

VISION FOR THE REGION
THE WAIKATO CARES LOCALLY, COMPETES GLOBALLY

WAIKATO REGIONAL COUNCIL'S MISSION
Working together to build a Waikato region that has a healthy environment,
a strong economy and vibrant communities



Notice of Meeting:

I hereby give notice that an ordinary Meeting of the Council will be held on:

Date: Thursday 26 October 2017
Time: 10.30am
Meeting Room: Council Chamber
Venue: Waikato Regional Council, 401 Grey Street, Hamilton East

VRJ Payne
Chief Executive Officer

Council Agenda

Chairman	Cr AD Livingston
Deputy Chair	Cr TS Mahuta
Members	Cr JMH Hayman
	Cr J Hennebry
	Cr K Hodge
	Cr ST Husband
	Cr ST Kneebone
	Cr FC Lichtwark
	Cr MD Minogue
	Cr BT Quayle
	Cr RM Rimmington
	Cr RM Simcock
	Cr GWH Vercoe
	Cr KA White
Quorum	Half of the members (including vacancies)

Jennie Cox
Democracy Advisor
19 October 2017

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6.9 External Committee reports

Verbal reports in respect of external Committees/Forums that have Waikato Regional Council elected member representation.

7. Hearing Committee Reports in terms of the Resource Management Act 1991.

7.1 Watercare Services Limited

69-112

Docs#11131647

*Decision report in the matter of applications by WATERCARE SERVICES LIMITED (WATERCARE) for the Pukekohe Wastewater Treatment Plant re-consenting of the discharge of treated wastewater to the Parker Lane Stream, discharge to air and discharge to land.
For Noting only.*

8. Ordinary Business

8.1 Health and Safety Council Report – October 2017

113-117

Docs#11213465

Report on the monthly health and safety council dashboard and any other topics regarding health and safety of relevance to council.

8.2 Representation review - Māori representation

118-120

Docs#11213470

Report to provide information on the provisions within the Local Electoral Act 2001 (LEA) as it relates to Māori representation.

8.3 Local Government Excellence Programme Assessment Report and Result

121-138

Docs# 11131263

Report to provide council with an update on the result of council's assessment as a foundation member of the Local Government Excellence Programme.

8.4 Local Government Leaders' Water Declaration

139-146

Docs#11247682

Report to present the Local Government Leaders' Water Declaration for endorsement by Council.

8.5 RSHL Recommendation for Appointment of Independent Director

147-152

Docs#11206383

Report to seek the council's support for the appointment of an Independent Director to Regional Software Holdings Limited (Council Controlled Organisation).

- 8.6** **Go Bus Petition** 153-169
 Docs# 11232509
- Report to present a Petition received by Waikato Regional Council from 'Bus Fair' on behalf of bus drivers employed by Go Bus for the council to consider moving toward ensuring a Living Wage for bus drivers as part of our tendering documents.*
- 8.7** **Catchment Committee Effectiveness Review** 170-207
 Docs# 11207774
- Report to provide the council with an update on the "catchment committee effectiveness review", including draft recommendations and an outline of the process for confirming those recommendations.*
- 8.8** **Funding Request - Tauhei Flood Protection Scheme** 208-210
 Docs# 11265488
- Report to seek approval from Council to allocate additional operational funding of \$40,000 to enable evaluation of additional Tauhei flood protection scheme options.*

9. Resolutions to Exclude the Public

9.1	<p>Recommended that the public be excluded from the following part/s of the meeting:</p> <p>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:</p>	
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	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
1	<i>Council minutes – 28 September 2017</i>	Good reason to withhold exists under Section 7.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

2	<i>Update on Tuwharetoa Taupo Waters</i>	Good reason to withhold exists under Section 7.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)
3		Good reason to withhold exists under Section 7.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)

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

Item No	Interest
10.1, 10.4	Maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial. (Schedule 6(a))
10.1	Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))
10.1, 10.3	Protect information where the making available of the information (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b))
10.1, 10.2	Maintain legal professional privilege (Schedule 7(2)(g))
10.1, 10.2	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))

10 Public Excluded Section

10.1 Minutes – Council Meeting – 28 September 2017

Docs#11124900

Separate

(Separately circulated)



**Te Arawa River Iwi Trust and Waikato Regional Council Co-Governance
Committee
MINUTES**

Minutes of a meeting of the Te Arawa River Iwi Trust and Waikato Regional Council Co-Governance Committee held in GHA building, 1108 Fenton Street, Rotorua on Thursday 7 September 2017 at 10.10am.

Te Arawa River Iwi Trust	Present: Trustee Eru George Trustee Roger Pikia (Co-Chair) Trustee Paul East
Waikato Regional Council	Cr Kathy White (Deputy Co-Chair) Cr Tipa Mahuta

Te Arawa River Iwi Trust Staff	In Attendance: Nuki Nicholson – Pou Arahi Taiao Itania Nikilao – Policy Analyst Deliah Balle - Project Manager Shanan Tana – IT /Comms Neville Williams – Director Community and Services Melissa King-Howell – Pou Tuuhono Michael Carey - Kaiwhakarite Anne McLeod – Section Manager – Taupō / Upper Waikato Jennie Cox – Democracy Advisor Blair Keenan – Principal Economist
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The meeting was opened with a karakia whakataki

A Health and Safety briefing was provided to the meeting.

Apologies

Cr Alan Livingston – Co-Chair Waikato Regional Council

Cr Kataraina Hodge – Waikato Regional Council

Trustee Evelyn Forrest – Deputy Co-Chair Te Arawa River Iwi Trust

Accepted

Confirmation of Agenda

Agenda Item 3

Cr Mahuta moved/Trustee Pikia seconded

TACG17/08

RESOLVED

THAT the agenda of the meeting of the Te Arawa River Iwi Trust and Waikato Regional Council Co-Governance Committee of 7 September 2017, as circulated, be confirmed as the business for the meeting.

The motion was put and carried (TACG17/08)

Disclosures of Interest

Agenda Item 4

There were no disclosures of interest made within the meeting.

Minutes of Previous Meeting

Agenda Item 5 Doc 10100062

Trustee East moved/Cr White seconded

TACG17/09

RESOLVED

THAT the Minutes of the Te Arawa River Iwi Trust and Waikato Regional Council Co-Governance Committee meeting of 14 March 2017 be received and approved as a correct record.

The motion was put and carried (TACG17/09)

2018-2028 Long Term Plan

Agenda Item 6 Doc 10922841

Presented by Director Community and Services Neville Williams the report provided an update on the development of Waikato Regional Council's 2018-2028 Long Term Plan.

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

- While members of Te Arawa River Iwi Trust had attended the pre-engagement stakeholder forum, there were further submission and consultation opportunities for working with the communities on the Long Term Plan.
- In response trustees noted appreciation at being involved in the early stages of the Long Term Plan process. The working relationship between the staff of the two organisations was productive both within and outside the process.
- Trustees noted that they would be interested in having a better understanding of the fundamental drivers for the Long Term Plan focus and projects. Where an increase in allocation to research and development would lead to a compromise elsewhere this was the particular background information that they would appreciate.
- The Plan would be released for public consultation in March 2018 and there would be a four week consultation period. The consultation would be concluded in April and hearings and deliberations on the plan would happen through May. The plan would be finalised for ratification in June. Council would endeavour to provide early insight with partners where possible.

Trustee East moved/Cr Mahuta seconded

TACG17/10

RESOLVED

THAT the report 'Update on the 2018-2028 Long Term Plan' dated 15 August 2017 (Doc 10922841) be received.

The motion was put and carried (TACG17/10)

Waikato Freshwater Strategy

Agenda Item 7 Doc 10913898, 11030326

Presented by Blair Keenan, Principal Economist – Social and Economic Science, to introduce the Waikato Freshwater Strategy and to highlight key elements and options for implementation. Copies of the Waikato Freshwater Strategy were provided to members to support the presentation.

The presentation noted:

- Started with project called "Let's Talk Water", which was then used as a tool for engagement and feedback for the Freshwater Strategy.
- The work on the strategy was completed alongside the Healthy Rivers Wai Ora project and an effort was made not to confuse the two projects. The strategy looked further ahead and did not take laws and statutes as fixed.
- Primarily it was noted that the tools being used were dated, and the situation around water and limits had changed.
- The overall objective was to recognise the value of the resource and to see it used in its best use.
- Three themes to the strategy – Focused Advocacy, Smarter Methods and Better Information.
- Focused Advocacy - A lot of work had gone on to strengthen relationships within the region with a number of stakeholders, but there more work to do on other relationships.
- Smarter Methods - It was recognised that there was good stuff happening and there was a need to build on that not start from scratch.

- Better information – It was recognised that council already had a lot of information but sometimes needed to use it better. Also recognised that there were whole classes of information that has not been effectively utilised like Mātauranga Māori and Citizen Science.
- The implications were that the future would not just be business as usual.

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

- In response to a question on the presentation it was noted that in stream flows referred to the water left in the river. It was noted that while it was there it was still doing important work like clearing waste and contaminants.
- It was noted that Waikato wanted to be ready on the subject of freshwater rather than waiting for direction from central government. Council were wanting to have input in to the decisions and to take leadership on the matter.
- Examples of economic instruments were mostly around pricing and current examples were water transfers under Variation six or nitrogen transfers under the Lake Taupo Protection Plan. The current instruments were limited and partial but could be extended across the catchment. The broad class of instruments were policy instruments that had an economic effect like taxes, or support for subsidies and support for those already working to mitigate the effects of their work.
- A member noted the need for a regional conversation while noting that many of the region's iwi were leading the national conversation on freshwater. There was a need to support council's iwi partners with tools while recognising their right to quality of water if not quantity.
- Trustees noted that Te Arawa River Iwi Trust did not take authority to have conversations with council or the crown. The conversations over water would occur across affiliate iwi and that the Trust would have a roving umbrella role to facilitate the conversation with council.
- Unique to that part of the catchment was that freshwater was inclusive of geothermal hot and cold water. The Trustees acknowledged Council for the work undertaken with the "Lets Talk Water" document. There was an opportunity for a whole of catchment approach to freshwater and having Iwi, council (as the regulator) and communities work together to find a solution.
- It was noted that through the Long Term Plan stakeholder event there had been a number of comments around pricing mechanisms and an approach proposed that any system with tax and charges to go back in to the catchment for the betterment of that catchment.

Trustee George moved/Cr Mahuta seconded

TACG17/11

RESOLVED

THAT the report 'Waikato Freshwater Strategy' dated 11 August 2017 (Doc 10913898) be received.

The motion was put and carried (TACG17/11)

Progress update on the Whirinaki Arm Restoration Project

Agenda Item 8 Doc 11013662

Presented by Area Manager Tāupo – Anne McLeod and Deliah Balle - Project Manager, Te Arawa River Iwi Trust to provide an update on progress to date on the Whirinaki Arm Restoration Project.

The presentation noted:

- Operational level looking at a shift on working from what comes in to being proactive.
- Zone plan built to make that shift, this builds in to theme of smarter methods.
- Been through exercise looking at where benefits could be gained.
- Talked with TARIT about what could be done in the area, leading to talking with landowners and an application to the Waikato River Authority for flagship projects.
- Funding through the LTP for focus around Whirinaki to start project and shift to other catchments as well.
- No action plan available as still under negotiation with the community.
- Positive reception with iwi and non iwi landowners.
- Can see what is happening in the community sustainably and well and share .

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

- A member asked whether there was anything to be done to convince the Waikato River Authority that this was a good plan. In response it was proposed that council could identify support through the Long Term Plan and that all support was appreciated
- A member noted that the most funded area in the region was the Waipa following the establishment of the thorough Waipa Catchment Plan. This project was setting up the right process for this catchment and sought to work with people to the end project.

Trustee East moved/Cr Mahuta seconded

TACG17/12

RESOLVED

THAT the report 'Progress update on the Whirinaki Arm Restoration Project' dated 28 August 2017 (Doc 11013662) be received.

The motion was put and carried (TACG17/12)

Healthy Rivers Wai Ora

Agenda Item 9 Doc 11013662

Presented by Director Community and Services Neville Williams the report provided an update on the Healthy Rivers Wai Ora project.

Within the verbal presentation it was noted:

- There had been 1024 submissions to the Plan Change 1 to date.
- A portion of the plan had been removed to ensure engagement with Hauraki Iwi under the requirements of the RMA. This engagement process was at a critical state and Hauraki had submitted what they were seeking as proposed changes to the Plan Change. This marked up document had been sent out to the five River Iwi involved in the Co-governance arrangements, for further follow up. The goal was for Te Rōpu Hautu to review the submitted changes and to make recommendations to the Healthy Rivers Wai Ora Committee and to Council for sign off shortly. The dates for these meetings would be provided as soon as confirmed.

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

- The Hauraki consultation had occurred under the RMA and not through a co-management process and consideration to their proposed changes would be given under the submission process and would not follow co-management principles.

Trustee Pikia moved/Cr Mahuta seconded

TACG17/13

RESOLVED

THAT the verbal report 'Healthy Rivers Wai Ora' be received.

The motion was put and carried (TACG17/13)

Closing comments from the Co-Chairs

Trustee Pikia noted his thanks to council for travelling to Rotorua for the meeting and to the staff from both offices for the efforts that have been made in the interest of co-governance and co-management.

Cr White noted her thanks to the staff and her appreciation for the hard work put in to the meetings and behind the scenes.

In response to requests for items of interest for future agendas the following items were noted:

- Iwi /council alignment
- Long Term Plan
- Discussion around water reform
- Updates on the Geothermal working party

Meeting closed with Karakia whakatepe at 11.25am

Waikato Plan Leadership Group OPEN MINUTES

Minutes of a meeting of the Waikato Plan Leadership Group held Committee Room 1 at Hamilton City Council on 18 September 2017 at 9:30am.

	Present:
Chairperson	Margaret Devlin
Deputy Chairman	Mayor Brian Hanna
	Members
Waikato Regional Council	Chair Alan Livingston
Hamilton City Council	Mayor Andrew King
Eastern Sub-region	Deputy Mayor Toby Adams
Future Proof Sub-region	Mayor Allan Sanson
Southern Sub-region	Mayor Brian Hanna
Business/ Community Members	Bev Gatenby Dallas Fisher Eric Souchen Lale Ieremia
Observers	
Waikato District Health Board	Bob Simcock
New Zealand Transport Agency	Parekawhia McLean
	In Attendance:
Staff	
Project Team	Bill Wasley (Governance Advisor) Rachael McMillan (Waikato Plan Programme Manager)
Waikato Regional Council	Vaughan Payne (Chief Executive) Alex Williams (Democracy Advisor) Stephen Ward (Waikato Regional Council Senior Communications Advisor) Urlwyn Trebilco (Principal Strategic Advisor)
Waikato District Council	Gavin Ion – Chief Executive
Hamilton City Council	Blair Bowcott – Executive Director Special Projects
Waipa District Council	Garry Dyet – Chief Executive

The Governance Adviser assumed the chair and opened the first meeting of the Waikato Plan Leadership Group.

Apologies

Apologies were received from Bev Gatenby for lateness.

Accepted

Confirmation of Agenda

(Agenda Item 2)

Cr moved/Cr seconded.

WPLG17/01

THAT the agenda of the meeting of the Waikato Plan Leadership Group of 18 September 2017, as circulated, be confirmed as the business for the meeting.

The motion was put and carried (WPLG17/01)

Disclosures of Interest

(Agenda Item 3)

There were no disclosures of interest.

Prior to the commencement of the substantive meeting, the Group congratulated New Zealand Transport Authority Representative: Parekawhia McLean on her recent election success being appointed Chair of Waikato-Tainui.

Proposed Appointment: Independent Chair – Waikato Plan Leadership Group

File: 03 04 32 (Agenda Item #4) Doc #11067909

Presented by Waikato Plan Governance Advisor (Bill Wasley) the report provided the group with a recommendation for an independent Chair of the Waikato Plan Leadership Group. Discussion at the chief advisory group level had recommended that Margaret Devlin (Waikato Plan Joint Committee Chair) be appointed Chair of the Waikato Plan Leadership Group.

Mayor A King moved/Mayor A Sanson seconded.

WPLG17/02

RESOLVED

THAT the Waikato Plan Leadership group:

- 1. Appoint Margaret Devlin as the Independent Chair of the Waikato Plan Leadership Group.**

The motion was put and carried (WPLG17/02)

The Independent Chair assumed the chair.

Proposed Appointment: Deputy Chair: Waikato Plan Leadership Group

File: 03 04 32 (Agenda Item #5) Doc #11067909

Presented by Waikato Plan Leadership Group Chair (Margaret Devlin) the report provided the Group with a recommendation for the appointment of a Deputy Chair of the Waikato Plan Leadership Group. Discussion at the chief advisory group level had recommended that Mayor Brian Hanna be appointed Deputy Chair of the Waikato Plan Leadership Group.

Chair A Livingston moved/Mayor T Adams seconded.

WPLG17/02

RESOLVED**THAT the Waikato Plan Leadership Group:**

- 1. Appoint Mayor Brian Hanna Deputy Chair of the Waikato Plan Leadership Group.**

The motion was put and carried (WPLG17/02)

Appointment of non-Local Government representatives to the Waikato Plan Leadership Group.

File: 03 04 32 (Agenda Item #6) Doc #11067909

Presented by Waikato Plan Leadership Group Chair (Margaret Devlin) the local government members recommended to the Group the appointment of four business and community representatives to the Group. The Group was advised that the appointment of Iwi and two Government Representatives is still a work in progress and would be reported to the Group at a later date. It was intended there would be Iwi representatives in place by Christmas.

The Group had undertaken discussion of the potential community representatives prior to the commencement of this meeting. Candidates were considered against specific criteria to ensure the best people for supporting implementation of the Plan were selected. The recommended candidates were:

- Dr Bev Gatenby
- Eric Souchen
- Dallas Fisher
- Lale Ieremia

The Group was provided with a schedule of Business and Community members for information.

Mayor B Hanna moved/Chair A Livingston seconded.

WPLG17/03

RESOLVED**THAT the Waikato Plan Leadership Group:**

- 1. Appoint Bev Gatenby, Eric Souchen, Dallas Fisher, and Lale Ieremia as the Community/Business representatives on the Waikato Plan Leadership Group.**
- 2. That these appointments be made for a term of 12 months.**

The motion was put and carried (WPLG17/03)

Waikato Plan Implementation

File: 03 04 32 (Agenda Item #7) Doc #11067909

Presented by Waikato Plan Governance Advisor (Bill Wasley) the report outlined the steps taken to date for implementation of the Waikato Plan, and further sought input from the Group on implementation.

During discussion the following points were noted:

- Remuneration for the non-local government members of the Group would be \$750/day, and \$1666/month for the Independent Chair.
- It is intended that the Chief Executive Steering Group will have a broader membership in the implementation phase, including the Waikato Means Business Programme Manager and further regional agency and government department key staff where appropriate.

- It was suggested that there should be a clear distinction between funding for administration and advocacy, and funding for projects. Funding for projects would come from several sources.
- Concern was raised that there were too many members on the Leadership Group and would prevent the group from being agile and fast moving. In response, the Group was advised that the intention was to not limit engagement on the Committee, to have many more groups involved but not necessarily around the table.

Chair A Livingston moved/Mayor B Hanna seconded.

WPLG17/04

RESOLVED

THAT the Waikato Plan Leadership Group:

- 1. Receive and note the report**

The motion was put and carried (WPLG17/04)

Draft Central Government Engagement Strategy

File: 03 04 32 (Agenda Item #9) Doc # 11068362

Waikato Plan Governance Advisor (Bill Wasley) presented the Group with the Draft Central Government Engagement Strategy. This strategy would come back to the next Leadership Group meeting on 16 October for final approval.

During discussion the following points were noted:

- There needed to be a sharper focus with regards to what the Groups expectations were about whom within central government would undertake what tasks/actions. Relationships between Waikato Plan and public organisations would be established as implementation began. There is a need to analyse the government agencies and their roles. Analysis should cover:
 - What are the agencies responsibilities?
 - What plans did they have in place that could potentially integrate with the Waikato Plan?
 - What are the priorities of the organisation and how can we use these to get traction on the Waikato Plan aspirations?

It was important to ensure that there was interconnected thinking across the 4 wellbeing's when considering appropriate organisations.

- Meetings with relevant agencies need to be undertaken. Identifying who these agencies, and the appropriate contacts within the organisation needed to be considered.
- Aspirations need to be developed in some detail before engagement with central government could be considered. The Group agreed to start with:
 - Future capacity for growth
 - Environment and Water
 - People related aspirations including education and health.

This would be considered by the Chief Executive Steering Group together with the Project Team.

- The Group agreed that step one for implementation was to draft a briefing paper for central government ministers and officials with the intention of meeting with ministers and local members of parliament within the next two months. The briefing should clearly provide central government officials and ministers with the following:
 - Outline the unison between councils and other groups that the Waikato Plan was created with.
 - Identify the problems that the region is facing, based on the evidence gained to date.

- State the aspirations and successes the Waikato Plan is intended to achieve via the Leadership Group and challenge central government to respond to these.
- State that we want a commitment from central government to work with us being specific in regards to what we require both regionally and sub regionally but also outlining how the Waikato Plan can assist central government in delivering on their policies and commitments.

Staff reminded the Group that the actions were a result of engagement. What was not included in the plan was how those actions would be implemented, it was up to this Group to drive this. This was not as simple as appointing a 'lead agency' there needed to be consideration and agreement about who would undertake the work.

- A lot of the organisations that the Group was considering may not be in a position to respond to requests and were all set up differently. It was suggested that there needed to be an offer to organisations to entice them to buy-in and engage.
- The Group suggested that the Waikato Plan/WMB interconnection diagram be reframed to include all the other key lead actors for each section of the five priorities and top 10 actions.

The Group agreed that Governance Advisor (Bill Wasley) together with the Chief Executive Steering Group would provide a briefing paper to the Group for consideration after conversations were had with the Chief Executive Steering Group and the Project Team on interconnected thinking, and depth around the aspirations. The Group requested that aspirations were clarified in respect of what needs to be done and what is sought and considered a sub-regional approach as needs differ across the region and the need to clearly state to government Ministers, officials and agencies what the regional and sub-regional communities would like to see achieved in respect of issues including education and health.

Draft Implementation and Funding Plan.

File: 03 04 32 (Agenda Item #8) Doc #11067415

Following the discussion during the previous item, the Group agreed that the implementation plan needed some rework before the Group considered it in-depth.

A member suggested that South Waikato could make a good project area to begin with as Waikato Means Business was already undertaking work in this space with the indicated support of Government. A member stated that there is a need to consider education needs and outcomes as part of South Waikato economic action plan.

The Group agreed the implementation needed to be clearly outlined with the Waikato Plan as the overarching document, the five priorities down to the actions that will be broken down for consideration. Clear success measures needed to be established.

It was suggested that a 12 month work plan is developed with KPI's.

General Business

The Group was advised that the next meeting would be held on 16 October 2017. Apologies for this meeting were offered from Margaret Devlin, Bob Simcock, and Dallas Fisher. The deputy chair (Mayor Brian Hanna) is to chair the meeting.

- Invitations for the remaining meetings of 2017 would be provided to the Group.
- A list of contacts for the leadership group would be circulated.

The meeting closed at 10.55am.

Doc #11116068



Lake Taupō Protection Project Joint Committee MINUTES

Minutes of a Meeting of the Lake Taupō Protection Project Joint Committee held in Taupō Yacht Club, 9 Ferry Road, Taupō on 21 September 2017 at 10.59am.

	Present:
Waikato Regional Council	Cr Kathy White Cr Kataraina Hodge – Deputy Chair
Taupō District Council	Cr John Williamson
Crown Representatives	Shaun Lewis (by conference call) Ministry for the Environment Laura-Kate Petersen Ministry for Primary Industries
Tūwharetoa Māori Trust Board	Maria Nepia
	In Attendance:
Waikato Regional Council	Neville Williams – Director Community and Services Anne McLeod – Manager Upper Waikato / Taupo Area Wendy Valois – Communications Advisor Mali Ahipene – Manager Democracy Services
Taupō District Council	Jane Budge – Senior Policy Advisor
Ministry for Primary Industries	Gwyn Morgan – Senior Policy Analyst
Ministry for the Environment	Heather Penny – Senior Analyst (by conference call)
Tūwharetoa Māori Trust Board	Te Mahau Kingi – Manager Communications and Strategic Initiatives
Lake Taupō Protection Trust	Clayton Stent – Chair Sue Yerex – Trustee Marion Peck – Manager
Other	Jocelyn Reeves (Taupō Lake Care)

The meeting was opened with a karakia.

Apologies

Cr Tangonui Kingi - Tūwharetoa Māori Trust Board (for absence).

Cr Rosanne Jollands – Taupō District Council (for absence).

Accepted

Confirmation of Agenda

Agenda Item 2

The Joint Committee confirmed the agenda as the business for the meeting.

K White moved/K Hodge seconded

LTJC17/18

RESOLVED

THAT the agenda of the meeting of the Lake Taupō Protection Project Joint Committee of 21 September 2017, as circulated, be confirmed as the business for the meeting.

The motion was put and carried (LTJC17/18)

Disclosures of Interest

Agenda Item 3

There were no interests disclosed.

Minutes of Previous Meeting

Agenda Item 4 Doc #10657488

The Joint Committee reviewed the previous minutes. The minutes were confirmed with the following amendments:

- In attendance: Dylan Tahau from Taupō District Council and Gwyn Morgan from the Ministry of Primary Industries.

L Petersen moved/K White seconded

LTJC17/19

THAT with the addition of listing Dylan Tahau from Taupō District Council and Gwyn Morgan from the Ministry of Primary Industries as in attendance, the minutes of the Lake Taupō Protection Project Joint Committee meeting of 20 June 2017 be approved as a correct record.

The motion was put and carried (LTJC17/19)

Annual reporting requirements for the financial year ended 30 June 2017

Agenda Item 5 File: 03 04 20 Doc #11080480

In accordance with annual compliance requirements the Chairman of the Lake Taupo Protection Trust (the Trust), C Stent presented the Chair's annual report, audited financial statements and audit opinion issued by Audit NZ. The Chair expressed the appreciation of the Trustees for the work undertaken by their Manager M Peck in preparing the necessary documentation for the audit and for her work throughout the year.

During questions, answers and discussion it was noted that two nitrogen reduction agreements had been assessed as non-compliant. The Trust Chair had confidence that the

breaches would not compromise the integrity of the project and noted that the Trust would continue to work with the parties concerned to achieve full compliance. It was also noted that nitrogen reduction agreements for each property would endure regardless of ownership because of contractual obligations placed on the title (as an encumbrance).

On behalf of the Joint Committee the Chair congratulated both C Stent and S Yerex on their reappointment as Trust Chair and Deputy Chair respectively.

M Nepia moved/J Williamson seconded

LTJC17/20

1. **THAT the report on ‘Annual reporting requirements for the financial year ended 30 June 2017’ [Doc 30888] be received; and**
2. **THAT the Chair’s annual report [Doc 30341], the audited financial statements for the financial year ended 30th June 2017 [Doc 30718], and Audit NZ’s opinion [Doc 30887] be received.**

The motion was put and carried (LTJC17/20)

Lake Taupō Protection Project communications plan annual report

Agenda Item 6 File 03 04 20 Doc #10890399

Communications Advisor, W Valois presented the report which provided an update on the Communications Plan (the Plan). By way of background information it was reported that the Plan set out how the project could achieve enduring success. The Plan was adopted by the Joint Committee in April 2016 at which time it was agreed that the Joint Committee would undertake an annual review of the Plan. The report presented recommendations proposed by Waikato Regional Council communications staff against a number of the tactics.

During questions, answers and discussion it was noted that to date there had been limited capacity from some agencies to participate in the communications forum. As such, the Officials Working Group (a group consisting of staff from the Project Partners) agreed to incorporate the work of the Plan into the Officials Working Group.

The Joint Committee supported a review of the Plan to ensure that it remained relevant and fit for purpose. The following feedback was provided:

- The interactive educational programme provided by the Tongariro National Trout Centre was identified as a good example.
- Learning Media was identified as a potential provider for the development of educational learning and teaching resources.
- The Enviroschools programme was identified as a good mechanism to share information with schools.
- Historical information needed to be maintained and communicated from a central point.

The Communications Advisor thanked members for their feedback and advised that the Officials Working Group would review the Plan, and report recommendations back to the Joint Committee meeting in December.

M Nepia moved/K Hodge seconded

LTJC17/21

1. **THAT the report “Lake Taupō Protection Project communications plan annual report” (Doc #10890399 dated 1 September 2017) be received for information.**
2. **THAT the Officials Working Group review the feasibility of the actions in the 2016-**

2018 Communications Plan and report to the next meeting of the joint committee with recommendations on:

- **the priority for progressing each action;**
- **the resourcing and financial commitment required to complete each action;**
- **the removal of actions where the action is identified as unlikely to fulfil the requirements of the Monitoring Plan and Monitoring Deed.**

The motion was put and carried (LTJC17/21)

Overview of Monitoring Deed and Related Documents

Agenda Item 7 File: 03 04 20 Doc #10842450

Manager Upper Waikato / Taupo Area, A McLeod presented the report which provided background information on the Monitoring Deed and information on the ensuing plans and work streams to fulfil the requirements of the Deed. In summary it was reported that the Joint Committee was in the process of preparing recommendations for the Project Partners on the future governance and management of the project. In addition to the Project Review completed in September 2016, the Officials Working Group scoped a review of the Monitoring Deed and were working on a transition plan for the activities of the Trust. The information presented provided contextual information to aid the Joint Committees understanding of the various documents, plans and work streams.

The Joint Committee acknowledged the importance of the pending decision on the future governance and management of the project and requested a number of actions to support the decision making process:

- The Official Working Group undertake an analysis of options.
- The Trust be included in discussions with the Official Working Group on the analysis of options.
- A workshop be held prior to the December Joint Committee meeting to allow members the opportunity to receive a briefing and provide guidance to Officials.
- The Officials provide information and guidance to their respective governors prior to the December workshop to ensure all members are fully informed.
- An independent person be engaged to facilitate discussion at the December workshop.

M Nepia moved/L Petersen seconded

LTJC17/22

THAT the report “Overview of Monitoring Deed and Related Documents” (Doc # 10842450 dated 21 September 2017) be received for information.

The motion was put and carried (LTJC17/22)

Review of Monitoring Deed – Proposed Scope

Agenda Item 8 File: 03 04 20 Doc #11073777; 3080365

Manager Upper Waikato / Taupo Area, A McLeod presented the report which provided a proposed scope for the annual review of the Monitoring Deed signed by the Lake Taupo Protection Project funding partners and the Lake Taupo Trust in 2015. It was reported that the Monitoring Deed was developed following a decision by the Joint Committee that a cost effective and efficient long term monitoring programme was necessary to safeguard the success of the project. On signing the Deed it was agreed that the Deed and its purpose would be reviewed at annual intervals.

The report was taken as read. The Joint Committee endorsed the proposed scope and process for reviewing the Monitoring Deed.

K White moved/K Hodge seconded

LTJC17/23

1. **THAT the report ‘Review of Monitoring Deed - Proposed Scope’ (Doc #.11073777, dated 13 September) be received, and**
2. **THAT the Lake Taupō Protection Project Joint Committee endorse the proposed scope and process for reviewing the Monitoring Deed.**

The motion was put and carried (LTJC17/23)

Lake Taupō Protection Trust’s current operations and ongoing functions

Agenda Item 9 File: 03 04 20 Doc #1180483

The Trusts Manager, M Peck spoke to the report which provided an overview of the current operational activities of the Trust and functions that would require management by the new entity post June 2019. As discussed earlier in the meeting, it was noted that the Official Working Group would undertake an analysis of operations and functions undertaken by the Trust and present options on the future governance and management of the project for consideration at the December Joint Committee meeting.

L Petersen moved/K Hodge seconded

LTJC17/24

1. **THAT the report ‘Lake Taupō Protection Trust’s current operations and ongoing functions’ [Doc #30883] be received; and**
2. **THAT the Joint Committee seeks recommendations from the Officials Working Group on future options which will identify objectives and assumptions to support those recommendations to be reported back to the December 2017 Joint Committee workshop and meeting.**

The motion was put and carried (LTJC17/24)

Doc #11106999

VISION FOR THE REGION
THE WAIKATO CARES LOCALLY, COMPETES GLOBALLY

WAIKATO REGIONAL COUNCIL'S MISSION
Working together to build a Waikato region that has a healthy environment,
a strong economy and vibrant communities



Finance Committee OPEN MINUTES

Minutes of a meeting of the Finance Committee held in Council Chamber, 401 Grey Street, Hamilton East on Tuesday 26 September 2017 at 10.06am.

Chairperson	Cr J Hennebry
Deputy Chairperson	Cr H Vercoe
Present	Cr D Minogue Cr S Kneebone Cr B Quayle
Ex-officio	Cr A Livingston
In Attendance	Cr K White Cr F Lichtwark
Staff	C Crickett – Director Integrated Catchment Services J van Rossem – Project Manager – Biodiversity and Funding Amelia Luxton – Business Support Officer, Integrated Catchment Services Dave Byers – Senior Biodiversity Officer, Integrated Catchment Services D Thurlow – Democracy Advisor

Standing Orders 21. – General Procedures for speaking and moving motions

In respect to options for speaking to and moving motions, a requirement of Standing Orders, adopted by Council at its meeting held on 31 August 2017, is that the Committee, on the recommendation of the chairperson at the beginning of a meeting, seek a resolution to adopt either Option A, or Option C for the meeting if it decides not to go with Option B.

Following discussion the Committee resolved on Option C - Standing Order 21.4 which states:

- The mover and seconder of a motion can move or second an amendment.
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment whether it is carried or lost can move or second further amendments.
- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

Cr Vercoe moved/Cr Livingston seconded

FC17/66

RESOLVED

THAT the Finance Committee adopt Standing Order 21.4 – Option C as the option for speaking and moving motions for this meeting.

The motion was put and carried (FC17/66)

Apologies

(Agenda Item 1)

There were no apologies received.

Confirmation of Agenda

(Agenda Item 2)

The Chair advised that due to a number of items on the agenda involving outside presenters some of the items would be considered out of the order listed in the agenda.

Cr Kneebone moved/Cr Vercoe seconded

FC17/67

RESOLVED

THAT the agenda of the Finance Committee of 26 September 2017 be confirmed as the business for the meeting.

The motion was put and carried (FC17/67)

Disclosures of Interest

(Agenda Item 3)

There were no disclosures of interest.

SECTION A: (UNDER DELEGATION FOR THE INFORMATION OF COUNCIL)

With the consent of the meeting, Item 5 was dealt with at this time.

Environmental Initiatives Fund Reports

File: 01 17 97 (Agenda Item 5) (Doc # 11061494)

Simon Gascoigne and Pamela Story from the Waikato Environment Centre provided a report back on the \$20,000 Environmental Initiative Fund grant that the Centre received towards a coordinator for the Kaivolution Food Rescue Service (Doc # 11138229).

Adrienne Grant, Anne Ferrier-Watson and Jane Landman from Riverlea Environment Society provided a report back on the \$20,000 Environmental Initiative Fund grant that the Society received towards the restoration of Hammond Park (Doc # 11139403)

Vivienne McLean from Coromandel Kauri Dieback Forum Trust provided a report back on the \$25,000 Environmental Initiative Fund grant the Trust received to survey current knowledge, attitudes and behaviour with regard to kauri dieback (Doc # 11139044).

The Committee acknowledged Arthur Hinds and his contribution as a member of Coromandel Kauri Dieback Forum Trust.

Alison Sellars from the Pirongia Restoration Society provided a report back on the \$2,880 Environmental Initiative Fund grant the Society received to protect and enhance populations of the rare plant *Dactylanthus taylorii* (wood rose) on Mount Pirongia (Doc # 11037551).

Leo Koppens and Russell Gibbs from Tamahere-Mangaone Restoration Trust provided a report back on the \$5,000 Environmental Initiatives Grant the Trust received to develop an operational plan for the Tamahere Reserve (Doc # 11120811).

The Chair on behalf of the Committee thanked each of the recipients for taking the time to present and for their outstanding contribution to the Region.

Cr Kneebone moved/Cr Vercoe seconded

FC17/68

RESOLVED

THAT the report 'Environmental Initiatives Fund Reports' (Doc # 11061494 dated 11 September 2017) be received for information.

The motion was put and carried (FC17/68)

The meeting adjourned at 11.50am and reconvened at 12.01pm when, with the consent of the meeting, Item 6 was dealt with.

Request for Additional Funds through Natural Heritage Fund – Moehau Environment Group

File: 22 04 36 (Agenda Item 6) (Doc # 10926813)

Project Manager – Biodiversity and Funding (J van Rossem) introduced the request for additional funds of \$41,000 for the Moehau Environment Group to undertake a group-based possum and rodent control operation over an addition 2,190 hectares of land at Port Charles. The request is an extension to the current predator control work they are carrying out and that is funded through the Natural Heritage Fund.

The Project Manager – Biodiversity and Funding tabled a map outlining the seven new landowners whose authorisations for predator control work would need to be confirmed should the additional funding be granted (Doc #11080257).

Lettecia Williams, Chair of the Moehau Environment Group outlined the application and answered questions of the application. In speaking to the application, the following was noted:

- As part of the funded work through the Natural Heritage Fund, Moehau Environment Group is due to undertake possum and rodent control using a mix of 1080 in bait stations and cyanide over 1,223ha of land at Port Charles in September 2017.
- The Department of Conservation has a proposed operation for the Moehau PCL land at the same time which makes this additional control efficient.
- Moehau Environment Group is proposing to undertake an extended ground-based operation taking in habitat on a further seven properties encompassing 2,190 hectares, bringing the total area under control to 3,413 hectares
- The land extends from the boundary of the Department of Conservation operation at Okahutai (Big Sandy Bay) across three QE11 properties through to and including The Three Stone Bay Ltd 1700ha property. This jointly would make an almost seamless predator control operation over most of the north-eastern side of the peninsula. In the extension area there is a requirement for an additional 200 bait stations to be installed in the treatment areas. The toxin to be used is:
 - (i) Cyanide and diphacinone (D blocks) - 2,483ha; and
 - (ii) 1080 in bait stations - 930ha.

During questions, answers and related discussion Committee members raised or noted the following matters:

- A Councillor expressed concern that whilst the application indicates that the respective landowners are happy to have possum and rodent control carried out on their properties; this is not actually the case given that she had received a number of emails from residents who did not support the application. The Councillor questioned why there is not a focus on what the local community actually want, namely the use of non-residual toxins. Members of the Committee acknowledged the differing views in the Coromandel with respect to the use of 1080, however it was noted that the emails received from some residents represent a group that are against the use of 1080, a number of whom are not actually involved in the project, therefore the importance of balancing the views of the whole community was emphasised. Members were advised that the Moehau Environment Group has obtained / or will obtain written consent from the respective landowners, identifying the type of toxin they prefer. It was further noted that the Memorandum of Understanding with each of the landowners provides flexibility insofar as the landowner at any stage can change the toxin used. The Moehau Environment Group advised that it does not undertake any

pest control work that the landowners does not want. A member advised that, whilst not opposed to the use of 1080, they could not support the application, as people in the Coromandel want an alternative pest control method.

- A member acknowledged the Moehau Environment Group for their work.
- Councillor Minogue sought changes to the staff recommendation in order to address some of the concerns raised by Councillors, whilst providing the Moehau Environment Group flexibility to work with landowners. In seeking changes to the recommendation, he sought an assurance that the agreements reached with the respective landowners would be provided to staff.
- As the seconder to the motion, Councillor Livingston recognised the work carried out by the Moehau Environment Group on behalf of Council noting that this work could be the precursor to work around Predator Free 2050.

Cr Minogue moved/Cr Livingston seconded

FC17/69

RESOLVED

1. **THAT the report “Request for additional funds through Natural Heritage Fund – Moehau Environment Group” (Doc #10926813 dated 16 August 2017) be received for information.**

The motion was put and carried (FC17/69)

Cr Kneebone moved/Cr Quayle seconded
A procedural motion

FC17/69.1

RESOLVED

1. **THAT in accordance with Standing Order 24.2 (b), that the motion under debate be put to the vote (closure motion).**

The motion was put and carried (FC17/69.1)

Cr Minogue moved/Cr Livingston seconded

FC17/69.2

RESOLVED

1. **THAT the report “Request for additional funds through Natural Heritage Fund – Moehau Environment Group” (Doc #10926813 dated 16 August 2017) be received for information.**
2. **THAT additional funding of \$41,000 (excl. GST) to undertake further ground-based rodent and possum control in Northern Coromandel by the Moehau Environment Group be approved subject to:**
 - a. **an Addendum to ICM2016/2020-1619 being prepared and approved by Council’s Legal Services team;**
 - b. **an operational plan being submitted to Council staff, which includes landholder’s approval.**

The motion was put and carried (FC17/69.2)

Councillors Hennebry and Vercoe voted against the motion

Councillor Livingston left the meeting at 1.00pm.

The meeting adjourned for lunch at 1.00pm and reconvened at 1.30pm when Item 4 was dealt with.

Environmental Initiatives Fund Applications

File: 01 17 96U (Agenda Item 4) (Doc # 10988943)

Cr Quayle moved/Cr Vercoe seconded

FC17/70

RESOLVED

1. **THAT the report “Environmental Initiatives Fund Applications” dated 29 August 2017 (Doc #10988943) be received.**

RESOLVED

2. **THAT All grant recipients be subject to the following conditions, that:**
 - The recipient report to Council on the project after completion of the project or after one year
 - Council’s contribution be appropriately recognised and
 - Should the project not proceed within six months of funding approval, such approval will become null and void unless other provisions are arranged between the applicant and the Council.

The motion was put and carried (FC17/70)

Project Manager – Biodiversity and Funding (J van Rossem) presented the following 12 funding requests made to the Environmental Initiatives Fund 2017/18:

Royal Forest and Bird Protection Society – Waikato Branch

Royal Forest and Bird Protection Society – Waikato Branch sought Environmental Initiatives Funding to build capacity for the Kiwi Conservation Club Waikato.

During questions, answers and related discussion Committee members raised or noted the following matters:

- The Committee supported funding of \$2,000 for the Royal Forest and Bird Protection Society – Waikato Branch.

Cr Vercoe moved/Cr Kneebone seconded

FC17/71

RESOLVED

THAT Council award \$2,000 from the Environmental Initiatives Fund to Royal Forest and Bird Protection Society – Waikato Branch for building capacity for the Kiwi Conservation Club Waikato.

The motion was put and carried (FC17/71)Kirikiroa Explorers

Kirikiroa Explorers sought Environmental Initiatives Funding for the purpose of growing Kirikiroa explorers.

During questions, answers and related discussion Committee members raised or noted the following matters:

- Staff advised that following a decision from Council on funding, that they will talk to the other funders to ensure everyone is ‘on the same page’ around funding arrangements.
- The Committee were happy to provide funding for the materials, being \$2,083.

Cr Vercoe moved/Cr Quayle seconded

FC17/72

RESOLVED

THAT Council award \$2,083 from the Environmental Initiatives Fund to Kirikiriroa Explorers for growing Kirikiriroa Explorers.

The motion was put and carried (FC17/72)

Waikato Environment Centre Trust

Waikato Environment Centre Trust sought Environmental Initiatives Funding for the purpose of eco fest Waikato.

During questions, answers and related discussion Committee members raised or noted the following matters:

- A member was in support of the concept, however expressed concern that the project would not obtain the profile required at the Waikato Show.
- Overall, the Committee was in support of this project, subject to appropriate linkage to the Waikato Regional Council.

Cr Kneebone moved/Cr Quayle seconded

FC17/73

RESOLVED

THAT Council award \$6,000 from the Environmental Initiatives Fund to Waikato Environment Centre Trust for Eco Fest Waikato.

The motion was put and carried (FC17/73)

Hamilton City Council

Hamilton City Council sought Environmental Funding for Waikato Museum bat tours.

During questions, answers and related discussion Committee members raised or noted the following matters:

- The Committee supported this application.

Cr Vercoe moved/Cr Kneebone seconded

FC17/74

RESOLVED

THAT Council award \$1,500 from the Environmental Initiatives Fund to Hamilton City Council for Waikato Museum bat tours.

The motion was put and carried (FC17/74)

Whenuakiwi Trust

Whenuakiwi Trust sought Environmental Initiatives Funding for funding of a Whenukite Kiwi Care Group Operations Manager.

During questions, answers and related discussion Committee members raised or noted the following matters:

- The Committee acknowledged the work of this group and supported this application.

Cr Minogue moved/Cr Kneebone seconded

FC17/75

RESOLVED

THAT Council award \$19,985 in Year 1 and \$19,985 in Year 2 from the Environmental Initiatives Fund to Whenuakiwi Trust for funding for Whenuakite Kiwi Care Group Operations Manager.

The motion was put and carried (FC17/75)

Kapowai Kiwi Group

Kapowai Kiwi Group sought Environmental Initiatives Funding for the purpose of Kapowai Kiwi Group Pest Management.

During questions, answers and related discussion Committee members raised or noted the following matters:

- The Committee supported this application.

Cr Kneebone moved/Cr Quayle seconded

FC17/76

RESOLVED

THAT Council award \$12,294 in Year 1 and \$12,294 in Year 2 from the Environmental Initiatives Fund to Kapowai Kiwi Group for Kapowai Kiwi Group Pest Management.

The motion was put and carried (FC17/76)

Colville Social Service Collective

Colville Social Service Collective sought Environmental Initiatives Funding for Colville Harbour Care predator control.

During questions, answers and related discussion Committee members raised or noted the following matters:

- Members felt that this was a great step forward for the community and were therefore in support of the application.

Cr Minogue moved/Cr Kneebone seconded

FC17/77

RESOLVED

THAT Council award \$19,022 in Year 1 and \$17,387 in Year 2 from the Environmental Initiatives Fund to Colville School Service Collective for Colville Harbour Care – Predator Control.

The motion was put and carried (FC17/77)

Tongariro Natural History Society

Tongariro Natural History Society sought Environmental Initiatives Funding for the purpose of Predator Free Taupo excluding costs associated with setting up and operating a trap library.

During questions, answers and related discussion Committee members raised or noted the following matters:

- Whilst the Committee supported the application, they sought assurance that the funding would not be associated with the setting up and operation of the trap library.

Cr Kneebone moved/Cr Quayle seconded

FC17/78

RESOLVED

THAT Council award \$10,000 in Year 1 and \$10,000 in Year 2 from the Environmental Initiatives Fund to Tongariro Natural History Society for Predator Free Taupo excluding costs associated with setting up and operating a trap library.

