wellington	7.46
Tasman	7.46
Tauranga	7.46
Wellington	7.46
Western Bay of Plenty	7.46
21 Others	12.86
TOTAL	100

**SUPPORTING DOCUMENT - Local Government
Funding Agency (LGFA) Annual Report 30 June 2018**



Report To: Regional Council
Meeting Date: 13 December 2018
Report From: Mat Taylor, General Manager, Corporate

Residents survey indicative results and response

Executive Summary

Survey work to assess how well Regional Council is currently performing in relation to the community's expectations and perceptions is now complete.

The data is currently being analysed and a final report is due to be available in mid-December. In the meantime, indicative draft results are being shared with Councillors for their consideration.

From the initial results it is evident that there is confusion amongst Bay of Plenty residents as to what services are delivered by regional versus city and district councils. Many survey respondents cited dissatisfaction with services such as museums and dog control that are outside of Regional Council's mandate. An approach to address that confusion as quickly as possible is discussed in this paper.

Recommendations

That the Regional Council:

- 1 Receives the report, Residents survey indicative results and response;**
- 2 Notes the summary information in this report;**
- 3 Instructs the Chief Executive to prepare a detailed action plan to respond to survey results.**

1 Discussion

1.1 Background

As discussed at the 27 September 2018 Regional Council meeting, Key Research have been engaged to conduct a survey of 1300 residents, asking questions to build a representative and holistic community view of Council's performance based on three key attributes:

- Organisational reputation; based on level of trust, strength of leadership, quality of outcomes and financial management
- Service delivery satisfaction across core activities
- Value for money

The survey findings provide a useful benchmark for Regional Council at the start of a new Long Term Plan period and Chief Executive term. They help Regional Council to identify opportunities for operational improvement. The survey results also offer Councillors an opportunity to verify their understanding of the concerns and priorities of the communities they represent.

Indicative survey results have been received as a DRAFT report. Note that detailed analysis is still ongoing which may affect some aspects of the final version of the report which is due later this month.

Staff have prepared some early actions in response to the indicative results and Councillors are asked to approve the Chief Executive preparing an action plan to address issues raised.

1.2 Key findings

The survey has placed Council's overall reputation as within the 'acceptable' range, based on a range of indicators including trust, service quality, value for money, and financial competence.

Key themes emerging from the draft results include that:

- there are low levels of awareness in the community about the difference between Regional Council and city or district council services. This awareness gap has been evident through both qualitative and unprompted quantitative questions.
- relatively good levels of awareness are recorded through a prompted list of services.
- Māori and younger residents (aged <45years) show the lowest levels of awareness of Council's services.
- urban residents and those aged 65+ were most likely to be satisfied with Council's overall performance.
- residents that have been in contact with Regional Council in the previous 12 months are more likely to be dissatisfied with our services than those who haven't.
- resource consents, plant or animal pest control, and flood protection works were the top three reasons that survey respondents had been in contact over the last 12 months. Phone was the main method of contact with Council.

Amongst survey respondents that were dissatisfied with Council's performance, the main causes of their dissatisfaction related to:

- how well Council keeps them informed and involves the community in decision making.
- how Council prioritises its spending

- whether the process and outcome of their direct contact with us met their expectations

1.3 Implications for Māori

The survey pool has included quotas for specific demographic groups to ensure a representative cross-community view is gathered. The final report will include specific reporting on Māori perspectives. Indicative themes include findings that:

- Māori residents are less likely to trust Council to work in the best interests of residents and are more likely to disagree that Council provides leadership in line with community priorities.
- Māori are less likely to agree that they got the outcome they wanted from their contact with Council than non-Māori.

1.4 Statutory requirements

Regional Council has no specific statutory obligation to undertake surveys or promote its services. However s.14 of the Local Government Act 2002 outlines a range of relevant obligations, including those for Council to:

- conduct its business in an open, transparent and democratically accountable manner,
- make itself aware of and have regard to the views of all its communities, and
- provide opportunities for Māori to contribute to its decision-making processes

Minimum requirements and standard processes for when and how Council should consult affected parties and/or the wider community are also outlined in the Local Government Act, Resource Management Act and a range of other relevant legislation.

1.5 Next steps

More detailed examination of the survey findings, implications and any associated customer service improvements will be conducted when the final report is completed.