The motion was put and carried (FC17/78)

Whaingaroa Environment Centre

Whaingaroa Environment Centre sought Environmental Initiatives Funding for setting up Plastic Bag Free Raglan.

During questions, answers and related discussion Committee members raised or noted the following matters:

- The Committee noted there is a level of unknown around where Central Government is heading with the use of plastic bags, and given that the request is purely for administrative purposes, the Committee were happy for provide funding of \$5,000.

Cr Vercoe moved/Cr Hennebry seconded

RESOLVED

THAT Council award \$5,000 from the Environmental Initiatives Fund to Whaingaroa Environment Centre for Plastic Bag Free Raglan.

Cr Minogue moved/Cr Kneebone seconded

An amendment

THAT Council award \$10,000 from the Environmental Initiatives Fund to Whaingaroa Environment Centre for Plastic Bag Free Raglan.

The amendment was lost on a show of hands.

Cr Vercoe moved/Cr Hennebry seconded

FC17/79

RESOLVED

THAT Council award \$5,000 from the Environmental Initiatives Fund to Whaingaroa Environment Centre for Plastic Bag Free Raglan.

The original motion was put and carried FC17/79).

Transformations – From the Roots Up

Transformations – From the Roots Up sought Environmental Funding for reaching out to young hearts.

During questions, answers and related discussion Committee members raised or noted the following matters:

- The Committee did not support this application given the lack of detail in the application.

Cr Kneebone moved/Cr Quayle seconded

FC17/80

RESOLVED

THAT Council decline the Environmental Initiatives Fund request from Transformations – From the Roots Up.

The motion was put and carried (FC17/80)

Waikato Farm Forestry Association

Councillor Kneebone and Councillor Minogue declared an interest in this application and took no part in the discussion, debate or voting for this application.

Waikato Farm Forestry Association sought Environmental Initiatives Funding for updating the project kahikatea fencing.

During questions, answers and related discussion Committee members raised or noted the following matters:

- The Committee were unclear on the need for the project and on that basis could not support the application.

Cr Quayle moved/Cr Vercoe seconded

FC17/81

RESOLVED

THAT Council decline the Environmental Initiatives Fund request from Waikato Farm Forestry Association.

The motion was put and carried (FC17/81)

Te Runanga o Ngati Kea Ngati Tuara Trust

Te Runanga o Ngati Kea Ngati Tuara Trust sought Environmental Initiatives Funding for conservation of Horotoro Maunga.

During questions, answers and related discussion Committee members raised or noted the following matters:

- The application lacked detail and on this basis, the Committee could not support the application.
- Staff undertook to approach the applicant to seek additional detail.

Cr Vercoe moved/Cr Kneebone seconded

FC17/82

RESOLVED

THAT Council decline the Environmental Initiatives Fund request from the Te Runanga o Ngati Kea Ngati Tuara Trust.

The motion was put and carried (FC17/82)

Meeting closed at 2.30pm.

Doc# 11106944

Hamilton Public Transport Joint Committee OPEN MINUTES

Minutes of a meeting of the Hamilton Public Transport Joint Committee held in Waikato Regional Council Chambers on 29 September 2017 at 10:00am.

Present:

Chair Cr Russ Rimmington
Deputy Chair Cr Dave MacPherson

Waikato Regional Council Cr Russ Rimmington
Cr Jane Hennebry
Hamilton City Council Cr Dave MacPherson

Waikato District Council Cr Dynes Fulton
Waipa District Council Cr Grahame Webber
NZ Transport Agency

Access and Mobility Gerri Pomeroy

Staff

In Attendance:

Waikato Regional Council Mike Garrett (Chief Financial Officer)
Andrew Wilson (Manager, Public Transport)
Susie Marinkovich (Team Leader, Finance)
Wendy Valois (Communications Advisor)
Alex Williams (Democracy Advisor)

Hamilton City Council Jason Harrison (Unit Manager, City Transportation)

Apologies

Apologies were received from Cr Leo Tooman (Hamilton City Council) and Andrew McKillop (New Zealand Transport Agency)

Accepted

Prior to the commencement of the substantive meeting, Chair (Russ Rimmington) welcomed new members (Cr Dynes Fulton, Cr Grahame Webber) to the meeting for the first time following amending the Committee Terms of Reference to include members from Waikato District Council and Waipa District Council.

Confirmation of Agenda

(Agenda Item 2)

Cr D MacPherson moved/Cr J Hennebry seconded.

HPTJC17/11

THAT the agenda of the meeting of the Hamilton Public Transport Joint Committee of 29 September 2017, as circulated, be confirmed as the business for the meeting.

The motion was put and carried (HPTJC17/11)

Disclosures of Interest

(Agenda Item 3)

There were no disclosures of interest.

SECTION A: (UNDER DELEGATION FOR THE INFORMATION OF COUNCIL)**Minutes of Previous Meeting**

File: 03 04 21 (Agenda Item #4) Doc #10571250

The Committee was provided with a copy of the Hamilton Public Transport Joint Committee meeting minutes of 2 June 2017.

The following points were noted:

- A member noted that Lulu Lane (off Wairere Drive) had no room for buses. Staff noted that a collector road was yet to be installed here. Staff agreed to look at how Waikato Regional Council and Hamilton City Council could work better in this space.

Cr J Hennebry moved/Cr D MacPherson seconded.

HPTJC17/12

THAT the Minutes of the Hamilton Public Transport Joint Committee meeting of 2 June 2017 be received and approved as a true and correct record.

The motion was put and carried (HPTJC17/12)

Waikato Regional Council Public Transport Update

File: 03 04 21 (Agenda Item #5) Doc #11065941

Presented by Chief Financial Officer (Mike Garrett) the report provided the Committee with information on matters relevant to the implementation and monitoring of the Waikato Regional Public Transport Plan 2015-25 as it affects Hamilton City.

Manager, Public Transport (Andrew Wilson) presented on the following topics alongside Team Leader, Finance (Susi Marinkovich). Detailed presentations were also provided to the Committee and would be available on the website following this meeting.

Fare Review

The following points were noted:

- It is proposed that the 60+ concessions would be grandparented. Staff advised that this concession had been superseded by the Gold Card to an extent. Those that already had the 60+ concession were still able to use it, there would be no more issued.
- Staff will investigate a “short distance fare” option. There was also going to be a review of the free shuttle.
- Staff were not clear on what the exact implementation date would be for the new fare system. The target was to have the system implemented by June 2018.
- The new ticketing system was being developed by a German company called ‘Init’ that specialised in IT solutions for Public Transport. The system would have the potential to monitor and establish statistics based on data received from the “tag on, tag off” system.
- A member queried how we could ensure that the standard of accessible buses was the same across the region when considering the transport services provided by the District Health Board and the University of Waikato. Staff advised that only services contracted through the Regional Council were required to operate within standards required and there was no control over operation or accessibility of services operated by other entities. It was suggested that these concerns could be considered during the Regional Public Transport Plan review.

Real Time Update

The following points were noted:

- The real time service operated within the transit application. The application was free and had a voice service for the visually impaired also.
- For those without smart phones, there were “E Stops” operating at 5 sites so far that relayed up to date visual information. There were also screens on buses providing the same service for information.
- It was expected the implementation of the real time service would see a reduction in call centre calls with the majority of calls querying the timing of buses.
- “E Stops” were designed with a plastic peel from cover that could be replaced if damaged or vandalised.

Electronic Ticketing

The following points were noted:

- The cost of a smart card for existing cardholders would be absorbed as a project cost for the transition to the new system..
- Work is underway to investigate the move away from cash on buses and to incentivise the use of smart cards.
- Members noted that, at presented, other family members maybe using the family members Super Gold Cards. Staff advised that the new system would be integrated to the smart card and require a user to be registered. There was currently work underway with the Ministry of Social Development to automate this process. At

present, to link a gold card to a smart card a patron would have to see Customer Service at the Transport Centre.

Waipa District Service Overview

- The Committee discussed the need for 4 lanes coming in to Hamilton from Tamahere with a dedicated bus lane, so that buses were not stopped in the same traffic as cars. A member noted their intention to have Waipa District Council on board for this project when communicating the need with NZTA.
- A member noted that where Hillcrest Bus intercepts with the Orbiter, this needed to be highlighted as a point to connect, via the Orbiter, to anywhere else in the City.
- The Committee suggested that there be better/scheduled connections to the airport, with the new infrastructure through the Peacockes area, this could be another potential corridor for this.
- The Southern Links Bridge was being designed with 4 lanes, there was no confirmation as yet if one of those lanes would be a bus lane.
- Waipa District Council was considering a bus service between Cambridge and Te Awamutu while the Cambridge pool was out of action.

Waikato District Service Overview

- A member noted that Ngaruawahia was a community that was split by rivers and railways leaving parts of the town excluded from bus routes. It was suggested that a bus service on Turangawaewae Road and Havelock Road be considered.
- Staff advised that meetings had taken place between Waikato Regional Council Staff and Waikato District Council staff discussing Buses from Hamilton to Auckland. The Committee noted that, without a dedicated lane the same traffic issues would exist.
- Staff advised that part of the review was considering linking the University Bus into the Paeroa to Hamilton Services.
- Matamata Piako District Councils had requested a viability study into the operation of links between Matamata and the Cambridge/Morrinsville services.

Patronage

- Most of the reduced patronage was due to the Orbiter Bus Service and city shuttle. The service was going back to a 15 minute service and was being promoted as such. Increased frequency would require cost approval before implementation.
- Currently, we are reliant of bus drivers to provide the information in regards to patronage on the city shuttle, once the new ticketing system was implemented the data would be provided electronically.

New Contracts

- Marketing of the Hamilton Transport changes was being undertaken currently including the Orbiter Services and the Real Time application and E Stops. Immediate costs were estimated to be \$54,000 with \$17,000 for promotion of Real Time, \$20,000 for promotion of the Orbiter Services and the rest for promotion at the Base (eg: Table tops in Food Courts).
- Waikato Regional Council had invested \$100,000 extra funding for direct marketing only.
- The Committee suggested that full page advertisements be placed in free papers.

World Car Free Day

Following this part of the presentation, there was no discussion.

Passenger/Driver Safety (Buses)

- CCTV had been installed on buses but recent events had shown that this had not been a deterrent in some areas.
- City Safe were involved and temporary measures were in place in those affected areas.

Hamilton North Improvements

- Staff presented a summary of the feedback from consultation on the proposed options.
- New bus services were expected to be established by January 2018 for the Rototuna High School area.
- More community feedback needed to be sought regarding the proposed changes/additions to the service. Once this information was gained, a briefing would be provided and the detail worked out from there.

Central Connector - CBD Shuttle

- The Committee queried if the linking in of Mahoe/Glenview services made the frequency services targets between the hospital and the base harder to achieve. Staff advised that the intention was to have a combination of services but to achieve a 10 minute frequency more buses and resources would be required.
- Short rides would invoke a discount fare. The Committee suggested this be round down to the nearest dollar to compete with the free shuttle.
- Engagement with the blind and elderly community would be undertaken to ensure there feedback was considered and their needs catered for as part of the City shuttle review.

Cr D MacPherson moved/Cr D Fulton seconded.

HPTJC17/13

RESOLVED

THAT the report “Waikato Regional Council Public Transport Update” (Doc# 11065941 dated 20 September 2017) be received for information.

The motion was put and carried (HPTJC17/13)

Hamilton City Council Activity Report

File: 03 04 21 (Agenda Item #6) Doc #11118245

Presented by Unit Manager, City Transportation (Jason Harrison) the report provided the Committee with an update on Access Hamilton, public transport infrastructure and the Transport Centre review from Hamilton City Council.

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

- The Transport Centre upgrade programme allowed for the platform to be decluttered and made more weather friendly. A member suggested that the Bus maintenance shed be leased from Hamilton City Council to Waikato Regional Council and then contracted on to the contracted bus service.
- A Mass Transit Plan was being undertaken that would look at transport modes for the city in a long term view understanding. People movement was key to the success of the plan. A member suggested that pedestrian networks be considered as part of this also. A draft scope would be provided to the Committee for review.

Cr J Hennebry moved/Cr D MacPherson seconded.

HPTJC17/14

RESOLVED

THAT the report "Hamilton City Council Activity Report" (Doc# 11118245 dated 21 September 2017) **be received for information.**

The motion was put and carried (HPTJC17/14)

Meeting closed at 12.39pm.

Doc #11144181

Regional Transport Committee
OPEN MINUTES

Minutes of a meeting of the Regional Transport Committee held in Waikato Regional Council Chambers on 2 October 2017 at 9:30am.

Present:

Waikato Regional Council	Cr H Vercoe
Hamilton City Council	Cr R Rimmington
Hauraki District Council	Cr D Macpherson
Matamata Piako District Council	Cr T Adams
Otorohanga District Council	Mayor J Barnes
South Waikato District Council	Mayor M Baxter
Taupō District Council	Cr B Machen
Thames Coromandel District Council	Cr A Park
Waikato District Council	Cr S Christie
Waipa District Council	Cr D Fulton
Waitomo District Council	Cr G Webber
New Zealand Transport Agency	Mayor B Hanna
Waikato Region Road Policing	P McLean
Manager	Inspector M Lynam (Non-voting advisor)

Waikato Regional Council Staff:

A Lane (Manager, Integration and Infrastructure)
M Alderton (Senior Policy Advisor, Transport and Infrastructure)
N King (Senior Policy Advisor, Transport and Infrastructure)
R Cook (Senior Policy Advisor, Transport Relationships)
B McMaster (Team Leader, Transport and Infrastructure)
I Kennedy (Stock Truck Effluent Coordinator)
R Algar (Contractor, Education)
L Balsom (Senior Policy Advisor, Policy Implementation)
V Kuo (Senior Policy Advisor, Transport and Infrastructure)

Apologies

There were no apologies received.

Accepted

Confirmation of Agenda

(Agenda Item 2)

Cr moved/Cr seconded.

RTC17/63

THAT the agenda of the meeting of the Regional Transport Committee of 2 October 2017, as circulated, be confirmed as the business for the meeting.

The motion was put and carried (RTC17/63)

Disclosures of Interest

(Agenda Item 3)

There were no disclosures of interest.

Minutes of Previous Meeting

File: 03 04 11 (Agenda Item #4) Doc #10332273

During discussion, the following points were noted:

- The Committee was advised that Matamata-Piako District Council had completed part of their conversion of street lighting to light-emitting diode lighting.

Cr R Rimmington moved/Cr S Christie seconded.

RTC17/64

THAT the Minutes of the Regional Transport Committee meeting of 4 September 2017 be received and approved as a true and correct record.

The motion was put and carried (RTC17/64)

SECTION A: (UNDER DELEGATION FOR THE INFORMATION OF COUNCIL)**Endorsing the Investment Logic Map policy framework for 2018 Regional Land Transport Plan Review.**

File: 03 04 11 (Agenda Item #5) Doc #11033492, 10943015, 10905726, 10502667

Presented by Senior Policy Advisor for Transport and Infrastructure (Madeleine Alderton) the report provided the Committee with an early draft of the supporting policy framework chapters of the 2018 update to the Regional Land Transport Plan, and to endorse the summary Investment Logic Map which was agreed to at the last Regional Transport Committee workshop on 3 July 2017.

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

- A member raised concern that the Southern Links was not covered in the review in great detail, and should be considered a key priority as it was a major roading infrastructure project that affected more than just Hamilton City. Staff advised that this had been included as a priority but at a previous workshop, this had been removed by agreement. The Committee agreed that this should be included as a priority and would be included at point 3.7: Strategic corridors and economic development policy template.

- A member requested that the statistics referring to Hamilton population at page 35 should be checked and confirmed.
- Referring to passenger rail, at page 45, there was a request to make it explicit that the critical constraints listed do not actually prevent a service from starting up. Staff agreed to make this explicit.
- A member requested that page 31 placeholder insert be amended to include reference to Labour's promise to fast track rail between Auckland and Hamilton within 18 months.
- It was noted some of the transport statistic figures were being considered by the FutureProof group. It was important that these figures aligned with this review.
- The Committee was advised that submission for this review closed on 9 February 2018. The long submission period was to cater for the Christmas holiday period.

Cr D Macpherson moved/Cr D Fulton seconded.

RTC17/65

RESOLVED

1. **THAT the report "Endorsing the Investment Logic Map policy framework for 2018 Regional Land Transport Plan Review" (Doc#11033492, dated 13 September 2017) be received for information.**
2. **THAT the Regional Land Transport Committee endorse the Investment Logic Map in Section 3.2 of Attachment 3 to this report.**

The motion was put and carried (RTC17/65)

Membership structure and nominations for the 2018 update to the Waikato Regional Land Transport Plan 2015-2045 Hearing Committee.

File: 03 04 11 (Agenda Item #6) Doc # 11041113

Presented by Senior Policy Advisor for Transport and Infrastructure (Madeleine Alderton) the report recommended the committee structure for the Draft 2018 update to the Waikato Regional Land Transport Plan 2015-2045 Hearing Committee and recommended this structure and nominations to the Waikato Regional Council Hearings Appointment Subcommittee.

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

- The New Zealand Transport Agency (NZTA) would have a representative on the Committee however they would be advisory only and non-voting.

Chair Hugh Vercoe called for nominations for the Hearing Committee.

Councillor Russ Rimmington nominated Councillor Dave MacPherson to be the Hamilton City Council representative. This was seconded by Councillor Bill Machen.

Cr R Rimmington moved/Cr D Macpherson seconded.

RTC17/66

RESOLVED

1. **THAT Councillor Dave MacPherson be nominated as the Hamilton City Council representative on the Waikato Regional Land Transport Plan 2015-2045 Hearing Committee.**

The motion was put and carried (RTC17/66)

Mayor Max Baxter nominated Councillor Grahame Webber to be the North Waikato Sub-Region, and the Waipa/Waitomo/Otorohanga Sub-Region representative. This was seconded by Mayor Jan Barnes.

Mayor M Baxter moved/Mayor J Barnes seconded.

RTC17/67

RESOLVED

1. **THAT Councillor Grahame Webber be nominated as the North Waikato Sub-Region, and the Waipa/Waitomo/Otorohanga Sub-Region representative on the Waikato Regional Land Transport Plan 2015-2045 Hearing Committee.**

The motion was put and carried (RTC17/67)

Councillor Sally Christie nominated Councillor Toby Adams to be the East Waikato Sub-Region representative. This was seconded by Mayor Jan Barnes.

Cr S Christie moved/Mayor J Barnes seconded.

RTC17/68

RESOLVED

1. **THAT Councillor Toby Adams be nominated as the East Waikato Sub-Region representative on the Waikato Regional Land Transport Plan 2015-2045 Hearing Committee.**

The motion was put and carried (RTC17/68)

Councillor Bill Machen nominated Councillor Anna Park to be the South Waikato and Taupo Sub-Region representative. This was seconded by Mayor Max Baxter.

Cr B Machen moved/Mayor M Baxter seconded.

RTC17/69

RESOLVED

1. **THAT Councillor Anna Park be nominated as the South Waikato and Taupo Sub-Region representative on the Waikato Regional Land Transport Plan 2015-2045 Hearing Committee.**

The motion was put and carried (RTC17/69)

Cr R Rimmington moved/Mayor J Barnes seconded.

RTC17/70

RESOLVED

1. **THAT the report "Membership Structure and nominations for the 2018 update to the Waikato Regional Land Transport Plan 2015-2045 Hearing Committee" (Doc# 11041113 dated 14 September 2017) be received.**
2. **THAT the Regional Transport Committee confirms the membership structure and nominations for the 2018 update to the Waikato Regional Transport Plan 2015-2045 (2018 RLTP) Hearing Committee**
3. **THAT the Regional Transport Committee recommends the nominations to the Waikato Regional Council Hearings Appointment Subcommittee for appointment.**

The motion was put and carried (RTC17/70)

New Zealand Transport Agency – Mobility as a Service

File: 03 04 11 (Agenda Item #7) Doc #11063676

Presented by New Zealand Transport Authority – Connected Journey Solutions Director (Martin McMullan) the report provided the Committee with a presentation on the work that the NZTA was undertaking on Mobility as a Service including a demonstration of the new tools being developed for the public to assist with journey planning.

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

- Rail was not included in the Maas application as this was created for Queenstown. The Auckland application will accommodate Rail.
- Concern was raised that the application did not accommodate those travelling from rural areas/towns (such as Te Awamutu and Pirongia) into cities. The Committee was advised that the application was a mobility market place and anyone offering a service, could offer it via the application. This included shared journey services from rural areas.
- The Committee raised concern that the NZTA had not been involved in the development of the Waikato Real Time Application and there was potential for there to be several transport applications on the market. The Committee was advised that NZTA does not deploy the applications, this is done by the respective Regional Councils. NZTA only provides the platform for the content of the work.

Chair Hugh Vercoe thanked Martin McMullan for his time and presentation to the Committee.

Mayor M Baxter moved/Cr G Webber seconded.

RTC17/71

RESOLVED

THAT the report “New Zealand Transport Agency – Mobility as a Service” (Doc# 11063676 dated 14 September 2017) be received for information.

The motion was put and carried (RTC17/71)

The New Zealand Transport Agency – Quarterly Report – October 2017

File: 03 04 11 (Agenda Item #8) Doc #11061909

Presented by NZTA Planning Manager (Anuradha Fitzwalter) this item provided the Committee with the NZTA’s Quarterly Report for October 2017.

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

- In respect of the Waikato Highway Projects the Committee was advised that once funding for a detailed business case had been obtained, NZTA was looking to begin this work in this financial year, and into the 18/19 year.
- In respect of Waikato Business Cases at page 77 the Committee queried if we should not wait until the outcome of the 2017 Elections was before committing to these activities. The Committee was advised that these were activities that were already underway and even though some had the potential to not sit within the structure of the new Government the work would continue until there was clarity of the current political stand.
- Discussion ensued regarding the Cambridge/Tamahere expressway request for 4 laning into Hamilton. Staff advised this would be considered by Access Hamilton. With respect to f the Kopu Bridge, this was under negotiation for a Trust to take ownership of the Bridge. The contract would contain requirements for performance and maintenance standards and an option for NZTA to buy back if required.
- Discussion ensued with regard to the slips at Coromandel restricting access and the concern that if both access roads suffered slips, Coromandel could potentially become landlocked. Anuradha Fitzwalter advised that this had been established as an area of concern after the weather over the past winter. Long term improvements were being considered and outlined within the report. It was noted that the Coromandel Long Term Integrated Programme Business Case was not in the State Highway programme and was a matter that RTC will needed to address.

- NZTA representative (Parekawhia McLean) advised that the alternate NZTA representative was moving to another role within the organisation, the replacement alternative would be James Bevan.

Cr D MacPherson moved/Cr S Christie seconded.

RTC17/72

RESOLVED

THAT the report “New Zealand Transport Agency Quarterly Report – October 2017” (Doc# 11061909 dated 13 September 2017) be received for information.

The motion was put and carried (RTC17/72)

Road Safety Monitor Report – October 2017

File: 03 04 11 (Agenda Item #9) Doc #11035663, 9864853

Presented by Senior Policy Advisor – Transport Relationships (Rachel Cook) and Team Leader, Transport and Infrastructure (Bill McMaster) the report provided the Committee with an update on road safety issues and trends and informed on regional progress towards the actions outlined in national and regional road safety strategies.

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

- Discussion ensued on the safety of cyclists in high speed areas. It was noted that accidents involving cyclists in over 60km per hour areas would likely be fatal. Where roads provided shoulders for cyclists, there were less fatalities. The Committee suggested that accommodating bicycles should be considered when roads were being built.
- The Committee requested a sub-regional break down of fatalities in the region.
- Speed management was being discussed towards the end of the meeting and this would give a better understanding about establishing speed limits and the technology used to establish safe speeds. The Committee agreed to table the recommendations until after this discussion.

Road Policing Inspector (Marcus Lynam) provided the Committee with an update on the current works within the Police on road safety. The following points were outlined:

- The new road policing base was operational. This was located off Rifle Range road off Railside Place

Two operations were underway for the Road Policing Team, these were:

- Labour weekend operation that would involve specific deployments around the Waikato.
- Tri-City with Waikato and Bay of Plenty staff. This operation would be held around Hamilton, Tauranga and Rotorua. The focus would be on increased visibility and drink driving. There would be extra publicity for this over the holiday period.

Waikato Stock Truck Effluent Disposal – Identifying the Way Forward

File: 21 20 13 (Agenda Item #10) Doc #11018313

Presented by Stock Truck Effluent Coordinator (Isy Kennedy), this report provided the Committee with information on the recently completed Waikato Stock Truck Effluent Disposal Facilities Detailed Business Case and the proposed way forward. The report also sought endorsement of the programme of sites and proposed funding arrangements.

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

- The NZTA would provide financial assistance for maintenance of approximately \$15,000 per site. This had been adequate so far.
- As this was a regional consideration, no particular area was funded alone and funding was parented via the Waikato Regional Council with a targeted rate. This rate would likely increase via the Long Term Plan.
- The Committee agreed this was important work that needed to be prioritised and get started as soon as possible.

Cr G Webber moved/Cr R Rimmington seconded.

RTC17/73

RESOLVED

1. **THAT the report “Waikato Stock Truck Effluent Disposal – Identifying the Way Forward” (Doc# 11018313 dated 19 September 2017) be received**
2. **THAT the Committee endorses the priority stock truck effluent disposal sites for implementation as outlined in table 1 of this report.**
3. **THAT the Committee support proceeding with the project with the use of existing Waikato Regional Council funding to provide a local share for constructing the first 3 to 4 high priority sites by December 2018 and secondly to proceed with the remaining sites, pending funding approval through the WRC 2018-28 Long Term Plan process.**
4. **THAT, subject to Committee support for the recommended stock truck effluent disposal facilities implementation plan and budget, a letter be prepared and forwarded to NZTA confirming the arrangement.**

The motion was put and carried (RTC17/73)

Update on Regional Public Transport Projects

File: 03 04 11 (Agenda Item #11) Doc # 1103429

Presented by Senior Policy Advisors (Lisette Balsom and Vincent Kuo) the report updated the Regional Transport Committee on the review of the Waikato Regional Public Transport Plan and other key public transport planning projects.

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

- The first meeting of the Hamilton to Auckland connections working party is in the process of being set up. Kiwi Rail, Auckland Council, Auckland Transport and, Waikato Regional Council, Waikato District Council and Hamilton Council have confirmed their appointees. Staff were still waiting for confirmation from NZTA. A member raised concern that this was taking too long and there was no need to wait to undertake a customer demand survey. The Committee was advised in response to undertaking the survey that the direction to staff was to consider various options for a survey within a constrained budget. Staff were working through these options and establishing costs for the Working Party to consider at its first meeting. Staff reassured the Committee that the work was being done behind the scenes while representation was established and confirmed. Given the seniority of the working party membership it was taking some time to find suitable dates for the first meeting.

Cr G Webber moved/Cr B Machen seconded.

RTC17/74

RESOLVED

THAT the report “Update on Regional Public Transport Projects” (Doc# 11034290, dated 14 September 2017) be received for information.

The motion was put and carried (RTC17/74)

Speed Limit Setting Process

File: 03 04 11 (Agenda Item #12) Doc # 11062490

Presented by NZTA Manager of Network Safety (Glenn Bunting) the report provided the Committee with a presentation on the speed limit setting process and its role in the wider speed management regime. The detailed presentation would be available to the Committee following the meeting.

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

- A member raised concern that the process was still time consuming and protracted. The Committee was advised that the option to amend the bylaw to allow amendments to speed limits by resolution was an option in this space. While it took time to amend the bylaw, once this was done speeds could be amended by a simple resolution of Council. This would not apply to state highways however, the new rules would still require consultation for this.
- Speed management plans should consider future work required in high growth areas. It was suggested that key principles/catch all's be included within these plans – for example - a standard 40km past all Hamilton schools. This would mean that any new schools opened would automatically require the 40km speed zone.
- Early stakeholder engagement followed by public consultation was important when speed limits were proposed to be changed. Rather than consulting on every road, the consultation should be on the situation/nature of the road so the speed can be amended as required. Consistent messaging across the region was required.

Cr T Adams moved/Cr D MacPherson seconded.

RTC17/75

RESOLVED

THAT the report “Speed Limit Setting Process” (Doc# 11062491, dated 14 September 2017) be received for information.

The motion was put and carried (RTC17/75)

Referring back to item 9 “Road Safety Monitor Report – October 2017” the Committee agreed that the resolutions should outline the request that the NZTA continue to consult with the Waikato Regional Cycling Steering Group and Regional Road Safety Forum on all matters relating to safe cycle ways along Waikato Expressway Corridors and anywhere else that the 110km/hour speed zone was being considered.

Mayor J Barnes moved/Cr B Machen seconded.

RTC17/76

RESOLVED

1. **THAT the report “Road Safety Monitor Report – October 2017” (Doc# 11035663 dated 14 September 2017) be received for information.**
2. **That the Regional Transport Committee requests the New Zealand Transport Agency to continue consulting with the Waikato Regional Cycling Steering Group and Regional Road Safety Forum on the matter of planning for safe cycling along the Waikato Expressway corridor and any other state highways particularly in respect to areas where 110 km/hr speed zones are being planned**

The motion was put and carried (RTC17/76)

Regional Transport Issues Forum

File: 03 04 11 (Agenda Item #13) Doc #11034584

This report provided the Committee with an opportunity to raise and discuss regional transport issues in an open forum.

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

- Cr Toby Adams advised that the yellow lines had now been painted on the Puke Bridge.
- Cr Toby Adams requested an update from NZTA in regards to the Netherton School entry and exit. Mayor Jan Barnes advised that the same issue was present at Te Hoi School on Stockford Road in Matamata.
- Mayor Jane Barnes advised that there were roads in Matamata (eg: Firth Street at the point of crossing the rail line) that were very unsafe. Vehicles were weaving to avoid potholes. She requested that NZTA consider this issue.
- The Committee requested that once an issue was resolved, it be removed from the list.

Mayor J Barnes moved/Cr T Adams seconded.

RTC17/77

RESOLVED

THAT the report “Regional Transport Issues Forum” (Doc# 11034584 dated 14 September 2017) be received for information.

The motion was put and carried (RTC17/77)

The meeting closed at 12:45pm.

Doc # 11144484

VISION FOR THE REGION
THE WAIKATO CARES LOCALLY, COMPETES GLOBALLY

WAIKATO REGIONAL COUNCIL'S MISSION
Working together to build a Waikato region that has a healthy environment,
a strong economy and vibrant communities



CE Employment and Remuneration Committee OPEN MINUTES

Minutes of a meeting of the CE Employment and Remuneration Committee held in Council Chamber, 401 Grey Street, Hamilton East on Monday 2 October 2017 at 1.06pm.

Chairperson	Cr A Livingston
Present	Cr J Hennebry Cr B Simcock Cr H Vercoe
In Attendance	P Loof – Loof Consulting Limited V Payne – Chief Executive (for Items 1-9)
Staff	D Thurlow – Democracy Advisor

Apologies

(Agenda Item 1)

There were no apologies received.

Confirmation of Agenda

(Agenda Item 2)

Cr Hennebry moved/Cr Simcock seconded

CEER17/30

RESOLVED

THAT the agenda of the CE Employment & Remuneration Committee of 2 October 2017 as circulated be confirmed as the business for the meeting.

The motion was put and carried (CEER17/30)

Disclosures of Interest

(Agenda Item 3)

There were no disclosures of interest noted.

SECTION A: (UNDER DELEGATION FOR THE INFORMATION OF COUNCIL)**Resolution to Exclude the Public**

(Agenda Item 4)

Cr Hennebry moved/Cr Simcock seconded

CEER17/31

RESOLVED

THAT the public be excluded from the following parts of the meeting:

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

Item No.	Item Name and general subject of matter to be considered	Reason for passing this resolution in relation to matter	Ground(s) under Section 48(1) for the passing of this resolution
5	2017/18 CE Performance Measure Progress Report	Good reason(s) to withhold exist under Section 7	Section 48(1)(a)
6	CE Development	Good reason(s) to withhold exist under Section 7	Section 48(1)(a)
7	Realising our Potential Action Plan	Good reason(s) to withhold exist under Section 7	Section 48(1)(a)
8	Online Services Roadmap	Good reason(s) to withhold exist under Section 7	Section 48(1)(a)

9	Annual Warrant of Fitness Review of Key Human Resource Policies: Remuneration Policy Review	Good reason(s) to withhold exist under Section 7	Section 48(1)(a)
10	CE's Employment Contract	Good reason(s) to withhold exist under Section 7	Section 48(1)(a)

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

Item No	Reason/s for withholding official information	Section/s
5, 6, 7, 8, 9, 10	Protection of privacy of natural persons	S7(a)

THAT Paul Loof from Paul Loof Consulting be permitted to remain at this meeting, after the public has been excluded, because of his knowledge of Items 5, 6, 7, 8, 9 and 10.

The motion was put and carried (CEER17/31)

Return to Open Meeting at 3.32pm.

Meeting closed at 3.32pm.

Doc # 11177041

For Information

**Summary of Section B Recommendations to Council
Noted by Integrated Catchment Committee 12 October
 from Catchment Committee and Drainage Advisory Subcommittee Meetings
 August/September 2017**

Upper Waikato Catchment Committee 28 August 2017
<ul style="list-style-type: none"> • THAT an action-based approach is taken to the management of biodiversity in the Upper Waikato Zone, including taking advantage of all catchment based resources in a co-ordinated approach. • THAT Council takes a leadership and coordination role in biodiversity management in the development of the forthcoming Long Term Plan.
Lower Waikato Catchment Committee 6 September 2017
<ul style="list-style-type: none"> • THAT the Lower Waikato Catchment Committee support the direction outlined in the 'Willis Report' (Doc # 10804458) and that Council advocate for increased level of national funding to assist the strategic shifts identified in the Willis Report.
Central Waikato Catchment Committee 24 August 2017
<ul style="list-style-type: none"> • THAT the Central Waikato Catchment Committee recommend that staff investigate the erosion related issues on the Waikato River by Days Park and report back to the Committee with recommendations of the remediation, action or otherwise to be taken.
<ul style="list-style-type: none"> • THAT the Central Waikato Catchment Committee support the staffing of the 1.3 FTE for catchment work, allocation proposed in the Long Term Plan.
<ul style="list-style-type: none"> • THAT the Central Waikato Catchment Committee recommends that Waikato Regional Council is active in Biodiversity matters at a national level.
Waihou Piako Catchment Committee 25 August 2017
<p><i>The following recommendation was <u>NOTED</u> by Integrated Catchment Management Committee</i></p> <ul style="list-style-type: none"> • THAT the Waihou Piako Catchment Committee oppose the provisions of The Willis Report Executive Summary namely: <ul style="list-style-type: none"> ○ Objective 3 There is a consistent approach to prioritising sites to inform biodiversity management across the landscape regardless of tenure or region that assists NZ Inc to invest optimally to secure biodiversity outcomes. Implementation of a standardised biodiversity monitoring programme across all regional councils that allows for comprehensive reporting consistent with that of the Department of Conservation. Reporting should cover the state and condition of biodiversity, threats and pressures faced by biodiversity, effectiveness of interventions and community engagement. ○ Objective 5 A statutory framework for managing biodiversity that is coherent and fit for purpose, according to functionaries

clear and distinct roles and responsibilities according to a common purpose.

until the Waikato Regional Council has fully explored the effect of impacts on private property rights under the tenure of biodiversity.

Coromandel Catchment Committee 17 August 2017

- **THAT Whitianga/Mercury Bay be the next Harbour and Catchment Management Plan for the Coromandel Zone starting in January 2018.**
- **THAT the Coromandel/Manaia Harbour and Catchment Management Plan be progressed in parallel to the Whitianga/Mercury Bay plan in 2018 (subject to obtaining further Long Term Plan funding), or otherwise started between January and June 2019 (if Long Term Plan Funding is not obtained).**

Thames Valley Drainage Advisory Subcommittee meeting 11 September 2017

- **THAT the Thames Valley Drainage Committee approve the update of the Arnet's pumpstation.**
- **THAT the capital renewal budget of \$80,000 be approved for the upgrade of the Arnet's pumpstation.**

**Integrated Catchment Management Committee
MINUTES**

Minutes of a meeting of the Integrated Catchment Management Committee held in Council Chambers, 401 Grey Street, Hamilton East on Thursday, 12 October 2017 at 10.02am.

Waikato Regional Council	Present: Cr Stu Kneebone – Co-Chair (South) Cr Fred Lichtwark Cr Dal Minogue Cr Jennie Hayman Cr Kataraina Hodge
Lake Taupō Catchment Chair	Sue Yerex
Upper Waikato Catchment Chair	Sally Strang
Central Waikato Catchment Chair	Maxine Moana-Tuwangai
Lower Waikato Catchment Deputy Chair	Stu Muir (from 10.09am)
Waipa Catchment Chair	Rachel Barton
Waihou-Piako Catchment Chair	Robert Hicks
Coromandel Catchment Chair	John Sanford
Waikato Regional Council Staff	In Attendance: Clare Crickett – Director Integrated Catchment Management Greg Ryan – Acting Manager Business and Technical Services Matthew Davis – Manager Lower Waikato/Waipā/West Coast Catchments Patrick Whaley – Manager Integrated Catchment Management Jennie Cox – Democracy Advisor

Apologies**West Coast Catchments Committee**

Weo Maag

Mark Smyth

Lower Waikato Catchment Committee

Malcolm Lumsden

Waikato Regional Council

Cr Kathy White

Cr Stu Husband

Cr Alan Livingston

Accepted

SECTION A UNDER DELEGATION FOR THE INFORMATION OF COUNCIL**Confirmation of Agenda**

Agenda Item 2

Cr Kneebone moved/Cr Hayman seconded

ICM17/75

RESOLVED**THAT the agenda of the meeting of the Integrated Catchment Management Committee of 12 October 2017, as circulated, be confirmed as the business for the meeting.****The motion was put and carried (ICM17/75)****Disclosures of Interest**

Agenda Item 3

There were no disclosures of interest.

Minutes of Previous Meeting

Agenda Item 4 Doc 10915404

S Yerex moved/J Sanford seconded

ICM17/76

RESOLVED**THAT the Minutes of the Integrated Catchment Management Committee meeting of 10 August 2017 (Doc 10915404) be received and approved as a correct record.****THAT the extract from the Council meeting of 31 August 2017 (Doc 10964285) be received.****The motion was put and carried (ICM17/76)****Issues/Actions from Integrated Catchment Management Meetings**

Agenda Item 5 Doc 9808647

Presented by the Clare Crickett - Director Integrated Catchment Management to provide an update on actions arising from previous Integrated Catchment Management Committee meetings.

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

- The Waihou Piako Catchment Committee had a recommendation that related to the Willis Report, noting there were concerns from the committee as to what the report would mean for private ownership. Members were advised that Council had considered the Willis Report at the 31 August 2017 Council meeting and funding would be considered through the Long Term Plan. For the purposes of the recommendation members would “note” the matter from the catchment committee.

S Yerex moved/Cr Minogue seconded

ICM17/77

RESOLVED

THAT the report ‘Issues/Actions from Integrated Catchment Management Meetings’ dated (Doc 9808647) be received.

The motion was put and carried (ICM17/77)

ICM Status Report

Agenda Item 6 Doc 11032681

Presented by Greg Ryan – Acting Manager Business and Technical Services, to provide the financial status of programmes and activities that fall within the scope of the Integrated Catchment Management Committee. The members received a presentation (Doc#11177576).

S Muir in the meeting at 10.09am.

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

- The information from the status report was presented to the members in a graphical format and the members noted their appreciation of the information enhancement.
- The explanation for the over run in the West Coast Zone was likely phasing of projects or carry-overs but the Director undertook to provide the councillor with the explanation, noting zone committees would receive the full expenditure detail.
- A member noted a point from page 10 of the agenda referring to the affordability of projects. The member expressed concern should council be considering not funding projects potentially increasing risk where if work was not done to save money, and then flooding occurred as a result, who would pay for the damage done.

S Yerex moved/S Strang seconded

ICM17/78

RESOLVED

THAT the report ‘ICM Status Report’ dated (Doc 11032681) be received.

The motion was put and carried (ICM17/78)

Dam Safety Management System (Integrated Catchment Management)

Agenda Item 7 Doc 11126620

Presented by Greg Ryan – Acting Manager Business and Technical Services to provide the committee with an update on the development of the Dam Safety Management Strategy, to be implemented during 2017/2018. This related to flood detention dams that temporarily retain water during heavy rainfall in order to reduce peak flood flows in receiving river systems.

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

- Taking on board the community concerns of looking after assets the Dam Safety Management System is proposed to ensure appropriate oversight is given to this area of work.
- Most dams are in a rural setting, meaning rural assets, including some state highways, could be affected were these to fail. Some dams have spillways built in for safety. Council needed to better understand the risk and ensure best practice was followed. It was proposed that the compliance cost could be relative to risk.
- A member noted that there was a dam at Kaiaua called the Waitakaruru dam. The dam had been put in by the Regional Council but staff needed clarity to determine whether the district council or the regional council were responsible for its maintenance.
- Both the RMA and the Building Act obligations would be considered as a part of the review. The nature and form of the dam would be taken in to account when assessing the risk.

Cr Kneebone moved/Cr Minogue seconded

ICM17/79

RESOLVED

THAT the report “Dam Safety Management System (Integrated Catchment Management)” (Doc# 11126620 dated 22 September 2017) be received for information.

The motion was put and carried (ICM17/79)

RPMP Annual Report 2016/17 and RPMP Operational Plan for 2017/18

Agenda Item 8 Doc 11163610

Presented by Patrick Whaley – Manager Integrated Catchment Services, and Brett Bailey – Team Leader Pest Animals, to provide the committee with the Waikato Regional Pest Management Plan (RPMP) Annual Report for 2016/17 and Operational Plan for 2017/18.

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

- Staff were thanked for their response to a number of the incursions in the region and members noted they could be seen “walking the walk” rather than just talking about it.
- A member asked about the communications around pest plants to ensure awareness with landowners over the risk of incursions. Members were advised that each management plan included a communications plan for implantation.
- Biosecurity responses an ongoing battle and should be kept in mind by everyone.
- A member noted with concern, that the differentiation between roles and responsibilities across agencies should not weaken the message that it was everyone’s responsibility to be doing something.
- Members noted the effectiveness in and around Hamilton of the controlled release of the Woolly Nightshade Lace Bug

- Council was managing the spread of Woolly Nightshade but as other neighbouring regions were not controlling the weed, would not be able to eradicate it.
- Council was working with DOC, landowners and Iwi at specific sites in the region in an effort to leverage further funding for ongoing work to address alligator weed spread.
- A member noted that if Council was serious about eradication of the Alligator Weed that more resource was needed for the on the ground staff doing the work. There was a limited season available to staff to control the weed and a number of the spraying programme visits were unable to be completed over the last season due to the high water levels in the river.
- There was a biological control for the Alligator Weed however members were advised that this would knock it back but not kill the weed. The bug was being investigated, and is not yet released.
- With respect to the management of wallabies through the Mamaku area, a member questioned how well known it was that a wallaby was a pest. It was acknowledged that it had not been very well known in the past and that along with the management plan there was a communications plan to bring it to the community's attention.
- A wallaby was a similar size to possum and was also a nocturnal animal making them hard to spot. Members were shown an image of the damage done in an area of forest in comparison to an exclusion zone, where the undergrowth flourished.
- A member questioned the recorded sightings on the map and asked whether the locations were accurate. In response members were noted that the representation map was accurate in that all sightings were evidenced by photos and scat sightings in the area.
- Council was working in collaboration with Horizons Regional Council, OSPRI, DOC and Landcare on an application to the Predator Free 2050 for funding in to work that had been proposed in the Northern and Southern Pureora ranges.
- A member noted the absence of Koi Carp in the 2017 operational plan and was advised that while staff appreciated the frustrations of members, the programme is not resourced to tackle the problem, and staff were seeking a partnership with DOC over a longer term approach to resolving the pest fish issue.
- For the West Coast Zone there had been a noted reappearance of Yellow Flag Iris along the District Council roadside. Wandering Willy and Wandering Jew had also reappeared in the zone, along with Boneseed.
- Staff noted dialogue with Federated Farmers contacts with respect to Canadian Geese and noted that there was an opportunity to work with the community and provide technical advice around problem solving the issues presented by the geese

S Yerex moved/S Strang seconded

ICM17/80

RESOLVED

- 1. That the report "Waikato Regional Pest Management Plan Annual Report 2016/17 and Operational Plan 2017/18" (Doc# 11163610, dated 28 September 2016) be received for information**
- 2. That the Waikato Regional Pest Management Plan Annual Report 2016/2017 (refer Doc#10773352) be received; and**
- 3. That the Waikato Regional Pest Management Plan 2017/2018 Operational Plan (refer Doc#10777808) be received.**

The motion was put and carried (ICM17/80)

Possum Control Prioritisation

Agenda Item 9 Doc 11143457

The report informed the committee that Waikato Regional Council's innovative use of spatial analysis to determine and represent possum control priorities had been nationally recognised, with the poster receiving a NZ ESRI award for "Excellence in GIS Poster".

The committee commended the staff responsible for the work undertaken.

Cr Kneebone moved/S Yerex seconded

ICM17/81

RESOLVED

THAT the report "Possum Control Prioritisation" (Doc #11143457 dated 26 September 2017) be received for information.

The motion was put and carried (ICM17/81)

Catchment Committee Effectiveness Review

Agenda Item 10 Doc 11151275

Presented by Greg Ryan – Acting Manager Business and Technical Services to provide the Committee with an update on the "catchment committee effectiveness review", including draft recommendations and an outline of the process for confirming those recommendations.

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

- A 58% response rate was noted, giving useful feedback received but noting that the survey was just one source of information
- Committees needed clarification as to expectations/ responsibilities around communication with the community. The members discussed the councillors' role on the committee and the community members' role on the committee. Some members felt comfortable operating in an advisory capacity to give a view and support councillors with knowledge/ perspective from their networks and experience .
- A member noted the survey was well done and highlighted concerns that had been noted. With the feedback received council was now aware what was lacking and could now work on the positives to make it work better.
- A member suggested that the role of the members could be made clear through the induction process at the commencement of each term.

Cr Kneebone moved/S Strang seconded

ICM17/82

RESOLVED

THAT the report "Catchment Committee Effectiveness Review" (Doc# 11151275 dated 27 September 2017) be received for information

The motion was put and carried (ICM17/82)

**SECTION A UNDER DELEGATION FOR THE INFORMATION OF COUNCIL
SECTION B FOR RECOMMENDATION TO COUNCIL**

Catchment Committee Meetings August/September 2017

Agenda Item 11

The Director – Integrated Catchment Management addressed the meeting and advised that there had been a clear message from council to ensure that all recommendations coming through from the catchment committees should be worded to stand alone, and make sense when read alone. The wording of recommendations was to be carefully considered by report writers and the Chairs were asked that they consider some oversight over the recommendations, particularly when amendments were being crafted within the meeting.

Upper Waikato Catchment Committee

Agenda Item 11.1 Doc 10973501

Upper Waikato Catchment Committee (UWCC) Chair (Sally Strang) provided an outline of the UWCC meeting of 28 August 2017. Points to note were:

- There had been substantial discussion around the role of council in the management of biodiversity and this was reflected in the recommendation from the meeting.

S Strang moved/Cr Kneebone seconded

ICM17/83

RESOLVED THAT

- 1 The report of the Upper Waikato Catchment Committee meeting held on 28 August 2017 (Doc 10973501) be received.
- 2 The resolutions made at that meeting be noted.

RECOMMENDED

3. THAT the following recommendations made at that meeting be adopted:

Biodiversity and the role of Regional Councils

THAT an action-based approach is taken to the management of biodiversity in the Upper Waikato Zone, including taking advantage of all catchment based resources in a coordinated approach.

THAT Council takes a leadership and coordination role in biodiversity management in the development of the forthcoming Long Term Plan.

The motion was put and carried (ICM17/83)

Lake Taupō Catchment Committee

Agenda Item 11.2 Doc 10782632

Lake Taupo Catchment Committee (LTCC) Chair (Sue Yerex) outlined the LTCC meeting of 2 August 2017. Points to note were:

- The committee had been lucky to receive a presentation from Emeritus Professor Paul Williams from the School of Environment, University of Auckland. There was particular focus on Taupō/Turangi and related to lake shore erosion. As a speaker he was recommended to other committees.

S Yerex moved/Cr Kneebone seconded

ICM17/84

RESOLVED THAT

- 1 The report of the Lake Taupō Catchment Committee meeting held on 2 August 2017 (Doc 10782632) be received.**
- 2 The resolutions made at that meeting be noted.**

The motion was put and carried (ICM17/84)

Waipā Catchment Committee

Agenda Item 11.3 Doc 10889692

Waipā Catchment Committee (WCC) Chair (Rachael Barton) outlined the WCC meeting of 15 August 2017.

R Barton moved/Cr Kneebone seconded

ICM17/85

RESOLVED THAT

- 1 The report of the Waipā Catchment Committee meeting held on 15 August 2017 (Doc 10889692) be received.**
- 2 The resolutions made at that meeting be noted.**

The motion was put and carried (ICM17/85)

Lower Waikato Catchment Committee

Agenda Item 11.4 Doc 11004022

Lower Waikato Catchment Committee (LWCC) Deputy Chair (Stu Muir) outlined the LWCC meeting of 6 September 2017.

During discussion the following was noted:

- A member noted that there had been reference to the escalating costs of the Tauhei project (and other projects like Muggerridge's Pump and Lake Waikare) and questioned whether we were doing the best for the ratepayers. In response, members were advised that in the case of large capital works there were a number of lessons learned, including a need to be funded to do more work up front. The upfront conversations with Council and the community should be held with a requirement for an allocation to support scoping, investigation and design before committing to a project construction budget.
- Muggerridge's pump was noted to have been managed differently as there was an expectation around costs with the resource consent process and the delays could in part be attributed to doing more work up front ahead of consent application.
- Lake Waikare was a regulatory review of a consent condition and the costs that escalated in this instance were costs incurred in a litigious regulatory context. In this instance, controlling costs is difficult. A member felt this could be avoided through collaboration.
- The member noted that in the Waihou Piako Zone there had been discussion around the Kōpuatai Peat dome and members acknowledge the need to have a co-operative conversation with all parties including Council, DOC and landowners to agree the way forward.

S Muir moved/Cr Kneebone seconded

ICM17/86

RESOLVED THAT

- 1 The report of the Lower Waikato Catchment Committee meeting held on 6 September 2017 (Doc 11004022) be received.
- 2 The resolutions made at that meeting be noted.

RECOMMENDED

3. THAT the following recommendations made at that meeting be adopted:

Biodiversity and the Role of Regional Councils

THAT the Lower Waikato Catchment Committee support the direction outlined in the 'Willis Report' (Doc # 10804458) and that Council advocate for increased level of national funding to assist the strategic shifts identified in the Willis Report.

The motion was put and carried (ICM17/86)

West Coast Catchments Committee

Agenda Item 11.5 Doc 10955451

The minutes of the West Coast Catchments Committee meeting of 22 August 2017 were presented to meeting.

Cr Kneebone moved/Cr Lichtwark seconded

ICM17/87

RESOLVED THAT

- 1 The report of the West Coast Catchments Committee meeting held on 22 August 2017 (Doc 10955451) be received.
- 2 The resolutions made at that meeting be noted.

The motion was put and carried (ICM17/87)

Central Waikato Catchment Committee

Agenda Item 11.6 Doc 10943045

The minutes of the Central Waikato Catchment Committee meeting of 24 August 2017 were presented to the meeting.

Cr Kneebone moved/Cr Hodge seconded

ICM17/88

RESOLVED THAT

- 1 The report of the Waipā Catchment Committee meeting held on 24 August 2017 (Doc 10943045) be received.
- 2 The resolutions made at that meeting be noted.

RECOMMENDED

- 3 THAT the following recommendations made at that meeting be adopted:

Central Waikato – Zone Status Report to 31 June 2017

THAT the Central Waikato Catchment Committee recommend that staff investigate the erosion related issues on the Waikato River by Days Park and report back to the Committee with recommendations of the remediation, action or otherwise to be taken.

The motion was put and carried (ICM17/88)

Waihou Piako Catchment Committee

Agenda Item 11.7 Doc 10954578

Waihou Piako Catchment Committee (WPCC) Chair (Robert Hicks) outlined the WPCC meeting of 25 August 2017. Points to note were:

- With respect to the Willis Report the Committee had been seeking further understanding about private property rights implications.

R Hicks moved/J Sanford seconded

ICM17/89

RESOLVED THAT

- 1 The report of the Waihou Piako Catchment Committee meeting held on 25 August 2017 (Doc 10954578) be received.
- 2 The resolutions made at that meeting be noted.

RECOMMENDED

3. THAT the following recommendations made at that meeting be noted:

Biodiversity and the Role of Regional Councils

THAT the Waihou Piako Catchment Committee oppose the provisions of The Willis Report Executive Summary namely:

• Objective 3

There is a consistent approach to prioritising sites to inform biodiversity management across the landscape regardless of tenure or region that assists NZ Inc to invest optimally to secure biodiversity outcomes. Implementation of a standardised biodiversity monitoring programme across all regional councils that allows

for comprehensive reporting consistent with that of the Department of Conservation. Reporting should cover

the state and condition of biodiversity, threats and pressures faced by biodiversity, effectiveness of interventions and community engagement.

• Objective 5

A statutory framework for managing biodiversity that is coherent and fit for purpose, according to the functions of

clear and distinct roles and responsibilities according to a common purpose.

until the Waikato Regional Council has fully explored the effect of impacts on private property rights under the tenure of biodiversity.

The motion was put and carried (ICM17/89)

Coromandel Catchment Committee

Agenda Item 11.8 Doc 10843452

Coromandel Catchment Committee (CCC) Chair (John Sandford) outlined the CCC meeting of 17 August 2017. Points to note were:

- With Public Forum it was noted in Standing Order that a limit of 3 minutes per speaker was to be applied and as Chair this was sometimes difficult as often those coming in to speak had not advised staff prior to the meeting and their topic often went over time. Chairs felt that this was an advisory that could be managed at their discretion.

J Sanford moved/Cr Minogue seconded

ICM17/90

RESOLVED THAT

- 1 **The report of the Coromandel Catchment Committee meeting held on 17 August 2017 (Doc 10843452) be received.**
- 2 **The resolutions made at that meeting be noted.**

RECOMMENDED

THAT the following recommendations made at that meeting be adopted:

Harbour and Catchment Management Plan – Which Catchment Next?

THAT Whitianga/Mercury Bay be the next Harbour and Catchment Management Plan for the Coromandel Zone starting in January 2018.

THAT the Coromandel/Manaia Harbour and Catchment Management Plan be progressed in parallel to the Whitianga/Mercury Bay plan in 2018 (subject to obtaining further Long Term Plan funding), or otherwise started between January and June 2019 (if Long Term Plan Funding is not obtained).

The motion was put and carried (ICM17/90)

Drainage Advisory Subcommittee Meetings August/September 2017

Agenda Item

Aka Aka Otua Drainage Advisory Subcommittee

Agenda Item 12.1 Doc 11025429

The Committee considered reports of meetings of the Aka Aka Otua Drainage Advisory Subcommittee held on 11 August 2017 and 8 September 2017.

During discussion the following was noted:

- The minutes had recognised Roger Spooner as leaving after a significant time with Council and members were advised that the position had been advertised and that Megan Wood was temporarily filling in the role.

J Sanford moved/S Strang seconded

ICM17/91

RESOLVED THAT

- 1 The report of the Aka Aka Otatau Drainage Advisory Subcommittee meeting held on 11 August 2017 (Doc 11025429) be received.
- 2 The report of the Aka Aka Otatau Drainage Advisory Subcommittee meeting held on 11 August 2017 (Doc 11199513) be received.
- 3 The resolutions made at those meetings be noted.

The motion was put and carried (ICM17/91)

Thames Valley Drainage Advisory Subcommittee

Agenda Item 12.2 Doc 11034851

The Committee was provided with the minutes of the Thames Valley Drainage Advisory Subcommittee meeting of 11 September 2017.

Cr Minogue moved/R Hicks seconded

ICM17/92

RESOLVED THAT

- 1 The report of the Thames Valley Drainage Advisory Subcommittee meeting held on 11 September 2017 (Doc 11034851) be received.
- 2 The resolutions made at that meeting be noted.

RECOMMENDED

3. THAT the following recommendations made at that meeting be adopted:

Arnet's Pumpstation

THAT the Thames Valley Drainage Committee approve the update of the Arnet's pumpstation.

THAT the capital renewal budget of \$80,000 be approved for the upgrade of the Arnet's pumpstation.

The motion was put and carried (ICM17/92)

Waikato Central Drainage Advisory Subcommittee

Agenda Item 12.3 Doc 11072098

The Committee was provided with the minutes of the Waikato Central Drainage Advisory Subcommittee meeting of 15 September 2017.

During discussion the following was noted:

- Page 177 referred to costs being shared across the Lower Waikato and Waihou Piako Zones and it was clarified for members that this related to the works and land drainage consent as the water from the Maungahaumia Stream flowed in to both zones. The work on this was ongoing and would be reported to committees.

Cr Kneebone moved/Cr Lichtwark seconded

ICM17/93

RESOLVED THAT

- 1 **The report of the Waikato Central Drainage Advisory Subcommittee meeting held on 15 September 2017 (Doc 11072098) be received.**
- 2 **The resolutions made at that meeting be noted.**

The motion was put and carried (ICM17/93)

The meeting adjourned 12.10 and reconvened at 12.13pm.

Presentation of 2017 Pukeko Award to Waikato Regional Council

Agenda Item 13 Doc 11151275

Presented by Colin Jackson, Chairman of the Kakepuku Mountain Conservation Project (KMCP), is to present the 2017 Pukeko Award to Waikato Regional Council for their work in maintaining and improving the ecology of Mount Kakepuku.

With respect to the award members were provided with background on the project including:

- Pukeko Award was presented annually to individual or organisation that has contributed to conservation work on Kakepuku Mountain
- 2017 Pukeko Award to WRC for its support through the Small Scale Community Initiative Funding which enabled purchase of 55 A24 Good Nature traps for rat control
- Kakepuku Mountain Conservation Project began in 1995
- Volunteer group involved in pest control on the mountain (eradicate possum, goat and rat populations), planting and bird release on Kakepuku Mountain (NZ falcon and NI Robin).
- Located in the south west segment of Waipa, 8km south of Te Awamutu
- Mt Kakepuku 449m high - an old volcanic cone, small compared with most other Waikato mountains, but its rounded shape makes it instantly recognisable.
- Covers 198 ha of land including Kakepuku Historic Reserve, Waipa District Council Reserve and adjoining farm land.
- An important place of occupation for centuries, with remains of four pā on its slopes.
- Named, according to several accounts some six centuries ago by Rakataura, a tohunga of the Tainui canoe, in reference to the advanced pregnancy of his wife Kahurere. Hence the full name of the mountain "kakepuku-te-aroaro o Kahu" means "swollen stomach of Kahu".
- Today the group continues to monitor and control animal and plant pests and sustain the main track to the summit (449m) which is open to public for both walking and mountain biking. The track passes through a fine remnant of original forest in the ancient crater and emerges at the summit itself, to magnificent views of the surrounding Waipa-Waikato landscape.

In accepting the award, Cr Kneebone thanked Chris Monk for his work as a council Bio-Security Officer (Pest Control) with the group. Council could look forward to ongoing collaboration and there was a high focus on partnerships in the various sectors.

Cr Kneebone moved/S Yerex seconded

ICM17/94

RESOLVED

THAT the report 'Presentation of 2017 Pukeko Award to Waikato Regional Council' (Doc #11168416 dated 29 September 2017) be received for information.

The motion was put and carried (ICM17/94)

Meeting closed at 12.19pm.

IN THE MATTER OF

the Resource Management Act 1991

AND

IN THE MATTER OF

applications by **WATERCARE SERVICES LIMITED (WATERCARE)** for the **Pukekohe Wastewater Treatment Plant** – re-consenting of the discharge of treated wastewater to the Parker Lane Stream, discharge to air and discharge to land.

DECISION

The resource consent applications are **GRANTED** by the Waikato Regional Council.

1 INTRODUCTION

The decisions on the regional resource consent applications are made on behalf of the Waikato Regional Council (WRC) by independent hearing commissioners (the Panel) acting under delegated authority pursuant to sections 34 and 34A of the Resource Management Act 1991 (“the RMA”).

Mr Greg Hill (Chairman), Associate Professor Linda Te Aho and Dr Ian Boothroyd were appointed to hear and decide these applications.

This decision report contains the findings from our deliberations on the applications for resource consent and has been prepared in accordance with section 113 of the RMA.

The hearing was held on the 29, 30 and 31 August 2017 at the Counties Event Centre, 242 Manukau Road, Pukekohe. The hearing was adjourned on the 31 August 2017, with the applicant's closing statement being received on the 5 September 2017. The hearing was closed on the 8 September 2017 after the Hearings Panel had reviewed and discussed reply submissions and determined it had sufficient information to make the decision.

The Hearings Panel undertook a joint site visit on the 30 August 2017.

Pursuant to section 37 of the RMA the Panel has extended the time in which to issue the decision.. The extension is until the 6 October 2017. This was a complex hearing with contested and complex expert evidence. It took some time to 'work through' those issues and formulate our decision. In extending the timeframe we considered the following matters:

- the interests of any person who may be affected by the extension;
- the interests of the community in achieving an adequate assessment of effects of the proposal; and
- our duty to avoid unreasonable delay.

2 THE APPLICATIONS

The applications are set out in the Table below.

Reference Id	Activity Description	Activity Status and Waikato Regional Plan Rule
AUTH137406.01.01	To discharge treated wastewater (via seepage) to land and groundwater from activities associated with the Pukekohe Wastewater Treatment Plant	Discretionary - Rule 3.5.4.5
AUTH137406.02.01	To discharge up to 104,800 cubic metres per day of treated wastewater to the Parker Lane Stream from the Pukekohe Wastewater Treatment Plant	Discretionary Rule 3.5.4.5
AUTH137406.03.01	To discharge contaminants to air, including odour, from activities associated with the Pukekohe Wastewater Treatment Plant.	Discretionary Rule 6.1.9.2

2.1 Notification

The applications were publicly notified on the 17 November 2016. The closing date for receiving submissions was the 15 December 2016.

3 SUBMISSIONS

Nine submissions were received These were from:

Party	Support/Oppose/neutral	Comment
Booker Farms Limited	Oppose	Had indicated that they did not wish to be heard
E.G. Balle Holdings Limited	Neutral	Decided not to appear at the hearing
Ngati Te Ata	Oppose	A letter dated 17/07/17 from Roimata Minhinnick - CEO of Ngatai Te Ata, subsequent to the submission opposing the application now supported it based on the improvements to be made to the quality of the discharge.
Fish and Game Council	Oppose	Presented legal submissions and evidence
Waikato District Council	Support	Presented evidence
Pokeno Village Holdings Limited	Support	Presented legal submissions and evidence
Hero Potini	Oppose	Email dated 22 August from Mr Potini stated that he had rescinded his opposition to the proposal

Gweneth Francis	Sophie	Oppose	Presented evidence
Te Waikato	Taniwha o	Support - Conditional	Presented evidence

We note for completeness that two of the above submissions were received after the submissions period closed. However the WRC, in terms of section 37 of the RMA, had extended the time period to receive those submissions.

4 APPEARANCES

4.1 Applicant

Watercare

- Padraig McNamara and Ann Maddox (Legal Counsel)
- Shayne Cunis (Corporate)
- Mark Bourne (Project Drivers)
- Shane Morgan (WWTP Operations)
- Craig Caincross (Auckland Council-Growth)
- Rob Tinholt (Growth demand & Planning)
- Richard Waiwai (Iwi Consultation)
- Jim Bradley (Alternatives considered)
- David Cameron (Ecology)
- Peter Loughran (Public Health)
- Douglas Boddy (Air quality)
- Garrett Hall (Water Quality)
- Chris Scrafton (Planning)

4.2 Submitters -

Waikato District Council (WDC)

- Tim Harty (General Manager Service Delivery),
- Stephen Howard (Senior Planner - Waters) and
- Surya Pandey (Water Assets Management and Planning Team Leader) -

Pokeno Village Holdings Ltd (PVHL)-

- Craig Malone (Legal Counsel) and
- Colin Botica Director and Project Manager

Auckland Waikato Fish and Game Council (Fish and Game)

- Mischa Davis (Legal Counsel)
- Adam Daniel (Fisheries Manager with Fish and Game)
- David Klee (Gamebird Manager with Fish and Game)
- Anna Sintenie (Environment Officer with Fish and Game)

Te Taniwha o Waikato

- Nanaia Rawiri (Te Awamaarahi Representative)
- Blaine Hoete (Te Awamaarahi Marae Representative)
- Gavin Donald (planning)

Gwen Francis with Ken Tremaine and Winnie Potter

4.3 Waikato Regional Council

- Sheryl Roa (planning)

- Hugh Keane (Team Leader - Infrastructure)

5 BACKGROUND AND THE APPLICANT'S PROPOSAL

Watercare Services Limited is a council controlled organisation wholly owned by Auckland Council. It took over the operation of the Pukekohe wastewater treatment plant when amalgamation of the Franklin District Council into the Auckland Council.

Wastewater comes from the communities of Pukekohe, Buckland, Patumahoe, Tuakau and Pokeno for treatment and subsequent discharge to the adjacent Parker Lane Stream. The composition of the wastewater is 90% domestic waste and the remainder from industrial sources. Growth is planned for all of these Communities through the Auckland Unitary Plan and the Waikato District Plan

The proposal was fully set out in the Assessment of Environmental Effects (AEE).

Briefly, the proposal is to continue with the discharge of treated wastewater from the Pukekohe Wastewater Treatment Plant into the Parker Lane Stream, a tributary of the Waikato River. The current treatment system consists of a Sequencing Batch Reactor and UV disinfection system which was installed in 2010.

A summary of the treatment process is as follows:

- Fine screening;
- Grit removal;
- Primary treatment and seeding;
- Alkalinity control and Alum dosing;
- Sequential batch reactor (SBR);
- Activated sludge removal;
- UV treatment
- Discharge to constructed wetlands
- Discharge to drain
- Subsequent discharge to the Parker Lane Stream

By 2021 the application is to upgrade the treatment system being a replacement of the sequencing batch reactor with an enhanced membrane bioreactor to improve the treatment process and the quality of the waste water to be discharged.

There is a separate application (APP124408_01) to discharge sludge to land that is currently on hold subject to a further information request under s91(1). This application was not before us and we were advised it will be progressed separately. We note this as it was an issue of particular significance to Mrs Francis, a submitter, and again note that this matter was addressed in some detail in opening legal submissions.

6 SUMMARY OF EVIDENCE PRESENTED

6.1 Applicant

All of the applicant's corporate and expert evidence had been pre-circulated and read. At the hearing the witnesses either read a summary of the evidence or spoke to their evidence. A brief summary is outlined below:

Messrs Cunis, Bourne Morgan and Tinholt presented 'corporate' evidence for the project, setting out Watercare's responsibilities and the key drivers including: the substantial predicted growth of the southern part of Auckland the northern part of the

Waikato, and the Vision and Strategy for the Waikato River, which Watercare supported.

It was set out that Watercare had engaged in a comprehensive consultation process. We were also told that the current application was developed after further consultation with Te Taniwha o Waikato after lodgement of the 2015 application.

The witnesses addressed that the water treatment upgrade was 'state of the art' which would result in a significant improvement in the quality of the treated wastewater discharged. They outlined that a substantial capital investment was being made, and for this and other reasons a 35 year consent period was sought.

Mr Caincross of the Auckland Council set out the future urban growth enabled under the Auckland Unitary Plan (AUP), the Council's Future Urban Land Supply Strategy (FULSS) and the structure planning committed to or underway to enable this urban development to occur.

Mr Waiwai addressed the consultation he had undertaken with Mana Whenua groups involving kanohi ki te kanohi discussions, telephone discussions, emails and three separate site visits. He provided a summary of the cultural and spiritual aspects of the project from: Waikato Raupatu River Trust, Te Taniwha o Waikato, Huakina Development Trust, Ngaati Tamaoho Taiao and Ngaati Te Ata. He also addressed the key amendments made by Watercare in response to Mana Whenua concerns.

Mr Waiwai addressed the concerns of submitters, noting, as set out in the submitter table that Ngaati Te Ata now supported the proposal based on the improvements to be made to the quality of the discharge and that Mr Potini had rescinded his opposition to the proposal. Te Taniwha o Waikato in their Cultural Impact Assessment (CIA), while preferring no discharge to the river, supported the proposal on the basis of water quality improvements, other conditions of consent, and that this support was conditional on a 25 year consent term, and not 35 years as sought.

Mr Bradley set out the options (44) that Watercare had assessed through Phase one and two of the project. He considered that the choice of the Enhanced Membrane Bioreactor and UV disinfection treatment system, with discharge to Parker Lane Stream after the wetlands was an appropriate technical solution. He also provided a table setting out a number of Local Authority Municipal Wastewater schemes highlighting consent duration, key treated wastewater qualities and the level of new investment to meet the consent requirements.

Mr Cameron provided ecological evidence; evidence in chief (EIC) and a supplementary statement which essentially sought to address issues raised in the evidence by Fish and Game.

In his EIC Mr Cameron set out that the aquatic ecology of Parker Lane Stream had been assessed in two surveys undertaken in May 2014 (winter) and January 2015 (summer). During each monitoring round the following parameters were assessed:

- (a) Physical habitat of the stream and riparian zone;
- (b) Fish species and diversity;
- (c) Macroinvertebrate community composition;
- (d) Aquatic plant cover (periphyton and macrophytes);

He stated that overall the aquatic ecology monitoring results showed no clear difference between sites upstream and downstream of the WWTP discharge, and did not identify any adverse effects that could be specifically attributed to the discharge. He opined that it was likely that the existing discharge has had some adverse effects in Parker Lane Stream which were masked by poor background quality and the

complexities of the site. It was his opinion that these adverse effects are probably negligible.

Mr Cameron stated (relying on Mr Hall's evidence) that the proposed stage 2 discharge is predicted to result in a substantial improvement in water quality of Parker Lane Stream. Notwithstanding this improvement he considered that he would not necessarily expect to see much change in the macroinvertebrate or fish communities of the stream, unless in-stream conditions also improved further upstream in the catchment.

In his supplementary statement, he responded to some of the matters raised by Dr Daniel of Fish and Game, he addressed matters relating to the impacted reach of Parker Lane Stream, periphyton and riparian planting. Mr Cameron's opinion had not changed in response to Dr Daniel's evidence.

Mr Loughran set out that a microbial public health risk assessment has been undertaken to provide an assessment of public health risk associated with the existing and proposed treated wastewater discharge. It was his opinion that the predicted risk of infection associated with contact recreation activities within the Waikato River arising from the discharge of treated wastewater from the proposed treatment process would be low.

Mr Loughran, in response to a question from the Hearings Panel provided a written response stating (amongst other things): *"...the risk of illness associated with a primary contact recreation activity in Parker Lane Stream itself (i.e. swimming in the undiluted treated wastewater) is estimated to be less than the no calculable risk level (NCRL). The NCRL is equivalent to a Grade A beach".¹*

Dr Boddy provided air quality evidence, which included evidence in chief (EIC) and a supplementary statement. His evidence focused on odour emissions at the WWTP and its potential to cause odour nuisance effects in the surrounding community. He was satisfied that there would be no adverse air quality (human health) effects at or beyond the boundary of the site as a result of emissions to air at the WWTP, with any potential odour nuisance effects effectively controlled through the requirement to implement an Odour Management Plan as proposed.

Dr Boddy's supplementary statement "up-dated" the recommendation he had made in his EIC for conditions relating to the collection of metrological data on-site and monthly field odour investigations. In brief, he agreed with the set of conditions tabled by Mr Scrafton at the hearing.

Mr Hall provided detailed water quality evidence; evidence in chief (EIC) and a supplementary statement which essentially sought to address issues raised in the evidence by Fish and Game.

Mr Hall set out that the receiving environment of the treated wastewater discharge from the Pukekohe WWTP was complex, located within the flood plain of the Waikato River, where modifications to the natural drainage pattern (including a weir) have led to a complex pattern of background hydrology and water quality interactions. These are dominated by a mix of the background flows in the Parker Lane Stream and the Waikato River, the tidal state of the Waikato River and the influence of the upstream market gardening/horticultural land use activities on water quality.

He set out the number of technical investigations undertaken to assess the effects of the existing discharge of treated wastewater.

¹ email dated 31 August 2017.

In summary he set out:

- In terms of effects on the Waikato River, the effects of the Stage 1 discharge on the water quality of the Waikato River are likely to be the same of those of the existing discharge.
- For the Stage 2 discharge, at the end of the 35 year consent when flows reach their maximum, he predicted a substantial improvement in water quality for all parameters under the realistic worst-case scenario.
 - Any adverse effects through ammoniacal-N toxicity in the Parker Lane Stream are predicted to be negligible.
 - There will be negligible adverse effects on the life supporting capacity of the Parker Lane Stream.
 - Reductions in total nitrogen and total phosphorus concentrations would be substantial when compared to the existing discharge. Concentrations of total nitrogen will halve and be substantially lower downstream of the discharge than upstream. Concentrations of total phosphorus will also substantially improve.
 - E. coli concentrations will reduce downstream of the discharge to below what is deemed acceptable for swimming.

Mr Hall accepted that due to the large dilution in the Waikato River, the predicted improvements in the water quality of the Waikato River would only be slight. However he set out that an improvement in the downstream concentrations of all parameters was predicted, with the exception of total nitrogen concentrations which would increase. He stated that the effect of this increase, in combination with the reduction in phosphorus, the contribution of the treated wastewater discharge to chlorophyll a concentrations in the Waikato River would decrease from 1.86% currently to 1.65% at the end of the 35 year consent. He opined that this was a positive effect compared to the effects of the existing discharge of treated wastewater on downstream chlorophyll A concentrations.

Mr Hall's supplementary statement addressed (rebutted) the evidence of Mr Klee and Dr Daniel of Fish and Game. This is addressed in more detail in the section - Main findings on the issues in contention and reasons for granting consent, below.

Mr Scrafton provided comprehensive planning evidence and a 'draft' set of consent conditions should consent be granted. He provided an updated assessment (from the AEE) of the project given there had been a number of changes in the Policy Framework and Te Taniwha O Waikato had provided Watercare with an updated CIA. It was his opinion that, in relying on the other experts (namely Hall, Cameron, Loughran, Waiwai and Boddy), in accordance with Sections 104(1)(b) and 104(1)(c) the Project remained consistent with the Policy Framework including the Vision and Strategy for the Waikato River.

Mr Scrafton addressed the matters detailed in Sections 105 and 107 of the RMA, and was of the view that :

- Appropriate regard has been had to Section 105; and
- There are no Section 107 matters that should restrict the granting of consent for the Project.

Mr Scrafton also addressed the matter of the proposed consent duration, concluding that a 35 year term was warranted as there was no uncertainty or potential environmental risk to suggest a shorter consent duration was necessary.

6.2 Submitters

All of the submitters' expert, and some lay, evidence had been pre-circulated and read. The submitters concerns can be summarised as follows:

The Waikato District Council and Pokeno Villages Holdings Limited supported the applications as sought by Watercare. Their evidence was that there was significant urban growth occurring and planning in the northern part of the Waikato Region, and that infrastructure servicing (in this case - wastewater) was necessary to enable this growth.

Fish and Game opposed the applications, but provided a draft set of conditions (in addition to those proffered by the applicant) stating that if they were imposed consent could be granted for a 25 year term. Those conditions addressed a number of matters, the most significant relating to effects on Piggott Wetland, discharge reductions (and qualifying works of the offsets to achieve the discharge reductions) and monitoring.

Dr Daniel was concerned about water quality effects, the impact of the wastewater discharge and that the current compliance monitoring point was not monitoring the true discharge from the treatment wetland (i.e. the monitoring was at the UV point and not at the edge of the wetland where the wastewater entered Parker Lane Stream).

In terms of the monitoring, it was Dr Daniel's opinion that by omitting the wetland from compliance monitoring the true nature of the discharge was not adequately described in the AEE. He considered that the monitoring compliance point needed to be moved downstream of the wetland to monitor the true nature of the discharge.

Dr Daniel considered the impact of the WWTP discharge on Parker Lane Stream was "severe with an almost complete absence of invertebrates in the impacted reach primarily due to extremely high ammonia levels that currently exceed NPS-FW bottom lines and ANZECC guidelines" (paragraph 3.3 of the summary of evidence). He considered that Ammonia levels were so high that the proposed stage 2 reductions would not reach the 0.88 mg/L necessary for most native fish to re-enter Parker Lane Stream. In addition, he considered that the "treatment wetland can increase the median ammonia discharge by fivefold over the compliance monitoring point indicating that the proposed stage 2 limits are far too high considering the uncertainty in the actual discharge from the treatment wetland" (paragraph 3.3 of the summary of evidence).

Dr Daniel was of the view that while the riparian planting proposed by the applicant may shade some of the invasive weeds in the Parker Lane Stream, it would not offset the effects of the discharges proposed for stage 1 and stage 2. It was his opinion that the "near exclusion of invertebrates and most native fish below the Fish and Game weir and potentially several kilometres downstream within the Waikato River cannot be offset with a small planting" (paragraph 3.7 of the summary of evidence).

Mr Klee set out that the Piggott Wetland is a site of significant conservation value due to a number of threatened fauna that inhabit it and forms part of one of the largest remnant lowland Kahikatea forests remaining in the Waikato Region and provides significant recreational values. He did not consider that the potential effects of the discharge on the wetland (and its values) during flood events had been assessed in the application or in evidence.

He generally agreed with the estimates of current discharge loads of nitrogen and phosphorous presented by Watercare in their AEE and further evidence. Mr Klee stated that increasing levels of both nitrogen and phosphorous to the treatment wetlands, Parker Lane Stream and Waikato River would have the ability to cause eutrophication and decrease water quality.

He further considered the WWTP wetlands themselves could provide a significant source of algal contamination to the Parker Lane Stream and the Waikato River near its confluence, especially given the lack of mixing during low flow conditions. It was his view that the nature of the waste stream is likely to favour cyanobacteria, which can form blooms in the lower river and have the potential to significantly impact on recreational values.

Like Dr Daniel, Mr Klee considered that proposed riparian planting would not offset or mitigate the effects on the Parker Lane Stream and Waikato River.

Mr Klee also addressed the weir which helps create a preferential hydrological regime and is critical to maintaining the ecosystem health and recreational values of the Piggott Wetland. We address the weir later in this decision

Ms Sintenie addressed the statutory policy framework and expressed a view that the proposal, in its current form, would not in her view satisfy the 'policy tests'. Her overarching view was that the policy and legislative documents, taken as a whole, show a clear direction to improve water quality in the Waikato River and its catchment.

She set out that the Waikato River Settlement Act and Vision and Strategy establish a stepwise change in the approach to determining consent applications in the Waikato River catchment. She stated at paragraph 10 of her evidence that the Vision and Strategy "requires the applicant to demonstrate restoration and protection of the Waikato River as part of this resource consent". She considered that the limits and conditions of the resource consent applied for constituted further degradation of the Waikato River beyond current levels, and not a real benefit to the river catchment for the purposes of the vision and strategy.

Ms Sintenie proposed a number of conditions to avoid, remedy, or mitigate the effects of the Project on the receiving environment, and to accord with sustainable management under the RMA. These included reducing contaminant loads to the receiving environment to achieve restoration and protection of the Waikato River as required by the Vision and Strategy.

Te Taniwha o Waikato

The three Te Taniwha o Waikato witnesses Messrs Rawiri, Hoete, and Donald discussed who Te Taniwha o Waikato was, its role in this application process and the detailed and thorough CIA it had prepared. Te Taniwha o Waikato submission focussed upon the ability of the proposed development by Watercare Services Limited to give effect to Te Ture Whaimana o Te Awa o Waikato (Vision and Strategy for the Waikato River), the legislative weight that this document must be given, and the outcomes that it seeks to achieve.

Overall Te Taniwha o Waikato considered that the best option for the health and wellbeing of the Waikato River was not to have any discharges at all. However, they set out that Te Taniwha o Waikato took a pragmatic and practical view of the situation, and were prepared to accept a discharge to the Waikato River where the quality of that discharge would not be detrimental to the objective of restoring the health and wellbeing of the Waikato River. Moreover Te Taniwha o Waikato

recognised that the use of MBR and UV technologies would result in a discharge that is of a quality that will not further adversely affect the values and uses that Te Taniwha o Waikato hold for the Waikato River. For cultural reasons, Te Taniwha o Waikato prefer discharge through the constructed wetlands.

Te Taniwha o Waikato sought in their submission, CIA and evidence that amongst other things the following be provided for: investigation and implementation of beneficial reuse of the treated wastewater, that consent not be granted for 35 years and that regular reviews be required, and regular reviews of the CIA.

Mrs Francis (assisted by Mr Tremaine), a long time resident stated that she was not opposed to the upgrade of the treatment plant, but was concerned about the effects of such a large volume of wastewater, being treated and discharged through some of the last remaining wetlands, and on a flood plain of the Waikato River. She addressed some of the history of the area, its characteristics prior to and since the WWTP being established, and the effects of the WWTP as well as other activities such as the sand mining operation nearer the Waikato River.

She accepted there was a need to discharge wastewater from a growing population, but the health of the river was paramount. In this respect she did not support the discharge through the constructed wetlands, but the treated wastewater should piped straight to the river. She considered that having reviewed the AEE and evidence (of Watercare and Fish and Game) that the quality of the actual discharge was better if it 'by-passed' the constructed wetlands.

Mrs Francis was also concerned about potential effects from odour (from sludge being potentially trucked off the site) and mosquitoes if the WWTP was not managed effectively. Both Dr Boddy and Mr Cameron stated that these matters would be appropriately managed by conditions of consent such as Odour and Pest Management Plans.

Mrs Francis and Mr Tremaine sought to understand why the sludge consent (which had expired) was not being progressed as part of this suite of applications. The Hearings Panel notes this was addressed in some detail in the opening legal submissions. Mr Tremaine stated that he understood the position of Watercare but still would have preferred all applications to have been processed simultaneously so he and Mrs Francis could understand the full effect of the upgrade on them.

6.3 WRC Section 42A Report

The WRC section 42A report, prepared by Ms Roa with technical input from others as set out in that report, was pre-circulated.

In summary Ms Roa set out the relevant statutory and policy documents considered during the assessment of the application, which were: the Resource Management Act, NPS – Freshwater, NPS Urban Development Capacity the Waikato Regional Policy Statement, the Waikato Regional Plan, the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao.

She recommended that consent be granted, subject to the imposition of suitable consent conditions. However Ms Roa's opinion was that the application did not meet all aspects of the required policy and legislative matters such that the requested 35 year long term duration should be applied.

She considered that the proposal would improve the existing water quality of the receiving waters with the installation of a membrane batch reactor plant in 2021.

However, that for the next four years the existing effects on the receiving waterways would remain and while "significant improvement from 2021 onwards, effects on the receiving waters will continue for the duration of this consent" (paragraph 3 of the her Executive Summary).

In her report after hearing all of the evidence Ms Roa's opinion was that she remained of the view that the applications should be granted subject to suitable conditions of consent. She also remained of the view that a consent duration of 25 years was appropriate.

7.0 STATUTORY PROVISIONS CONSIDERED

The activity status and relevant rule for each application is set out in the Table above. All applications are for Discretionary Activities. No parties contested this was in fact the case.

Sections 105 and 107 are also relevant for the discharge components of the proposal.

8.0 RELEVANT STATUTORY POLICY AND PLAN PROVISIONS

8.1 Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

The WRC, as of 24 September 2010, in addition to any requirement specified in the RMA, must have particular regard to the Vision and Strategy (Schedule 2 of the Settlement Claims Act). This Act applies to applications relating to the Waikato River; or activities in the catchment that affect the Waikato River. The Waikato River is defined in section 6 of the Settlement Act to include tributaries and streams that flow into the river, as well as lakes and wetlands, and includes beds and banks.

8.2 National Policy Statement for Freshwater Management (NPS FWM)- section 104(1)(b)(iii)

The NPS FWM includes objectives regarding the sustainable management and overall maintenance or improvement of water quality; and objectives relating to water quantity.

8.3 National Policy Statement on Urban Development Capacity - section 104(1)(b)(iii)

8.4 National Environment Standard for Air Quality (NES - AQ)- s104(1)(b)(i)

The NES - AQ includes ambient air quality standards for specific contaminants.

8.5 Regional Policy Statement - s104(1)(b)(v)

The RPS contains objectives and policies which provide an overview of the region's significant resource management issues to achieve integrated management of the natural and physical resources of the Region.

The RPS's key relevant matters are briefly outlined below.

Water Quality and the Vision and Strategy.

The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 contains the Vision and Strategy, which forms part of the Waikato Regional Policy Statement. Section 12 of the Settlement Act states that the Vision and Strategy prevails over any inconsistent provision in a national policy statement or coastal policy statement.

To realise the Vision and Strategy there are 13 Objectives and 12 Strategies in the RPS. There is a strong policy direction of restoration and protection.

8.6 Regional plan or proposed plan - section 104(1)(b)(vi)

The Waikato Regional Plan (WRP) is operative.

In chapter 3.2 of the WRP all watercourses are classified into water management classes and there are policies for each class. Parker Lane Stream is classified as Waikato Region Surface Water Class and Policy 4 outlines that the water body may be used provided that (amongst other matters) significant adverse effects on existing aquatic ecosystems are avoided, remedied or mitigated.

Notwithstanding that the WRP is operative, we find, and this was accepted by all parties at the hearing) that it does not yet give effect to the Vision and Strategy (see the section Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments below). In the hierarchy of statutory planning documents the Vision and Strategy prevails over any inconsistencies with the WRP. Accordingly, it cannot be concluded that an application that satisfies the WRP will be in accordance with the Vision and Strategy.

In our view the weight and importance of the Vision and Strategy is considerable. Section 12(1) of the Settlement Act (as addressed above) provides that it prevails over any inconsistent provisions in any National Policy Statement. Section 17 of the Settlement Act requires decision makers to have "particular regard" to the Vision and Strategy. The RPS has been changed and addresses the Vision and Strategy.

The relevant plan provisions were fully set out in the Applicant's AEE, the section 42A report and in evidence. We have not repeated them here, but accept that all relevant provisions were presented to us.

8.7 Any other matter the consent authority considers relevant s104(1)(c)

- The Waikato-Tainui Environmental Plan - Tai Tumu, Tai Pari, Tai Ao.
- Waikato Regional Pest Management Strategy 2014-2024
- Auckland Council's Future Urban Land Supply Strategy
- Waikato Future Proof Strategy - a growth strategy specific to the Hamilton, Waipa and Waikato sub-region.

We have had regard to all of these documents in terms of our this decision, and their provisions were set out in the officers section 42A report and the evidence before the Panel.

- Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments

Proposed Plan Change 1 was publicly notified on 22 October 2016 with submissions closing on 8 March 2017. Part of the Plan Change was withdrawn on 3 December 2016, with the withdrawal including the area of this site.²

The Plan Change proposes to give effect to the Vision and Strategy by seeking to reduce nitrogen, phosphorus, sediment and microbial pathogens in water courses.

² The withdrawal was a result of a jurisdictional challenge by Hauraki iwi.

We set out below the relevance and weight we have given this Plan Change.

We agree with Ms Roa's opinion set out in her section 42A report and her evidence

*As stated in the s42A report, given the part withdrawal of the proposed plan change the proposed policy does not apply to this application. As such I consider that at best it can be assessed under s104(1)(c) as another matter to have regard to. Given the lack of applicability of the Proposed Plan Change to this application and early status of the plan through the statutory plan process I consider that very little weight should be given to it.*³

The Applicant also addressed this in its evidence, and in its closing reply statement. In the reply statement it stated:

*With respect, this submission/conclusion is not credible, given the law in relation to weight and plan changes. It is settled law based on decisions such as Keystone Ridge Ltd v Auckland City Council that little weight can be given to a plan change "in its infancy" i.e. when submissions have not even been heard on it, let alone decisions made on submissions. That is the situation here – and furthermore, Proposed Plan Change 1 has been withdrawn for the area that includes the location of the proposed discharge. This is covered in Mr Scrafton's evidence in chief.*⁴

It is accordingly submitted that the Proposed Plan Change 1 cannot be "weighted" at all as a relevant planning document required to be considered under section 104(1)(b). It is respectfully submitted that it can only be considered as a section 104(1)(c) matter, which is the approach taken by the reporting officer and Mr Scrafton, but in that capacity it has little bearing on this hearing.

We agree with the reply statement.

We note that Fish and Game, in particular Ms Davis (legal counsel) and Ms Sintenie, placed considerable weight on this plan change. We disagree with their position for the reasons above.

We have considered Proposed Plan Change 1 as a section 104(1)(c) matter, but record we have placed very little weight on it.

9.0 ISSUES IN CONTENTION

The entire proposal was in contention as a number of submitters sought the applications be refused. However it became clear during the hearing that all parties accepted that the consents could be granted, with the issues in contention being the appropriate conditions of consent and the duration of the consents - namely:

- What was the "existing environment"
- the extent and nature of water quality improvements over the life of the consent (related to the Vision and Strategy), including any offsetting,
- whether the constructed wetlands were part of the treatment system or not,
- where, how and how often monitoring needed to be undertaken, and
- the duration of consent.

³ Paragraph 16 - Weighting of the Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments.

⁴ paragraphs 5.24 - 5.25 - Reply Submissions - Weight to be given to Proposed Plan Change 1 to the Waikato Regional Plan

10.0 MAIN FINDINGS ON THE ISSUES IN CONTENTION AND REASONS FOR GRANTING CONSENT

10.1 The "Existing Environment"

It was important to determine the "existing environment" in relation to this application. That is: what constitutes "the environment", or the so-called "existing environment" in the context of the discharge permit being sought. We note that this issue was not in contention once the applicant had presented its 'case'. However, we think it important to address this in the decision.

We note that this was a matter raised in Ms Roa's section 42 Report (section 7 - Existing Environment) where she disagreed with the approach the applicant had taken at section 4.4 of the application documents, and the submissions of Fish and Game and Mrs Francis. This was fully addressed by legal counsel in opening legal submissions.

As addressed in opening legal submissions, the High Court in *Ngati Rangī v Manawatu-Whanganui Regional Council*,⁵ considered an appeal on questions of law against an Environment Court decision to grant water take consents for an existing hydro-electric power scheme. The issue was whether, when assessing effects on the environment of the proposed water takes, the Environment Court as consent authority had to treat the environment as including the existing scheme, or to assess effects as if the existing scheme did not exist.

The High Court accepted the principle that the existing environment cannot include effects caused by activities for which so-called "renewal" consents are sought, and held that the consent authority was required to assess the environment "excluding the scheme as it currently operates".

Opening legal submissions stated:

Based on Ngati Rangī, the Officer's Report states that "the hearing committee must assess this application as if the existing discharge was not actually occurring."

Watercare agrees with that statement, and accepts that the approach to determining the existing environment described in section 4.4 of the AEE is inconsistent with the Ngati Rangī decision.⁶

However, Mr McNamara set out in his legal submissions that section 4.4 of the AEE did not describe how effects had been assessed, and "*more importantly*" Watercare's evidence at the hearing. Mr Scrafton set out in his evidence (paragraph 5.31) that the assessment of effects of the proposed discharge did consider the effects on the environment excluding the existing discharge.

We agree with the applicant, and for completeness set out the following from the legal submissions:

The description of background water quality in the Waikato River is based on the monitoring results at Tuakau Bridge which is upstream of the Parker Lane Stream confluence, and logically unaffected by the existing discharge. Similarly, background water quality in the Parker Lane Stream is measured at Watercare's monitoring site B Drain 200, upstream of the discharge location.

⁵ *Ngati Rangī Trust v Manawatu-Whanganui Regional Council* [2016] NZHC 2948.

⁶ Paragraphs 4.3 and 4.4 - Opening legal submissions.

The assessment of effects on aquatic ecology in the AEE and in the evidence of Mr Cameron is based on surveys of four sites, two of which are upstream of the existing discharge.

Both Mr Hall and Mr Cameron have also considered monitoring results downstream of the existing discharge (an environment that is inevitably affected by that discharge), for the purpose of understanding and comparing the effects of the existing discharge with the predicted effects of the proposed discharge (both under Stage 1 and Stage 2). In my submission that is entirely appropriate, including to assess the proposed discharge against the Vision and Strategy for the Waikato River: but it does not affect the Panel's ability to consider effects against an appropriate baseline under section 104(1)(a).

In summary, through the use of upstream water quality monitoring and an aquatic ecology assessment that covered sites both upstream and downstream of the existing discharge, I submit that the witnesses have established an appropriate baseline against which to assess effects on the environment, as required by Ngati Rangi.⁷

10.2 The Vision and Strategy for restoring and protecting the health and wellbeing of the Waikato River

The applicant set out that the Vision and Strategy was one of its project drivers. On the issue of whether the application is consistent with the Vision and Strategy, it is important to set out some of the background to the status of that document.