In the meantime, in order to improve transparency and better provide for community involvement in Council's work as quickly as possible, the following two key actions are proposed:

- Scope and prepare a public awareness campaign to be delivered in early 2019. This will be an ongoing, sustained, multi-channel campaign that seeks to highlight why, how and where Regional Council provides services to meet the needs of local communities.
- Update and finalise a Council-wide Communications and Engagement Strategy to be considered at the 14th February 2019 Regional Council meeting. Development of this strategy is already underway. The survey findings will be used to refine the decision-making frameworks and methods for involving the community in Council decision-making.

2 Council's Accountability Framework

2.1 Community Outcomes

This project/proposal directly contributes to all four of the Community Outcomes in the council's Long Term Plan 2018-2028.

2.2 Long Term Plan Alignment

This work is planned under the Corporate Services Activity in the Long Term Plan 2018-2028.

Current Budget Implications

This work is being undertaken within the current budget for the Communications Activity in the Annual Plan 2018/19 or Year 1 of the Long Term Plan 2018-2028.

Future Budget Implications

Proposed future work to deliver a sustained public awareness campaign is outside Council's Long Term Plan 2018-2028. Options for funding this work within existing budgets or through approval of additional funding will be considered as part of the scoping work discussed in the 'next steps' section of this report.

Sam Rossiter-Stead
Communications Manager

for General Manager, Corporate

5 December 2018

Receives Only – No Decisions



Report To: Regional Council

Meeting Date: 13 December 2018

Report From: Namouta Poutasi, General Manager, Strategy & Science

Commercialisation of Trout

Executive Summary

In recent times, a range of parties have advocated for a review into the legislation on the grounds that trout farming is a viable and sustainable economic opportunity for this region.

Trout farming was identified as an opportunity in the Regional Growth Study.

Any advocacy from a regional perspective has been directly through industry, iwi and the Regional Aquaculture Organisation. BOPRC does not advocate for, or hold a position on, trout farming.

Recommendations

That the Regional Council:

- 1 Receives the report, Commercialisation of Trout;**
- 2 Notes that BOPRC is not involved in activities related to commercialisation of Trout;**
- 3 Confirms that it continues to hold no position on the commercialisation of Trout.**

1 Background

Legislation

Trout farming and the sale of trout has been prohibited in New Zealand since 1983, making trout a recreational sports-fish only. New Zealand is the only country that prohibits trout farming. Trout Farming is banned under the Conservation Act 1987 and the Fisheries Act 1996.

The Regional Aquaculture Organisation

Under Bay of Connections, the Regional Aquaculture Organisation's (RAO) goal is to assist development of an aquaculture industry in the Bay of Plenty, with sales of

\$250m by 2025. Since its establishment, the RAO has viewed Trout farming as a viable option for this region; both freshwater and sea-based. This is a position held by the RAO, independent from BOPRC.

The Regional Growth Study and the role of BOPRC

During 2014 and 2015 the then National Government engaged with Bay of Connections as the regional lead to assist in developing the Regional Growth Study (RGS). The Ministry of Business Innovation and Employment commissioned Martin Jenkins as independent consultants for this. A key sector identified for this region was the development of aquaculture. Martin Jenkins noted that trout as a potential high value opportunity for the region, as it commands a high price in international markets, with modest operating and capital costs. They also noted there is also likely to be strong domestic demand, while trout farm visits could be added to the Bay of Plenty's tourism offering, and that there is investor interest from the commercial sector and iwi in advancing this opportunity. BOPRC's involvement in the commercialisation of Trout has been through its association with the Government-led RGS. BOPRC's role in that process was to help facilitate stakeholder engagement; not to hold a position on this focus area. Any advocacy of trout farming has taken place independently through industry representatives and iwi, and the RAO.

Trout NZ

In 2017 the RAO established Trout NZ. The purpose of this organisation is to provide a national forum for parties who might be interested in the commercialisation of Trout. Chairman Doug Leeder is interim Chairman in a private capacity. To date Trout NZ has not met. It recently provided assistance and shared information with Clive Barker – an individual who has independently petitioned parliament to review the prohibition on commercial trout farming. This petition is currently at Primary Production Select Committee, who will consider it during November and December this year. The Chairman of the RAO, Graeme Coates, is likely to provide evidence if required. BOPRC is not involved in this process.

Regional Aquaculture Strategy

The RAO recently revised its strategy and reaffirmed its commitment to “*explore and promote opportunities in Aquaculture, including the commercialisation of trout farming, and other species.*”

2 Summary and Conclusion

Cheryl Lewis
Bay of Connections Portfolio Manager

for General Manager, Strategy & Science

5 December 2018