The Vision and Strategy is incorporated into the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (Settlement Act). Section 3 of the Settlement Act sets out the overarching purpose of the settlement, "to restore and protect the health and wellbeing of the Waikato River for future generations". Section 3(2)(a) requires that the Settlement Act must be interpreted in a manner that best furthers the overarching purpose of the settlement.

Schedule 2 to the Act contains the Vision and Strategy, which forms part of the Waikato Regional Policy Statement. Section 5 confirms Parliament's intention that the Vision and Strategy be the primary direction-setting document for the Waikato River and activities within its catchment affecting the Waikato River. To this end, section 12 states that the Vision and Strategy prevails over any inconsistent provision in a national policy statement or coastal policy statement, and section 17 of the Settlement Act states that a person carrying out functions or exercising powers under the Resource Management Act 1991 which includes acting as a consent authority under section 104 – must "have particular regard to the vision and strategy".

The applicant relied upon statements by the Environment Court in *Puke Coal Limited v Waikato Regional Council and Waikato District Council* [2014] NZEnvC 223 where it was found that a discharge to a waterway covered by the Settlement Act (i.e. within the Waikato River catchment) "must, to the relevant extent, protect and restore the river (particularly this portion of it)",⁸ and that the burden of the obligation on applicants to protect and restore the river was tempered by the concept of proportionality:

⁷ Paragraphs 4.5 to 4.8 - Opening the legal submissions.

⁸ Paragraph 91. Notably, the Court did not consider section 17 of the Settlement Act in its decision.

any protection or restoration must be proportionate to the impact of the application on the catchment. However, it is clear that it intends to go further than avoiding effect. We have concluded that protection and restoration includes preservation from future and restoration from past damage. Restoration can only involve recreation of a past state. Thus, some element of betterment is intended.

⁹

On the issue of "how much protection or restoration can be considered proportionate?" The Court stated:

[137] It is our view that the Vision and Strategy recognises that on an application for a resource consent, affecting the Waikato waterways, there is an important opportunity to provide for the protection and restoration of the river in a more direct fashion. In such a case, the applicant would need to show that, in proportion to the impact of the proposal, there was a real benefit to the river catchment...

[139] The scale of that is clearly a matter for the discretion of the Council relevant to each case, but we would expect that it would be interpreted as there being an opportunity wherever possible within the catchment to improve any streams or waterways and the water quality within it. This can largely be achieved by consent conditions requiring the provision of riparian planting or other methods to avoid contaminated runoff, to improve the water quality, in particular the MCI index, lower the nitrate levels, lower e-coli, and improve habitat for fish and other forms of stream taxa.

Citing the retention of the total nitrogen limit and reductions in total phosphorous, E.coli, and chlorophyll a concentrations, in addition to the riparian planting measures proposed in its suggested consent conditions, the applicant argued that there is a real benefit to the river catchment from Watercare's proposal. We address these matters below.

10.3 The Objectives and Policies of the Relevant Planning Documents

The Panel finds that having reviewed the application, the AEE, the submissions, Council officer's section 42A report and the evidence provided, that the proposal is consistent with the relevant objectives and policies of the statutory planning documents. This includes:

- the National Policy Statement for Freshwater Management;
- the National Policy Statement on Urban development Capacity,
- The National Environmental Standard for Air Quality,
- Regional Policy Statement, including the Vision and Strategy;
- the Waikato Regional Plan.

We accept that the that quality of the discharge, as set out in evidence and the consent conditions, will result in improving water quality in particular by lowering nitrate and *E coli* levels and significant reductions from stage 1 to stage 2 in consent limits for NH₄N and *E coli*. In this respect, as we set out in more detail below, the proposed discharge will clearly be an improvement compared to the *existing discharge*. As a consequence, we find that the proposal would be consistent with the

⁹ Paragraph 92.

objectives and policies of the WRP. No party strongly contested this, accepting there would be at least improved discharge quality

The major focus of the hearing was whether the proposal would satisfy the Vision and Strategy. Much of the rest of this decision addresses that issue.

10.4 Effects of the Proposal

Water quality and ecological effects

Constructed versus Treatment wetlands

There were differences in terminology and function applied to the post UV 'wetlands' at the site, and we consider this worthy of some comment to clarify the correct purpose and nomenclature of these wetlands, as this has relevance to the discussion on the compliance monitoring location.

In his statement of evidence, Mr Morgan explained how the WWTP was upgraded between 1997 and 1999 to include inlet works screening and a constructed wetland system¹⁰. Mr Morgan went on to explain how the current treated wastewater (post UV disinfection) flows to the constructed wetland. He explained that the constructed wetland consists of six connected cells (with a total area of 9 ha, and a depth of around 600m), but that only two cells are currently in operation¹¹. For completeness, Mr Morgan then explained that the treated wastewater is then discharged from the constructed wetlands to the Parker Lane Stream via a discharge channel. He stated that 'this constructed wetland is not a fully engineered planted wetland, and more of an open body that provides some habitat value for bird life'¹².

Mr Hall also refers to the wetland features as constructed wetlands¹³, and explained that the constructed wetlands would have received wastewater from the oxidation ponds from 1996-97 (i.e., at least 13 years)¹⁴. When questioned Mr Hall was firm in his response that while the constructed wetlands formed part of the pathway of the treated water to the final discharge to the Parker Lane Stream, the constructed wetlands were not required for treatment purposes and in fact the constructed wetlands had been modified to short-circuit flows through them.

In his evidence, Dr Daniel (Fish and Game) referred to the wetland feature as a "treatment wetland" and that it is part of the WWTP¹⁵. When questioned Dr Daniel disputed the view of Mr Hall, and reiterated his view that the wetland feature is not a constructed wetland but is a treatment wetland and as it is online, it needs to be considered part of the treatment process.

We preferred the evidence of Mr Morgan and Mr Hall that the wetlands are not part of the treatment process, and refer to these features as constructed wetlands in our decision.

Location of compliance monitoring point

There were some differences of opinion regarding the appropriate location of the compliance monitoring point for the treated wastewater. The application under consideration here is for the compliance monitoring of the discharge to occur

¹⁰ Para 4.3, Statement of Evidence of Mr Shane Morgan, dated 14 August 2017

¹¹ Para 5.6(c), Statement of Evidence of Mr Shane Morgan, dated 14 August 2017

¹² Ibid

¹³ Para 5.5, Statement of Evidence of Mr Garrett John Hall, dated 14 August 2017

¹⁴ Para 3.1, Supplementary Evidence of Mr Garrett John Hall, dated 28 August 2017

¹⁵ Para 6.1, Statement of Evidence of Dr Adam Daniel, undated

immediately after the UV disinfection and prior to discharge to the constructed wetland.

Dr Daniel expressed his view that the change in the compliance monitoring point (from the previous consent) has artificially reduced the stated impact of the WWTP on the receiving environment, and that Table 3-5 of the AEE clearly shows a detrimental impact of the treatment wetland¹⁶. Because of this inadequacy of the monitoring location, Dr Daniel went on to state that this puts in question all of the predicted instream effects that were not directly monitored by eliminating the impact of the wetland¹⁷.

Dr Daniel stated that the constructed wetlands can increase the median ammonia discharge by fivefold over the compliance monitoring point indicating that the proposed stage 2 limits are far too high considering the uncertainty in the actual discharge from the treatment wetland¹⁸. Dr Daniel considered that the worst case scenarios are likely to be far more detrimental than stated and that there was no evidence that the applicant has included additional (i.e., increases) in additional water quality parameters (cf. N, P, water temperature, pH, TSS, Faecal coliforms and NH₄) in the predicted effects¹⁹.

We also note that Mr Klee's evidence (Fish and Game) points to the sporadic monitoring (of nitrogen and phosphorus of the discharge)²⁰ and in evidence and questioning confirmed that his preference would be to see analysis of more recent data²¹.

When questioned further, Dr Daniel reaffirmed his concern that the wetlands make conditions in the post UV-discharge toxic for fish, especially as pH and temperature of the discharged water increase during its passage through the wetland.

When questioned Mr Hall made his view clear that the data presented in Table 3-5 of the AEE, and referred to by Dr Daniel, was the legacy of wastewater received into the constructed wetlands from the oxidation ponds (when they were operating), and also reaffirmed this in his supplementary evidence²². Mr Hall went on to confirm that the data in Table 3-5 relied upon by Dr Daniel does not represent the current performance of the constructed wetlands, and that these constructed wetlands have received wastewater from the SBR since 2010. Mr Hall's view is that the only contaminants added through the wetlands are those sourced from birdlife that frequent the ponds²³.

Furthermore, in Attachment G of his Statement of Evidence, Mr Hall relates the fact that the existing (now expired) discharge consent did not require the monitoring of (total) nitrogen, and thus TN has not been monitored consistently. Mr Hall also confirmed in questioning that data existed only sporadically between 2002 and 2014. Mr Hall further stated in his Supplementary Evidence that more recent monitoring of the discharge from the constructed wetland does not exist²⁴.

When questioned further, Mr Hall reaffirmed that the constructed wetlands were not required for treatment purposes, and that, although the wetlands serve other purposes, when considered only from a water quality perspective, the direct

¹⁶ Ibid

¹⁷ Para 6.2, Statement of Evidence of Dr Adam Daniel, undated

¹⁸ Para 3.3, Statement of Evidence of Dr Adam Daniel, undated

¹⁹ Ibid

²⁰ Para 7.3, Statement of Evidence of Mr David Klee, undated

²¹ Para 3.4, Ibid

²² Para 3.1, Supplementary Evidence of Mr Garrett John Hall, dated 28 August 2017

²³ Ibid

²⁴ Ibid

discharge of the post-UV disinfection treated wastewater to Parker Lane Stream would be acceptable.

We accept the explanation of Mr Hall regarding the past performance of the constructed wetlands, but nevertheless given the lack of recent data and analysis, we had some sympathy for the view of Dr Daniel. When questioned on the preferred location for a compliance monitoring location, Dr Daniel responded that his concerns would be addressed if the discharge compliance monitoring point was at the outflow of the treated wastewater (i.e. at the point that the wetland discharge channel enters Parker Lane Stream). When questioned on the same matter, Mr Hall expressed from his experience all WWTPs that he is familiar with have their compliance monitoring points before any constructed wetland. Dr Daniel when questioned could not raise any example where there was a dual compliance monitoring point.

The recommendation in the section 42A report is for compliance with specified limits to be assessed after the UV disinfection treatment and prior to the treated wastewater entering the constructed wetland²⁵. In reply submissions, Counsel for the applicant pointed out that this location for compliance monitoring is particularly appropriate given the actual experience of constructed wetlands not improving the quality of wastewater discharges²⁶.

Ms Roa in her report had recommended a condition of consent that requires the collection of treated wastewater quality from the point of discharge at the end of the constructed wetlands. We take this location to mean at the end of the discharge channel after the treated wastewater has left the constructed wetlands, and just prior to discharge to the Parker Lane Stream.

We accept the recommendation of the WRC (and accepted by the applicant) that a condition of consent requires the collection of treated wastewater quality data from the point of discharge at the end of the constructed wetlands. In our view this monitoring needs to be for the same parameters and at the same frequency and timing as for the actual treated wastewater compliance point. With appropriate review clauses we are satisfied that any further degradation of the treated wastewater from its passage through the constructed wetlands can be detected and the compliance limits reviewed accordingly.

Nitrogen and phosphorus

The Pukekohe WWTP discharges treated wastewater into the Parker Lane Stream which then flows into the Waikato River approximately 5.5 km downstream of the Tuakau Bridge. That this stretch of river receives diffuse agricultural and point source discharges from the river upstream is not in dispute. However, throughout his evidence, Mr Klee raised concerns with the effects of increasing nutrients on the Waikato River and the potential for nutrient limitation²⁷.

Mr Hall presented evidence that showed a slight but nevertheless an improvement to the water quality of the Waikato River. He explained that the predicted changes are 'slight' due to the large dilution in the Waikato River.

Mr Hall's evidence showed no change in BOD5, slight improvements in ammoniacal-N and total phosphorus concentrations; and a slight worsening of total nitrogen

²⁵ Para 8, Summary Statement of Sheryl Aroha Roa, undated

²⁶ Para 5.4, Reply Submissions on behalf of Watercare Services Ltd, dated 5 September 2017

²⁷ Paras 8.1-8.8, Statement of Evidence of Mr David Klee, undated

concentrations²⁸. He was of the opinion that adverse effects on the life-supporting capacity of the Waikato River would be negligible²⁹.

Mr Klee expressed his concern that increasing levels of nitrogen and phosphorus to the Waikato River (and the constructed wetlands and Parker Lane Stream) had the ability to cause eutrophication and decrease water quality³⁰. He went on to state that if the applicant were to discharge up to the proposed consented limits, then this would lead to a significant increase in both nitrogen and phosphorus when compared to loads for Stage 1, and significant increases of nitrogen in Stage 2³¹. His concern is that while reductions in phosphorus can potentially lead to an overall decrease in algal cells it does not in itself prevent the occurrence of harmful algal blooms³².

However, Mr Hall presented evidence that the contribution of the treated wastewater discharges to chlorophyll a (and thus algal productivity) in the Waikato River will decrease from the current 1.86% to 1.65% at the end of the proposed 35-year consent duration³³. These figures are based on an increase in total nitrogen load of 55 kg/day currently to 88 kg/day and a decrease in total phosphorus from 25 kg/day to 22 kg/day. Mr Hall also explained how he had used the methodology developed by Elliott (2015), which he explains as a well-researched and complex model of the relationship between total nitrogen and total phosphorus, and is the most up to date tool to assess quantitatively the effects of nutrients on downstream chlorophyll a concentration in the Waikato River³⁴.

In his evidence Mr Klee draws and quotes from a number of sources regarding nutrient limitation for algal growth³⁵. He expressed the importance of dual nutrient management and related some uncertainties with the model used by Mr Hall. Mr Klee expressed a high degree of scepticism with attempts to calculate the contribution of nutrients to algal biomass in the Waikato River³⁶.

Mr Hall agreed with Mr Klee that the effects of nitrogen and phosphorus should be considered together and goes on to confirm that the effects of total nitrogen had not been ignored as he relied on the empirical relationship of Elliott (2015)³⁷. When questioned Mr Hall also expressed his opinion that the proposed Monitoring and Technology Review at 5, 10, 20 and 30 years can be used to assess actual effects as a means of responding to uncertainty.

While we accept that models carry some uncertainty, we preferred the evidence of Mr Hall, where the use of an accepted empirical model provided evidence of the contribution of nutrients to algal biomass in the Waikato River. We accept that improvements to the Waikato River would be slight but we acknowledge that the proposal provides benefits to the overall health of the Waikato River. Furthermore, we are confident that the proposed consent conditions provide sufficient opportunity for review and amendment to the discharge should effects be detected.

Riparian Management

Mr Cameron explained in his evidence that because the aquatic ecology monitoring results showed no clear difference between sites upstream and downstream of the existing WWTP discharge, it was not possible to identify any adverse effects that

²⁸ Para 11.5, Statement of evidence of Mr Garrett John Hall, dated 14 August 2017

²⁹ Ibid

³⁰ Para 3.5, Statement of evidence of Mr David Klee, undated

³¹ Para 3.10, Statement of evidence of Mr David Klee, undated

³² Para 8.6, Ibid

³³ Para 11.6, Statement of evidence of Mr Garrett John Hall, dated 14 August 2017

³⁴ Para 2.10, Supplementary Evidence of Mr Garrett John Hall, dated 28 August 2017

³⁵ Paras 8.1-8.8, Statement of evidence of Mr David Klee, undated

³⁶ Para 8.8, Ibid

³⁷ Para 2.8, Supplementary Evidence of Mr Garrett John Hall, dated 28 August 2017

could be specifically attributed to the existing discharge³⁸. He went on to explain that this may be partly due to the existing degradation in the catchment and the complexities of the site but nevertheless he concluded that the level of effects is negligible³⁹.

Mr Cameron was also clear in his view that even with improvements to the water quality of the Parker Lane Stream, he would not necessarily expect to see much change in the macroinvertebrate of fish communities unless conditions also improve further upstream in the catchment⁴⁰.

Riparian planting has been proposed by Watercare to improve the aquatic habitat of Parker Lane Stream in recognition that the existing discharge has some adverse effects on the habitat of macroinvertebrates and fish within Parker Lane Stream that are difficult to characterise or quantify⁴¹.

In his evidence, Dr Daniel was of the opinion that the impact to the Parker Lane Stream cannot be offset with the small riparian planting proposed by the applicant⁴². When questioned, Mr Cameron concurred that the riparian planting may need to be low stature and may not deliver all of the shading improvements anticipated from riparian shading. However, Mr Cameron went on to say that some taller trees would survive and provide shade along with the other benefits of riparian shading.

We were not convinced that the riparian planting would provide all of the benefits as outlined by Mr Cameron. However, in reply counsel for the applicant convinced us that as the proposed discharge will not cause adverse effects to either Parker Lane Stream or the Waikato River, that the riparian planting was offered on an 'Augier' basis⁴³, and therefore the planting is acceptable.

We also note that the applicant has offered a condition requiring a minimum of one hectare of riparian planting, as opposed to Fish and Game's suggested one kilometre length of riparian planting⁴⁴. We found the provision for the quantum of riparian planting as a means of improving the habitat within Parker Lane Stream acceptable despite the evidence for no adverse effects from the proposed discharge.

Is there a real benefit to the river catchment from Watercare's proposal?

Having had regard to the sections above, and that we are to "have particular regard to" the Vision and Strategy (as we have also set out above), does the Watercare proposal have a real benefit to the river catchment?

We accept that the that quality of the discharge as set out in evidence (and the consent conditions) will result in improving water quality in particular by lowering nitrate and *E coli* levels (eg conditions 28 and 29) and resulting in significant reductions from stage 1 to stage 2 in consent limits for NH4N and *E coli*. In this respect the proposed discharge will clearly be an improvement compared to the *existing discharge*. As a consequence, we find that the proposal would be consistent with the relevant provisions of the WRP. However, as already addressed the WRP has not yet given effect to the Vision and Strategy.

In determining whether the Vision and Strategy provisions are 'satisfied' by the proposal, it is important to determine the 'baseline' of water quality improvements. In

³⁸ Para 5.37, Statement of evidence of Mr David James Cameron, dated 14 August 2017

³⁹ Ibid

⁴⁰ Para 5.40, Statement of evidence of Mr David James Cameron, dated 14 August 2017

⁴¹ Para 7.4, Ibid

⁴² Para 9.1, Statement of Evidence of Dr Adam Daniel, undated

⁴³ Para 5.17, Reply Submissions on behalf of Watercare Services Ltd, dated 5 September 2017

⁴⁴ Para 5.14, Ibid

this respect we note in the *Puke Coal* final decision, the Court required that the stormwater consent originally proposed be relinquished and replaced by a fresh consent "in terms no less onerous than the current consent".⁴⁵ The comparison was with the existing consent, not with a hypothetical "background" environment.⁴⁶

We agree with the applicant that this is significant, as, as submitted by Watercare, *"this suggests that in practice, the "baseline" against which to measure whether a discharge will protect and restore the River, consistent with the Vision and Strategy, should not be an environment in which no discharge is occurring. That baseline would not recognise the starting point for the Vision and Strategy. Section 3 of the Settlement Act states that the overarching purpose of the settlement is "to restore and protect the health and wellbeing of the Waikato River for future generations". The starting point is an environment in which there are existing discharges and other uses that have had the effect of degrading the River.*⁴⁷

The important question is - the extent to which the discharge will improve background water quality, as opposed to simply being an improvement on the present discharge, with resulting improvements to water quality in the Parker Lane Stream and the Waikato River).

Based on the evidence of Mr Hall and Mr Cameron (as addressed above) we find that the proposed discharge will improve water quality in the Parker Lane stream and its life supporting capacity compared to the status quo, under which a discharge is occurring. Importantly, we also find there will be improved water quality in the stream, and its life supporting capacity, as compared to an environment in which there was no WWTP discharge. Also there will be positive effects on aquatic ecology albeit slight in the absence of improvements elsewhere in the catchment.

There will also be benefits in terms of contact recreation - and we address this separately below.

Cultural Effects - Mana Whenua

The Settlement Act, the Vision and Strategy, as well as the relevant provisions in the WRP, clearly set out the expectations of Mana Whenua in relation to cultural and spiritual issues vis-à-vis (in this case) water quality. Our findings in term of water quality have been set out above.

Notwithstanding our findings, Mana Whenua submitters to these applications, namely Te Taniwha o Waikato, Ngaati Te Ata (and Mr Potini), either fully supported or conditionally supported the proposal subject to appropriate conditions. This support was on the basis of what they perceived to be substantial water quality improvements over time as well as a commitment to an on-going relationship between Watercare and Mana Whenua groups.

We were impressed by the comprehensive CIA and evidence prepared by Te Taniwha o Waikato, and the clear commitment they had to fully engaging in this process. It was their view that consent could be granted on the basis of the water quality improvements over time and the on-going relationship between Watercare and Mana Whenua groups.

⁴⁵ [2015] NZEnvC 21, para 189.

⁴⁶ Note that the correct approach to assessing effects on the "environment" under s104(1)(a), in light of the *Ngati Rangī* decision, are addressed in the opening submissions.

⁴⁷ Para 2.12 of the Closing Legal Submissions

Te Taniwha o Waikato confirmed to the Panel that it supported a consent being granted for a 25 year term. This was essentially on the basis that a 35 year terms would limit potential technological improvements. We address this issue in some detail in the section "Consent Duration" below.

In this respect we find that the relevant Part 2 matters, notably sections 6 (e) - the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, Section 7 (a) kaitiakitanga and section 8 - Treaty of Waitangi, as well as the relevant provisions in the statutory planning document, are met.

Air Quality

Dr Boddy was the only expert to present on air quality. He assessed the potential air quality, including odour, effects associated with Watercare's proposal.

As set out in his evidence, odour was the principal discharge of concern at the WWTP in terms of its emission rate, emission duration and overall potential environmental impact. His evidence focused on odour emissions and their potential to cause odour nuisance effects in the surrounding community.

It was his evidence, to which we agree, that odour effects, if there are any, can be effectively controlled through the requirement to implement an Odour Management Plan (as offered by the applicant and set out in Ms Roa's section 42A report.

From Dr Boddy's evidence and in questioning him and other Watercare witnesses, as well as Mrs Francis who has lived near the WWTP since it was built, odour is not a particular issue and the plant has been well managed from an odour perspective. He also commented that there was nothing unusual about the site and its operation, and Odour Management Plans were 'standard practice' in terms of WWTP consents.

Dr Boddy stated that subject to the implementation of the Odour Management Plan he was *"confident that the WWTP can continue to be operated without causing odour nuisance or adverse air quality effects. I am also confident that following the plant upgrade the Project will not result in any odour nuisance or adverse air quality effects"*.⁴⁸

We agree with Dr Boddy and Mr Scrafton's planning evidence; that from an air quality perspective any adverse effects will be appropriately managed (avoided, remedied or mitigated) and consistent with the relevant objectives and policies of the statutory planning documents.

Positive effects

Enabling Urban Growth

There was no disagreement amongst the parties that the upgrade of the WWTP's capacity and the quality of its discharge would enable the substantial planned urban growth and development for the southern portion of Auckland and the northern Waikato.

This was set out by the applicant Messrs Cunis, Borne, Caincross and Scrafton, as well as submitters; the Waikato District Council and Pokeno Village Holdings Limited. They variously addressed the NPS o Urban development Capacity, Auckland's Unitary Plan and the FULSS and Waikato's District Plan and Future Proof (especially the planned growth of Pokeno and Tuakau).

⁴⁸ paragraph 10 3 of Dr Boddy's evidence in chief.

While enabling this growth, the use of the existing WWTP both in the interim (stage 1) and into the future (stage 2) is and would be an efficient use of an existing and substantial piece of infrastructure. In this respect we have had regard to the existing investment of the site and WWTP (section 104 (2A) and section 7 (b) - the efficient use and development of natural and physical resources.

Overall, the upgrade of the WWTP's capacity and the quality of its discharge will clearly enable people and communities to provided for their social, cultural and economic wellbeing:- the purpose of the RMA. Also as set out above we find that there will be an overall improvement of water quality and the environment.

Social effects including recreation

The Parker Lane Stream is classified in the WRP as 'Waikato Surface Water' and therefore not classified for the purposes of contact recreation. The Waikato River is classified for contact recreation, indigenous and trout fisheries and spawning habitat uses by the WRP.

The water quality issues have been addressed above. Given the findings in that section the Hearings Panel finds that the proposal provides a contribution towards the restoration of the Waikato River to enable safer contact recreation and thereby resulting in a positive social effect. We note that that this view is shared by Te Taniwha o Waikato who note in their CIA that: *The proposed discharge resulting from the MBR technology is swimmable and is an improvement on the water generally flowing in the Waikato River.*

In terms of safer contact recreation, the proposal satisfies the key planning provisions of the Vision and Strategy relevant to social effects (including recreation) including:

- The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length (Objective K, Vision and Strategy);
- The promotion of improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities (Objective L, Vision and Strategy), and
- To safeguard the health of people and communities, at least as affected by secondary contact with fresh water in sustainably managing the use and development of land and of discharges of contaminants (Objective A1 - NPS - Freshwater Management)

Section on 105 and 107

In terms of the matters set out in sections 105 and 107, we agree with the applicant's evidence, notably Mr Scrafton relying on Mr Hall and Mr Cameron's evidence.

11. Consent Duration

The duration of consent was a significant issue in contention, and we have addressed it in some detail. We note that the Panel's decision on this issue was a majority one. We explain this further below.

Watercare sought a 35 year consent. WDC and Pokeno Village Holdings Ltd supported the applicant's request. The Council's reporting officer, Fish and Game

and Te Taniwha o Waikato (the 25 year group) consider 25 years is the appropriate term.

Section 123(d) of the RMA - Duration of consent - enables this discharge consent to be granted for a "*period (not exceeding 35 years from the date of granting) specified in the consent.*"

Ms Roa set out in her section 42A report the relevant objective and policy in the WRP relating to duration of consent. They are: - Chapter 1 - Approaches to Resource Management:

1.2.3 Objectives

- Maximise certainty in the decision making processes.

Policy 6: Consent Duration

- When determining consent duration, there will be a presumption for the duration applied for unless an analysis of the case indicates that a different duration is more appropriate having had regard to case law, good practice guidelines, the potential environmental risks and any uncertainty in granting the consent. (emphasis added)

These matters are addressed below in terms of legal submissions and evidence at the hearing - essentially:

- what is the case law?
- the potential environmental risks, and
- any uncertainty in granting the consent.

The applicant's opening legal submissions stated:

The Environment Court considered factors relevant to consent duration in PVL Proteins Ltd v Auckland Regional Council A61/2001, in the context of an air discharge. The Court reviewed earlier decisions and stated the relevant factors for determining consent duration include.⁴⁹

... that conditions may be imposed requiring adoption of the best practicable option, requiring supply of information relating to the exercise of the consent, requiring observance of minimum standards of quality in the receiving environment, and reserving power to review the conditions.

Section 108(2)(e) of the RMA allows us to impose a condition of consent requiring the applicant to adopt the BPO to prevent or minimise any actual or likely adverse effect on the environment of the discharge. Mr Bourne's evidence for Watercare's was that the adoption of the BPO was one of the key drivers for the project.⁵⁰

The applicant's position was that these matters were addressed by the Monitoring and Technology Review Report set out in conditions 21 and 22 of the proposed conditions, which is required to be submitted on the 5th, 10th, 20th and 30th anniversary of the consents commencing.

Condition 22(e) requires the report to include an "outline of any technological changes and advances in relation to wastewater management, treatment, discharge and beneficial reuse technologies". Condition 22(f) requires that the report include an assessment of whether any of the newly available technology

⁴⁹ PVL Proteins Ltd v Auckland Regional Council A61/2001 at [28].

⁵⁰ Statement of Evidence of Mark Bourne, at [6.4] - [6.8].

option/s or combination of options represent the BPO, and advice on whether Watercare intends to adopt that BPO and incorporate such changes.

Also Review condition 18(d) enables the WRC to review the Monitoring and Technology Review Report and respond to Watercare's intention to adopt a revised BPO, if any, for the treatment and discharge of treated wastewater. Review condition 18(a) enables the WRC to review the effectiveness of the consent conditions in avoiding or mitigating any adverse effects on the Parker Lane Stream or Waikato River, and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions.

Opening legal submissions set out that in having regard to the Court's comments in *PVL Proteins*, those opportunities for reviews throughout the life of the consent "*support a maximum consent duration here. They provide a "mechanism by which a consent authority can ensure that conditions imposed on a resource consent do not become outdated, irrelevant or inadequate.*"⁵¹

Also, the suggested conditions include annual reporting to the Regional Council on monitoring results and consent compliance,⁵² consistent with the observation in *PVL Proteins* that conditions requiring the supply of information about the exercise of the consent are relevant to consent duration.

The potential environmental risks and Uncertainty

The Environment Court in *PVL Proteins* also considered uncertainty, and the applicant's need to protect their investment, as relevant factors regarding duration:⁵³

Uncertainty for an applicant of a short term, and an applicant's need (to protect investment) for as much security as is consistent with sustainable management, indicate a longer term.

⁵¹ *Medical Officer of Health v Canterbury Regional Council* [1995] NZRMA 49 at p. 56.

⁵² Watercare's proposed Condition 17.

⁵³ *PVL Proteins Ltd v Auckland Regional Council* A61/2001 at [30].

Watercare's asset management plan for the WWTP includes \$143 million for the Stage 2 upgrade (to an Enhanced MBR + UV treatment process), and \$59 million for a new wastewater pipeline from Pukekohe to the WWTP.⁵⁴ Watercare's position was that given the significant investment in the WWTP and associated pipeline (as well as its existing investment at the plant (section 104 2A)), certainty and security as regards investment are important factors justifying a longer consent duration in this case.

Legal submissions addressed the *Te Rangatiratanga o Ngati Rangitahi Inc v Bay of Plenty Regional Council*,⁵⁵ where the High Court considered an appeal on various aspects of an Environment Court decision granting a water take consent and discharge consent required for the Tasman Pulp and Paper mills, including an alleged error in its approach to consent duration (25 year consents were granted). The submissions set out:

Both the Environment Court and High Court acknowledged the applicant's need for security for their existing and future investment in the mills. While the existing and proposed discharge to the river would cause a conspicuous change in colour and visual clarity contrary to section 107, rather than imposing a shorter term, both courts accepted that conditions could be imposed to deal appropriately with environmental concerns while also protecting that investment. The conditions imposed by the Environment Court, upheld on appeal by the High Court, included tighter limits in relation to discoloration, a significant, long-term commitment to a research programme (including reports every 7 years) to identify ways to reduce discoloration, and periodic review of consent conditions.

Despite an enormous difference between the Tasman Pulp and Paper discharges in Ngati Rangitahi and the proposed Pukekohe WWTP discharges, the same underlying principle can be applied here. Watercare's existing and proposed investment in the WWTP, and the ability of the consent conditions to manage effects on the environment (especially the technological review and review of consent conditions), justify the granting of a long term consent. However, given the effects of the proposed Stage 2 discharge – Mr Hall predicts a substantial improvement in water quality for all parameters under the realistic worst-case scenario⁵⁶ – unlike in Ngati Rangitahi the maximum term of 35 years is appropriate.

Manawatu District Council v Manawatu District Council and Manawatu Wanganui Regional Council⁵⁷ also concerned an application for renewal of discharge permits for a wastewater plant that was to be upgraded. In that case the Environment Court applied the PVL Proteins factors to determine what an appropriate consent duration might be. It found against a longer term, due in part to uncertainties as to the likely performance of the upgrade, and the applicant's poor compliance history. Neither of these two factors apply here to warrant a reduction in the consent sought.⁵⁸

Watercare's response to this was to state:

⁵⁴ Statement of Evidence of Mark Bourne, at [3.5].

⁵⁵ (2010) 16 ELRNZ 312 (HC).

⁵⁶ Hall evidence in chief at paragraph [4.19].

⁵⁷ [2016] NZEnvC 53.

⁵⁸ Para 5.11, 5.12 and 5.13 of Opening Legal Submissions

Given the comprehensive assessment of the effects of the existing discharge, and the proposed consent conditions that involve a tightening of existing consent limits, there is little uncertainty as to the effects of the discharge on the receiving environment; and

Since taking over the WWTP in 2010, Watercare has for the most part exhibited a high to full level of compliance.

I submit that for these reasons, the consents should be granted for a 35 year term.⁵⁹

Certainty/Uncertainty

Watercare in its Reply Statement again addressed the issue of "Uncertainty" in terms of responding to the evidence of Fish and Game, Te Taniwha o Waikato and Ms Roa's position (and the Panel's questions).

Fish and Game in its submissions and evidence stated that the 35 year duration was unacceptable as further technological advances over that period could be made. The Applicant in closing stated that:

⁵⁹ Para 5.13 and 5.14 of Opening Legal Submissions

The key issue raised in response to questions from the Panel regarding consent duration was the issue of certainty. Dr Daniel for Fish and Game raised uncertainty in the context of the constructed wetland, and the possibility of the quality of the discharge deteriorating (on account of its passage through the wetland) before it enters Parker Lane Stream.

Mr Klee also raised the issue of uncertainty and expressed concern that the application was based on an assumption that fixed values will remain unchanged over the next 35 years.

In my submission these uncertainties relate to the collection of information over the term of the consent, and the ability of the WRC to respond to that information if it demonstrates that the discharge is causing adverse effects. Watercare's proposed conditions 28 and 29 include fortnightly water quality monitoring throughout the year during Stage 1 and Stage 2, at the compliance monitoring point. Condition 32 requires the same fortnightly monitoring as conditions 28 and 29 but at the wetland discharge point. This will show whether any elevations in nutrients in the discharge result from the operation of the WWTP, or from passage through the wetland (most likely on account of microbial contamination from birds). Mr Hall agreed during the hearing that an additional monitoring point is appropriate.

Annual reporting (condition 17) requires Watercare to provide a summary of those results to WRC each year. The Monitoring and Technology Review Report⁶⁰ is required to include an assessment of on-going compliance and monitoring results.

Review condition 18(a) would then enable the WRC to review the consent conditions if the discharge monitoring indicated that the discharge was having adverse effects on either Parker Lane Stream or the Waikato River. In my submission these conditions provide an appropriate process for information collection as well as a mechanism for responding to that information, if necessary, by reviewing the consent conditions.

I also note that it is a function of the Community Liaison Group,⁶¹ which Fish and Game would be likely to be a member of, to review monitoring results. Minutes from the Community Liaison Group have to be provided to the WRC and those minutes can include suggestions/ issues raised by members (eg in response to monitoring). In short, the collection and sharing of monitoring data can address any uncertainty that Dr Daniel is concerned about: limiting consent duration to 25 years is not a required or appropriate response.⁶²

Te Taniwha o Waikato

⁶⁰Proposed Condition 22(a) and (c).

⁶¹Proposed condition 6.

⁶² Paras 3.2 to 3.7 of the Closing reply Statement

Te Taniwha o Waikato confirmed to the Panel that its support for the application was conditional on consent being granted for a 25 year term. Te Taniwha o Waikato stated in their evidence (and CIA) the following:

Te Taniwha o Waikato support WRC and its opinion that a 35-year consent is too long and inappropriate. Te Taniwha o Waikato and Waikato-Tainui in general have sought reduced consent lengths, 35 years is deemed to limit potential technological improvements and 25 years is seen as an appropriate time period⁶³.

Finally, Watercare have sought a 35-year term of consent, this is deemed unacceptable to Te Taniwha o Waikato. Whilst understanding the Watercare financially focused perspective, Te Taniwha o Waikato believe this term is too long and it runs the risk of retaining outdated technology, whilst future enhancements are being installed elsewhere.⁶⁴

No consent should be approved for an extended 35-year term, however to give some certainty to Watercare, Te Taniwha o Waikato wish to have included in conditions of consent a review cycle of the first 2 reviews being at 3-year intervals and every 7 years thereafter. Te Taniwha o Waikato is of the opinion that it is inappropriate to provide for the maximum time period available for consents, without providing a mechanism to ensure its effectiveness - as technology is rapidly changing and flexibility needs to exist that allows for new technological advances to be utilised (emphasis added)⁶⁵

While Te Taniwha o Waikato's position was that the discharge should ultimately cease and that treated wastewater should be re-used; one of their drivers in terms of this application was to enable (require) the consideration and implementation of improved technology to either further improve the discharge or enable re-use. Central to their concern was the uncertainty that the WWTP would be upgraded throughout the term of the consent as new technology became available, in particular, re-use technology. They considered a shorter term (25 years) as necessary to ensure that such upgrades occur in a timely manner.

The applicant's position is that this issue is addressed by the Monitoring and Technology Review Report set out in conditions 21 and 22 of the conditions proposed by Watercare (and imposed by us), requiring this report to be submitted on the 5th, 10th, 20th and 30th anniversary of the consents commencing.

Condition 22(e) requires the report to include an "outline of any technological changes and advances in relation to wastewater management, treatment, discharge and beneficial reuse technologies". Conditions 22(f) requires that the report include an assessment of whether any of the newly available technology option/s or combination of options represent the BPO, and advice on whether Watercare intends to adopt that BPO and incorporate such changes.

Also Review condition 18(d) enables the WRC to review the Monitoring and Technology Review Report and respond to Watercare's intention to adopt a revised BPO, if any, for the treatment and discharge of treated wastewater. Review condition 18(a) enables the WRC to review the effectiveness of the consent conditions in avoiding or mitigating any adverse effects on the Parker Lane Stream or Waikato River, and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions.

⁶³ Para 12.4 - Statement of Evidence Te Taniwha o Waikato

⁶⁴ Para 13.7- Statement of Evidence Te Taniwha o Waikato

⁶⁵ Para 14.1 (3red Bullet Point) - Statement of Evidence Te Taniwha o Waikato

As set out in the Applicant's closing, "Condition 19 also requires Watercare to request an updated cultural impact assessment from Te Taniwha o Waikato (to be provided to the WRC) by the 10th, 20th and 30th anniversaries of the consent commencing".

The combined effect of the conditions set out above allows "WRC to tighten key consent conditions (for example, maximum discharge volume under condition 27, and Stage 2 discharge parameters under condition 29) in a way that, in practice, will require Watercare to move to a treatment and discharge solution (such as reuse) that it has identified as the BPO, so as to comply with the revised consent conditions.

The applicant goes on to say "the Monitoring and Technology Review Report is an appropriate response to the "upside risk" of future technologies or reuse options becoming the BPO during the life of the consent.

Council's Section 42A Report - Ms Roa's position

Ms Roa in her section 42A report and her summary statement recommended a 25 consent term.

She stated:

The applicant provides an assessment of these objectives and policies and I mostly agree with that assessment. Where I disagree is the duration of the consent (Objective 2 of Section 1.2.3, Policy 6) where I have formed the view a different duration is more appropriate having regard to the environment that we are currently in with respect to the existing environment, proposed mitigation, submitters views, Iwi views and current practice with respect to consent durations for applications of a similar nature e.g. Whangamata WWTP, Tairua-Pauanui WWTP all of whom were granted 20 or 25 year durations for treatment plants where mechanical treatment occurs – both of which went to a hearing with submitters.⁶⁶

In her section - Discussion and recommendation, she stated:

My assessment and relative weighting of the Vision and Strategy, Regional Policy Statement, National Policy Statement on Urban Development Capacity, the National Policy Statement for Freshwater Management and Healthy River plan change combined leads me to conclude that a 25 year duration should be applied to the application.⁶⁷

Ms Roa in her Summary Statement maintained her opinion that 25 years was the appropriate consent term.

As set out above Policy 6 of the WRP requires consideration of:

When determining consent duration, there will be a presumption for the duration applied for unless an analysis of the case indicates that a different duration is more appropriate having had regard to case law, good practice guidelines, the potential environmental risks and any uncertainty in granting the consent.

Panel member Te Aho agreed with the views expressed by Te Taniwha o Waikato in terms of their support being conditional on the 25 year term, and those of Ms Roa, the reporting officer. Te Taniwha o Waikato's and Ms Roa's views have been addressed above. On this basis, Associate Professor Te Aho determined that while it was appropriate to grant the consents sought, the term of consent should be limited to 25 years.

⁶⁶ Section 42A report at Section 8.25

⁶⁷ Section 42A report at 9.0 - Discussion and recommendation

Panel members Hill and Boothroyd determined that it was appropriate to grant the consents for the 35 year period sought. Their reasons for this was that:

- Case law supports longer term;
- The potential environmental risks are low over the consent period;
- There is little or no uncertainty, given the conditions of consent;
- The suite of conditions have significant safeguards built in, particularly with respect to the Monitoring and Technology Review Report and the regular reviews conditions; and
- In light of the bullets point above the WRP policy supported the 35 year term.

It is our majority finding that a 35 year consent duration will:

- Provide certainty of investment for Watercare, as set out in the evidence of Mr Bourne.
- Provide certainty for the development community that there is sufficient capacity in the wastewater network in the short, medium and long-term.
- Ensure that wastewater infrastructure is integrated with growth planning.
- Enable local authorities (who themselves plan for growth over 30 year timeframes) to satisfy themselves that wastewater infrastructure necessary to support urban development is available, and
- Will not prevent technological improvements over the life of the consents due to the suite of condition imposes, notably conditions such as the Monitoring and Technology Review Report and the regular reviews.

12. The Weir

A weir exists on the Parker Lane Stream. We understand this weir is to divert water through the Piggott Wetland was a requirement of a previous wastewater consent (now expired). The weir diversion was to help create a preferential hydrological regime to the Piggott Wetland, and as pointed out in Mr Klee's evidence (Fish and Game) it is critical to maintaining the ecosystem health and recreational values of this wetland.

There has been a number of communications between Watercare, Fish and Game and the WRC concerning the weir. In Ms Roa's section 42A report she states under the heading - Existing Surrounds:

The applicant has not made an application for the weir so it does not form part of this application but it does provide an added distraction to the assessment of this application. I have assessed the status of the weir against the Resource Management Act and relevant provisions of the Waikato Regional Plan and am of the opinion that a consent is required for the damming activity associated with the weir.

Mr Scafton addressed this matter in his evidence. He stated the following:

In addition, the Reporting Officer considers that the weir is a dam and as such a consent for a damming activity is required³ under rule 3.6.4.10 and/or 3.6.4.12 of the WRP.

With regards to the Reporting Officer's view that resource consent for a damming activity is required for the Project, I respectfully disagree with this interpretation

and refer to Watercare's response to WRC's deferral of application under section 91(1) of the RMA letter. I agree with the position expressed by Watercare in that response. To summarise, I consider the weir within the Parker Lane Stream is a structure associated with a diversion within the scope of Rule 3.6.4.7 of the WRP. Rule 3.6.4.7 provides for the diversion and the use of an associated structure as a permitted activity.⁶⁸

We agree with Ms Roa that the issue of the weir is a "distraction" to his hearing and the resource consents lodged. We do not need to make any findings in relation to the weir as it is not related to the applications before us. It is a separate matter that the parties will need to resolve between them.

13. Part 2 of the Resource Management Act

Despite section 104 being "subject to part 2", the High Court in RJ Davidson Family Trust v Marlborough District Council [2017] NZHC 52 has held that recourse to Part 2 is only required, or relevant, where certain circumstances exist.

Those circumstances include where there is "conflict between provisions" or where there is "invalidity, incomplete coverage, or uncertainty of meaning" in the relevant planning documents, which requires that Part 2 is considered to resolve the matter. Where there is an absence of those circumstances, there should be no need for the consent authority to have recourse to Part 2.

We do not find that any of the circumstances listed above apply; namely that all of the statutory planning documents have addressed the Part 2 matters. We have recorded (and addressed) that the WRP has not given effect to the RPS or the NPS FWM, particularly in relation to the Vision and Strategy. In this respect we have 'climbed the tree' and addressed those matters in terms of the higher planning documents; our findings in relation to those set out above.

Notwithstanding the above, we have "checked" the proposal against Part 2 and find that the matters in sections 6, 7 and 8 have been appropriately addressed and the application meets the purpose of the RMA as set out in Section 5 - Purpose.

14. Decision.

In exercising our delegation under sections 34 and 34A of the RMA and in terms of section 104B and Part 2 of the RMA, the Hearings Panel have determined that resource consents for the proposal be **granted** for the reasons set out in this decision and subject to the conditions attached to this decision.

Schedule 1 – WRC - consents and conditions

DATED this 2 October 2017



Greg Hill - Chairman of the Hearing Panel

⁶⁸ paragraph 4.8 and 4.9 of Mr Scrafton's evidence.

Schedule 1 - Conditions

WATERCARE SERVICES LIMITED (WATERCARE) for the **Pukekohe Wastewater Treatment Plant** – re-consenting of the discharge of treated wastewater to the Parker Lane Stream, discharge to air and discharge to land.

Resource Consents: AUTH137406.01.01,

File Number: 60 43 55A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Watercare Services Limited
Private Bag 92 521
Wellesley Street
Auckland 1141

(hereinafter referred to as the Consent Holder)

Consent Types: Discharge permits

Consent Subtypes: Discharge to water (wastewater)- AUTH137406.02.01;
Discharge to land (wastewater) - AUTH137406.01.01, and
Discharge to air (odour)- AUTH137406.03.01

Activities authorised: Discharge treated wastewater from the Pukekohe Wastewater Treatment Plant to the Parker Lane Stream and associated discharge of contaminants (via seepage) to land and groundwater from the ponds and wetland structures discharge of contaminants (odour) to air.

Location: Parker Lane, Buckland, Pukekohe

Map Reference: At or about NZTM 1768488 E 5873897 N(Discharge point of treated wastewater)

Consent durations: These consents will expire 35 years from the date the consents commence

Subject to the conditions:**General**

1. The activities authorised shall be designed, upgraded, operated and maintained in general accordance with:
 - (a) The document titled “ **Application for Resource Consent: Pukekohe Wastewater Consents Project – Section 3: Description of the Existing Pukekohe Wastewater Scheme**” dated September 2016 and recorded as document number 9202644 on the Waikato Regional Council’s document recording system
 - (b) The conditions below, which shall prevail should any inconsistency occur between the conditions and the documents described at (a).
2. The consent holder shall be responsible for all sub-contracted operations related to the exercise of this consent, and must ensure sub-contractors are made aware of the conditions of this consent.
3. The consent holder shall pay to the Waikato Regional Council any administrative charge fixed in accordance with Section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under Section 360 of the Resource Management Act.
4. Within 12 months of the commencement of this consent, and thereafter on an annual basis for the following three years the consent holder shall provide a report to the Waikato Regional Council and the Community Liaison Group, detailing progress to date and forward planning for investigations, design, procurement procedure, construction and commissioning of the wastewater treatment plant upgrade. The requirement to supply this report to these parties may cease either temporarily or permanently with the written approval of the Waikato Regional Council.

Community Liaison Group

5. Within six months of the commencement of this consent, the consent holder shall establish and retain for the duration of this consent a Community Liaison Group. The consent holder shall provide reasonable organisation and administrative support to facilitate the development and ongoing role of the Liaison Group. Membership of the Liaison Group shall be determined by the consent holder in consultation with the submitters who expressed a desire to be heard in relation to the consent process. The consent holder shall invite others to participate in the Community Liaison Group by:
 - (a) Publishing a notice in the Franklin Country News and the Waikato Times inviting participants; and
 - (b) Including an invite on the consent holder’s website.

The membership of the Liaison Group may change as required via this process.

6. The Liaison Group shall establish its own meeting protocols but shall be invited to meet at least annually to exercise the functions set out within this condition. The functions of the Liaison Group shall include, but not be limited to, the following matters:
 - (a) Reviewing the general performance of the Pukekohe Wastewater Treatment Plant (WWTP) and the treated wastewater discharge including any changes to the operation of the WWTP;
 - (b) Reviewing the results of monitoring and the associated assessment of monitoring information carried out in accordance with the conditions of this consent;
 - (c) Receiving and commenting on the Annual Report;
 - (d) Receiving and commenting on the Operations and Management Plan;
 - (e) Receiving and commenting on the Riparian Planting and Management Plan;
 - (f) Receiving and commenting on the Monitoring and Technology Review Report;

- (g) Receiving of and commenting on the Complaints Register;
 - (h) Receiving of and commenting on the Odour Management Plan;
 - (i) Receiving of and commenting on the Pest Management Plan;
 - (j) Receiving any updated Cultural Impact Assessment;
 - (k) Making suggestions to the consent holder as to any physical measures and initiatives further needed to address actual or potential effects of the WWTP discharge;
 - (l) Making suggestions as to any additional investigations the consent holder might undertake in respect of actual or potential effects;
 - (m) Considering any other issues of concern to the Liaison Group relating to the WWTP.
7. The consent holder shall provide minutes of each Liaison Group meeting to the Waikato Regional Council and the members of the Liaison Group within four weeks of each meeting which will include but not be limited to:
- (a) A record of the discussions at the meeting;
 - (b) A record of any suggestions/issues provided or raised by the members of the Liaison Group including:
 - i. What actions are proposed by the consent holder to respond to suggestions made by the Liaison Group; and
 - ii. Where no actions are proposed to respond to suggestions, the reasons why not.

Operations and Management Plan

8. The consent holder shall prepare an Operations and Management Plan (OMP). The objective of the OMP is to provide a framework for the operation, upgrade and management of the wastewater treatment and discharge systems to ensure compliance with the conditions of consent. This OMP shall be lodged with Waikato Regional Council and provided to the Community Liaison Group within six months of commencement of these consents, and shall be reviewed and updated every three years and as required as a result of any changes to the wastewater treatment plant upgrade operation or management.
9. As a minimum the OMP shall include:
- (a) A description of the Pukekohe WWTP;
 - (b) A description of the sequence, timing and general methods of construction of upgrades to the WWTP;
 - (c) A description and schedule of the routine inspection, monitoring and maintenance procedures to be undertaken;
 - (d) A description of the sampling location/s and methodology for sampling the treated wastewater discharge;
 - (e) A description and schedule of inspection, monitoring and maintenance of all existing peripheral drains within the site;
 - (f) An Avian Botulism Management Plan (ABMP). The objective of the ABMP shall be to provide a framework to be adopted to remedy or mitigate any adverse effects associated with an outbreak of avian botulism at the Pukekohe WWTP. The ABMP shall include (as a minimum) the monitoring methods and response actions that will be adopted in the event of an outbreak of avian botulism at the Pukekohe WWTP site.
 - (g) A schedule of the critical aspects of the Pukekohe WWTP and the detailed response and contingency plans to remedy any possible variations from normal

plant operation that could potentially affect the quality of the discharges to air, land and water;

- (h) Details of contingency plans and procedures to address power or equipment failure at the treatment plant;
- (i) Procedures for recording routine maintenance and all major repairs that are undertaken;
- (j) Details of the chain of command, responsibility and notification protocols;
- (k) The Odour Management Plan.
- (l) Details of how issues of concern raised by the Liaison Group relating to the WWTP have been considered.
- (m) Full contact details for a nominated liaison person(s) who will manage the public information system and be the point of contact for enquiries relating to the WWTP. The contact details of the nominated liaison person(s) shall be identified on the Watercare website.

10. Any improvement or review of the OMP shall be consistent with the objective of the OMP.

Riparian Planting and Riparian Planting Management Plan

11. The consent holder shall undertake a minimum of one hectare of riparian planting in the areas identified on the Proposed Zone of Riparian Planting plan appended to these conditions.

12. The Riparian Planting required in accordance with condition 11 shall be:

- (a) Undertaken within three years of the commencement of this consent;
- (b) Contained within property owned by the consent holder;
- (c) Along both banks of the Parker Lane Stream where practicable;
- (d) Of a width no less than 5 metres on each bank;
- (e) As wide as reasonably practicable (up to a maximum width of 40 metres on each bank) having regard to existing site activities;
- (f) At a density of no less than 2,500 stems per hectare;
- (g) A minimum of 80% of native plant species appropriate to the characteristics of the site and catchment (e.g. climate, size of stream, flood risk, erosion, local native flora, potential, and slope);
- (h) Maintained by the consent holder (including replacement of losses and control of pest species) accordingly during the term of the consent.

13. Within 12 months of the commencement of this consent, the consent holder shall provide to the Waikato Regional Council a Riparian Planting and Management Plan. The objective of the Riparian Planting Management Plan is to provide a framework that outlines how conditions 11 and 12 shall be achieved. The plan shall be reviewed and updated every five years and as required as a result of any changes to the wastewater treatment plant upgrade, operation or management.

14. Prior to submission to the Waikato Regional Council the Riparian Planting and Management Plan shall be provided to the Community Liaison Group for comment. After receiving comments from the Community Liaison Group (or in the case that no comments being received within 30 working days), the plan shall be submitted to the Waikato Regional Council for approval in a certifying capacity. As a minimum, the plan shall include:

- (a) An aerial photograph showing the location and extent of the riparian planting;
- (b) Details of the riparian planting and management in terms of types of plants and spacing, post planting weed control and ongoing maintenance to enable it to be self-sustaining;
- (c) Details of the timeframe for the completion of the works; and

- (d) Any other measures the consent holder is proposing to achieve the objective of the plan.

Pest Management Plan

15. Within 12 months of the commencement of this consent, the consent holder shall provide a Pest Management Plan to the Waikato Regional Council. The plan shall be reviewed and updated every five years and as required due to any changes to the wastewater treatment plant upgrade, operation, infrastructure or management. The objective of the Plan is to provide a framework for the management of pests (animal and plant) within the boundaries of the WWTP.
16. The plan shall be provided to the Community Liaison Group, with a request for comments to be provided within 30 working days. After receiving comments from the Community Liaison Group (or in the case that no comments are forthcoming within 30 working days), the plan shall be submitted to the Waikato Regional Council for approval in a certifying capacity. The certified plan shall be implemented from the date of commencement of this consent until the consents expiry. As a minimum, the plan shall include the following:
- (a) Details of the procedures that will be implemented within the site to monitor and control the conditions that allow mosquito breeding. The consent holder shall ensure that mosquito numbers do not reach a level such that they cause a public health risk or cause an objectionable effect beyond the boundary of the Pukekohe WWTP boundaries.
 - (b) Details of the procedures to be implemented to address any animal pest or wildfowl issues within the Pukekohe WWTP boundaries.
 - (c) Details of procedures to be implemented to identify and eradicate any plant pests within the Pukekohe WWTP boundaries and/or any identified measures to avoid the spread of any plant pests beyond the Pukekohe WWTP boundaries. Once identified the control or removal of the plant pest is to be considered in accordance with the relevant Waikato Regional Council's Pest Management Strategy.
 - (d) Any comments received from the Community Liaison Group and how the issues raised have been addressed.

Annual Report

17. The consent holder shall provide to the Waikato Regional Council and Community Liaison Group a written report (the Annual Report) by 30 September each year, including as a minimum:
- (a) A summary of the monitoring results required by the conditions of these resource consents for year ending 30 June;
 - (b) A critical assessment of the monitoring data collected and comment on any emerging trends;
 - (c) Commentary on compliance with the conditions of this resource consent;
 - (d) Any reasons for non-compliance or difficulties in achieving compliance with the conditions of this resource consent and a description and a summary of the effectiveness of any remedial works undertaken; and
 - (e) Any other issue considered relevant by the consent holder.

Review

18. In the six month period following the 5th, 10th, 15th, 20th, and 25th anniversaries of commencement of these consents, the Waikato Regional Council may following service of notice on the consent holder commence a review of this resource consent under section 128(1) of the Resource Management Act 1991 for the following purposes:
- (a) To review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects from the exercise of the resource consent and if

necessary to avoid, remedy or mitigate such effects by way of further or amended conditions; or

- (b) To review the adequacy of and the necessity for monitoring undertaken by the consent holder and specifically to review the frequency of record keeping and the method of record collection for the purposes of determining the most appropriate method and frequency; or
- (c) To respond to any concerns raised by the Community Liaison Group; or
- (d) To add or amend consent conditions in light of monitoring results and/or changed environmental conditions to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment.
- (e) After the Monitoring and Technology Review Report has been submitted to Waikato Regional Council, to review the BPO assessment contained in the Monitoring and Technology Review Report and respond to the consent holder's intention to adopt/not adopt a revised BPO, if any, for the treatment and discharge of treated wastewater; and
- (f) To review the effectiveness of the conditions of consent in avoiding or mitigating any adverse cultural effects and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions based on matters raised in the Cultural Impact Assessment.

Cultural Impact Assessment

19. By the 10th, 20th and 30th anniversaries of the commencement of this consent the consent holder shall request (in writing) of Te Taniwha o Waikato that an updated Cultural Impact Assessment be developed on behalf of Te Taniwha o Waikato unless prior written confirmation is provided on behalf of Te Taniwha o Waikato that an updated Cultural Impact Assessment is unnecessary. Any updated Cultural Impact Assessment shall be provided to the Waikato Regional Council within 30 days of receipt.

Complaints Register

20. The consent holder shall maintain a Complaints Register for any complaints made about the treatment and discharge operations received by the consent holder. The Register shall record:
- (a) The date, time and duration of the alleged event/incident that has resulted in the complaint;
 - (b) The location of the complainant when the complaint was detected by the complainant;
 - (c) The possible cause of the complaint including any relevant event/incident and its duration;
 - (d) In relation to odour, the weather conditions and wind direction at the site when the odour was detected by the complainant;
 - (e) Any remedial action undertaken by the consent holder in response to the complaint.

The Complaints Register shall be made available to the Waikato Regional Council and Community Liaison Group at all reasonable times. Complaints which may indicate non-compliance with the conditions of this permit shall be forwarded to the Waikato Regional Council and Community Liaison Group within five working days of the complaint being received.

Monitoring and Technology Review Report

21. The consent holder shall submit to the Waikato Regional Council a Monitoring and Technology Review Report by the 5th, 10th, 20th and 30th anniversaries of commencement of this consent. The Review Report shall be provided to the Community Liaison Group, with a request for comments to be provided within 60 working days. After receiving comments from the Community Liaison Group (or in the case that no comments are forthcoming after 60 working days), the plan shall be submitted to the Waikato Regional Council for certification it has been produced in accordance with the requirements of these conditions.
22. The Monitoring and Technology Review report shall include, but is not limited to, the following:
- (a) An assessment of ongoing compliance with the requirements of this resource consent particularly in relation to any reported non-compliance with consent conditions;
 - (b) An assessment of any relevant national, or regional water quality policies, environmental standards or guidelines and Iwi Environmental Management Plans in effect at the time;
 - (c) An assessment of the results of the monitoring undertaken in accordance with this consent, including the adequacy and scope of such monitoring;
 - (d) A summary of any actual or potential effects of the discharge; irrespective of whether the discharge complies with the conditions of the discharge permit;
 - (e) An outline of any technological changes and advances in relation to wastewater management, treatment, discharge and beneficial reuse technologies; and
 - (f) An assessment of whether any newly available technology option/s or combination of options identified through (e) above represent the Best Practicable Option (BPO) to minimise the potential and actual adverse effects of the discharge and whether the consent holder intends to adopt that BPO and incorporate such changes.
 - (g) Having regard to (a) to (f) above, conclusions and recommendations regarding whether, and what measures should be adopted to reduce the summer total nitrogen mass load and total phosphorus mass load treated wastewater quality limits of condition 29.

Discharge to Land

23. There shall be no overflow from ponds 1, 2 or 3 into the constructed wetland or off the Pukekohe WWTP site from the ponds.
24. The consent holder shall manage and maintain the integrity of the sludge storage area, wetlands and other structures that form any part of the wastewater treatment process so as to minimise the volume of seepage from such structures as far as practicable.
25. No physical works shall be undertaken which are likely to significantly increase the amount of seepage above that which existed at the commencement of these consents.
26. The consent holder shall maintain all existing peripheral drains within the site to ensure that any seepage into the drains is pumped back into the treatment system.

Discharge to Water

Discharge to Water - Quantity Limit (Wastewater)

27. The maximum daily discharge volume to the Parker Lane Stream, shall not exceed 104,800 cubic metres of treated wastewater.

Discharge to Water Quality Limits (Wastewater)

28. Up to four years from the date of commencement of this resource consent (Stage 1 discharge) the consent holder shall ensure that the treated wastewater leaving the treatment plant following UV treatment does not exceed the following limits:
- (a) The median five-day carbonaceous biochemical oxygen demand concentration (cBOD₅) shall not exceed 10 milligrams per litre and the 90th percentile shall not exceed 20 milligrams per cubic metre;
 - (b) The median suspended solids (TSS) concentration shall not exceed 15 milligrams per litre and the 90th percentile shall not exceed 25 milligrams per cubic metre;
 - (c) The median total ammoniacal-nitrogen (NH₄-N) concentration shall not exceed 5 milligrams per litres and the 90th percentile shall not exceed 10 milligrams per litre;
 - (d) The median summer (December to May inclusive) total nitrogen (TN) load shall not exceed 88 kilograms per day;
 - (e) The median winter (June to November inclusive) TN load shall not exceed 185 kilograms per day;
 - (f) The median summer (December to May inclusive) total phosphorus (TP) load shall not exceed 36 kilograms per day;
 - (g) The median winter (June to November inclusive) TP load shall not exceed 85 kilograms per day; and
 - (h) The median *Escherichia coli* (*E.coli*) concentration shall not exceed 126 cfu per 100 millilitres.

For the purposes of this condition, to determine compliance with the median concentration limits no more than 12 samples in any 24 consecutive fortnightly samples shall exceed the specified limit. To determine compliance with the 90th percentile limits, no more than two samples in any twenty consecutive samples events shall exceed the specified limit.

To determine compliance with summer median load limits, the median load shall be calculated from samples collected on a fortnightly basis over the entire summer period (December to May inclusive).

To determine compliance with winter median load limits, the median load shall be calculated from samples collected on a fortnightly basis over the entire winter period (June to November inclusive).

29. From commencement of the Stage 2 discharge and for the remaining duration of this resource consent (Stage 2 discharge), the consent holder shall ensure that the quality of the treated wastewater discharge at the discharge point does not exceed the following limits:
- (a) The median five-day carbonaceous biochemical oxygen demand concentration (cBOD₅) shall not exceed 5 milligrams per litre and the 90th percentile shall not exceed 10 milligrams per cubic metre;
 - (b) The median suspended solids (TSS) concentration shall not exceed 5 milligrams per litre and the 90th percentile shall not exceed 10 milligrams per cubic metre;
 - (c) The median total ammoniacal-nitrogen (NH₄-N) concentration shall not exceed 1 milligram per litres and the 90th percentile shall not exceed 2.3 milligrams per litre;
 - (d) The median summer (December to May inclusive) total nitrogen (TN) load shall not exceed 88 kilograms per day;
 - (e) The median winter (June to November inclusive) TN load shall not exceed 185 kilograms per day;
 - (f) The median summer (December to May inclusive) total phosphorus (TP) load shall not exceed 22 kilograms per day;
 - (g) The median winter (June to November inclusive) TP load shall not exceed 85 kilograms per day; and

- (h) The median *Escherichia coli* (*E.coli*) concentration shall not exceed 50 cfu per 100 millilitres.

For the purposes of this condition, to determine compliance with the median concentration limits no more than 12 samples in any 24 consecutive fortnightly samples shall exceed the specified limit. To determine compliance with the 90th percentile limits, no more than two samples in any twenty consecutive samples events shall exceed the specified limit.

To determine compliance with summer median load limits, the median load shall be calculated from samples collected on a fortnightly basis over the entire summer period (December to May inclusive).

To determine compliance with winter median load limits, the median load shall be calculated from samples collected on a fortnightly basis over the entire winter period (June to November inclusive).

Monitoring(Wetland)

30. The consent holder shall continuously monitor the flow rate of the treated wastewater leaving the WWTP and shall record the total daily discharge volume into the wetland.
31. The consent holder shall continuously monitor the flow rate of the treated wastewater leaving the wetland and shall record the total daily discharge volume leaving the wetland. The requirement to undertake this monitoring may cease either temporarily or permanently with the written approval of the Waikato Regional Council.
32. The consent holder shall take grab samples of the treated wastewater on a fortnightly basis from the discharge leaving the constructed wetland and measure for all parameters as detailed within conditions 28 and 29. The requirement to undertake this sampling may cease either temporarily or permanently with the written approval of the Waikato Regional Council.

Advice Note: All wastewater quality analyses shall be undertaken by an IANZ accredited or equivalent laboratory. All methods used shall be appropriate for the wastewater analyses undertaken

Monitoring (Compliance)

33. The consent holder shall forward the results of the monitoring undertaken via conditions 27, 28 and 29 and 32 to the Waikato Regional Council, via electronic means, on a three monthly basis.
34. The consent holder shall notify the Waikato Regional Council within 24 hours (where practicable) of the consent holder becoming aware of the limits specified in Conditions 27, 28, 29 of this resource consent being exceeded, or any accidental discharge, plant breakdown or other circumstance which is likely to result in the limits of this consent being exceeded. The consent holder shall, within 10 working days of the incident occurring, provide a written report to the Waikato Regional Council, identifying the breach, possible causes and any remedial actions and steps to ensure future compliance.
35. The consent holder shall take grab samples of the treated wastewater on a fortnightly basis from the treatment plant following UV treatment, for the purpose of determining compliance with conditions 28 and 29.

Advice Note: All wastewater quality analyses shall be undertaken by an IANZ accredited or equivalent laboratory. All methods used shall be appropriate for the wastewater analyses undertaken.

Discharge to Air

36. The operation, management and maintenance of the Pukekohe WWTP shall not result in noxious, dangerous, offensive or objectionable odour to the extent that it causes an adverse effect at or beyond the boundary of the site, in the opinion of a Waikato Regional Council enforcement officer.

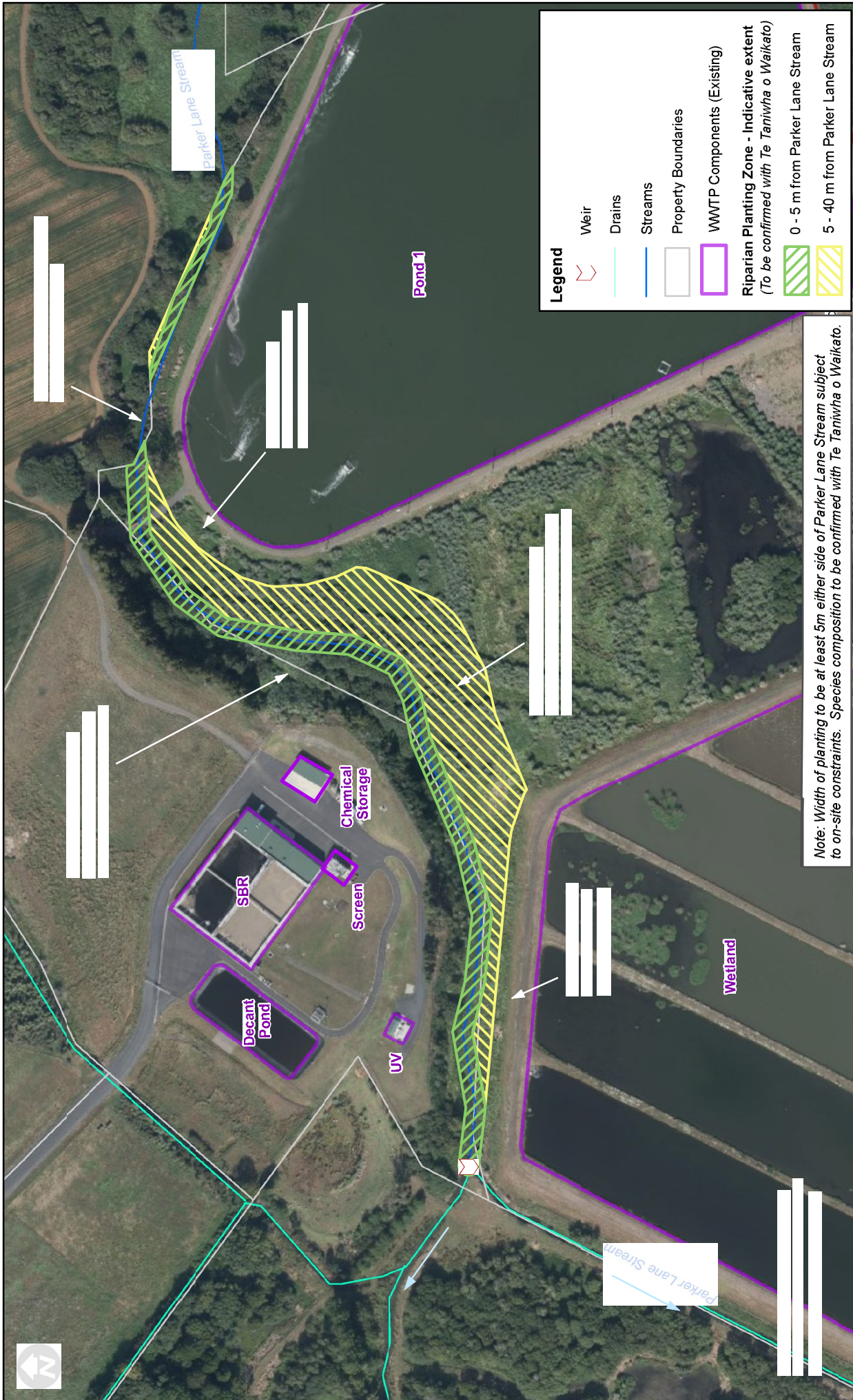
Note: For the purpose of this consent, the Waikato Regional Council will use the guidelines for assessment in chapter 6.4 of the Waikato Regional Plan to determine whether adverse effects are occurring from the discharge of odour or particulate matter.

Odour Management Plan

37. The consent holder shall prepare an Odour Management Plan. The objective of the Odour Management Plan is to provide a framework for the operation, maintenance and management of the wastewater treatment and discharge systems to ensure compliance with Condition 36. The Odour Management Plan shall be provided to the Community Liaison Group, with a request for comments to be provided within 30 working days. After receiving comments from the Community Liaison Group (or in the case that no comments are forthcoming after 30 working days), the plan shall be submitted to the Waikato Regional Council for certification it has been produced in accordance with the requirements of these conditions. As a minimum, the Odour Management Plan shall include:
- (a) The details of the operating and maintenance regime for the treatment system, covering, and storage and/or disposal of grit screening.
 - (b) Details of the odour complaints procedure, record keeping and response procedure.
 - (c) Details of how meteorological data will be monitored, including the measurement height, instrumentation and data logging specifications, and equipment maintenance requirements. The data collected shall include (as a minimum) wind direction and wind speed. The meteorological monitoring shall be:
 - i. Continuous for the duration of the consent and comprising 1-minute data collected and averaged to 10-minute and 1-hour time periods; and
 - ii. Taken from a point that is representative of local weather conditions across the site.
38. The Odour Management Plan shall be reviewed and updated every five years and as required as a result of any significant changes in plant operation, maintenance or management.
39. Any change in the Odour Management Plan shall be in accordance with the objective as set out in Condition 37.
40. An electronic copy of the Odour Management Plan shall be provided to Waikato Regional Council within 10 working days of a request to do so.

Advice Notes:

- This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
- This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA).
- The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
- Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
- If it is intended to 'replace' this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry provides the right to continue exercising these consents after their expiry in the event that any application is not processed prior to this consent's expiry.



		Pukekohe Wastewater Treatment Plant Proposed Zone of Riparian Planting		Name DG	Date Aug 17	FINAL
		Drawn GH	Checked DC	Reviewed GH	Approved GH	09 August 2017 Job Number: 80507250 Imagery Source: LINZ data service

Report to Council

Date: 10 October 2017

Author: Nick Ollington, Manager People and Capability

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

Subject: Health and Safety Council Report – October 2017

Purpose

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

Executive Summary

2. There were a total of 24 incidents reported in September. Of this number, eight were injuries, seven were events and nine were near misses. There were no lost time injuries or notifications to WorkSafe in September 2017.
3. There was one event reported against the 'vehicle use' critical risk, resulting in minor property damage to both vehicles only.
4. In this report the critical risk effectiveness levels have been amended to align to the 5 categories contained in council's Risk Management Framework - Excellent, Good (strong), Fair (some strength), Poor (weak), Very Poor (very weak). Two critical risks are under currently under review. They are vehicle use and contractor management risks.
5. Significant progress has been made on the completion of audit recommendations for both internal and external audits. Of the six audits reported, two have completed their actions, and four are near completion.

Staff Recommendation:

1. That the report Health and Safety Council Report – October 2017 (Doc # 11213465 dated 10 October 2017) be received for information.

Background

6. The health and safety dashboard is reported to council each month. It is designed to enable council to exercise due diligence with regard to health and safety governance and provides a general summary of health and safety risk and activities within council. Additionally, from time to time other topics regarding health and safety of relevance for council will also be included.
7. Note that the dashboard will continue to be under development until the safety management system has been fully implemented.

Written Report - Dashboard September 2017

8. Lost Time Injuries (LTI) – There were no LTIs reported for the month of September.

9. Lost time Injuries (YTD) – None YTD.
10. Critical Risks – Review of WRC critical risks continues to progress. The two critical risks under review in September are: vehicle use and contractor activities. The dashboard provides an organisational critical risk table showing the critical risks, the raw (pre control), and residual (post control) risk scoring.
11. There was one event reported against the vehicle use critical risk presented in the dashboard for September. This event resulted in minor damage to both vehicles.
12. In this report the Critical Risk Effectiveness Levels have been amended to align to the five categories contained in council's Risk Management Framework - Excellent, Good (strong), Fair (some strength), Poor (weak), Very Poor (very weak).
13. Although scored as a high risk rather than a critical risk, working alone or in isolation will remain on the dashboard until the new check-in system (call-in procedure) is fully in place. Twenty three devices went 'live' on 29 and 30 June and a further 17 were implemented in September 2017.
14. Pending Events – There were 2 pending events for September. The pending events in the 'pending event register' await allocation by the line manager to the 'event register'. Unless these events are moved to the event register, they are not captured in the reporting data for the month.
15. Health and Safety Summary Chart (pyramid) - There were six reports of injuries not requiring treatment in September; three reports of discomfort attributed to workstations, two events of bruising after being struck by objects, and one after being scratched by branches. One event required medical treatment after a fall, resulting in a laceration to their hand. There was one first aid treatment for bruising to shoulder following contact with a moving door.
16. Near Miss Events versus All Other Events – Near-miss reporting has remained reasonably constant. Near-miss reporting provides an opportunity for improvement prior to an event occurring. Investigation of events pending greater than one week has increased slightly from 11.07% in August to 12.5% in September 2017.
17. Sick Leave Taken – Sick leave for August resulted in an average of 6.0 hours lost per FTE. This was above the target benchmark of 3.0 to 5.0 hours lost on average per FTE. In September average hours lost per FTE due to sickness reduced to 4.4, within the benchmark range. The rolling average (last 12 months) for September is 5.0 hour lost per FTE, which is within the target benchmark range.
18. Health and Safety Training FYTD – A range of organisational health and safety training is available and advertised on the workforce development calendar. Key courses for August, September and November include health and safety contract management training.
19. Event Corrective Actions (excl. Near Miss Corrective Actions) – Of the fifteen reported events, seven have had corrective actions assigned and completed. No incidents are overdue for completion.
20. Near Miss Corrective Actions – Reviewing near misses and implementing corrective actions provides an opportunity to implement corrective actions prior to an event occurring. It is important to note that some incidents will have more than one corrective action assigned to the

event. One of the nine near miss reports has had two corrective actions assigned, of which the one corrective action is completed and one not yet started. No corrective actions are overdue.

21. Audits FYTD - See internal/external audits table for details of completed audit recommendations.

Attachment-

Council Dashboard for September 2017.

Council Health and Safety Indicators – Monthly Dashboard
Reporting Month: September 2017

Lost Time Injuries – September

There were no lost time injuries for the month of September 2017.

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

There was **one** incident reported against a critical risk involving a vehicle accident (minor vehicle damage to both vehicles).

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

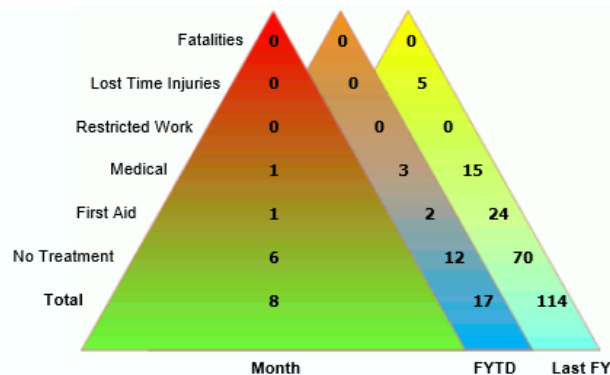
Critical and High Risks (those with a risk score of 10 or higher)	Raw Risk Score	Residual Risk Score	Risk Effectiveness Levels	Insights	Reported incidents
Trailer use <i>Risk:</i> Multiple injuries/fatality to self and others. <i>Impact:</i> Physical harm, property damage, public liability.	25 - Critical	15 - High	Good (strong)	Fulfils requirements. Controls adequate and in place.	
Vehicle use <i>Risk:</i> Personal injury – multiple injuries (self and others), fatality, property damage. <i>Impact:</i> Physical harm, property damage.	25 - Critical	15 - High	Excellent	Fulfils requirements. Controls are adequate. Risk under review .	1
Contractor activities: <i>Risk:</i> Harm to workers, others, damage to plant and property due to poor contractor management. <i>Impact:</i> Financial, legal, reputation, environmental.	20 – Critical	12 – High	Good (strong)	Fulfils requirements. Further improvement opportunities identified following audit and training. Contract manager training in place (NZQA Unit Standard 17595). Risk under review .	
Working in or over water <i>Risk:</i> Drowning, physical harm. <i>Impact:</i> Legal, physical harm, reputation.	20 – Critical	15 – High	Good (strong)	Controls adequate. Water Working Policy review is underway, and now included competency assessment.	
Working in geothermal areas <i>Risk:</i> Injury or fatality from drowning, boiling mud/water. Burns from acid pools. Suffocation (H ₂ S). <i>Impact:</i> Death /medical treatment.	20 - Critical	15 - High	Good (strong)	Controls adequate and preventative measures in place.	
Aggressive people/public <i>Risk:</i> Assault, verbal and physical. <i>Impact:</i> Physical and psychological harm, property damage	20 - Critical	15 - High	Good (strong)	Controls adequate. Staff training in situational safety and tactical communications from February 2016. Will be improved with the implementation of the new Security procedures.	
Struck by moving vehicles / equipment <i>Risk:</i> Harm to workers, others, damage to plant and property due to poor management controls. <i>Impact:</i> Financial, legal, physical harm, reputation, property damage.	20 - Critical	10 – High	Good (strong)	Controls adequate. Reviewed by Governance Group in November 2016.	
Working alone or in isolation while conducting high risk work <i>Risk:</i> Lack of access to immediate support (two way communication) in the event of an emergency. <i>Impact:</i> Legal, reputation.	15 - High	12 - High	Good (strong)	Controls adequate. Stage two of InReach devices has been rolled out (25, 26 September 2017). Complete gap analysis to ensure all staff adequately covered.	

Two risks are currently under review; vehicle use and contractor activities. Risks are reviewed at least annually by the Governance Group in conjunction with the H&S BPs, subject matter experts, and Health and Safety Committee. Risks are also reviewed after a system / process change, or after a critical event.

Pending Events – events not captured in the September event report

There were **2** pending events for September. Consequently, these have not been captured in the September report.

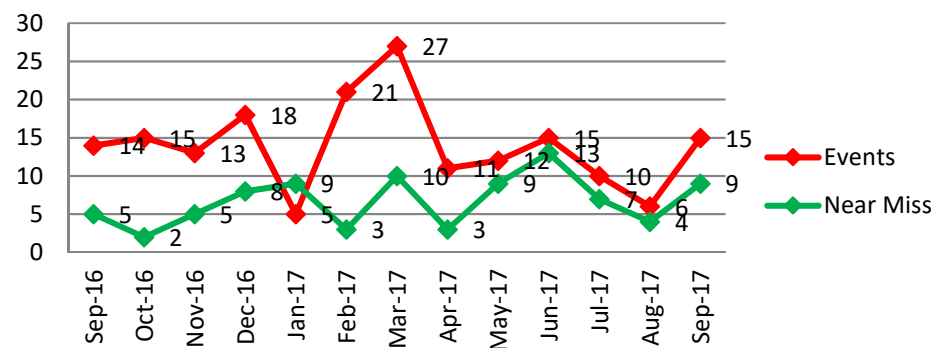
Health and Safety Summary Injuries/Illnesses



Category	Body Location	Event Status	
No treatment	Sprain/strain	Arm / Head	Underway
No treatment	Gradual process	Neck/shoulder discomfort	Underway
No treatment	Bruising	Arm – hit on opening door	Not started
No treatment	Gradual process	Back pain / previous injury	Not started
No treatment	Abrasion	Arm –descending structure	Completed
No treatment	Bruising	Leg – struck by moving object	Completed
Medical	Laceration	Hand – fell down stairs	Underway
First aid	Bruising	Shoulder – hit by lift door	Not started

Health and Safety Summary

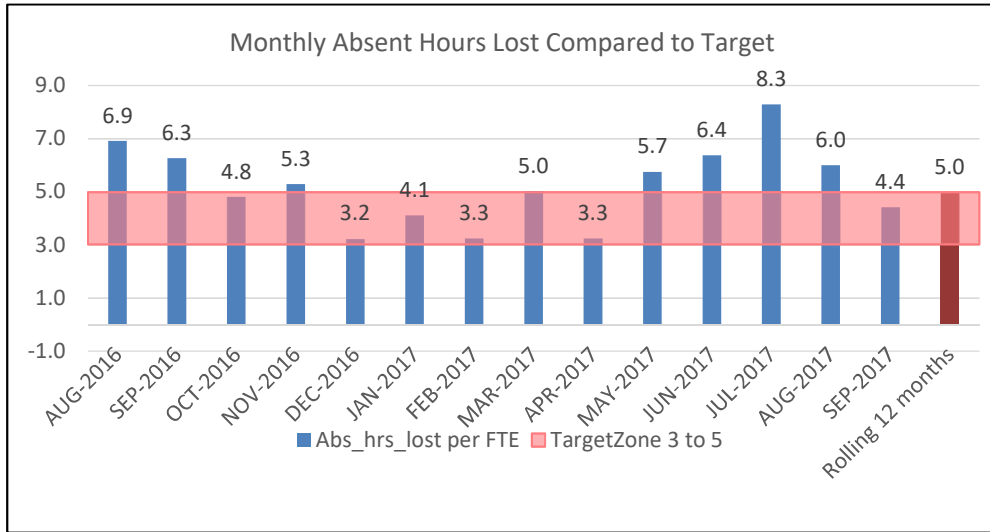
Near Miss Events versus All Other Events



Near miss summary

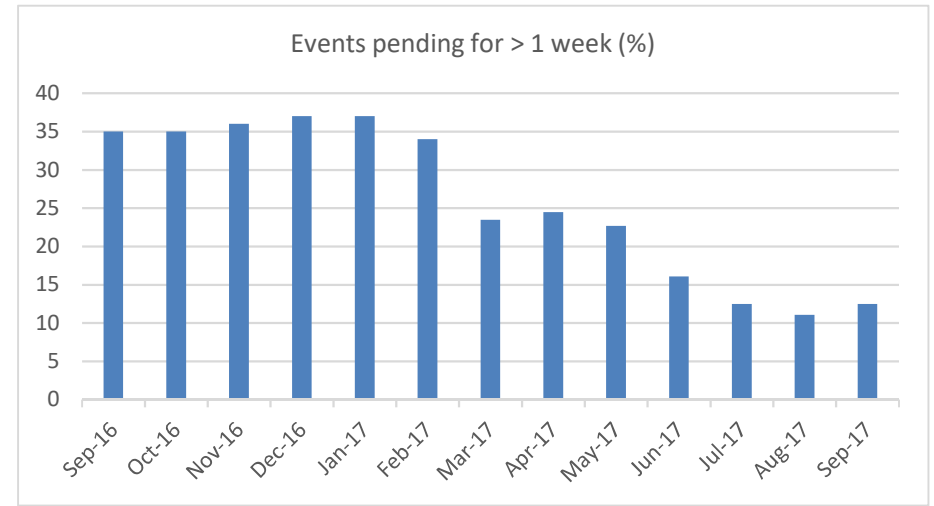
Category	Subject	Event Status	
Near miss	Vehicle	Mechanical – loose brackets	Underway
Near miss	Vehicle	Personal safety	Not started
Near miss	Vehicle	Incorrect parking	Not started
Near miss	Vehicle	Crossing Grey Street	Underway
Near miss	Vehicle	Overloading	Underway
Near miss	Human factors	Near collision / other person	Not started
Near miss	Access/Egress	Potential trip hazard	Not started
Near miss	Equipment failure	Mechanical – weld fracture	Underway
Near miss	Activity/ Task	Sparks from grinder	Underway

Sick Leave



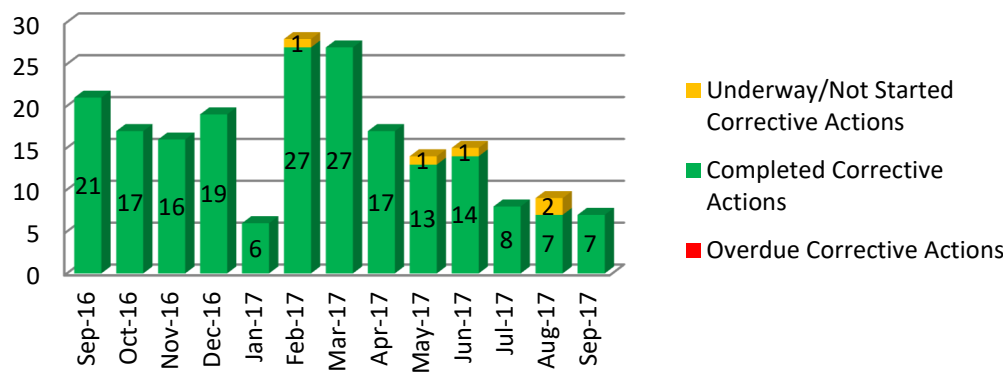
- Sick leave for August was 6.0, above the target benchmark Of 3.0 to 5.0. In September leave dropped to 4.4, within the benchmark range.
- The rolling average for September is 5.0, within the target benchmark range.
- Sick leave levels exceeding the target benchmark continue to significantly affect the rolling average.

Pending Events



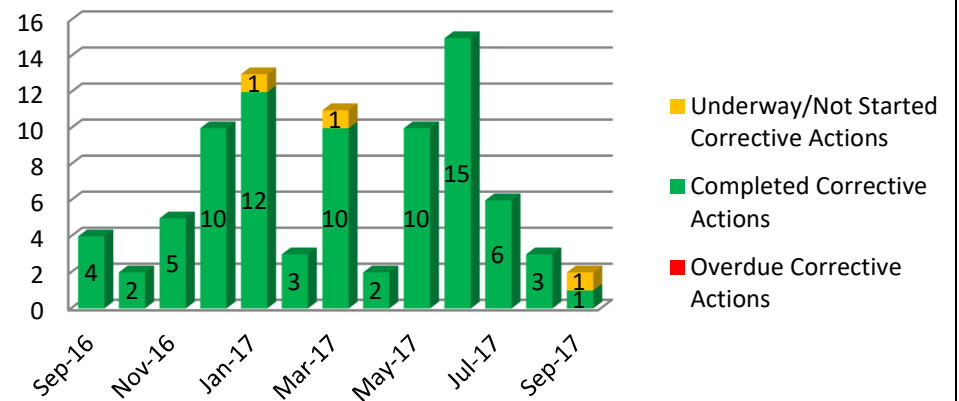
Events pending >1 week has **increased** from 11.07% in August 2017 to 12.5% in September 2017.

Event Corrective Actions (excl. Near Miss Corrective Actions)



- In September 2017, a total of 15 events (excluding near misses) were reported (refer to red line in previous graph).
- 7 of the 15 events reported have had corrective actions assigned, of which 7 are completed.

Near Miss Corrective Actions



- In September 2017, a total of 9 near misses were reported (refer to green line in above graph).
- 1 of the 9 near misses reported have had 2 corrective actions assigned. 1 corrective action is completed and 1 corrective action has not yet started.

Health & Safety Training

Course	Duration	Dates
Contractor Management (NZQA 17595)	1 Day	11 August, 8 & 11 September, 15 November
Risk Management	½ Day	TBC
First Aid Training	1 Day	From August 2017
Vault training for Managers, Team Leaders and Supervisors	3 hrs	11 September, 13 November, 2018 training to be scheduled
Vault training for Business Support staff	3 hrs	11 September, 13 November, 2018 training to be scheduled

- A total of 46 people have attended Contractor Management training

Internal / External Audit

Scope	Section/Auditor	Audit Classification	Date of audit	Total Actions	Completion date	Completed Actions	Comments
Internal Audits							
Finance	P&F	Contractor management/risk management	December 2016	21	December 2017	12	
Community and Services	C&S	AS/NZ 4801 - WSMP full audit (table top)	April 2017	4	November 2017	4	All actions completed
ICM	ICM	Training and supervision	April 2017	17	November 2017	12	
Resource Use	RUD	Risk management/contractor management	November 2017	Pending audit	2018		
External audits							
Waikato Regional Council	ACC	ACC Workplace Safety Management Practices (WSMP) sections 1 - 10	30 August 16	8	30 August 2017	8	All actions completed
Science and Strategy	KPMG	Health and safety systems and field work compliance (SaS)	7 February 17	18	7 February 2018	17	
People and Capability	KPMG	Health and safety systems and field work compliance (PaC)	7 February 17	19	7 February 2018	17	

Report to Council

Date: 9 October 2017

Author: Mali Ahipene, Manager Democracy Services

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

Subject: Representation review - Māori constituencies

Purpose

1. To provide information on the provisions within the Local Electoral Act 2001 (LEA) as it relates to Māori constituencies.

Executive Summary

2. In 2011 council resolved to establish Māori constituencies. The decision remains in effect until either a further resolution of council or a poll of electors occurs. Council may decide to retain the provision for Māori constituencies; or resolve to hold a poll of electors; or resolve to dis-establish Māori constituencies. A councillor workshop was held in October to consider the current representation review. The workshop attendees expressed a preference to re-confirm its support for Māori constituencies and retain the status quo.

Staff Recommendation:

1. That the report Representation review – Māori constituencies (Doc #11213470 dated 9 October 2017) be received.
2. That council re-confirms the status quo that the region be divided into one or more Māori constituencies for electoral purposes.

Background

3. Māori constituencies have been in effect for almost four years, however the conversation started more than a decade ago. When council conducted a representation review in 2006 consideration was given to the potential implications of establishing Māori constituencies. At that time no strong views were expressed that Māori constituencies were the preferred means of achieving participation in/input to council's decision-making processes. However, council was mindful of the fact that new statutory arrangements were in development for the various river iwi through the then pending Treaty settlement legislation.
4. Council decided to retain the status quo at that stage but to allow two members to be elected from Maori constituencies in future, and reduced the number of elected members from fourteen members to twelve to help pave the way.
5. Once again council considered Māori constituencies in October 2011 and resolved to establish one or more Maori constituencies for electoral purposes. The decision takes effect for two triennial elections (2013 and 2016) and remains in effect until either a further resolution of council or a poll of electors occurs.

Issue

6. All local authorities are required to carry out a representation review at least once every six years. The review covers the number of constituencies, their boundaries, names, and number of members.
7. Council's last representation review was in 2011/2012, which means one is required in 2017/2018 in preparation for the 2019 triennial elections. As part of the review process, council has the opportunity to reconsider Māori constituencies.

Options and analysis

8. The Local Electoral Act 2001 (LEA) provides that Māori constituencies may be established. The statutory provisions for establishing Maori constituencies are set out in sections 19Z to 19ZH of the LEA.
9. The first option is to retain the status quo, in which case Māori constituencies remain in effect until either a further resolution of council or a poll of electors occurs. 5% of electors may demand a poll at any time. The number of constituencies, their boundaries, names, and number of members forms part of the representation arrangements review to be undertaken early next year.
10. The second option is to resolve to hold a poll. The resolution must state the date for which the poll will be held. To be effective for the 2019 triennial elections, a resolution to hold a poll must be made by 21 February 2018 and the poll held by 21 May 2018. Polls held after this date are effective for the 2022 triennial elections. It is estimated that the cost of a poll stand-alone poll would be in excess of \$450,000 (excl GST) based on estimates provided by two electoral service providers. Should a poll be held in conjunction with the 2019 triennial elections, the additional cost to the triennial election cost would be in the order of \$50,000 (excl GST).
11. The third option is to disestablish Māori constituencies. To be effective for the 2019 triennial elections, a resolution to disestablish Māori constituencies would be required by 23 November 2017. If a resolution is made, public notice is required by 30 November 2017 advising of the resolution and right for 5% of electors to demand a poll to countermand the resolution. This equates to 12,693 valid signatures.

Assessment of Significance

12. Having regard to the decision making provisions in the LGA 2002 and council's Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance.

Legislative context

The table below outlines the legislative process and timeframes:

Current	Māori constituencies remain in effect until either: a) a further resolution of the Waikato Regional Council, or b) a poll of the electors of the Waikato region takes effect.	S19Z LEA
By 23 November 2017	Last date that council may resolve to disestablish Māori constituencies to be effective for the next two triennial elections (2019 and 2022).	S19Z LEA
By 30 November 2017	If a resolution has been made by council to disestablish Māori constituencies, council must give public notice of the right of 5% of the electors to demand a poll on Māori constituencies.	S19ZA LEA

By 21 February 2018	Last date for council to receive a valid demand for a poll on Māori constituencies for the 2019 triennial election.	S19ZC LEA
By 21 February 2018	Last date that council may to resolve to hold a poll on Māori constituencies to be effective for the 2019 triennial election.	S19ZD LEA
By 21 May 2018	Last date to conduct a poll on Māori constituencies for 2019 triennial elections (if a successful demand has been received or the local authority has resolved by 21 February 2018 to hold a poll).	S19ZF LEA

Preferred Option

13. Staff presented information to a councillor workshop. The general message conveyed by workshop attendees is that the preferred option is to retain Māori constituencies. Given that these are already in effect there is no requirement for council to pass a further resolution if it wants to retain the status quo. In which case Māori constituencies remain in effect until either a further resolution of council or a poll of electors takes effect.

Policy Considerations

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

Conclusion

15. All local authorities are required to carry out a representation review at least once every six years. Council's last representation review was in 2011/2012, which means one is required in 2017/2018 in preparation for the 2019 triennial elections. As part of the review process, council has the opportunity to reconsider Māori constituencies. Council may decide to retain the provision for Māori constituencies; or resolve to hold a poll of electors; or resolve to disestablish Māori constituencies.
16. Staff presented information to a councillor workshop. The general message conveyed by workshop attendees is that the preferred option is to retain Māori constituencies.

Report to Council

Date:	13 October 2017
Author:	Tracey Powrie, Manager Business Excellence and PMO
Authoriser:	Neville Williams, Director Community and Services Vaughan Payne, Chief Executive Officer
Subject:	Local Government Excellence Programme Assessment Report and Result

Purpose

1. To provide council with an update on the result of council's assessment as a foundation member of the Local Government Excellence Programme.

Executive Summary

2. Council joined the Local Government Excellence Programme as a foundation member in 2016, undertaking a self-assessment and participating in an onsite performance assessment on 6 and 7 March 2017. Councillors, ELT, staff, partners and key stakeholders participated in the assessment process. LGNZ and the Programme Independent Board published council's assessment report on 11 October, with an overall CouncilMARK rating of an 'A'.
3. The independent assessment report provides a summary of findings, strengths and potential opportunities for improvement overall, and across the four priority areas of: governance, leadership and strategy; financial decision-making and transparency; service delivery and asset management; and communicating and engaging. The areas for improvement identified will be reviewed by staff, and although in almost all cases work is already underway or planned, a consolidated improvement plan will be developed and progress to achievement of the agreed areas for improvement reported quarterly.

Staff Recommendations:

1. That the report Local Government Excellence Programme Assessment Report and Result (Doc # 11131263 dated 13 October 2017) be received.
2. That the Chief Executive report back to council in December a programme to address areas of improvement identified in the Local Government Excellence Programme Assessment Report (October 2017).

Background

4. Benchmarking is critical to understand how an organisation is performing relative to its peers. Since 2013, council has commissioned its own benchmarking surveys.
5. Council joined the Local Government Excellence Programme as a foundation member in 2016. The programme was established in response to the 2015 Local Government Survey which found that residents and businesses had low awareness of the full services councils provide and the value they bring. There was low opinion of councils in the areas that matter most to people:
 - **Governance, leadership and strategy** – how councils set the direction for their community, and make and oversee decisions;

- **Financial decision-making and transparency** – how council finances are decided and allocated;
 - **Service delivery and asset management** – what assets are infrastructure councils own and operate, how efficiently and effectively these assets are used, and what service they provide; and
 - **Communicating and engaging** – how councils involve their residents, businesses and communities.
6. The programme incorporates an independent assessment system to assess how councils are performing and the value they are delivering. It employs expert independent assessors across the four priority areas above, who report to an independent assessment board responsible for the programme’s assessment system and prepare a final assessment report and CouncilMARK rating.

Issue

7. Council’s onsite assessment was held on 6 and 7 March following the completion of a self-assessment by staff. The onsite assessment comprised sessions with some council members, the executive leadership team, directors and key managers from each directorate, a cross functional group of managers and team leaders, and two key stakeholder sessions. The following partners and key stakeholders participated in the assessment process: Maniapoto Māori Trust Board, Waikato-Tainui, Hauraki Māori Trust Board, Tūwharetoa Hapu Forum, Raukawa Charitable Trust, Te Arawa River Iwi Trust, Waikato Means Business, Mighty River Power, NZTA, South Waikato District Council and Matamata Piako District Council.
8. Post the onsite assessment the two independent assessors developed a draft assessment report which was reviewed by council. The assessors and the independent board reviewed council’s feedback, finalised the assessment report and assigned council an overall CouncilMARK result and a result for each of the four priority areas.
9. Council received an overall CouncilMARK rating of **A**, with the following key findings reported:



AT THE START OF ITS NEW TERM, THE COUNCIL HAS A STRONG AND CLEAR STRATEGIC DIRECTION WITH SPECIFIC AIMS. THE COMMUNITY HAS NOT BEEN CONSULTED ON THESE AIMS, BUT THE COUNCIL WILL BE MAKING THEM PART OF ITS CONSULTATION ON THE 2018-28 LONG TERM PLAN. THE AIMS WILL BE INCLUDED IN THE PERFORMANCE AGREEMENTS FOR THE CHIEF EXECUTIVE AND MANAGEMENT

THE COUNCIL IS LED BY A CHAIR AND A CHIEF EXECUTIVE WHO EMBODY THE COLLABORATIVE APPROACH TO COUNCIL PRACTICE. THIS HAS RESULTED IN IMPROVED AND GENERALLY POSITIVE RELATIONSHIPS WITH STAKEHOLDERS, AND IN SUCCESSFUL POLICY INITIATIVES. STRONGER COLLABORATION BETWEEN MANAGEMENT AND STAFF IS REQUIRED, HOWEVER, THERE IS AN OPPORTUNITY TO FURTHER IMPROVE CULTURE WHICH THE COUNCIL IS SUFFICIENTLY RESOURCED AND SELF-AWARE TO ADDRESS

THE NEW COMMUNICATIONS STRATEGY ADDRESSES THE NEED TO EXPLAIN TO DIVERSE SEGMENTS OF THE COMMUNITY, IN A MEANINGFUL AND RELEVANT WAY, WHAT THE COUNCIL DOES. THE SAME APPROACH IS REQUIRED FOR INTERNAL COMMUNICATIONS, SO THAT THE STAFF CAN BE THE COUNCIL'S CHAMPIONS

10. For each of the four priority areas council received the following grades:

Governance, leadership and strategy	Financial decision-making and transparency	Service delivery and asset management	Communicating and engaging with the public and business
Better than competent	Standout	Performing well	Better than competent

11. While commentary, strengths and areas for improvement are noted for each of the priority areas, the independent board and assessors summarised for consideration the following areas for improvement for council. Note that the timing of the assessment on 6 and 7 March 2017 has influenced a number of the improvements identified by the assessors, and that many of the improvements identified are areas where effort is already planned or in progress.

- The council should recognise the need to consult on its Strategic Direction and integrate it with its Long Term Plan.
- The strategic outcomes sought must be tied closely to the key performance indicators for the Chief Executive and management.
- The council needs to mature relationships with some Iwi.
- The council would benefit from an independent stakeholder audit.
- The council must work with the other councils in the region so they are “on board,” and can afford to implement its initiatives (e.g. Healthy Rivers, “clean fires and clean air”).
- To increase efficiency, the council’s information technology (IT) systems and capability require rationalisation and improvements.
- The council should improve its workplace conditions and culture.
- Internal and external communications should be targeted to specific audiences, and should clearly demonstrate how the council’s work benefits the region and its communities.

12. There are eighteen foundation councils participating in the programme. Other foundation member council CouncilMARK results are:

Horowhenua District Council	B	Queenstown Lakes District Council	BBB
Matamata-Piako District Council	BBB	Ruapehu District Council	BB
Napier City Council	A	Porirua City Council	BBB
Nelson City Council	BB	Whakatane District Council	BB
Masterton District Council	BB	Rangitikei District Council	BB
Waimakariri District Council	AA	Far North District Council	B
South Taranaki District Council	BBB	Hastings District Council	A

13. The only other regional council participating in the programme, Greater Wellington Regional Council, will be undertaking their assessment in November 2017. Wairoa District Council’s CouncilMARK will be released late 2017 and Gisborne District Council’s assessment has yet to be scheduled.

Conclusion

14. The areas for improvement identified will be reviewed by staff, and although in almost all cases work is already underway or planned, a consolidated improvement plan will be developed and progress to achievement of the agreed areas for improvement reported quarterly. Examples of where improvement effort is underway/planned include:

- LTP pre-engagement activities with key stakeholders and the community,
- Realising our potential programme focused on our culture and leadership development,

- Continuing to improve the effectiveness and efficiency of our processes and systems through applying continuous improvement and Lean thinking; new projects identified through the LTP which to improve our information systems and digital service delivery e.g. corporate system replacement (financials, hr/payroll and asset management), online services, information and data provision and mobility; and building a focus on innovation.
15. Participating in the Local Government Excellence Programme demonstrates council's commitment to continuous improvement, transparency and demonstrating the value Waikato Regional Council provides to the community. As council is committed to ongoing performance improvement, and the programme provides an opportunity for assessment across our sector, it is intended that council undertakes a further assessment in three years' time.

Attachments

LG Excellence Assessment Report (Doc # 11204754)

WE
ARE.

Making our

communities better



Waikato Regional Council

Independent assessment report | October 2017*

An independent assessment report issued by the Independent Assessment Board for the CouncilMARK™ local government excellence programme. For more information visit www.councilmark.co.nz



A measure
for better
community value.

Assessment Summary

AT A GLANCE



The Waikato region's natural environment supports its people, culture and economy and is the fourth largest region in the country.



LARGE METRO

SMALL METRO AND LARGE PROVINCIAL

SMALL PROVINCIAL AND RURAL

REGIONAL



The current situation

The Waikato Regional Council is performing well in most assessment areas. The Council's performance has improved over the past three years, and is widely regarded as a more effective organisation compared to when it was Environment Waikato. The Council faces a complex set of economic, environmental and social issues, which it treats as interrelated principles.

The Waikato region contains around 10 per cent of New Zealand's population, and its largest river and lake. Its population is diverse and growing.

The Council has generally constructive relationships with the other councils in the Waikato region, and with stakeholders. These relationships have enabled the Council to show leadership and innovation in major policy and collaborative areas.

Period of assessment

The assessment took place on 6 and 7 March 2017.



\$43,350
GROSS DOMESTIC
PRODUCT PER CAPITA¹

SERVES

403,638

PEOPLE², A MIX OF
77.4% EUROPEAN/PAKEHA
21.9% MĀORI
6.9% ASIAN
3.8% PACIFIC



POPULATION TREND
GROWTH

9.327%

OF NEW ZEALAND'S TOTAL LAND AREA³
REPRESENTING
FROM THE BOMBAY HILLS IN THE
NORTH, SOUTH TO MOKAU ON THE
WEST COAST, AND COROMANDEL ON
THE EAST COAST AND SOUTH TO MT
RUAPEHU AN AREA OF:

RESPONSIBLE FOR
4,400km
RIVERS⁴ AND
620km
STOPBANKS



Key learnings

Collaboration enabled by councils and led by communities can generate consensus to own and address local issues. The Council has shown a high degree of innovation, leadership and trust in its regional communities to successfully consult and empower the Council to make a plan change to improve the health of New Zealand's largest river, the Waikato River.

Implementing this change presents the Waikato region, its councils, communities, stakeholders and the Waikato Regional Council with a major environmental, economic, cultural and community opportunity. Any changes have to also account for issues of affordability across the region, ongoing public support and adequate resourcing by the Council.

The Council has the benefit of a strong financial position and generally positive stakeholder relationships to make progress on major initiatives. It has broad strategic ambitions. The Council's proposed *Healthy Rivers* plan demonstrates the wisdom of trusting regional communities and stakeholders, supported by

the Council, to enable policy changes. The challenge remains how well the Council can implement significant change across the region that is acceptable and achievable.

The Waikato Regional Council is one of only two councils in New Zealand who have Māori seats, and this greatly assists collaboration. The establishment of Māori seats is a key mechanism to facilitate Māori participation in Council business. The Council also has co-management arrangements between Iwi and the Council, and agreements and committees that determine the way they work together, for example on *Healthy Rivers*.

Assessment Summary

continued...

OVERVIEW

Waikato Regional Council demonstrates competency and leadership in delivering its core functions and addressing a range of regional issues. The Council has wide environmental, economic and social responsibilities, and in general it collaborates well with stakeholders to achieve its strategic outcomes. While areas for improvement have been identified, the Council's overall performance is good.

RATING



Findings



AT THE START OF ITS NEW TERM, THE COUNCIL HAS A STRONG AND CLEAR STRATEGIC DIRECTION WITH SPECIFIC AIMS. THE COMMUNITY HAS NOT BEEN CONSULTED ON THESE AIMS, BUT THE COUNCIL WILL BE MAKING THEM PART OF ITS CONSULTATION ON THE 2018-28 LONG TERM PLAN. THE AIMS WILL BE INCLUDED IN THE PERFORMANCE AGREEMENTS FOR THE CHIEF EXECUTIVE AND MANAGEMENT.



THE COUNCIL IS LED BY A CHAIR AND A CHIEF EXECUTIVE WHO EMBODY THE COLLABORATIVE APPROACH TO COUNCIL PRACTICE. THIS HAS RESULTED IN IMPROVED AND GENERALLY POSITIVE RELATIONSHIPS WITH STAKEHOLDERS, AND IN SUCCESSFUL POLICY INITIATIVES. STRONGER COLLABORATION BETWEEN MANAGEMENT AND STAFF IS REQUIRED, HOWEVER, THERE IS AN OPPORTUNITY TO FURTHER IMPROVE CULTURE WHICH THE COUNCIL IS SUFFICIENTLY RESOURCED AND SELF-AWARE TO ADDRESS



THE NEW COMMUNICATIONS STRATEGY ADDRESSES THE NEED TO EXPLAIN TO DIVERSE SEGMENTS OF THE COMMUNITY, IN A MEANINGFUL AND RELEVANT WAY, WHAT THE COUNCIL DOES. THE SAME APPROACH IS REQUIRED FOR INTERNAL COMMUNICATIONS, SO THAT THE STAFF CAN BE THE COUNCIL'S CHAMPIONS.

Commonly used terms

Term	Definition
Asset Management Plan	A tactical plan for managing a council's infrastructure and other assets to deliver an agreed standard of service.
Infrastructure	Local and regional roads, pathways and cycleways, flood protection, drinkingwater, wastewater and stormwater assets, sports and recreation facilities (parks, sportsgrounds, green spaces etc), community and tourism facilities (playgrounds, public toilets, libraries, museums, galleries and public art etc), town centres, and other facilities.
Local Government Act 2002	The legislative act that provides a framework and powers for councils to decide which activities they undertake and the manner in which they will undertake them.
Long Term Plan	The document required under the Local Government Act that sets out a council's priorities in the medium to long-term.



Governance, leadership and strategy	Financial decision-making and transparency	Service delivery and asset management	Communicating and engaging with the public and business
Better than competent	Standout	Performing well	Better than competent

STRENGTHS

The Council uses a “holistic” policy perspective which integrates economic, environmental and social issues to achieve lasting outcomes across a range of challenging and complex regional issues.

The Chair and the Chief Executive have demonstrated collaborative leadership and innovative approaches in enabling the community to address potentially divisive regional issues.

The Council has a clear strategic direction which is supported by staff and largely supported by stakeholders.

The Council is acting to further partner with Iwi.

The Council is in a healthy financial position and has prudent financial and risk management practices.

There is a focus on planning processes and a clear line-of-sight within the Council towards the needs of the Waikato region.

Information available to stakeholders and the community is comprehensive and up to date.

The Council’s quality of service delivery and verification are noted by stakeholders.

The Council is a leader on regional matters and initiatives such as *Healthy Rivers* for the Waikato River, and creating New Zealand’s first marine spatial plan for the Hauraki Gulf in collaboration with Auckland Council.

Efficiencies are being achieved through shared services and shared operations.

The Council’s communications are focused towards its community, and it has a digital engagement strategy.

AREAS OF IMPROVEMENT

The Council should recognise the need to consult on its Strategic Direction and integrate it with its Long Term Plan.

The strategic outcomes sought must be tied closely to the key performance indicators for the Chief Executive and management.

The Council needs to mature relationships with some Iwi.

The Council would benefit from an independent stakeholder audit.

The Council must work with the other councils in the region so they are “on board,” and can afford to implement its initiatives (eg *Healthy Rivers*, “clean fires and clean air”).

To increase efficiency, the Council’s information technology (IT) systems and capability require rationalisation and improvements.

The Council should improve its workplace conditions and culture.

Internal and external communications should be targeted to specific audiences, and should clearly demonstrate how the Council’s work benefits the region and its communities.

Leading locally

Governance, leadership and strategy

The Council is performing competently particularly in areas of leadership and innovation. The Council is a leader on issues and services for the Waikato region. While it previously had a more antagonistic relationship with regional stakeholders, the Council now works with them to meet integrated economic, environmental and social goals. Greater regional coherence reflects the Council's adoption of collaborative governance, leadership and strategy with stakeholders, if not (yet) with the broader public. There is room for improvement in the Council's internal systems and its culture to support its improved external position.

Priority grading

Better than competent

< The Council has a focus on providing leadership in economic, environment and social change through effective working relationships and organisational management. >

Some opportunity exists for the Council to create greater inclusion in its objectives with external stakeholders.

Setting the direction for the community

The Council has broadened its strategic focus and priorities over the past six years, from being primarily an environmental regulator (formerly called "Environment Waikato") to promoting a sustainable future for its region. It has established a vision for its

region, "The Waikato cares locally, competes globally," and has three integrated aims to achieve this vision: healthy environment, strong economy and vibrant communities.

The Council's strategic direction, which is the primary driver of the Long Term Plan and the Council's work programme, is set at the start of each new term. At the time of the assessment, business, some Iwi (including co-governance partners) and councils across the region had seen the new strategic direction – but most Iwi and some stakeholders had not. Stakeholders and the community had no input into the strategy, which will be the prime driver for the Council's Long Term Plan. There will be consultation on the strategic direction as part of development on the new Long Term Plan, although the Council will have applied the strategy well before the Long Term Plan is approved and comes into effect.

There are several major plans and documents that relate to the Council's strategic direction – for example *The Waikato Plan* (a broad community-owned plan to advance the region's interests, agreed by the Waikato Mayoral Forum in February 2017), *Waikato Means Business* (a Council-initiated and community-owned plan to advance the region's economic future), the Waikato Regional Policy Statement and *Healthy Rivers* (a major consultation on a change to the regional plan). Councillors told the assessors that these plans may "morph into one" in the 2018-28 Long Term Plan.

Councillors have also said that, while they and staff understand the business they are in, the Council could be seen to be trying to be "all things to all people", which would perpetuate "vagueness"

about its role and function. Clarity of purpose will assist the Council in its consultation on the Long Term Plan, and further assist the Council on consultation and brand expression.

The Council places emphasis on achieving economic, environmental and social change, and has developed programmes to encourage behavioural change in areas such as water and air quality. It is not always clear whether the Council itself, or other councils in the region, are leading these programmes. Nor is it clear whether the other councils can afford to implement the programmes, such as *Healthy Rivers*. A clear definition of the purpose of these programmes would help stakeholders and the community better understand and value them.

Creating confident councillors

The information provided to councillors, both during the local body elections and as part of their induction, is generally successful in preparing them for their duties. It could, however, be more specific about councillors' time commitments. The Chief Executive held individual interviews with each new councillor, and this reportedly worked well.

Councillors do not assess their own performance, although they do decide on their own training. Councillors see value in self-assessment, particularly in relation to governance and in identifying areas for further training.

Some Councillors see the Council as a "slow wheel," with too many committees. They regard the information provided to them as "sufficient" (albeit sometimes too detailed). Councillors also believe that Council papers need to have much clearer definitions of "the problem" being addressed, and that reports should have less jargon and fewer acronyms.

Effective working relationships

Councillors reported a good working relationship with the Chief Executive, who had faced a difficult time in the previous term because of reported discord amongst some councillors.

Councillors felt there were "no surprises" from staff. However, they also saw the Chief Executive as facing an internal culture that was at times difficult. In the 2016 internal "climate" survey, 62.8 per cent of staff reported feeling "ambivalent", 18.1 per cent of staff "disengaged" and only 19.1 per cent of staff reported feeling "engaged".

Staff mentioned several examples of councillors allegedly interfering in operations, which (if it is true) would be in breach of the Council's code of conduct. There was frustration that the line between governance and operations was not always clear to councillors or respected by them. However, no complaints have been lodged to allege political interference in operations.

There is a general acknowledgement that the Chief Executive's key performance indicators need to closely relate to the strategic aims of the Council.

Managing the organisation

The Chief Executive has a commitment to continuous improvement, and councillors and staff acknowledge improvements since the fit-for-purpose internal review and restructure took place. There are regular third and fourth tier management meetings, and several initiatives by the Chief Executive (eg an "away day") designed to encourage a more coherent culture and a more efficient organisation.

Staff said that work priorities are not always clear and there can be a "disconnect between the executive team and work programmes." Some staff felt they had limited input into programmes that directly affect their work areas. Resourcing is also an issue, particularly for upgrading IT systems and servicing ambitious community-consultation programmes such as *Healthy Rivers*.

Strengthening risk management

The Council's finance, audit and risk responsibilities are split across two committees: Audit and Risk, and Finance. The Audit and Risk Committee is a full committee of the Council and has two independent members. This strengthens both its expertise and its transparency.

The Council maintains a risk register and there is a comprehensive list of risks, but it does not include the earthquake risk rating of the carpark building.

Strengths

The Council is a respected organisation, locally and nationally.

There are formal co-governance relationships with Iwi.

The Council's Audit and Risk Committee (which is separate from its Finance Committee) has two independent members which gives it external expertise and greater transparency.

The Council's strategic direction is set at the beginning of each new term, which provides certainty.

The Council's bold and collaborative approach to issues helps stakeholders and the community to "own" issues and solutions.

The Chair and the Chief Executive embody the Council's strategic direction and its collaborative approach.

Areas for improvement

The Council's decisions and what it does are not understood by most of its community. The Council should combine its different plans into a coherent Long Term Plan, with firm linkages between its work programmes and the region's needs.

The number of Council sub-committees should be reduced, and council work programmes should be aligned with the Council's strategic direction.

The Council would benefit from using an informal session of Council to discuss context for decisions, a common governance practice to improve decision-making.

Councillors need to undertake self-assessment and training, especially in relation to governance and identifying training needs.

Councillors must, in all instances, follow the Code of Conduct's separation of governance from operations.

The Council's earthquake-prone carpark building must be added to the risk register.

The Chief Executive's performance agreement needs to be closely aligned to the Council's aims, and contain key performance indicators that are measurable.

Workplace culture needs further improvement.

The use of jargon and acronyms in council reports needs to be considerably reduced, if not eliminated, and issues being addressed need to be more clearly defined.

Investing money well

Financial decision-making and transparency

Council finances and oversight of risk are in hand. The Council has no external debt and its investment fund is prudently managed and governed.

Priority grading

Stand out

< The Council operates few public utilities apart from bus services across the region. Regional public services include navigation safety, river management, flood protection, drainage, biosecurity, farm extension, road safety, waste minimisation and enviroschools. >

The Council is funded primarily from rates and charges, and has the benefit of an investment fund to draw upon (internal debt). There is full budgeting of all Council activities.

Assessing the financial data

The financial strategy is clear. Monthly financial reports to the executive leadership team and quarterly financial reports to councillors are simplified and contain clear graphics. However, uncompleted major projects are not clearly reported in annual reports. The Council budgets for its major initiatives, such as the support services it provides for the *Healthy Rivers* consultation.

Addressing financial risk

The Audit and Risk Committee has two skilled independent members to enhance transparency and to add to the overall capability of the Committee. The risk register is largely comprehensive, and is updated quarterly, although at the time of assessment, it did not include the Council's earthquake-prone carpark building as a risk issue.

There is general transparency of the Council finances.

The Council has no external debt. It operates an investment fund, with an independent agency (Mercers) providing advice and the Finance Committee overseeing the fund's performance. The full Council sets the fund's strategy. The Council could consider appointing an independent member to the Finance Committee, to improve transparency.

Strengths

The Council is in a healthy financial position, and its low increases in rates provide an incentive for cost-efficiencies.

The Audit and Risk Committee is a strength of Waikato Regional Council and the willingness to have independent members builds confidence and capability.

The Council's investment fund is managed prudently, with independent advice and governance oversight.

The Council uses simplified and graphic reporting that clearly shows trends and targets.

Areas for improvement

Uncompleted capital projects need to be fully reported in the Council's annual reports.

The Finance Committee would benefit from having an independent member who could contribute external expertise and enhance the Committee's transparency.

Delivering what's important

Service delivery and asset management

The Council's overall quality of service delivery generally responds to and in some cases anticipates needs. Given the range of councils in the region, and its size and the complexity of the broad issues addressed by the Council, the quality of planning and service delivery is generally of a high standard. The Council is active in leading regional initiatives, shared services and collaborations that have widespread benefits, providing they are affordable and achievable across the region.

Priority grading

Performing well

< Significant restructuring has resulted in a re-alignment across all areas of the Council. >

The Council's planning processes, as well as the information it makes available to stakeholders and the community, is comprehensive and up to date. There is verification of the quality of its service delivery, and the leadership role that Council takes on regional matters and initiatives is recognised and actively supported.

Planning and evaluating service goals

Community outcomes are well-integrated into the Council's strategic direction. These outcomes are driven by the Council's economic, environmental and social aims, which are determined through inputs such as legislation, national policy statements, regional and district plans, consultation, the community "satisfaction" survey and the stakeholder audit.

At the time of assessment, the community outcomes were in the process of being translated into key performance indicators, beginning with those for the Chief Executive, then cascading down to managers. A number of separate plans and strategies within the Council are now being rationalised and connected.

The Council uses formal "satisfaction" surveys to measure the experiences of stakeholders and the community. Understanding of "what the council does" has a low rating, but the Council's services receive higher ratings. The Council undertakes "customer journey mapping" and "net promoter score analysis."

Stakeholders such as the NZ Transport Agency (NZTA), the South Waikato District Council, Mighty River Power, the Matamata-Piako District Council and the Te Arawa Iwi Trust emphasised the work the Council has done with the region's economic development agency. They also cite the Regional Transport Committee as a good example of a forum where a range of stakeholders interact with the Council in a forthright and solution-focused manner. The *Waikato Means Business* plan demonstrates the Council's collaborative approach.

The Council's Integrated Catchment Management Directorate is well-resourced and capable. The integrated approach is evident in terms of the "healthy catchment lens" that this directorate operates under, as noted by stakeholders. An example is the collaborative and consultative approach between the Council and community, industry, individual land owners and Iwi, for example in the *Healthy Rivers* programme. All monitoring data is publicly available. Internal reviews of effective environmental monitoring and service delivery are regular and identify areas for improvement.

All staff have professional development programmes/plans that are reviewed annually as part of the staff performance evaluation process in order to further lift skills. A significant review of the Council's organisation structure was completed in 2014. In the period leading up to this review, staff turnover was relatively consistent, and it is now decreasing.

Staff are generally positive about the progress being made in restructuring the organisation. One particular issue being

addressed is having the organisation spread across seven sites in Hamilton. This will be addressed subject to a Council decision to approve the business case for change via the Long Term Plan (there is no formal property strategy), and the need to attract the necessary capability, particularly in the planning field.

Staff referred to the Council's internal systems as being "clunky" at times. For reporting, there are five core system applications used across human resources, payroll, finance and infrastructure. The Council needs to improve integration between systems which makes some reporting manual and time consuming.

Assessing service quality

Stakeholders report excellent interaction in service delivery reviews, and point to the Council taking up the region's surf rescue/lifesaving function as an example of the regional services funding mechanism administered by the Council. The Waikato's Local Authority Shared Services (LASS) works well, and there is co-ordination with other regions to identify other collaborative opportunities (eg with the Bay of Plenty's LASS). The Council's reviews under s.17A of the Local Government Act are well-planned and scheduled, and are focused on outcomes. The positive relationship with the Department of Conservation is evident. The Maritime Mate app is recognised by stakeholders as good practice and as a useful tool updated with regional maritime information.

Flood control schemes, including stop bank management (as principal assets owned by the Council) are sound, and the Council uses a number of nationally and internationally recognised infrastructure management processes to monitor and improve its performance in this area.

The Council has a good understanding of the region's transport requirements and manages these well. NZTA and other stakeholders see the Regional Transport Forum as a very useful setting for managing transport issues. There is a procurement strategy for public transport. All regulatory policies and plans are publicly available.

Planning, regulation and accountability

The Regional Policy Statement, Regional Plan, and coastal plans are integrated and aligned. Alignment with national plans and policy statements is sound.

Overall, environmental management of the Council is strong and highly regarded by stakeholders. There is a strong level of community and stakeholder collaboration on major environmental and social and economic issues.

The Regional Transport Forum and its working groups (SH1, SH29 and SH3) are supported by neighbouring councils.

IANZ, New Zealand's leading accreditation agency, has provided positive reports on the Council's building consenting processes. Compliance with consenting timeframes is measured at 99.7 per cent. In instances where there has been non-compliance with timeframes (and where allowable), small discounts have been given to applicants.

Annual reports are comprehensive and link the Council's objectives, measures and performance. Outside of the annual reporting cycle, there is regular communication with the community on progress and performance.

The Council uses the Better Business Case methodology.

The Council has simplified its tendering processes for transport, and consequently the last response rate was better than the previous one. NZTA has confirmed that the Council's tendering process is regarded as national best practice.

Strengths

The Council has very clear strategies and plans.

The Council largely meets the needs and requirements of its stakeholders and its community.

The Council is appreciated for its wide knowledge, regional connections and strong leadership.

The Council is open to having the "difficult conversations" and working in an outcome-focused manner.

Area for improvement

The Council's internal systems require integration, and some manual procedures could be rationalised.

Listening and responding

Communicating and engaging with the public and businesses

The Council adopts a strategic and audience-centric approach to engagement and communications. The new communications strategy is comprehensive and include issues management as well as customer services and brand promotion. While the Council is effectively engaging and communicating, there remains widespread public misunderstanding about what the Council does.

Priority grading

Better than competent

< The Council faces complex and often entrenched issues across the Waikato region, and its audiences are diverse – for example, there are 208 Iwi and hapu in the region. >

The Council is not well-understood by Iwi, or by its communities and region. It needs to carefully manage its engagement and communications to help it achieve the broad aims outlined in its strategic direction.

Planning effective engagement

Despite its extensive economic, environmental and social responsibilities, there is not a wide understanding of what the Council does. As noted earlier, the Council can appear to be “all things to all people,” resulting in a lack of brand recognition and defined purpose. Its communications strategy identifies the need to provide simplified information about real issues that the Council can do something about (eg water and flood control), and it is moving towards providing “bite-size” information to specific parts of the community as well as to media. The strategy also identifies customer service as key to providing this information.

The communications strategy is robust in describing why and how the Council’s purpose and value is communicated with stakeholders. However, the Council needs to address the confusion that the general public have in understanding what the Council does. The Council’s messages also need to be aligned with the internal communications strategy, so that the Council’s staff can become its champions. The strategy does not identify the key performance indicators for communications.

The performance of the Council’s external communications strategy is measured by its community satisfaction survey, which is independently conducted. The survey does not measure the community’s views on the Council’s leadership or the extent to which the community trusts the Council, but the Council will consider including these in future surveys. Similarly, customer service requires a range of measurements that record the experience of customers along the customer journey with the Council.

Engaging digitally

Digital communications is a developing area, with the Council linking customer services and communications on a digital platform.

Communicating through the media

News media relationships appear to be well-managed.

Building relationships with iwi

The Iwi who spoke to the assessors reported that the Council has a good relationship with them, with the relationship strongest with the Chief Executive and staff. The Māori/iwi relationship with

councillors needs to improve. There is room for the relationship to mature and both iwi and the Council should decide where the relationship should go. Iwi feel they assist the Council on Resource Management Act consent issues and on the *Healthy Rivers* consultation. They want the Council to show a similar level of co-operation on Iwi consents, particularly where the Council is a co-governance partner.

Some Iwi representatives report not being consulted on the Council's new strategic direction. There has been no "big discussion" on where the partners want the Iwi/Council relationship to go.

Building relationships within the region

Business and farming groups have a positive working relationship with the Council, and praise it for being "courageous" in initiatives such as *Healthy Rivers*. The Chief Executive has brought a collaborative and inclusive style to the Council, and has helped to improve relationships with Auckland Council. For example, it worked with Auckland Council to establish New Zealand's first marine plan for the Hauraki Gulf. The Chief Executive's collaborative style is complemented by the Council's strategic direction, and the KPI's set for the organisation.

Stakeholders such as NZTA have a good working relationship with the Council. They report that the Council takes a sensible approach to regional issues and treats other councils in the region fairly. However, there is a general view that the Council does not always have the technical grunt it needs, and employing contractors does little for ongoing successful stakeholder relationships.

Healthy Rivers was initiated and serviced by the Council, and drafting of the plan change was handed over to a collaborative stakeholder group. While the collaboration process has been successful, it is recognised by stakeholders that implementing *Healthy Rivers* could become unsuccessful if it is not owned and resourced locally during implementation. Implementation of *Healthy Rivers* is now an issue for rural landowners and the eight councils impacted by it. The cost of its implementation within the region is estimated by some territorial authorities to be as high as approximately \$500 million. Councils whose rural landowner communities are largely on fixed incomes may struggle to afford the cost to implement on-farm measures. Territorial authorities may also need to assess and upgrade infrastructure through their existing point-source discharge consents. *Healthy Rivers* does not impose any rules directly requiring point-source discharge infrastructure upgrades, but addresses this through a policy framework. In addition, there is effectively a disincentive to initiate any further intensive rural land use change or development in the region until hearings on *Healthy Rivers* are complete. Land use investment is unlikely to happen while there

is uncertainty and until the decision on the final plan change has been released (expected second half of 2018).

Council initiatives on "clean fires and clean air," in partnership between the Council and the South Waikato District Council and required under the National Environmental Standard for Air Quality will also impose costs on local residents.

There are differences on stormwater issues between the Council and other councils in the region, although these are being worked through. The various regional service forums, the Mayoral Forum, the Waikato Local Authority Shared Services (LASS), catchment and civil defence and emergency management committees, and other regional bodies supported by the Council provide high levels of community ownership and value and regional cohesion.

The most recent stakeholder audit, which recorded high levels of stakeholder satisfaction with the Council, was conducted by the Chief Executive. In future, the audit will be independently undertaken.

Strengths

The Chair and the Chief Executive are good listeners and are strong on working collaboratively.

The Council takes a collaborative approach to achieving community outcomes, transferring responsibility of issues and solutions to those who own them.

There is stakeholder, Iwi and community collaboration on big issues (eg *Healthy Rivers*).

Relationships with business and stakeholders are positive.

The Council's communications strategy addresses the needs of its customers and its communities.

Areas for improvement

The Council's relationships with Iwi need to mature, particularly at councillor level.

The Council through implementation of its communications strategy needs to promote its value to specific parts of the community (including the general public), both through targeted campaigns and through its staff as Council champions.

Internal and external communications need to carry a consistent message about the Council's value.

Council documentation should consistently be made simpler and clearer.

The communications strategy needs to include key performance indicators.

Communications should be represented on the internal Risk Forum.

The Council should undertake an independent stakeholder audit.

The CouncilMARK™ local government excellence programme is a proprietary programme operated by Local Government New Zealand (utilising independent assessors). The rating given to a council is an independent assessment of that council's performance in certain areas, as at the time the rating was given. LGNZ does not accept any liability to any person whatsoever in relation to any rating, or the council's participation in the programme. For more information visit www.councilmark.co.nz

Report to Council October 2017 – For decision

Date: 16 October 2017

Author: Karen Bennett, Manager Chief Executive's Office

Authoriser: Vaughan Payne, Chief Executive Officer

Subject: Local Government Leaders' Water Declaration

Purpose

To present the Local Government Leaders' Water Declaration for endorsement by Council.

Executive Summary

Following the Local Government New Zealand Climate Change Declaration, LGNZ has released a Local Government Leaders' Water Declaration which all chairs and mayors are invited to sign. The declaration is part of LGNZ's communications strategy for water, with a focus on national and local activity. It states that working with communities and stakeholders to improve water quality is a priority for local government. It calls on the Government to take an integrated approach to water policy and work with local government to meet the costs to improve water quality. The declaration aligns with the Waikato Regional Council's Strategic Direction, including Healthy Rivers: Plan for Change/Wai Ora: He Rautaki Whakapaipai, the Freshwater Strategy and other key priorities.

Staff Recommendation:

1. That the report Local Government Leaders' Water Declaration (Doc #11247682, dated 16 October 2017) be received, and
2. That the Council endorse the Chairman's signing of the Local Government Leaders' Water Declaration on behalf of the Waikato Regional Council.

Background

Local government has a key role to play with communities and partners in leading a collective effort toward the goal of New Zealand becoming a world leader in sustainable water management.

The Local Government Leaders' Water Declaration states community leaders' continuing commitment to valuing and managing water as a precious resource. It highlights that the current state of our water is the result of the impact of many years of human activity. However, there is now a consensus that as a nation we want better water quality for New Zealand.

Protecting our freshwater - lakes, rivers, streams and groundwater - is important because it ensures there is enough clean and safe water for all of our uses, now and into the future and to ensure the health of freshwater ecosystems.

The declaration will be released once the incoming Government is confirmed and responsible ministers are known. Meantime, mayors and chairs are invited to sign the declaration.

Supporting Council's Strategic Direction and Priorities

Reflecting Waikato Regional Council's approach to freshwater management, the declaration states that the quality of our water and its abundance is fundamental to the social, cultural, economic, and environmental wellbeing of New Zealand.

Water is a taonga and our lifeblood. Iwi have a special relationship with freshwater and this is reflected in the statutes and in the National Policy Statement for Freshwater Management (NPSFM). Specifically, the NPSFM requires that freshwater is managed to give effect to Te Mana o te Wai, an integrated approach to freshwater management that recognises the association of the wider community with the rivers, lakes and streams but also the relationship of iwi and hapū and their values with freshwater bodies.

The declaration supports this Council's call for a national conversation on freshwater management and signals what local government needs from central government to ensure best use of water regionally and nationally. This includes:

- recognising the interlinked nature of all water and reflecting this in policy
- recognising the impacts of climate change on our water resources and developing options to address these
- quantifying the costs and trade-offs required to meet freshwater quality standards and limits for water quality
- working with local government to meet costs and develop new tools for funding and financing infrastructure
- increasing funding where necessary to fund improvements in freshwater quality
- exploring the role of economic instruments in water policy and in pricing for water services.

Assessment of Significance

Although the subject area is of considerable strategic significance, to the best of the writer's knowledge, this decision is not significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Conclusion

Endorsement of the Local Government Leaders' Declaration will provide support to the sector in addressing freshwater management issues and responses. It continues this Council's move to proactively address strategic issues and develop sustainable responses in good time for these to have an effect.

Attachments

Appendix 1 Local Government Leaders' Water Declaration (Doc#11253816).

Local Government Leaders' Water Declaration

As the leaders of their communities the Mayors and Chairs of New Zealand declare their continuing and absolute commitment to valuing and managing water as a precious resource. We want New Zealand to be world leaders in sustainable water management and will work with our communities and partners towards that goal.

Our water resource is precious and must not be taken for granted. The quality of our water and its abundance is fundamental to the social, cultural, economic, and environmental wellbeing of New Zealand. Water is a taonga and our lifeblood. Iwi have a special relationship with freshwater and this is reflected in the statutes and in the National Policy Statement for Freshwater Management (NPSFM). Specifically, the NPSFM requires that freshwater is managed to give effect to Te Mana o te Wai, an integrated approach to fresh-water management that recognises the association of the wider community with the rivers, lakes and streams but also the relationship of iwi and hapū and their values with freshwater bodies.

Protecting our freshwater - lakes, rivers, streams and groundwater - is important because it ensures there is enough clean and safe water for all of our uses, now and into the future, and to ensure the health of freshwater ecosystems. Achieving this will require a collaborative effort from many parties – councils, communities, central government, Māori/Iwi, business and the primary sector.

Local government plays a central role in the management of our water resources, and because of this is uniquely placed to play a leading role in this long-term effort:

- Regional and unitary councils are responsible for managing water quality and quantity. They may permit some activities and require consents for others, such as taking water and the discharge of contaminants, and prevent certain activities.
- Territorial authorities are typically responsible for providing and managing infrastructure for drinking water, stormwater and sewage (although arrangements differ in some regions), and manage land use through district plans.

Councils work every day to deliver better water outcomes – it is core business and makes up a significant proportion of council work and expenditure. We engage with communities and by working together we have seen some good successes, but there is much more work to do. As well as our ongoing clean-up work, demand for water from businesses, the primary sector and growing urban communities are bringing greater challenges for us all and these are exacerbated by climate change.

As a result, in 2017 and 2018, local government will scope the costs of maintaining and/or improving water quality and its continued supply through its Water 2050 project. Water 2050 will underpin the need to think about water in a holistic way, raising the cost implications of investment in drinking, waste and stormwater assets and services to meet increased standards for water quality, and outlining the need for a national conversation on costs and new funding tools.

We, the Mayors and Chairs commit to:**1. Continue to make water a key priority**

- Improve the water in our regions with, and for, our people and their descendants, asking our communities and stakeholders for their priorities for water and reflecting these in key planning documents.
- Respect the cultural values and special connections held by Māori to our water, honour our obligations to Māori and work with Māori to implement Treaty of Waitangi Settlements. This includes recognising Te Mana o te Wai in freshwater management which includes the relationship that iwi and hapū have with, and values for, water bodies. This will be expressed in our plans, and in the engagement processes with Māori used to develop these plans. It may also be reflected in our governance structures.
- Ensure that those people who have the privilege of using our water do so responsibly, by requiring and enforcing conditions of resource consent. We will lead work to change how people value water and consider their individual and collective impact. Provide clean, safe and reliable drinking water for our communities as a priority.

2. Work with our communities to improve our freshwater

- Work with our communities to foster a sense of pride in the freshwater of New Zealand and maintain or improve water quality across our region and manage water use and consumption. This will include working to improve the quality of our stormwater by deterring the use of certain products, and initiatives to manage demand for domestic consumption.
- To lead, champion and support communities to take action to restore and protect water. For example, this might include setting nutrient limits across a catchment, riparian planting and fencing of waterways.

3. Provide information on the state of our freshwater

- Provide information about the state of our freshwater, and make access to information about water easy for everyone by hosting information on the national website, LAWA (Land, Air, Water Aotearoa), and on our own websites.
- Issue a national report annually on the state of freshwater across our jurisdictions. This will provide New Zealanders with a “national state of water,” and a region-by-region summary, of key water quality measures.

4. Be clear about the costs of improving our water

- Work with our communities so that the costs and priorities for investment in infrastructure to provide a secure supply of water and maintain and improve water quality are clearly understood. We will do this through our long term planning processes and as we change our resource management plans to give effect to the National Policy Statement for Freshwater Management. Water 2050 will also be critical work in creating the case for new funding and financing tools for water infrastructure.

We, the Mayors and Chairs call on the government of the day to:**1. Take an integrated approach to water**

- Recognise the interlinked nature of all water, whether natural rivers, lakes, streams or groundwater and drinking water, stormwater or wastewater, and reflect this in coherent, integrated water policy.
- Recognise the impacts of climate change on our water resources and work with us to develop options to address these.

2. Quantify the costs of meeting increased standards

- Quantify, with local government, the costs and trade-offs required to meet freshwater quality standards and limits for water quality. This includes understanding the cost implications for our infrastructure and the costs to meet water quality standards and limits such as restoration and mitigation.
- Identify, with local government, additional funding required to meet any increase in standards and targets, and provide local government with additional tools to fund maintenance and upgrading of infrastructure to meet both existing and new standards.

3. Work with us to meet the costs to improve water quality

- Work with local government on a plan to meet these costs and develop new tools for funding and financing infrastructure.
- Increase funding where necessary to fund improvements in freshwater quality.

4. Work with us to be world leaders in water management

- Give long-term cross-party commitment to improve water quality, manage water quantity and provide stability, to enable us to work toward New Zealand being a world leader in water management.
- Explore the role of economic instruments in water policy and in pricing for water services. Options include pricing water, taxing water consumption and setting a royalty for consumption.

The current state of our water is the result of impacts over many years. We believe there is now a consensus that as a nation we want better for New Zealand. This Declaration is local government's commitment to achieving the goals we all want – plentiful clean and safe water for generations to come.

UNDERSIGNED BY THE NATIONAL COUNCIL OF LOCAL GOVERNMENT NEW ZEALAND:

Dave Cull

President, Local Government New Zealand
Mayor, Dunedin City Council

Stuart Crosby

Vice President, Local Government New Zealand
Councillor, Bay of Plenty Regional Council

Hon Phil Goff

Mayor, Auckland Council

Justin Lester

Mayor, Wellington City Council

Lianne Dalziel

Mayor, Christchurch City Council

Doug Leeder

Chair, Bay of Plenty Regional Council

Rachel Reese

Mayor, Nelson City Council

Jan Barnes

Mayor, Matamata-Piako District Council

Brian Hanna

Mayor, Waitomo District Council

Hon John Carter

Mayor, Far North District Council

Penny Hulse

Councillor, Auckland Council

Don Cameron

Mayor, Ruapehu District Council

Wayne Guppy
Mayor, Upper Hutt City Council

Richard Kempthorne
Mayor, Tasman District Council

Tracy Hicks
Mayor, Gore District Council

THE FOLLOWING MAYORS AND CHAIRS ALSO SUPPORT THIS DECLARATION

Report to Council

Date: 6 October 2017

Author: Mike Garrett, Chief Financial Officer

Authoriser: Mike Garrett, Chief Financial Officer
Vaughan Payne, Chief Executive Officer

Subject: RSHL Recommendation for Appointment of Independent Director

Purpose

1. To seek the council's support for the appointment of an Independent Director to Regional Software Holdings Limited (Council Controlled Organisation).

Executive Summary

2. Regional Software Holdings Limited (RSHL) is a Council Controlled Organisation (CCO), with five other regional councils with the purpose of collaboratively developing and maintaining a software application suite for use by regional councils in the delivery of their activities.
3. Staff advised at the September 2017 Finance Committee meeting that the Board were considering appointing an independent director to RSHL having previously flagged this in the Company Statement of Intent.
4. The Board have selected their preferred candidate and are seeking shareholder approval.

Staff Recommendation:

1. That the report RSHL Recommendation for Appointment of Independent Director (Doc #11206383 dated 6 October 2017) be received, and
2. That the council endorse the Regional Software Holdings Limited recommendation for the appointment of Mr Asbjorn Aakjaer as an Independent Director.

Background

5. The council has established RSHL, a Council Controlled Organisation (CCO), with five other regional councils for the purpose of collaboratively developing and maintaining a software application suite for use by regional councils in the delivery of their activities. The establishment of the CCO was consulted on as part of the 2009 Long Term Plan. RSHL was incorporated in October 2012 primarily for the purposes of managing the investment and development of the Integrated Regional Information System (IRIS) Software.
6. RSHL provides a framework for collaboration between the shareholders. It supports the procurement or development of shared software resource products and services in a manner that provides a more cost effective alternative than individual councils can achieve on their own.
7. The shareholders and current shareholding percentages in RSHL are:

Shareholder	Percentage	# of shares
Waikato Regional Council	32.75%	3,275

Northland Regional Council	16.75%	1,675
Horizons Regional Council	15.50%	1,550
Taranaki Regional Council	15.50%	1,550
Southland Regional Council	15.50%	1,550
West Coast Regional Council	4.00%	400

8. Each shareholder is entitled to appoint one director and one alternative. The shareholder agreement states that the Director will be the CEO or person nominated by the CEO of the shareholder council. Our current appointees are Mike Garrett, Chief Financial Officer and Neville Williams, Director – Community and Services as an alternative.

Issue

9. Staff advised at the September 2017 Finance Committee meeting that the Board were appointing an independent director to RSHL having previously flagged this in the Company Statement of Intent. The Company have selected their preferred candidate and are seeking shareholders support.
10. Attached is a letter from RSHL which outlines the process followed and benefits of the appointment and the appointment is unanimously supported by the Board.
11. Council has a policy on 'Appointment and Remuneration of Directors of Council Organisations (Directors Policy)' which states:

5.2 Identification of required skills, knowledge and experience of CCO directors

Section 57(2) of the Act states that the Council may appoint a person as a director of a CCO only if the Council considers the person has the skills knowledge and experience to:

- *guide the organisation given the nature and scope of its activities; and*
- *contribute to the achievement of the objectives of the organisation.*

The Council considers that any person that it appoints to be a director of a CCO should, as a minimum, have the following skills:

- *an understanding of governance issues;*
- *either business experience or other experience that is relevant to the activities of the organisation (or both);*
- *intellectual ability;*
- *sound judgement;*
- *a high standard of personal integrity;*
- *respect for colleagues and staff;*
- *time and ability to work as a member of a team;*
- *no conflict of interest.*

In addition a director may not be an undischarged bankrupt (section 151(2)(b) of the Companies Act 1993).

Options and analysis

12. Previously the Board indicated that it was seeking additional skills and experience. In particular, the Board noted a relative lack of skills and experience in sales and marketing and in managing technology lifecycles. These skill sets are important to RSHL's ongoing success.
13. RSHL included the intention and budget for an independent director in the 2017/18 statement of intent.
14. The Institute of Directors (IoD) Director Search programme was used to identify a suitable candidate. Four candidates (from a long list prepared by the IoD) were shortlisted and interviewed.

15. Staff are of the view that the process followed and the recommendation satisfies the requirement of Council policy on the appointment of Directors.

Assessment of Significance

16. Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance.

Legislative context

17. Section 57 of the Local Government Act 2002 sets out the legislative requirements for the appointment of directors for a CCO.

Preferred Option

18. The preferred option is for the council to endorse the appointment of Mr Asbjorn Aakjaer as an Independent Director to RSHL.

Policy Considerations

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

Conclusion

20. The Board are appointing an independent director to RSHL. It is recommended that council endorse the appointment of Mr Asbjorn Aakjaer as an Independent Director to RSHL.

Attachments

RSHL recommendation for appointment of Independent Director (11199938)

2 October 2017
Document: 1941652

Regional Software Holdings Limited
C/- Horizons Regional Council
Private Bag 11025
Manawatu Mail Centre
Palmerston North 4442

Mr Vaughan Payne
Chief Executive
Waikato Regional Council
Private Bag 3038
Waikato Mail Centre
Hamilton 3240

Dear Vaughan

Regional Software Holdings Limited: Independent Director

The Board of Regional Software Holdings Ltd (RSHL) is recommending the appointment of Mr Asbjorn Aakjaer as an independent director for a term of three years at a pro-rated fee of \$30,000 for 2017/2018. This appointment will be effective from the 30 November 2017 annual general meeting.

Last year the Board indicated that it was seeking additional skills and experience around the Board table. In particular, the Board noted a relative lack of skills and experience in sales and marketing and in managing technology lifecycles. As RSHL is committed to continuing to grow its customer base and is committed to maintaining the on-going maintenance and development of the IRIS product, these skill sets are important to RSHL's ongoing success. To attend to this, RSHL included the intention for, and budget for, an independent director in the 2017/2018 statement of intent.

The Board used the Institute of Directors (IoD) Director Search programme to identify a suitable candidate. The IoD prepared a long-list of candidates of which, four were short-listed and interviewed. An interview panel (Malcolm Nicholson - Northland Regional Council, Mike Garrett - Waikato Regional Council and Mike Nield Taranaki Regional Council) was appointed by the Board. After the interview process, and following reference checking, the preferred candidate was identified and referred back to the full Board. The Board is recommending this appointment for your support.

Mr Asbjorn Aakjaer has excellent skills and experience in technology/application development and management together with related sales and marketing expertise - refer to the attached short-form CV. After a successful professional management career, Asbjorn is looking to make a career transition into more of a governance role. This is an ideal first significant governance step.

The Board also used the IoD's Director Rem Snapshot service to establish a market rate for Director's fees for this position. The average median quartile fee for directors of Boards that

have similar characteristics as RSHL is \$29,424. The Board budgeted \$30,000 for 2017/2018. Accordingly, it is recommended that the annual fee be set at \$30,000 for 2017/2018. This will be pro-rated for the passage of time. Director's fees are reviewed annually as part of the annual general meeting process.

The Board wishes to welcome Mr Aakjaer from the 30 November 2017 annual general meeting. Accordingly, it seeks your Council's support by making an appropriate appointment decision/resolution by 30 November 2017.

I look forward to hearing from your Council. Please do not hesitate to contact me if you need any further information.

Yours faithfully

A handwritten signature in black ink, appearing to be 'MJ Nield', written in a cursive style.

MJ Nield
Chairman

Asbjorn Aakjaer

AGE	42
BRANCH	Auckland
MEMBERSHIP CATEGORY	Member

Directorships

Company	Position	Status
CUBE APARTMENTS LIMITED	Director	Current
INFOR (NZ M3) LIMITED	Country Manager	Current
One Sheep at a Time Ltd	Director	Current
Lawson Software New Zealand	Country Manager (Director from May 2010)	Former

Executive positions

Company	Position	Status
INFOR COMPUTERS NZ LIMITED	Country Manager	Current
IBM NEW ZEALAND LIMITED	Client Relationship Manager	Former
J D Edwards NZ Ltd	Account Executive	Former
Lawson Software New Zealand	Country Manager	Former

Qualifications

Discipline	Description	Title
Commerce (Other)	BCom Information Science from University of Otago	Bachelors

Report to Council

Date: 13 October 2017

Author: Mike Garrett, Chief Financial Officer

Authoriser: Mike Garrett, Chief Financial Officer
Vaughan Payne, Chief Executive Officer

Subject: Go Bus Petition – Living Wage

Purpose

1. To present a Petition received by Waikato Regional Council from 'Bus Fair' on behalf of bus drivers employed by Go Bus for the council to consider moving toward ensuring a Living Wage for bus drivers as part of our tendering documents.

Executive Summary

2. On 12 October Drivers from Go Bus delivered a petition to Waikato Regional Council requesting the Council to include the Living Wage be included in Contract Tenders.
3. Staff have not had time to analyse the implications of agreeing to the request and are seeking direction from the council as to whether they wish this request be further investigated as to the potential implications including, likely costs, policy/legal considerations and stakeholder views.

Staff Recommendation:

That the report 'Go Bus Petition – Living Wage' (Doc #11232509 dated 13 October 2017) be received.

Background

4. On 22 September 2017, staff were notified by Lauren Usher from First Union that approximately 30 Go Bus drivers would be presenting a petition to the council for the Living Wage to be included in tender contracts.
5. The petition was delivered to the council on 12 October 2017 and accepted on behalf of the council by Councillor Russ Rimmington, Chair of the Hamilton Public Transport Joint Committee.
6. The council procures its Public Transport bus services through a competitive tender process with the procurement strategy endorsed by NZTA.
7. Public Transport services are funded by way of NZTA subsidy (51% Financial Assistance Rate), fares and rates subsidy. Hamilton services are funded through the Hamilton Public Transport targeted rate and rural services from 'local share' rates revenue from the relevant local council.
8. Waikato Regional Council recently tendered its Hamilton, Huntly, Raglan, Paeroa/Morrinsville services with the contracts awarded late 2016. Implementation of the new contracts is underway with only the Hamilton Eastern services (Unit 2) still to be implemented. The total annual value of the contracts awarded was \$15.631m.

9. In tendering these services, no restrictions or requirements on bus driver wages were made in the tender documents.
10. The council is now being requested in the petition to include a requirement to move towards paying bus drivers the Living Wage in our tender documents.
11. The definition of Living Wage is as follows:

*The New Zealand Living Wage is defined by Living Wage Aotearoa New Zealand (LWANZ) as: **The income necessary to provide workers and their families with the basic necessities of life. A living wage will enable workers to live with dignity and to participate as active citizens in society.***
(Living Wage Aotearoa New Zealand)

Living Wage Aotearoa New Zealand was formed to promote the above aims and at that time the group was largely comprised of religious organisations, unions and other non-governmental welfare focused organisations. Central and local government were targeted to be leaders for the introduction of a living wage.

The living wage rate model is based on the concept of providing two adults and two school age children with the income necessary to provide the basics of life and was calculated by taking the Household Economic Survey (HES) wage rate and then dividing that by the number of hours worked.

The initial living wage rate was set by LWANZ at \$18.40 an hour, reflecting an estimate of the average expenditure by the bottom half of the income distribution using a national average of rental costs. The NZ Living Wage hourly rate for 2016/17 was increased to \$19.80. For 2017/18 the rate will increase to \$20.20 (effective from 1 July 2017).

12. We are aware of similar approaches to other regional councils but are not aware of any who have implemented the request.

Issue

13. Any increase in wages on operators at the request of council is likely to result in an increase in contract cost, although no specific analysis has been undertaken.
14. The council needs to be mindful of the precedent on other contracted services e.g. pest management, cleaning contracts etc. of any decision with respect to Public Transport contracts.
15. As NZTA is a key funder of Public Transport contracts, their view would need to be sought with respect to this matter, along with other Waikato Councils funding Public Transport services (Waikato, Waipa, Matamata-Piako, Taupo and Hauraki District Councils).
16. Legal advice would need to be sought to determine whether the council funding the Living Wage was compliant with Councils prudent financial management requirements under the Local Government Act.
17. Staff are seeking direction from the council as to whether they wish staff to undertake further investigation on this matter, including likely costs, policy/legal considerations and stakeholder views.
18. Alternatively council may take the position that whilst expressing empathy for the request, given that this is a national issue and involves multiple stakeholders, decide that at this point of time they are not in a position to consider this request.

Conclusion

19. The council have received a petition from Go Bus bus drivers to include a requirement to move to the Living Wage in our tender documents. Staff are seeking direction from the council on this request.

Attachments

Go Bus Petition Signatures (Doc #11229081)





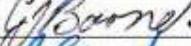



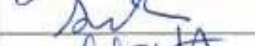



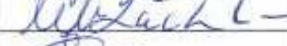
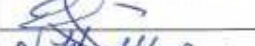



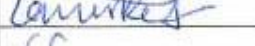




A LIVING WAGE FOR BUS DRIVERS

To the Waikato Regional Council,

Bus Drivers provide an essential public service for our community. The employees of council contracted bus operator Go Bus are paid substantially below the living wage for providing this service. We the undersigned urge you to consider moving toward ensuring a living wage for Bus Drivers as a part of your tendering documents.

We request you to take action and make a difference. We want our community to be a living wage community.

Name	Email	Signature
Sally Wilson		
Angus McCorneil		
CHARIS FLATT		
Mark Apata-Wade.	marka@dusu.nz	
Glenn Barnes	glenn@dusu.nz	
Carne-S Greenbank.		
Rhiannon Kira		
Jax Oldham		
Samirah		
Lani Currett		
THOMAS LOCKHART		
HANA WHARE-CULLEN		
Marnie McLachlan		
Darlene Whaki		
Ngamini Matthews		
Rebecca Jamison		
Dionne Turner	dionnespare@hotmail.com	
LAUREN PETERS		
Jamara & Jamison		
ROSE MARTIN BAIN		


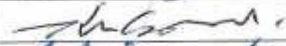
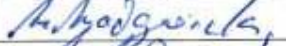


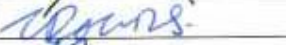



A LIVING WAGE FOR BUS DRIVERS

Bus Drivers provide an essential public service for the council. The employees of council contracted bus operator Pavlovich are paid substantially below the living wage for providing this service. We the undersigned employees at Pavlovich NZ Ltd urge you to consider moving toward ensuring a living wage for Bus Drivers as a part of your tendering documents.

We have been negotiating with Pavlovich, alongside hundreds of other employees from around the country, for a collective agreement that will provide us living wages for the work we perform.

The company blames the council for our low wages, citing the tendering contracts as the main cause of the low pay.

We need you to take action and make a difference, to our lives, the lives of our families and the life of our community, by changing the tendering contracts, to ensure a living wage for bus drivers.

Name	Email	Signature
JOE TELWAKORE	Nil -	
Seoung-Jin Kim		
MABELO MAX	NIL	
Poto Tapara	poto.tapara@gmail.com	
Clinton Downes		
Paul Ankers	ankersmen@gmail.com	
Seehyun Bae	rnb1988.daum.net	
ANTHONY BARTON	frackie101@yashoo.co.uk	
BRUCE WILSON	BOCKBOX500@TAHOECO.NZ	





A LIVING WAGE FOR BUS DRIVERS

To the Waikato Regional Council,

Bus Drivers provide an essential public service for our community. The employees of council contracted bus operator Go Bus are paid substantially below the living wage for providing this service. We the undersigned urge you to consider moving toward ensuring a living wage for Bus Drivers as a part of your tendering documents.

We request you to take action and make a difference. We want our community to be a living wage community.

Name	Email	Signature
Figuna Varsani		[Signature]
Carmey Radich		[Signature]
Chloe Keneti		[Signature]
Naomi Bidois		[Signature]
Kahu Nukereai		[Signature]
Kathy Holland		[Signature]
Ana Sani Tago		[Signature]
Mereina Herman		[Signature]
Ragavan Rajan	starmagan@gmail.com	[Signature]
Daven Illenberger		[Signature]
Avalisa Mdu		[Signature]
Glennak Pta		[Signature]
SAYUKI PANDARAM		[Signature]
Shirley Peep		[Signature]
Hira Tawhira		[Signature]
Anne Parkinson		[Signature]
JENNIFER CRAMPION		[Signature]
Michaela Tawson		[Signature]
Tony George		[Signature]
Adam F		[Signature]
Renee Pignato		[Signature]
JAMES HIGGS		[Signature]
Dave Littlejohn		[Signature]
Solovai'a Apuro		[Signature]
Harish Dethlefsen		[Signature]

A LIVING WAGE FOR BUS DRIVERS

To Hamilton City Council,

Bus Drivers provide an essential public service for our community. The employees of council contracted bus operator Go Bus are paid substantially below the living wage for providing this service. We the undersigned passengers of Go Bus NZ Ltd urge you to consider moving toward ensuring a living wage for Bus Drivers as a part of your tendering documents.

We request you to take action and make a difference. We want our community to be a living wage community.

Name	Email	Signature
Pauline Armstrong		P. G. Armstrong
Jan Mann		Jan Mann
Jordan Baker		Jordan Baker
Joel Nathro		Joel Nathro
Tiara Hura		Tiara Hura
Hautoto Sikeri		H. Sikeri
Bev Cranston		Bev Cranston
John Rhodes		John Rhodes
David Lawrence		David Lawrence
Harate Whakapapa		Harate Whakapapa



A LIVING WAGE FOR BUS DRIVERS








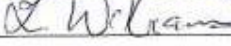



To Hamilton City Council,

Bus Drivers provide an essential public service for the council. The employees of council contracted bus operator Go Bus are paid substantially below the living wage for providing this service. We the undersigned employees at Go Bus NZ Ltd urge you to consider moving toward ensuring a living wage for Bus Drivers as a part of your tendering documents.

We have been negotiating with Go Bus, alongside hundreds of other employees from around the country, for a collective agreement that will provide us living wages for the work we perform.

The company blames the council for our low wages, citing the tendering contracts as the main cause of the low pay.

We need you to take action and make a difference, to our lives, the lives of our families and the life of our community, by changing the tendering contracts, to ensure a living wage for bus drivers.

Name	Email	Signature
Carmichael Brown		
Douglas R Scott		
Rene Doy		
Tina Rice		
Sonny TeRue		
Susan Forde		
Shane Chapman		
Don Williams		
Mae Williams		
Derek Williams		
Ivan Samieson		
Lorraine McNeil		





A LIVING WAGE FOR BUS DRIVERS

To the Waikato Regional Council,

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We request you to take action and make a difference. We want our community to be a living wage community.

Name	Email	Signature
John Dalton		[Signature]
Mathew Oates		[Signature]
Steven Mathie		[Signature]
Reece [unclear]		[Signature]
Campbell Grant		[Signature]
Thomas Tawera		[Signature]
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Colin Owen		[Signature]
Grace Bassett		[Signature]
Joginder Paul		JOGINDER PAUL
Nagma		Nagma

A LIVING WAGE FOR BUS DRIVERS










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BUS  **FAIR**

E.W

A LIVING WAGE FOR BUS DRIVERS

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Name	Email	Signature
Richard Iwihona		R. Iwihona
Roy Blair		Roy Blair
M. KHATA		M. Khata
David Waller		David Waller
GARY KINSOPP		Gary Kinsopp
Wilson T		Wilson T
JOHNO WAKTEEL		Johno Wakteel
Tulman Mellson		Tulman Mellson
Sarah Thompson		Sarah Thompson
DIMERY		Dimery
Gurpreet Singh Khanda		Gurpreet Singh Khanda
Kumaran Nair		Kumaran Nair
Maika Matekahu		Maika Matekahu
Syd RIFLE		Syd Rifle
Lawrence Hebb		Lawrence Hebb
A. Cooper		A. Cooper
R. Whithead		R. Whithead
NATHAN WILLIAMS		Nathan Williams
Mabel Moana -		Mabel Moana

BUS  **FAIR**

A LIVING WAGE FOR BUS DRIVERS

Bus Drivers provide an essential public service for our community. The employees of council contracted bus operator Pavlovich are paid substantially below the living wage for providing this service. We the undersigned passengers of Pavlovich NZ Ltd urge you to consider moving toward ensuring a living wage for Bus Drivers as a part of your tendering documents.

We request you to take action and make a difference. We want our community to be a living wage community.

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BOB CROSC		[Signature]

BUS  **FAIR**

ew?

A LIVING WAGE FOR BUS DRIVERS

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[Signature]	021 02308359	[Signature]
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Tina Rio	0277773662	[Signature]

BUS FAIR

A LIVING WAGE FOR BUS DRIVERS

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Bus Drivers provide an essential public service for our community. The employees of council contracted bus operator Go Bus are paid substantially below the living wage for providing this service. We the undersigned passengers of Go Bus NZ Ltd urge you to consider moving toward ensuring a living wage for Bus Drivers as a part of your tendering documents.

We request you to take action and make a difference. We want our community to be a living wage community.

Name	Email	Signature
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Robbie		[Signature]
John		[Signature]
R. Reardon		[Signature]
Julian Watene		[Signature]
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Carol		[Signature]
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Kamal		[Signature]
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		[Signature]
		[Signature]
Peter		[Signature]
Francis		[Signature]
Abbas Nacion		[Signature]
Dicky Hill		[Signature]



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Name	Email	Signature
Rosemary MacInnes	rosemary.macinnese@hcc.govt.nz	
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Report to Council

Date:	6 October 2017
Author:	Greg Ryan, Principal Advisor Integrated Catchment Management
Authoriser:	Clare Crickett, Director Integrated Catchment Management Vaughan Payne, Chief Executive Officer
Subject:	Catchment Committee Effectiveness Review

Purpose

1. To provide the council with an update on the “catchment committee effectiveness review”, including draft recommendations and an outline of the process for confirming those recommendations.

Executive Summary

2. In February 2017, council asked that a review be undertaken regarding the effectiveness of catchment committees and land drainage liaison sub-committees. The review has now been concluded, with recommendations reflecting positively on the use of this committee structure, but with a need for improvement, especially in the area of “understanding purpose”.
3. There is now an opportunity for the committees to consider these draft recommendations during November 2017, informing the recommendations to council (via the Integrated Catchment Management Committee) in February 2018. The committee appointment process will then be undertaken during the first half of 2018.

Staff Recommendation:

1. That the report Catchment Committee Effectiveness Review (Doc #11207774 dated 6 October 2017) be received, and
2. That council notes the following areas for improvement as recommended in the Draft Effectiveness Review Report 2017, Doc# 11044917:
 - Building the capacity and capability of members.
 - Improving communications feedback loops between committees and Council.
 - Further investigating the value for money provided by this committee structure.
 - Further investigating the issue of representation on committees.

Background

4. The council have requested that an effectiveness review of catchment committees be undertaken and, where possible, further improvements are sought. It was intended that this review build on the findings of the past two reviews.
5. At the council meeting on 23 February 2017 (WRC17/28) a resolution was made to endorse a general approach for reviewing the effectiveness of the catchment committees and drainage subcommittees as presented in the report ‘Review of catchment and drainage committees’ (Doc #9859726). The report outlined a general approach that suggested:
 - A committee self-assessment either by consensus or electronic survey

- An assessment process to include feedback from committees, Integrated Catchment Management Committee (ICMC) members and senior managers with oversight by the Democracy Services Team Leader.
6. Subsequent to this, a workshop was held with the Integrated Catchment Management Committee (including the chair of each Drainage Liaison Sub-committee) on 22 June 2017 to confirm further details of how this review would be undertaken. This included an agreement that the effectiveness review would be based on an examination of the following:
 - a. Determination of purpose
 - b. Governance culture
 - c. Holding to account
 - d. Compliance
 - e. Value for money
 - f. Representation
 7. The committee self-assessment phase of this review was completed from 10 to 25 July 2017, with an electronic survey being made available to committee members and staff. An initial analysis of the quantitative results from this survey was provided to the Integrated Catchment Management Committee at the 10 August 2017 meeting. This same information was provided to catchment committees and land drainage liaison sub-committees during August and September 2017.
 8. A more detailed and complete analysis of the survey results, as well as other relevant information, has now been completed and a set of draft recommendations prepared by staff for the consideration of council (and catchment/land drainage liaison committees), before final recommendations to council in February 2018.

Issue

9. Prior to final recommendations to council, there is an opportunity for council to consider the recommendations that have been drafted by staff.









Review results and draft recommendations

10. This review has been undertaken with the aim of answering the following questions:
 - a. How effective are the catchment committees and land drainage advisory subcommittees?
 - b. What improvements and changes does the review indicate are needed?
 - c. What have been the key learnings in regard to doing this review?
11. Further details on each of these questions is provided as follows:








How effective are the catchment committees and land drainage advisory subcommittees?

12. This question was considered using the results from the survey, along with other relevant information sources, and focused on the following “critical success factors”:
 - Understanding purpose
 - Governance culture
 - Holding to account
 - Compliance
 - Value for money
 - Representation

13. Each success factor was rated using the following system and associated assessment criteria:

Rating	Descriptor
 Excellent: (Always)	Clear example of exemplary performance or great practice. Very few or no gaps or weaknesses. No gaps or weaknesses identified
 Very good: (Almost Always)	Very good to excellent performance on virtually all aspects; strong overall but not exemplary; no weaknesses of any real consequence and these are managed effectively
 Good: (Mostly, with some exceptions)	Generally strong performance overall. Few gaps or weaknesses. Gaps and weaknesses have some impact but are mostly managed effectively
 Adequate: (Barely gets across the line)	Inconsistent performance overall. Gaps or weaknesses have impact, and are not being managed effectively. Meets minimum expectations/requirements as far as can be determined
 Emerging: (Early signs but not yet across the line)	Fair performance given the expected stage of development, some capacity issues still to be worked through, early signs of progress on track for most milestones, with realistic timeframes
 Not yet emerging: (Barely any signs of activity or progress, but not causing concern)	No clear evidence has yet emerged that the element being assessed has been implemented and/or produced any effect, but there is also no evidence of unsatisfactory functioning
 Poor: Never (or occasionally with clear weaknesses evident)	Clear evidence of unsatisfactory functioning; serious weaknesses across the board on crucial aspects
 Insufficient evidence	There is insufficient evidence for this criteria

14. Overall, the effectiveness of catchment committees and land drainage liaison subcommittees was assessed as “adequate”, however there was considerable variability across the six critical success factors. This is summarised as follows (with further details provided in the attached report):

Critical Success Factors / Effectiveness indicators	Overall
Understanding purpose	 Poor
Governance culture	 Adequate
Holding to account	 Good
Compliance	 Good
Value for money	 Adequate
Representation	 Adequate
Overall Effectiveness (combination of 6 CSF)	 Adequate

What improvements and changes does the review indicate are needed?

15. Given the above effectiveness assessment, a number of areas for improvement or change have been identified. These are summarised as follows (with further details provided in the attached report):
- Capacity and capability of members, with a particular focus on enabling members to understand the purpose of their committee and their role as committee members (e.g. the scope of the relevant terms of reference, and what standing orders are and how they are used in a committee environment. The role of committee chair was also identified as being essential to the effectiveness of committees, along with the need for training that targets the skills that are uniquely important for this particular role.
 - Communications feedback loops need further development to improve the connection between these committees, the Integrated Catchment Management Committee and council. This is an area that has been previously identified and improvements made, however there is still room for improvement.
 - Investigating further value for money, noting that the assessment made by members was qualitative and subjective with regard to what “value for money” means.
 - Representation was a measure that the Committee asked be included in this review, and the general feedback was positive in this regard. However, as with “value for money”, this assessment was subjective, and there is an opportunity to take a more detailed look at representation.

What have been the key learnings in regard to doing this review?

16. Aside from the identification of areas for improvement, this review also noted several learnings in relation to the undertaking of these kind of reviews. These learnings related to (with further details provided in the attached report):
- The benefits of broadening the way committee members are engaged in this kind of review (e.g. workshops) so that feedback and perspectives have more context.
 - The general lack of understanding regarding the representation of community views on communities (i.e. what is expected, and how this is achieved).
 - The importance of committee leadership.
 - The need to always revisit the indicators used to evaluate effectiveness, and determine what success looks like.

Conclusion

17. In February 2017, council asked that a review be undertaken regarding the effectiveness of catchment committees and land drainage liaison sub-committees. The review has now been concluded, with recommendations reflecting positively on the use of this committee structure, but with a need for improvement, especially in the area of “understanding purpose”.

Attachments

- Draft Effectiveness Review Report 2017, Doc# 11044917

Effectiveness Review of Catchment Committees and Drainage Advisory Subcommittees – (DRAFT REPORT)

22 September 2017

**Prepared by Jacqueline Henry for
Integrated Catchment Management**

Acknowledgements

The author acknowledges the evaluation guidance and support of Kate McKegg, Alicia Crocket and Debbie Goodwin throughout all aspects of this review. Also acknowledged are the expertise and support of Yvonne Phillips, Ruth Buckingham, and Mali Ahipene and her Democracy Services team.

Finally, acknowledgement goes out to ICM management and staff and all Catchment Committee members and Drainage Advisory Subcommittee members who participated and provided their valuable feedback and perspectives for this review.

Executive summary

An effectiveness review of catchment committees and drainage advisory subcommittees was undertaken at the request of Council. The intent was that the current review would build on the findings of two past reviews and where possible seek further improvements.

Catchment committees and drainage advisory subcommittees have been in existence for some time and have been an ongoing source of advice and guidance to Waikato Regional Council in the following activities:

- Annual plan work programmes and long term plans relevant to zone plans
- Asset management
- Flood control programmes
- Biodiversity and natural heritage operations
- Biosecurity operations
- Harbour and catchment management
- Hazard management and community safety activities
- Land drainage programmes
- River systems management
- Soil Conservation and land management programmes

In total there are 196 (147 catchment and 49 drainage) member positions that are represented on the eight catchment committees and four subcommittees. There are however, 20 members who attend a total of 54 multiple meetings (i.e. two or more meetings as well as a few that alternate one seat). Actual membership is therefore 162 members (196 less 34). For each catchment committee, local government elected members within the particular catchment are represented as well as local iwi and other sector groups. The majority of members are community appointees.

This report provides the findings of the *Effectiveness Review of Catchment Committees and Drainage Advisory Subcommittees*. It is structured according to three key evaluative questions (KEQs):

1. How effective are the catchment committees and drainage advisory subcommittees?
2. What improvement and changes does the review indicate are needed?
3. What have been the key learnings in regard to doing this review?

KEQ 1 regarding effectiveness provides the bulk of this report. Effectiveness indicators (also called critical success factors (CSFs)) were developed early on and provide a good platform suitable as the performance criteria for this review. The full list of indicators include:

- Understanding purpose
- Governance culture
- Holding to account
- Compliance
- Value for money
- Representation








The main focus of data gathering for the review was through a survey. The survey together with other information sources, was assessed against each of the CSFs performance criteria. When all the data/information was collected and analysed a synthesis process was undertaken to assess each of the critical success factors against levels of performance ranging on a scale from insufficient evidence to excellent.

Key Evaluation Question: How effective are the catchment committees and drainage advisory subcommittees?

The overall effectiveness of catchment committees and drainage advisory subcommittees in consideration of the six critical success factors / effectiveness indicators was rated as 'adequate' (see table below).

Three of the six critical success factors (CSF) had adequate ratings with a fourth scoring a poor rating. As shown below, an area that needs much work is 'Understanding purpose' in terms of committee/subcommittee members understanding their roles, respective terms of reference and ways to engage communities. The areas with a good rating were 'Holding to account' and 'Compliance' but to improve the overall effectiveness rating from adequate to good there are a few areas where improvement is needed.

Table 1: Overall assessment ratings for levels of performance for each of the critical success factors / effectiveness indicators

Critical Success Factors / Effectiveness indicators	Overall
Understanding purpose	 Poor
Governance culture	 Adequate
Holding to account	 Good
Compliance	 Good
Value for money	 Adequate
Representation	 Adequate
Overall Effectiveness (combination of 6 CSF)	 Adequate

With regard to 'Governance culture' those aspects rated as good were: achieving meeting protocols, having the capacity and skills to be an effective member, members' behaviour being consistent with the Code of Conduct and committees working well as a team. There is however, much room for improvement in providing training opportunities.

In terms of 'Holding to account' there appear to be good systems in place in relation to support provided by staff. Improvements could be made in regard to some members being more prepared for meetings, agenda setting, chairs understanding their role as accountable to their committee and investigating what might be contributing to non-attendance.

There seem to be good processes in place in terms of 'Compliance' but there is still room for improvement with regards to the feedback loop from ICMC to committees and meeting expected requirements in the Terms of Reference, Codes of Conduct and Standing Orders.

Committee/subcommittee members generally perceived their participation on committees as good use of their time, and 'Value for money' for Council and ratepayers. The ratings however do not necessarily reflect the staff time required to support the committees. It is also unclear the quality of recommendations and number of recommendations from committees/subcommittees that have been accepted by ICMC and Council.

'Representation' had a mixed response. Though members perceive themselves as characteristic of the community from which they are appointed, it might pay to investigate further to check representation

and alignment with the characteristics and needs of the catchment. There is also the perception that committees do not necessarily meet community and Council expectations (there were a high percentage of 'don't knows' especially for the latter from ratings in the survey).

Key Evaluation Question: What improvement and changes does the review indicate are needed?

Throughout the review, key aspects that sit across many of the critical success factors / effectiveness indicators have been highlighted as needing more work for improvement. Below is a high level summary of what these aspects are and include: capacity and capability of committee members, communication feedback loops, investigating further value for money and representation.

Capacity and capability of committee members

Training, leadership, non-attendance, and the role of elected members on committees/subcommittees were clustered in this grouping as areas for improvement.

Areas for training included: understanding respective committee's terms of reference, standing orders and code of conduct. The aim would be for members to better understand their role, role of their committee/subcommittee and expected requirements as set out in each of these supporting documents.

The review revealed the value of having good leadership (also see Appendix A: Committee/subcommittee sub-samples as compared to the overall sample). A focus on training to support Chairs and Deputy Chairs was recommended including learning from Chairs identified as good leaders.

An area to investigate further was consistent non-attendance of some members. What are some of the mechanisms that can be put in place to increase attendance? Is more support needed? Or should there be more emphasis given as to the minimum requirements for attendance as outlined in the Code of Conduct?

More clarity was needed for understanding the role of elected members on committees/subcommittees. There was mention of the confusion of councillor roles at committee meetings, particularly as to which 'hat' they were wearing?

Communication feedback loops

Feedback loops between communities, committees/subcommittees, ICMC and Council were unclear. Some did it well such as through the chair and committee processes, and some not so well. A range of options are mentioned that require further assessment.

Investigating further value for money

Generally members' participation on committees/subcommittees is perceived as value for money and good use of time for themselves, Council and ratepayers. The challenge is that an assessment of value for money in this situation is subjective. Further investigation is recommended especially in defining what 'value for money' really means from a Council (councillors and staff) perspective, committee/subcommittee perspective and maybe ratepayer perspective.

Representation

Members perceive themselves as characteristic of the community from which that are appointed. However, it might pay to investigate further to assess whether the current representation aligns with the characteristics and needs of the catchment.

Key Evaluation Question: What have been the key learnings in regard to doing this review?

As part of conducting the review, the evaluators highlighted and documented key learnings from their perspective during the review process:

- Although there were good sources of information used as evidence in the review, and staff and councillors were invited to complete the survey, it may have been beneficial to have held interviews with this group to provide more context to better represent their perspectives.
- The review showed that there was no clear understanding by members about the extent to which the community has a voice or is well represented at a committee/subcommittee, ICMC or Council level.
- It was identified that leadership is critical to the function of an effective committee. For example Chair's play an important role in feedback loops within and between their committee and ICMC.
- The critical success factors / effectiveness indicators provided the platform as the performance criteria for this review. For future reviews, it is recommended to revisit these early on with all those involved who support and are members of the catchment committees and drainage advisory subcommittees to assess what success looks like at that point and going forward.

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1 Introduction and review process

1.1 Background

The Council requested that an effectiveness review be undertaken of catchment committees and drainage advisory subcommittees. The intent was that the current review would build on the findings of two past reviews and where possible seek further improvements.

At their Council meeting on 23 February 2017 (WRC17/28) a resolution was made to endorse a general approach for reviewing the effectiveness of the catchment committees and drainage subcommittees as presented in the report 'Review of catchment and drainage committees' (Doc #9859726). The report outlined a general approach that suggested:

- A committee self-assessment either by consensus or electronic survey
- An assessment process to include feedback from committees, Integrated Catchment Management Committee (ICMC) members and senior managers with oversight by the Democracy Services Manager, and
- Discussion with ICMC at their June 2017 meeting, including recommended changes

The above report (Doc #9859726) acknowledged improvements made as part of two previous reviews. The first review was undertaken by Doug Arcus in June 2014 (Doc# 3230850), and the second review undertaken by staff and committee members prior to confirming the committee structure for the 2016-2019 Triennium (See findings in 'Report to Council - Changes to Integrated Catchment Management Committee and catchment committee terms of reference' Doc# 8874130). The following recommended changes have since been actioned:

- Changes to the respective committees' Terms of Reference (TOR) for the 2016-2019 Triennium (Doc# 8781464)
- Development of an Action Sheet for respective committees' as a standing agenda item to record the tracking of committee recommendations and the decisions of Council.

Further mention was made regarding the need to review the Council's Code of Conduct for External Members which has not been actioned. Council is however, considering changes to the set of standing orders.

1.2 Catchment committee and drainage advisory subcommittee membership

Catchment committees and drainage advisory subcommittees have been in existence for some time and have been an ongoing source of advice and guidance to Waikato Regional Council in the following activities:

- Annual plan work programmes and long term plans relevant to zone plans
- Asset management
- Flood control programmes
- Biodiversity and natural heritage operations
- Biosecurity operations
- Harbour and catchment management
- Hazard management and community safety activities
- Land drainage programmes
- River systems management
- Soil Conservation and land management programmes

In total there are 196 (147 catchment and 49 drainage) member positions that are represented on the eight catchment committees and four subcommittees. There are however, 20 members who attend a

total of 54 multiple meetings (i.e. two or more meetings as well as a few that alternate one seat). Actual membership is therefore 162 members (196 less 34). The most being the co-chairs Cr Stu Kneebone and Cr Stu Husband attending six meetings each to cover the total 12 catchment committees and subcommittees. One other WRC Councillor attends each of the committees and subcommittees which is in addition to either the Council Chair or Deputy Chair attending each of the catchment committee meetings.

For each catchment committee, local government elected members within the particular catchment are represented as well as local iwi and other sector groups. The majority of members are community appointees. There are also 35 organisations or sector groups represented (12 local government including WRC, 15 Iwi/Māori, Beef and Lamb, Dairy NZ, Department of Conservation, Forestry, Genesis Power Ltd, Mercury Energy, Biodiversity representative, and Kaimai Catchments Forum).

Table 2: Catchment committee and drainage advisory subcommittee membership

Catchment Committees		Drainage Advisory Subcommittees	
Upper Waikato	22	Waikato Central	15
Lake Taupō	16	Thames Valley	11
Waipā	21	Franklin Waikato	13
Central Waikato	14	Aka Aka Otatau	10
West Coast	17		
Waihou Piako	21		
Coromandel	15		
Lower Waikato	21		
Total membership	147	Total membership	49

1.3 Effectiveness review

In recognition of changes already made to the terms of reference, and the development and implementation of an action sheet, the review sought to check in with catchment committee and drainage advisory subcommittee members and others involved.

The review focused on the following Key Evaluation Questions (KEQs) which were the overarching questions the review needed to answer to meet the needs of the users:

- How effective are the committees/subcommittees?
This includes exploring the following elements:
 - What does effectiveness mean to members? To Council? In terms of the role and purpose of committees (TOR)?
 - How effective do members perceive their role in reporting community views?
 - What added value do committees provide for the community? For the members? For the Council?
 - How effectively has the community been engaged in the exchange of information between committees and Council? (Information flow between communities to committees and to Council in raising community issues and concerns)
 - What is working well?
- What improvement and changes does the review indicate are needed?
- What have been the key learnings in regard to doing this review?

1.4 Effectiveness indicators

Proposed effectiveness indicators were presented to ICMC and Council in February 2017. Derived from The Institute of Directors' definition of good governance the proposed effectiveness indicators covered four areas in terms of a board adding value: Understanding purpose; Governance culture; Holding to account; and Compliance.

While general principles of good governance are easily transferable to this assessment exercise, some tailoring is required for advisory committees which do not have the accountability of full council. A range of indicators were proposed that cover the above four areas plus 'value for money' as another indicator. During an ICMC workshop discussion on June 22, regarding the proposed approach to the review, representation was identified as another indicator. The indicators provide a good platform as Critical Success Factors (CSFs) suitable as the performance criteria for this review. The full list of indicators are listed below then described in more detail in table 3:

1. Understanding purpose
2. Governance culture
3. Holding to account
4. Compliance
5. Value for money
6. Representation

Table 3: Effectiveness review 2017 - Critical Success Factors / Indicators

Critical Success Factors	Assessment elements / Performance criteria
<p>Understanding purpose <i>Demonstrates an understanding of purpose to represent and communicate community views in order to provide the best advice to Council that supports catchment management activities and drainage management activities</i></p>	<ul style="list-style-type: none"> - TOR accessible and adhered to - Scope of activity, and delegation is clear - Members have a clear understanding of what is expected in their role as a committee or subcommittee member - Community views are represented and communicated clearly within catchment committees through to ICMC and then to Council - Community views are represented and communicated clearly within drainage advisory subcommittees through to ICMC and then to Council - Elected Council members have a clear understanding of their role as members of each of the respective committees they have membership to i.e. catchment committees, drainage advisory subcommittees and ICMC - Community is engaged in the exchange of information between committees and Council
<p>Governance culture <i>“Committee works well as a team; operates a high performance culture that celebrates debate, reasonable challenge and dissent, commitment, candour and trust”</i></p> <p><i>..Effective relationships with management, Council and stakeholders.</i></p>	<ul style="list-style-type: none"> - Standing orders easy to understand and implement by community chairs, accessible to members, and adhered to by members - Attendance by members consistent with meeting schedule - Quorum requirements met - Behaviour of members consistent with Code of Conduct - Training opportunities for members and chairs available
<p>Holding to account <i>“Holds management to account through informed, astute, effective and professional oversight.”</i></p> <p><i>Responsibilities are clear for members and for staff supported by robust systems and monitoring in place</i></p>	<ul style="list-style-type: none"> - Agenda management consistent with TOR - Regular reporting by staff to provide financial oversight, identifying variances and commentary to assist members - Quality of reports to inform decision making/recommendations - Risks (to work programme delivery) are identified - Attendance and support by appropriate staff to service committee
	<ul style="list-style-type: none"> - Transparency of public process/information and confidentiality of public excluded items secure - Minutes are brief, accurate, not verbatim, a legal record of resolutions - Conflicts of interest are recorded - Agenda papers are accessible within statutory timeframes
	<ul style="list-style-type: none"> - Feedback loop from ICMC to committees re decisions regular and timely - Quality of recommendations: No. of recommendations accepted by ICMC and Council - Assessment of staff time allocated to report preparation and attendance at each committee meeting
<p>Representation - <i>Composition of catchment committees and drainage advisory subcommittees are representative of the communities they stand for</i></p>	<ul style="list-style-type: none"> - Catchment committees comprise of members that appointed from their community to provide views on the range of Council’s catchment management activities listed in the TOR - Drainage advisory subcommittees comprise of members that are appointed from their community to provide views on the range of Council’s catchment management activities listed in the TOR

1.5 Performance framework









The main focus of data gathering for the review was through a survey. The survey findings together with data from a range of other information sources, was analysed and assessed against each of the CSFs performance criteria. Using a range of information sources ensures that the limitations of one type of data are balanced by the strengths of another. A mix of methods results in a stronger, more complete assessment than if only one method is used. The sources of information used included:

- Survey of members and staff
- ICM managers workshop
- Terms of Reference for the catchment committees and drainage advisory subcommittees
- Agenda items and package
- Meeting minutes
- Code of Conduct
- Reviewed Council Standing Orders
- ICMC Action Sheet
- Communication plans
- Checking the WRC public website for relevant documentation

A performance framework supports the assessment process, by providing guidance about levels of expected performance.

When all the data/information was collected and analysed, a synthesis process was undertaken to assess each of the critical success factors against the levels of performance in the framework below.

Table 4: Levels of performance and expected pattern of performance at this level

	Rating	Descriptor
	Excellent: (Always)	Clear example of exemplary performance or great practice. Very few or no gaps or weaknesses. No gaps or weaknesses identified
	Very good: (Almost Always)	Very good to excellent performance on virtually all aspects; strong overall but not exemplary; no weaknesses of any real consequence and these are managed effectively
	Good: (Mostly, with some exceptions)	Generally strong performance overall. Few gaps or weaknesses. Gaps and weaknesses have some impact but are mostly managed effectively
	Adequate: (Barely gets across the line)	Inconsistent performance overall. Gaps or weaknesses have impact, and are not being managed effectively. Meets minimum expectations/requirements as far as can be determined
	Emerging: (Early signs but not yet across the line)	Fair performance given the expected stage of development, some capacity issues still to be worked through, early signs of progress on track for most milestones, with realistic timeframes
	Not yet emerging: (Barely any signs of activity or progress, but not causing concern)	No clear evidence has yet emerged that the element being assessed has been implemented and/or produced any effect, but there is also no evidence of unsatisfactory functioning
	Poor: Never (or occasionally with clear weaknesses evident)	Clear evidence of unsatisfactory functioning; serious weaknesses across the board on crucial aspects
	Insufficient evidence	There is insufficient evidence for this criteria

2 Method

The survey was the main source of information for the review along with the other sources of information outlined previously and below.

2.1 Survey

Invitations were sent to 190 (174 online and 16 survey mail outs) catchment committee members, drainage advisory subcommittee members and WRC staff involved in supporting the committees. Due to timing there was just over a two week timeframe in which to complete the survey from 10 July 2017 to 25 July 2017. There were 111 responses to the survey which was a 58 percent response rate overall.

In readiness to share with catchment committees, drainage advisory committees and staff, a report was written based on the results of rating statements (Doc #10815062). The structure of the survey and the report was based on answering questions for each of the six indicators.

To further explore individual committee and subcommittee results, comparisons were made with the overall sample. When comparing with the overall sample the difference in means was tested using Welch's unequal variances t-test. Although the t-test does make assumptions of normality, it has been shown to have equivalent power to non-parametric tests¹. A Wilcoxon rank-sum test was performed on some questions as a comparison and found choice of test did not significantly affect results. As shown in Appendix A there were some committees/subcommittees that scored above average and some below average.

2.2 Other sources of information and report structure

This report is structured quite differently to the survey report. Instead of using the indicators as key headings, the key evaluation questions (KEQ) are used as the organising framework. The KEQs are:

1. How effective are the committees/subcommittees?
2. What improvement and changes does the review indicate are needed?
3. What have been the key learnings in regard to doing this review?

For the first KEQ an assessment of effectiveness for all six indicators was undertaken using the performance framework referred to in section 1.5. The main source of information for the assessment was the survey report which included quantitative and qualitative data. Other sources included a workshop with ICM managers about the survey findings, a scan of various minutes and agenda packages for each of the committees, Terms of Reference, Codes of Conduct (for external members and elected members), Standing Orders, a review undertaken by Doug Arcus in 2014 (Doc #3230850) and a second review undertaken by staff and committee members (see Doc# 8874130). With these sources of information, a matrix of analyses (see Doc #11070402) with summaries and ratings was developed to inform the overall judgement about levels of performance as shown in section 3.

2.3 Data synthesis

An evaluation-specific methodology was used to undertake the synthesis of the compiled evidence. Two approaches used were adapted from:

- CORE methodology, which looks at the concentration of ratings, outlier ratings, reflection (on important findings, judgements being made) and explanation (what needs to be reported and whether there is sufficient information to substantiate judgements).

¹ De Winter, J.C. and Dodou, D., 2010. Five-point Likert items: t test versus Mann-Whitney-Wilcoxon. *Practical Assessment, Research & Evaluation*, 15(11), pp.1-12.

- a pattern spotting tool which took into account the complexity of the situation when making overall judgements. The tool also takes into consideration exceptions, contradictions, generalisations, surprises, and anything that is puzzling.

3 Key Evaluation Question: How effective are the committees/subcommittees?

This section of the report aims to orientate the reader to the way merit judgements were made for this review. Each part within this section starts with a summary of key findings for each critical success factor and then provides evidence of reasoning for the ratings.








A table is used to provide a snapshot or synthesis of the key dimensions of merit or performance. To arrive at a single rating of performance, a synthesis methodology was used to “draw overall evaluative conclusions from multiple findings about a single evaluand”².

Utilising the range of information available, each of the assessment elements (or performance criteria) were analysed for each critical success factor (CSF). These were then converted into a rating from excellent to poor and in some instances insufficient evidence. As there were a number of assessment elements for each CSF, further analysis was undertaken to provide an overall assessment rating as shown in table 5 below.

3.1 Overall effectiveness

The overall effectiveness of catchment committees and drainage advisory subcommittees in consideration of the six critical success factors / effectiveness indicators was rated as ‘adequate’ (see table below).

Table 5: Overall assessment ratings for levels of performance for each of the critical success factors / effectiveness indicators

Critical Success Factors / Effectiveness indicators	Overall
Understanding purpose	 Poor
Governance culture	 Adequate
Holding to account	 Good
Compliance	 Good
Value for money	 Adequate
Representation	 Adequate
Overall Effectiveness (combination of 6 CSF)	 Adequate






Three of the six critical success factors (CSF) had adequate ratings with a fourth scoring a poor rating. An area that needs much work is ‘Understanding purpose’ in terms of committee/subcommittee members understanding their roles, respective terms of reference and ways to engage communities. The areas with a good rating were ‘Holding to account’ and ‘Compliance’ but to improve the overall effectiveness rating from adequate to good there are a few areas where improvement is needed. The following sections explore each of the critical success factors in more detail and provide a description of how the judgements were made.

² Davidson, E. J., 2005. *Evaluation methodology basics: The nuts and bolts of sound evaluation*. Sage: California.p.151.

3.2 Understanding purpose

The table below shows the ratings of performance for each criteria for 'Understanding purpose'. The overall rating for this critical success factor is 'poor'.

Table 6: Understanding purpose – ratings of performance for each criteria

Assessment element / Performance criteria	Description	Rating
<ul style="list-style-type: none"> Terms of Reference (TOR) is accessible and adhered to 	<p>Poor rating as there is clear evidence that the TOR is not well understood. Although the TOR is a standing item and easily accessible in the front of all committee/ subcommittee agendas, evidence shows that it is not well communicated or understood. Suggestions to improve understanding, include the provision of training and follow up of the TOR and changes with members.</p>	
<ul style="list-style-type: none"> Scope of activity, and delegation is clear Members have a clear understanding of what is expected in their role as a committee or subcommittee member 	<p>Adequate rating. Although the survey ratings were good, there was still some doubt on clarity of purpose, scope of activity and delegation for committees/subcommittees. This was supported by staff noting the moderate degree ratings. It is acknowledged that some committees perform better than others. However, for this assessment element minimum expectations/requirements are being met as far as can be determined.</p>	
<ul style="list-style-type: none"> Community views are represented and communicated clearly within catchment committees/drainage advisory subcommittees through to ICMC and then to Council Community is engaged in the exchange of information between committees and Council 	<p>Poor rating. Although members rate highly their ability to have their say some believe they are unable to contribute. The committees have been in place for some time. There is poor discussion between the community and committees and the perception that the wider community do not know these committees even exist. The purpose of community representation does need to be clarified. It is noted that some committees have a public forum at the beginning (or end) of meetings to involve the community more but it is unclear how this is communicated widely or how long this has been in place.</p>	
<ul style="list-style-type: none"> Elected Council members have a clear understanding of their role as members of each of the respective committees they have membership to i.e. catchment committees, drainage advisory subcommittees and ICMC 	<p>Insufficient evidence rating. No questions were asked directly about this statement. However, some qualitative statements mention the confusion of councillor roles at committee meetings in relation to which 'hat' are they wearing?</p>	
Understanding purpose	Poor rating overall.	

The evidence suggests a poor performance rating overall with much work to be done in terms of members understanding of the Terms of Reference, understanding of their role and that of their committee. These aspects could be part of a training package that could also be included in an induction programme as many members had not yet participated in one. Staff have also suggested a systematic approach to induction and training to support committees / subcommittees and their respective chairs and deputy chairs (this is explored further in the next section).

There is also much work to be done to ensure community views are better represented at all levels of committee including ICMC and Council. More clarity does also seem to be needed on understanding Councillor roles on committees as noted in table 6.

Below are examples of some of the statements made in regard to understanding roles (including councillor role), community awareness and community engagement:

I have certainly tried to make people aware of my role, but feel there needs to be more public clarity about what we do and what is going on in the catchment. I know there was some effort to publicise memberships, but if people aren't aware that these committees exist or what they do, we aren't being anywhere near as useful as we could be.

I have observed that catchment committee members are unaware of their role and understanding of where they fit into Council business. Requires more formal work with them on the TOR.

Understand generally why we're there but need more regular focus / reminders of the priority aspects of the Committee's purpose and terms of reference.

I have rated based on how I see myself working in the sub-committee only. But it has taken me a long time to get clear about how I could be effective.






What is unclear is the role of councillors on the committees. If the committees have been set up as a conduit for Council to hear local viewpoints then the role of Councillors should be to help facilitate those views being expressed.

Councillors also need to be aware of what their mandate is and that the committees are to get the view of the community incorporated into council decisions. They have their say in other council forums.

3.3 Governance culture

The table below shows the ratings of performance for each criteria for 'Governance culture'. The overall rating for this critical success factor is 'adequate'.

Table 7: Governance culture - ratings of performance for each criteria

Assessment element / Performance criteria	Description	Rating
<ul style="list-style-type: none"> Standing orders (SO) are easy to understand and implement by community chairs, are accessible to members, and adhered to by members 	<p>Adequate rating which is due mainly to mixed ratings. Although the survey indicated participants found SO easy to understand and adhere to, some didn't know about them. Noted also in the survey was a 20 per cent rating of limited degree for this assessment element. To a lesser degree but of note is the poor conduct that has been identified in some committees.</p>	
<ul style="list-style-type: none"> Attendance by members is consistent with the meeting schedule Quorum requirements are met Members have the capacity and skills to be an effective committee member 	<p>Good rating was given in respect of members rating their own skills and that of others highly. An assessment of agendas and minutes also show evidence that protocols are being met. Good secretarial support has been mentioned as important to good governance and process. Good leadership by the chair has also been identified as contributing to an effective committee.</p>	
<ul style="list-style-type: none"> The behaviour of members is consistent with the Code of Conduct (CoC) Committees work well as a team and operate a high performance culture that celebrates debate and reasonable challenge 	<p>Good rating. Members rated highly others behaviour with the Code of Conduct and ability to enter into robust discussions. It was noted that the chairing of committees is highly influential in how well they are run.</p>	
<ul style="list-style-type: none"> Training opportunities for members and chairs are made available 	<p>Poor rating as there is a clear message that training needs to occur especially with regard to understanding the TOR, SO, and CoC. Staff have identified an approach to training for members.</p>	
Governance culture	Adequate rating overall.	

With regard to 'Governance culture' those aspects rated as good were: achieving meeting protocols, having the capacity and skills to be an effective member, members' behaviour being consistent with the Code of Conduct and committees working well as a team. There is a slight contradiction however, with the previous section (understanding purpose) as there was doubt by some on clarity of roles as a committee / subcommittee member. This seems important to have to ensure they were an effective member.

There is certainly room for improvement in providing training opportunities. Areas for training include: understanding respective committee's terms of reference, standing orders and code of conduct. There are suggestions an induction programme would be a good start. Staff suggest a systematic approach to training and induction. This includes developing a training package and spending time with members outlining the TOR, SO and CoC. It is also recommended the package include follow up of 2-3 sessions to go through the various documents and also look at membership processes eg. expense claims etc. Also

recommended is "refresher" training, however, the financial implications of this in relation to extra mileage, day rates etc would need to be considered by members and Council.

Below are examples of some of the statements made in regard to effective leadership through the chair, committees working well and not so well, and comments about training:

The capacity and skill of the chair is crucial in allowing open debate and a safe space to allow that to occur.

The key to any team working effectively together is leadership...This has been the major contributing factor to the progress of this committee. Very capable Chairs helps ensure that the Zone voice is heard at the Council level.

On a committee of this nature standing orders are a backstop and if the committee is working well there should be no reference to standing orders.

Standing orders need to be well understood by the chairperson as adhering to these has been difficult for some committee members which can be very disruptive and time consuming for the committee.

Some members bring their own (hidden) agendas to the table that can detract from the normal/core course of business, leading to longer meetings and frustration amongst other members.

I have witnessed members directing personal criticisms at staff without being challenged by the chair or other members... this behaviour is totally unacceptable.

There are a wide range of capacities and skills, but the mix results in an effective committee. No training has been offered that I know of.





We haven't really had any training.

Some members are more effective than others. Training should be offered to all new members.

3.4 Holding to account

The table below shows the ratings of performance for each criteria for 'Holding to account'. The overall rating for this critical success factor is 'good'.

Table 8: Holding to account - ratings of performance for each criteria

Assessment element / Performance criteria	Description	Rating
<ul style="list-style-type: none"> Agenda management is consistent with the TOR Do all members have direct and genuine involvement on the committee/subcommittee 	<p>Adequate rating. Ratings are mixed. There tends to be a considerable degree of agenda management consistent with the TOR and members having direct and genuine involvement on committees/subcommittees. It was noted however, there was a degree of non-attendance, some wanting more input into the agenda (although this is a standing agenda item for some committees), some not prepared for meetings, and not all chairs being as accountable to their committee as they could be.</p>	
<ul style="list-style-type: none"> Regular reporting by staff to provide financial oversight, identifying variances and commentary to assist members Quality of reports to inform decision making / recommendations Attendance and support by appropriate staff to service committee 	<p>Very good rating. Very good to excellent performance on most aspects. Staff were perceived as supporting committees/subcommittees well. Comprehensive reports were included in agenda packages. Outlier of a very small percentage of 'not at all' for financial reporting by staff.</p>	
<ul style="list-style-type: none"> Risks (to work programme delivery) are identified 	<p>Insufficient evidence rating. Survey respondents were not asked in the survey about risk and this is not a specific agenda item for committees/subcommittees. The closest standing agenda item is the issues and actions sheet for committees which is not about 'risk'.</p>	
Holding to account	Good rating overall.	

Holding to account received a good rating overall as there appears to be good systems in place in relation to support provided by staff. Improvements could be made in regard to some members being more prepared for meetings, agenda setting, chairs understanding their role as accountable to their committee and investigating as to what's contributing to non-attendance and how this can be addressed. The identification of risks to work programme delivery is most probably already being captured but was not apparent as a standing agenda item.

Below are examples of some of the statements made in regard to staff support and committee/subcommittee member preparation and attendance:

Staff support has been outstanding, but we as members must always try to retain an independent governance.

Reading reports prior to the meetings is important in preparing for questions and debating with knowledge to gain a outcome at the meeting.

I used to represent [one of the sectors] in earlier years when involvement was not genuine. The degree to which it is [now] is a pleasant surprise.





Some members appear to be poorly informed and have clearly not read the (very long) agenda documents.

In the past some members have been consistently absent from the committee.

3.5 Compliance

The table below shows the ratings of performance for each criteria for 'Compliance'. The overall rating for this critical success factor is 'good'.

Table 9: Compliance - ratings of performance for each criteria

Assessment element / Performance criteria	Description	Rating
<ul style="list-style-type: none"> • Transparency of public process/information and confidentiality of public excluded items are secure • Minutes are brief, accurate, not verbatim, a legal record of resolutions • Conflicts of interest are recorded • Agenda papers are accessible within statutory timeframes 	<p>Very good rating. All protocols appear to be followed precisely. This links also to previous comments referred to in 'governance culture' regarding the positive role of good secretarial support.</p>	
<ul style="list-style-type: none"> • Committees/subcommittee meetings meet expected requirements outlined in the Terms of Reference, Code of Conduct and Standing Orders 	<p>Adequate rating. Generally good ratings but there is a degree of 'don't knows' for this assessment element. There is also mention of disruption by 1-2 people on committees. It seems that committees/subcommittees need more understanding of what's expected. For those committees not functioning well, more support is probably required.</p>	
<ul style="list-style-type: none"> • Feedback loop from ICMC to committees re decisions is regular and timely 	<p>Emerging rating. Some work has been done to improve the feedback loop from ICMC to committees. Some do it well (due to good chairing in some instances) and noted that some committee agendas include feedback from ICMC which could be picked up by other committees/subcommittees.</p>	
Compliance	Good rating overall.	

This was given a good rating overall. There appear to be good processes in place in terms of compliance but there is still room for improvement in regards to the feedback loop from ICMC to committees and meeting expected requirements in the TOR, CoC and SO.

Below are examples of some of the statements made in regard to the feedback loop from ICMC to committees, styles of interaction by various chairs' and a comment about meeting code of conduct requirements:

The level of experience of the Chair and Deputy has a huge bearing on the rating of the transparency of process. As for the feedback loop a new process to include a paper of ICMC reports for information to the catchment/subcommittees has helped this process. Feedback from ICMC is only provided verbally by the chair at CC meetings - there is limited interaction from the chair between meetings.




Sometimes decisions need to be made outside the quarterly meetings. Our Chair manages this well by circulating our committee's proposed response and gathering our feedback.

The majority of the committee I'm involved with does meet the CoC requirements - but there are 1-2 members that can be particularly disruptive which impacts on the committee's ability to make timely and effective decisions.

3.6 Value for money

The table below shows the ratings of performance for each criteria for 'Value for money'. The overall rating for this critical success factor is 'adequate'.

Table 10: Value for money - ratings of performance for each criteria

Assessment element / Performance criteria	Description	Rating
<ul style="list-style-type: none"> Quality of recommendations: No. of recommendations accepted by ICMC and Council 	Adequate rating. There was a mixed response here as not a particularly high rating and 15 per cent rated 'don't know' in terms of whether or not the quality and number of recommendations from respective committees/subcommittees had been accepted by ICMC and Council.	
<ul style="list-style-type: none"> Assessment of whether participation on committees/subcommittees is a good use of time as a member, for Council, and for ratepayers Assessment of staff time allocated to report preparation and attendance at each committee meeting 	Insufficient evidence rating. Generally members' participation on committees/subcommittees is perceived as value for money and good use of time for themselves, Council and ratepayers. However, this does not necessarily reflect the amount of staff time required to prepare for and run committee meetings as well as time travelled. This needs more investigation from a Council (councillors and staff) perspective and maybe ratepayer perspective. Council has records of what has been spent on committees / subcommittees and all the hours staff spend on catchment activities but would need to define what is really meant as 'value for money'. The advice and input provided by catchment committees and subcommittees would also need to be part of this consideration.	
Value for money	Adequate rating overall.	

An adequate rating was given overall. Committee/subcommittee members generally perceived their participation on committees as good use of their time, and value for money for Council and ratepayers. The ratings however do not necessarily reflect the staff time required to support the committees. The challenge is that an assessment of value for money in this situation is subjective.

The quality of recommendations and number of recommendations from committees/subcommittees that had been accepted by ICMC and Council were also unclear.

Below are examples of some of the statements made in regard to the value that committees/subcommittees provide:

Our 122 years of drainage in the District & the management of assets & finances speaks for itself.

Without Local Governance in place, a) planning strategically and b) deciding between competing priorities becomes a staff call (or at least perceived that way to a greater extent). This is not a problem itself, but staff making calls on significant ratepayer funded budgets generally draws a great deal of attention and enquiry from the public (if they have concerns about how budgets are managed). From previous experience, I would suggest that there is a trade off between the cost of local governance and the cost of challenge/enquiry if there were no local governance.

The input and feedback to Council is well considered and debated by the committee but there is always a degree of 'politics' at the decision making end from Councillors that cannot be anticipated. Community participation on these committees allows for a range of opinions and expertise which is, I believe, invaluable.

The committee gets more out of my contribution than the sector I represent gets back, but it is important that the sector is well represented in such forums.




The catchment committees are an opportunity for council to hear a voice from the community that does not come from the Councillors.

The value of committees etc. lies in a constructive community voice that adds value to decision making. Expectations on a large pool of staff are high and the true cost is not adequately reflected or considered.

3.7 Representation

The table below shows the ratings of performance for each criteria for 'Representation'. The overall rating for this critical success factor is 'adequate'.

Table 11: Representation - ratings of performance for each criteria

Assessment element / Performance criteria	Description	Rating
<ul style="list-style-type: none"> Catchment committees / Drainage advisory subcommittees comprise of members that represent their community views on the range of Council's catchment management activities listed in the TOR 	<p>Adequate rating was given as members perceive themselves as characteristic of the community they represent. However, it might pay to investigate this further in regards to assessing whether the current representation aligns with the characteristics and needs of the catchment (which is beyond the scope of this review).</p>	
<ul style="list-style-type: none"> Assessment of whether committee/subcommittee meets community expectations and Council expectations Assessment of whether committee/subcommittee is able to have a voice at ICMC level and Council level 	<p>Emerging rating as there is the perception that committees do not necessarily meet community and Council expectations (there were a high percentage of 'don't knows' especially for the latter from ratings in the survey). There was also an inconsistent response as to whether a member's committee/subcommittee was able to have a voice at ICMC or have their issues heard at Council level.</p>	
Representation	Adequate rating overall.	

An adequate rating overall was given due to inconsistent information. Below are examples of some of the statements made in regard to meeting community and Council expectations:

Because the community expectations have not been articulated as far as I am aware it is hard to know whether the committee/subcommittee is effectively meeting these expectations.

We live within a very diverse community with over 60% of the ratepayers as absent residents so it is left to the minority to bring their issues to the table. I can not comment on whether we meet Councils expectations.

'Community expectations' are almost impossible to assess and meet, as we have little connection to urban communities and we don't get 100% connection with rural communities either.

I think that if the 'demarkation line' for community representation and committee representation was clearer then committee members would have a clearer idea of how they can represent the views of their communities.

4 Key Evaluation Question: What improvement and changes are needed?

Throughout the review, key aspects that sit across many of the critical success factors / effectiveness indicators have been highlighted as needing more work for improvement. Below is a high level summary of what these aspects are and include: capacity and capability of committee members, communication feedback loops, investigating further value for money and representation.

4.1 Capacity and capability of committee/subcommittee members

4.1.1 Training

There is certainly room for improvement in providing training opportunities. Areas for training include: understanding respective committee's terms of reference, standing orders and code of conduct. The aim would be for members to better understand their role, role of their committee/subcommittee and expected requirements as set out in each of the TOR, SO and CoC.

There are suggestions an induction programme would be a good start. Staff suggest a systematic approach to training and induction. This includes developing a training package and spending time with members outlining the TOR, SO and CoC. It is also recommended the package include 2-3 follow up sessions to go through the various documents and also look at membership processes eg. expense claims etc. Also recommended is "refresher" training, however, the financial implications of this in relation to extra mileage, day rates etc would need to be considered by members and Council.

Other means to support new members or new Chairs and Deputy Chairs could be to have peer support and mentoring from more experienced members.

4.1.2 Leadership

The review identified the value of having good leadership. Common to those committees/subcommittees that are working well is good leadership. Aspects of good chairing mentioned in the survey included moderating the behaviour of committee members to minimise disruption, good communication, and transparency of information between ICMC and their own committee. The range of statements outlined in Appendix A refer to strong leadership and supportive processes particularly for Lake Taupō Catchment Committee.

A focus on training to support Chairs and Deputy Chairs is therefore recommended. Learning from those Chairs who have been identified as good leaders would be helpful, such as processes they have in place (prior to, at, in-between and after meetings), their understanding of their role (to their committee/subcommittee, to ICMC, to Council and to their community). In alignment with this would be to provide training on the TOR, SO and CoC but from a leadership perspective. There could be a follow up mechanism put in place to check in with Chairs and Deputy Chairs if they needed further support. As suggested previously, mentoring or peer support systems could also be put in place.

4.1.3 Non-attendance of members

An area to investigate further is consistent non-attendance of some members. What are some of the mechanisms that can be put in place to increase attendance? Is more support needed? Or should there be more emphasis given to the minimum requirements for attendance as outlined in the Code of Conduct?

4.1.4 Role of elected members on committees/subcommittees

One of the performance criteria for 'Understanding purpose' which had an insufficient rating was assessing whether:

Elected Council members had a clear understanding of their role as members of each of the respective committees they *have* membership to i.e. catchment committees, drainage advisory subcommittees and ICMC

The rating was insufficient as no questions were asked directly about this statement. Some qualitative statements however, did mention the confusion of councillor roles at committee meetings, particularly as to which 'hat' they were wearing? The range of statements implied the elected members referred to were Waikato Regional Council members rather than other councils.

More clarity is needed, which maybe through the Code of Conduct for Elected Members or other means.

4.2 Communication feedback loop

Feedback loops between communities, committees/subcommittees, ICMC and Council were unclear. In describing communication between ICMC and committees/subcommittees that was regular and timely, some did it well (due to good chairing in some instances) and noted that some committee agendas include feedback from ICMC as a standing item which seems to work well also. There was however, comment that soon after ICMC meetings, minutes should be made available to all committee/subcommittee members due to the long gap between meetings. An option was also to invite members to ICMC as observers. There was comment that drainage advisory subcommittees were not represented on ICMC.

In terms of feedback from Council, members were unsure as to whether they were meeting Council expectations and there was some dissatisfaction about whether their voice was being heard at Council level.

In general, there is a view that there is a reasonably poor discussion between community and committees and that community views are not well represented. There does not seem to be any formal or structured ways for wider community perspectives to feed into these committees/subcommittees. There is the perception that the wider community are not aware of the committees/subcommittees and therefore not aware of what they do. Also, there isn't confidence that the committees are meeting community expectations.

It was noted that some committees have a public forum at the beginning (or end) of meetings to involve community more but it is unclear how this is communicated widely or how long this has been in place. Some committees have communication plans for their zone. Some of the actions include promoting meetings in local papers, on WRC's Facebook page (and link to agenda), e-newsletters, developing a

zone media plan and utilising social media more. This review did not assess the progress of these actions but it would be beneficial to do so.

4.3 Investigating further value for money

Generally members' participation on committees/subcommittees is perceived as value for money and good use of time for themselves, Council and ratepayers. However, this does not necessarily reflect the amount of staff time required to prepare for and run committee meetings as well as the time travelled. The challenge is that an assessment of value for money in this situation is subjective. Further investigation is recommended especially in defining what 'value for money' really means from a Council (councillors and staff) perspective, committee/subcommittee perspective and maybe ratepayer perspective. Additional information would include Council records of what has been spent on committees / subcommittees and all the hours staff spend on catchment activities.

4.4 Representation

Members perceive themselves as characteristic of the community they represent. However, it might pay to investigate further to assess whether the current representation aligns with the characteristics and needs of the catchment. There was mention of adding representation from the tourism sector in two catchment committees but this would need to be explored further.

5 Key Evaluation Question: What have been the key learnings in regard to doing this review?

As part of conducting the review, the evaluators highlighted and documented key learnings from their perspective during the review process:

- Although there were good sources of information used as evidence in the review, and staff and councillors were invited to complete the survey, it may have been beneficial to have held interviews with this group to provide more context to better represent their perspectives.
- The review showed that there was no clear understanding by members about the extent to which the community has a voice or is well represented at a committee/subcommittee, ICMC or Council level.
- It was identified that leadership is critical to the function of an effective committee. For example Chair's play an important role in feedback loops within and between their committee and ICMC.
- The critical success factors / effectiveness indicators provided the platform as the performance criteria for this review. For future reviews, it is recommended to revisit these early on with all those involved with catchment committees and drainage advisory subcommittees to assess what success looks like at that point and going forward.

Appendix A: Committee/subcommittee sub-samples as compared to the overall sample

To further explore individual committee and subcommittee results, comparisons were made with the overall sample. When comparing with the overall sample the difference in means was tested using Welch's unequal variances t-test. Although the t-test does make assumptions of normality, it has been shown to have equivalent power to non-parametric tests³. A Wilcoxon rank-sum test was performed on some questions as a comparison and found choice of test did not significantly affect results.

Committee/subcommittee scores that are above average at 5% significance are shaded **green** and those below average are shaded **red**. Dark shading indicates 1% significance. The table in the following pages show the results for each critical success factor / effectiveness indicator.

As shown in the table, those committees/subcommittees that appeared to score above average over a range of areas included: Lake Taupō Catchment Committee, Franklin Waikato Drainage Advisory Subcommittee and Waikato Central Drainage Advisory Subcommittee. Those committees/subcommittees that scored below average over a range of areas included Coromandel Catchment Committee, Upper Waikato Catchment Committee and West Coast Catchment Committee.

A key feature of committees/subcommittees that scored above average tended to have strong leadership and supportive processes in place. Below is a sample of comments from Lake Taupō Catchment Committee respondents/members:

Our Committee Chair, alongside our WRC key representative have done a great job at communicating our role and our scope. This has been further supported by the development of our Zone Plan that clearly outlines our key responsibilities and focus areas while showing what things we can influence or not.

There has been active efforts to encourage our committee to engage in understanding our role and figuring out our purpose/objectives. The preparation of the Zone Plan for the Lake Taupō Zone has helped to solidify the purpose/intention of the committee and what is inside or outside the scope of the committee. It was a very worthwhile exercise.

I was part of a sub-group working on the Lake Taupō Zone Plan so feel that I have had extensive and opportunity through that process to engage fully in the Catchment Committee's purpose/role etc. I also appreciate as a community representative the interface with this committee and our local and long-standing water quality advocacy group.

An excellent working relationship between committee members and staff. The process for the recently adopted Lake Taupō Integrated Catchment Plan has helped to clarify the vision and role and objectives of the committee.

[This is a] well led committee...[with] shared values...[and] well supported by staff.

Sometimes decisions need to be made outside the quarterly meetings. Our Chair manages this well by circulating our committee's proposed response and gathering our feedback.

For those committees that scored below average there were a range of statements made. Below is just a sample of these:

I think a considerable part of the community still don't know we exist and the extent of our roles. Our relationship with the community suffers when [a member] publicly criticises the committee and its members.

Some members seem to be there for their own view and it is not clear who they are representing at times.

Some topics do not allow for robust discussion or debate because they have a polarising effect.

³ De Winter, J.C. and Dodou, D., 2010. Five-point Likert items: t test versus Mann-Whitney-Wilcoxon. *Practical Assessment, Research & Evaluation*, 15(11), pp.1-12.

We have never agreed on a culture and how we will work together as a group. In agreeing a culture we could achieve more.

Committee is characterised by conflict, where a small group of adroit members effectively dominate committee business. While democracy staff point out the limitations on inputs, and consequent implications for staff time, this seems to be an ongoing issue.

Table 12: Committee/subcommittee results compared to the overall sample

Determination of purpose													
	Clear shared purpose	Clear understanding of role	Clear scope of activity and delegation	Feel able to have your say	Representing community views	Effective relationship between community and committee	Community views communicated clearly in comm / subcom	Community views communicated clearly in ICMC	Community views communicated clearly in council	TOR well communicated	Changes to TOR effective	Further improvements needed to TOR	Overall score
Q2: West Coast Catchment Committee (n=11)	3.3	3.9	3.0	4.4	3.7	2.2	3.22	2.86	2.67	3.00	3.00	4.00	3.3
Q2: Waipa Catchment Committee (n=14)	3.9	3.6	3.7	4.2	3.2	2.5	2.78	3.00	3.25	2.67	2.50	3.83	3.3
Q2: Waihou-Piako Catchment Committee (n=18)	4.1	3.8	3.7	4.5	4.4	3.7	3.69	3.73	3.56	3.27	3.33	3.27	3.8
Q2: Integrated Catchment Management Committee (n=11)	3.7	4.2	3.6	4.1	3.3	2.6	2.89	2.78	2.63	3.25	2.80	2.80	3.3
Q2: Central Waikato Catchment Committee (n=11)	4.0	4.3	3.9	4.6	3.6	3.0	3.71	3.60	3.00	3.10	3.14	3.00	3.6
Q2: Lower Waikato Catchment Committee (n=15)	3.8	3.9	3.6	4.1	4.1	3.2	3.36	3.56	3.00	3.33	3.14	3.60	3.5
Q2: Aka Aka Otatau Drainage Advisory Subcommittee (n=11)	4.0	4.4	4.4	4.2	4.0	4.2	3.80	3.20	3.00	3.00	3.25	3.75	3.8
Q2: Lake Taupō Catchment Committee (n=15)	4.8	4.7	4.8	4.6	4.1	3.7	4.10	3.78	3.43	3.93	3.50	2.92	4.0
Q2: Upper Waikato Catchment Committee (n=15)	3.4	3.8	3.2	4.2	3.8	2.9	3.78	3.50	2.80	2.92	2.50	3.36	3.4
Q2: Coromandel Catchment Committee (n=15)	3.4	3.8	3.2	4.4	4.2	3.1	3.33	3.00	3.43	3.54	3.00	3.67	3.5
Q2: Franklin Waikato Drainage Advisory Subcommittee (n=11)	4.7	4.3	4.2	4.4	4.6	3.9	4.00	4.00	2.50	3.38	2.83	3.50	3.9
Q2: Waikato Central Drainage Advisory Subcommittee (n=15)	4.5	4.2	4.0	4.7	4.3	3.8	4.11	4.25	3.33	3.20	2.83	2.71	3.8
Q2: Thames Valley Drainage Advisory Subcommittee (n=11)	4.0	4.2	3.4	4.0	4.4	2.6	3.20	3.20	3.00	3.13	3.14	3.57	3.5
Q2: Prefer not to say (n=3)	3.5	3.5	2.5	4.0	3.0	2.0	2.50	2.50	2.00	2.67	2.50	2.50	2.8
Overall	4.0	4.0	3.7	4.3	4.0	3.2	3.52	3.40	3.03	3.22	3.01	3.38	3.6
Number of ratings (respondents on multiple committees)	120	121	121	118	117	114	114	87	80	144	99	107	
Number of Don't Know	2	1	1	1	2	5	5	32	39	6	29	24	
Number of too early to tell (where applicable)										3	12	16	
Governance culture													
	I have the capacity and skills to be an effective member	Others have the capacity and skills to be effective members	Training opportunities are available	Comm / Subcomm work well as a team	SO accessible and easy to understand	SO adhered to by others	Member behaviour is consistent with CoC	Ability to enter into robust discussion	Overall score				
Q2: West Coast Catchment Committee (n=11)	4.29	3.86	2.29	3.33	3.38	3.63	3.56	3.44	3.5				
Q2: Waipa Catchment Committee (n=14)	4.22	3.78	2.38	3.77	2.89	3.45	3.91	3.85	3.5				
Q2: Waihou-Piako Catchment Committee (n=18)	3.92	4.17	2.67	3.83	3.13	3.69	4.00	3.94	3.7				
Q2: Integrated Catchment Management Committee (n=11)	4.25	3.63	2.75	3.42	3.00	3.00	3.75	3.25	3.4				
Q2: Central Waikato Catchment Committee (n=11)	4.38	3.75	2.00	3.64	3.50	4.13	4.10	3.73	3.7				
Q2: Lower Waikato Catchment Committee (n=15)	4.00	3.70	2.50	3.50	3.38	3.82	3.73	3.83	3.6				
Q2: Aka Aka Otatau Drainage Advisory Subcommittee (n=11)	3.80	4.60	2.80	4.43	3.71	3.86	4.14	4.29	4.0				
Q2: Lake Taupō Catchment Committee (n=15)	4.40	4.50	3.33	3.93	3.69	3.80	4.13	3.87	4.0				
Q2: Upper Waikato Catchment Committee (n=15)	4.11	3.78	2.75	3.50	2.82	3.36	4.17	3.69	3.5				
Q2: Coromandel Catchment Committee (n=15)	4.11	3.56	2.86	3.15	2.83	3.08	3.38	3.38	3.3				
Q2: Franklin Waikato Drainage Advisory Subcommittee (n=11)	4.57	4.43	2.20	4.44	3.38	4.00	4.33	4.33	4.0				
Q2: Waikato Central Drainage Advisory Subcommittee (n=15)	4.89	4.00	2.00	4.45	3.20	4.00	4.45	4.40	3.9				
Q2: Thames Valley Drainage Advisory Subcommittee (n=11)	4.00	3.80	2.40	3.50	2.88	3.14	4.00	3.75	3.4				
Q2: Prefer not to say (n=3)	4.00	4.00	3.00	3.67	2.67	3.33	3.67	3.67	3.5				
Overall	4.23	3.95	2.58	3.74	3.18	3.59	3.96	3.80	3.6				
Number of ratings (respondents on multiple committees)	111	109	95	153	130	138	148	153					
Number of Don't Know	1	3	15	2	14	15	7	2					

Holding to Account						
	Members have direct and genuine involvement	Agenda is consistent with your specific TOR	Comm / Subcomm appropriately supported by staff	Reports sent prior to meetings support decision making	Regular reporting by staff to provide financial oversight and commentary	Overall score
Q2: West Coast Catchment Committee (n=11)	3.33	3.88	3.86	4.00	3.57	3.7
Q2: Waipa Catchment Committee (n=14)	3.25	3.90	4.11	3.89	4.25	3.9
Q2: Waihou-Piako Catchment Committee (n=18)	3.47	3.81	4.38	4.23	4.38	4.1
Q2: Integrated Catchment Management Committee (n=11)	3.09	4.10	4.38	3.75	4.13	3.9
Q2: Central Waikato Catchment Committee (n=11)	3.50	4.11	4.25	4.63	4.38	4.2
Q2: Lower Waikato Catchment Committee (n=15)	3.09	3.70	4.00	3.78	3.89	3.7
Q2: Aka Aka Otatau Drainage Advisory Subcommittee (n=11)	3.43	4.17	4.00	4.20	4.60	4.1
Q2: Lake Taupō Catchment Committee (n=15)	3.79	4.38	4.70	4.40	4.60	4.4
Q2: Upper Waikato Catchment Committee (n=15)	3.17	3.80	4.25	3.44	4.22	3.8
Q2: Coromandel Catchment Committee (n=15)	3.33	4.00	3.88	3.78	4.11	3.8
Q2: Franklin Waikato Drainage Advisory Subcommittee (n=11)	3.56	4.13	4.14	4.14	3.71	3.9
Q2: Waikato Central Drainage Advisory Subcommittee (n=11)	4.00	4.44	4.44	4.11	4.56	4.3
Q2: Thames Valley Drainage Advisory Subcommittee (n=11)	3.00	4.14	4.00	3.60	4.00	3.7
Q2: Prefer not to say (n=3)	3.00	4.00	3.50	4.00	3.50	3.6
Overall	3.39	4.03	4.20	4.01	4.19	4.0
Number of ratings (respondents on multiple committees)	146	130	108	110	109	
Number of Don't Know	2	6	2	0	1	
Compliance						
	Comm / Subcomm meets requirements in CoC	Comm / Subcomm meets requirements in ToR	Comm / Subcomm meets requirements in SO	Feedback from ICMC and Council to comm / subcomm is regular and timely	Overall score	
Q2: West Coast Catchment Committee (n=11)	4.00	4.00	4.29	3.75	4.0	
Q2: Waipa Catchment Committee (n=14)	4.30	3.89	4.11	3.80	4.0	
Q2: Waihou-Piako Catchment Committee (n=18)	4.36	4.00	4.31	3.71	4.1	
Q2: Integrated Catchment Management Committee (n=11)	4.09	4.00	4.00	3.92	4.0	
Q2: Central Waikato Catchment Committee (n=11)	4.10	4.10	4.13	3.27	3.9	
Q2: Lower Waikato Catchment Committee (n=15)	4.22	3.55	3.80	3.60	3.8	
Q2: Aka Aka Otatau Drainage Advisory Subcommittee (n=11)	4.00	3.83	3.83	4.00	3.9	
Q2: Lake Taupō Catchment Committee (n=15)	4.77	4.38	4.36	4.38	4.5	
Q2: Upper Waikato Catchment Committee (n=15)	4.33	3.80	3.90	3.56	3.9	
Q2: Coromandel Catchment Committee (n=15)	3.55	3.50	3.73	3.31	3.5	
Q2: Franklin Waikato Drainage Advisory Subcommittee (n=11)	4.29	4.13	4.00	3.67	4.0	
Q2: Waikato Central Drainage Advisory Subcommittee (n=11)	4.70	4.50	4.40	3.36	4.2	
Q2: Thames Valley Drainage Advisory Subcommittee (n=11)	4.00	4.00	4.13	3.63	3.9	
Q2: Prefer not to say (n=3)	3.67	3.67	3.67	2.67	3.4	
Overall	4.22	3.97	4.08	3.66	4.0	
Number of ratings (respondents on multiple committees)	146	133	130	140		
Number of Don't Know	14	12	16	9		

Value for Money						
	Good use of time	VFM for Council	VFM for ratepayers	Council considers and follows recommendations	Overall score	
Q2: West Coast Catchment Committee (n=11)	3.50	3.38	3.25	4.50	3.7	
Q2: Waipa Catchment Committee (n=14)	3.25	3.58	3.42	3.57	3.5	
Q2: Waihou-Piako Catchment Committee (n=18)	3.94	3.88	4.06	4.40	4.1	
Q2: Integrated Catchment Management Committee (n=11)	3.45	3.55	3.55	4.25	3.7	
Q2: Central Waikato Catchment Committee (n=11)	3.73	3.38	3.30	4.20	3.7	
Q2: Lower Waikato Catchment Committee (n=15)	3.25	3.64	3.64	3.75	3.6	
Q2: Aka Aka Otatau Drainage Advisory Subcommittee (n=11)	3.57	4.14	4.14	3.80	3.9	
Q2: Lake Taupō Catchment Committee (n=15)	3.73	3.67	3.67	3.80	3.7	
Q2: Upper Waikato Catchment Committee (n=15)	3.46	3.31	3.23	3.25	3.3	
Q2: Coromandel Catchment Committee (n=15)	3.17	3.42	3.33	3.75	3.4	
Q2: Franklin Waikato Drainage Advisory Subcommittee (n=11)	3.88	4.13	4.25	4.17	4.1	
Q2: Waikato Central Drainage Advisory Subcommittee (n=11)	4.18	4.40	4.40	3.63	4.2	
Q2: Thames Valley Drainage Advisory Subcommittee (n=11)	3.57	3.71	3.71	4.25	3.8	
Q2: Prefer not to say (n=3)	3.33	2.33	3.00	3.00	2.9	
Overall	3.59	3.66	3.66	3.91	3.7	
Number of ratings (respondents on multiple committees)	147	141	144	95		
Number of Don't Know	0	6	3	11		
Not applicable	2	2	2			
Representation						
Your Committee/Subcommittee...	is characteristic of community it represents	meets community expectations	meets council expectations	has a voice at ICMC level	Is able to have issues heard at Council level	Overall score
Q2: West Coast Catchment Committee (n=11)	3.88	3.00	3.17	4.63	4.50	3.8
Q2: Waipa Catchment Committee (n=14)	3.33	2.75	3.70	3.91	3.90	3.5
Q2: Waihou-Piako Catchment Committee (n=18)	3.63	3.38	3.45	4.00	4.07	3.7
Q2: Integrated Catchment Management Committee (n=11)	3.50	2.90	3.33	3.92	3.67	3.5
Q2: Central Waikato Catchment Committee (n=11)	3.60	3.29	3.50	3.80	4.00	3.6
Q2: Lower Waikato Catchment Committee (n=15)	3.58	3.18	3.22	3.50	3.22	3.3
Q2: Aka Aka Otatau Drainage Advisory Subcommittee (n=11)	4.14	3.86	4.00	3.57	3.43	3.8
Q2: Lake Taupō Catchment Committee (n=15)	3.47	3.33	3.56	4.27	4.14	3.8
Q2: Upper Waikato Catchment Committee (n=15)	3.23	3.00	3.17	4.10	4.00	3.5
Q2: Coromandel Catchment Committee (n=15)	3.77	3.10	3.22	3.82	3.23	3.4
Q2: Franklin Waikato Drainage Advisory Subcommittee (n=11)	4.25	3.75	4.14	3.88	3.29	3.9
Q2: Waikato Central Drainage Advisory Subcommittee (n=11)	4.36	4.00	4.29	3.11	3.63	3.9
Q2: Thames Valley Drainage Advisory Subcommittee (n=11)	3.57	2.80	3.50	4.00	3.71	3.5
Q2: Prefer not to say (n=3)	3.67	3.33	3.67	3.67	3.33	3.5
Overall	3.67	3.26	3.55	3.90	3.76	3.6
Number of ratings (respondents on multiple committees)	147	123	106	137	130	
Number of Don't Know	2	21	36	12	18	

Report to Council

Date:	19 October 2017
Author:	Matthew Davis, Manager Lower Waikato/Waipā/West Coast Catchments
Authoriser:	Clare Crickett, Director Integrated Catchment Management Vaughan Payne, Chief Executive
Subject:	Funding Request - Tauhei Flood Protection Scheme

Purpose

1. The purpose of this report is to seek approval from Council to allocate additional operational funding of \$40,000 to enable evaluation of additional Tauhei flood protection scheme options. The resultant further information will enable more meaningful community engagement and assist local ratepayers in assessing the options and costs associated with the project.

Executive Summary

2. The Tauhei Flood Protection Scheme was first consulted on as part of the 2015-25 LTP and whilst there has been a number of project scope and cost iterations, the approved LTP funding remains at \$3.25m. Progress on scheme investigation and design now indicates that to provide a 10 year flood protection standard for the Tauhei and Mangatea streams would cost between \$9 to \$14m depending on scope and source of fill material.

The new cost information was presented to directly affected landowners in July but wider consultation has yet to be undertaken. Current information only allows for community consideration of limited options being the status quo or support for the full scheme at a significantly higher cost than originally estimated.

Approval is sought to allocate a further \$40,000 of operational expenditure to evaluate a wider range of options including those that may be more acceptable to the community.

Staff Recommendation:

1. That the report Tauhei Flood Protection Funding Request dated 19 October 2017 be received, and
2. That approval be given to allocate \$40,000 of additional operational funding to the Tauhei Flood Protection Scheme project to enable further project staging and level of service options to be evaluated and presented to the local community.

Background

3. The upper Tauhei area lies within the Lower Waikato and Waipā Flood Control Scheme. The current provision of stopbanks does not provide consistent protection from flooding. The stream channel and floodway system is too narrow and existing stopbanks are built too close to the streams. As a result, farmland in the area floods frequently – a problem that is exacerbated by sinking ground levels in the upper catchment. Development in the area has also intensified in the last 15 to 20 years, increasing the rate of drainage runoff.
4. The Tauhei Flood Protection Scheme objectives are:
 - A consistent standard of protection from 10-year flood events

- Reduced frequency, depth and duration of flooding
 - An improved drainage and floodway system across the catchment
 - More stable channels and stream banks; and
 - Environmental improvements through riparian planting.
5. In addition, outside of formal consultation periods the community requested the following:
- Best return for investment and staged works to meet community affordability
 - Start at Crockett’s Bridge up to the Special Area drain
 - Reinstatement of land to pasture
 - Re-fencing
 - Repositioning or replacement of any bridges, tracks or floodgates; and
 - Compensation for loss of land or soil and use of land.
6. From 2015, the Waikato Regional Council included the Tauhei scheme in its Long Term Plan (LTP) and consulted on it during the 2016/17 and 2017/18 Annual Plans (AP) (Table 1).

Table 1. Summary of consultation on the Tauhei Flood Protection Scheme project

2015-2025 Long Term Plan	2016/17 Annual Plan	2017/18 Annual Plan
The Tauhei Flood Protection Scheme was first presented and consulted at an estimated cost of \$3.25 million.	Consultation on extensive flood protection works, revised funding and increase in costs to \$4.28 million.	Consultation on staged approach of flood protection works and support for a Stage 1 up to \$1.6 million.

Issue

7. Current project and cost information limits community consultation to options of either continuing the status quo of frequent flooding, or a service level upgrade at a likely unaffordable cost. **There is an opportunity to provide the desired flood protection over a longer delivery timeframe but in order to present this opportunity to the wider community, further options and cost information is required. This further investigation work requires approval for additional funding.**

Options and analysis

8. There are two options available to council for consideration:
- Decline the request for additional operational funding – This option would limit community consultation to considering the status quo of limited flood protection or supporting the implementation of the full 10 year flood protection scheme at a cost of between \$9 and 14m.
 - Approve the request for additional funding – This option would recognise flood protection schemes can be funded and delivered over a longer more affordable timeframe. The additional funding would enable options to be developed for community consideration

Assessment of Significance

9. Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance.

Legislative context

10. This report is consistent with the Local Government Act which requires consideration of all options.

Preferred Option

11. The preferred option is to obtain approval for the additional funding to enable further project delivery options to be presented to the local community.

Policy Considerations

12. The preferred option is consistent with Council policies on the provision of flood protection services.

Conclusion

13. It is concluded that the allocation of additional operational budget would provide the opportunity to undertake more meaningful community consultation on options to achieve improved flood protection in the Mangatea and Tauhei catchments.