

Kaipara Moana Remediation Joint Committee Minutes

Rā Date:	24 July 2023
Tāima Time:	12pm – 3pm
Tauwāhi Location:	Ōtūrei Marae, 11 Ōtūrei Settlement road, Aratapu
Tuhinga Present	Tame Te Rangi, (Chair), Te Rūnanga o Ngāti Whātua Jack Craw, Northland Regional Council John Blackwell, Northland Regional Council Kerrin Leoni, Auckland Council (11.35 arrival) Michelle Carmichael, Auckland Council Taiāwhio Wati, Te Uri o Hau Virginia Warriner, Te Rūnanga o Ngāti Whātua
I Tae Mae In Attendance	Justine Daw, Pou Tātaki, Kaipara Maurikura Ben Hope, Ringa-Pārongo, Kaipara Maurikura Darren Van Beek, Kaiārahi Whakaora Whenua Kōawa, Kaipara Maurikura Galilee Miles, Kaitohutohu, Kaipara Maurikura Griffin Hope, Pūtohu-Hononga Hapū Hapori, Kaipara Maurikura Sophie Bone, PA and Governance Support, Kaipara Maurikura Stephanie Versteeg, Amo-Rautaki Pākihi, Kaipara Maurikura Tahiroa Bishop, Pūtohu-Rauora Kōawa, Kaipara Maurikura William Wright, Ringa-Hononga Mana Whenua, Kaipara Maurikura Celia Witehira, Kōrero Tuku Iho Project Manager, Presenter Dave McDermott, Consultant Duncan Kervell, Consultant Katie Owen, Kaitātari Matua, MfE Observer Rachel Ropiha, Kaiwhakatere, MfE Observer Haukāinga Members

The Chair declared the meeting open at 12.38.

Karakia Timatanga and Whakatau

Ngā whakapahā | Apologies (Item 1.0)

Moved (Craw / Warriner)

That the apologies from Members Amy Macdonald, Cherie Povey, Georgina Curtis-Connelly, Greg Sayers and Jane Sherard for non-attendance be received.

Carried

Nga whakapuakanga | Declarations of Conflicts of Interest

It was advised that members should make declarations item-by-item as the meeting progressed.

Confirmation of Minutes (Item 4.1)

Report from Sophie Bone, PA and Governance Support

Moved (Blackwell/Carmichael)

1. That the minutes of the Kaipara Moana Remediation meeting held on 1 May 2023 be confirmed as a true and correct record.

Carried

Joint Committee Action Tracker (Item 5.1)

Report from Sophie Bone, PA and Governance Support

Moved (Warriner/Leoni)

1. That the 'Joint Committee Action Tracker' be received.

Carried

Joint Committee Forward Workplan (Item 5.2)

Report from Sophie Bone, PA and Governance Support

Moved (Craw/Blackwell)

1. That the report 'Joint Committee Forward Workplan' be received.

Carried

Winter Planting Update (Item 6.1)

Report from David McDermott, Contractor

Moved (Warriner/Craw)

That the Joint Committee:

1. Note the presentation 'Winter Planting Update', by David McDermott, Consultant, made to the Joint Committee on 24 July 2023.

Carried

Secretarial note:

Members asked why some nurseries were unable to meet KMR's pre-order offer. The reasons were varied, including biosecurity risk (myrtle rust), the nurseries were already out of stock, or they did not have eco-sourced plants available. It was also clarified that the nurseries unable to meet the offer would continue to act as suppliers for KMR, provided they continued to meet the accredited supplier criteria.

Member Craw asked how it was decided which nursery plants would supply projects. KMR staff responded that we aimed to be as flexible as possible to align with landowner preference but maintained central ordering coordination to take into account eco-sourced plant availability, delivery costs, and pre-ordering commitments.

Member Blackwell asked how Zone D (eroding hillside) planting would affect pre-ordering, and KMR's nursery specialist confirmed that the numbers of plants supplied to KMR would increase

overall, although this would be in a much narrower range of species than for waterway-adjacent planting.

Member Carmichael asked if accreditation status would still stand through change of nursery ownership. Dave responded that this was not necessarily the case, as the new owner would not necessarily meet accredited supplier criteria and may have a supply interruption.

The nursery specialist confirmed that visits are made to all KMR accredited nurseries in spring, for an informal check that they continue to meet KMR accredited supplier criteria.

Member Craw asked if eco-sourcing was based on DOC Eco-Districts. KMR staff confirmed this and noted that some species could be planted across several districts, with other districts particularly sensitive.

The Pou Tātaki noted that due to a gap in supply around the North Head area of the catchment, a Satellite Nursery was proposed in that area. Member Wati asked if Satellite Nurseries might be established with a supply based on Zones identified for projects. The nursery specialist responded that the nurseries are most importantly developed with a view to ensuring the eco-source, and that the proposed Waikāretu Satellite Nursery would access and propagate eco-sourced seed from the Poutō peninsula, while also supplying plants suitable for planting in KMR Zones A, B, C and D. The nursery specialist further commented that for restoration planting there are some 'bread and butter' species which do well in multiple zones, e.g., on open ground, slopes and in wetlands, and that KMR's Planting Guide already prioritised those species.

There was further discussion around eco-sourcing and the role this played in improving plant survival.

Wright commented that most of the Kaipara Moana catchment is well supported by KMR-accredited nurseries, but the Satellite Nursery was important to fill the supply gap for Poutō and nearby areas.

Implementing the Soil Conservation Strategy and Action Plan (Item 6.2)

Report from Stephanie Versteeg, Amo-Rautaki Pākihi | Strategic Business Manager, Duncan Kervell, Contractor

Moved (Craw/Carmichael)

That the Joint Committee:

1. *Receive* the report 'Implementing the Soil Conservation Strategy and Action Plan' by Steph Versteeg, Amo-Rautaki Pākihi, dated 24 July 2023.
2. *Note* that KMR staff, supported by relevant experts and programme partners, are finalising operational details necessary to implement the Soil Conservation Strategy and Action Plan, as endorsed by the Joint Committee on 1 May 2023.
3. *Note* that earlier feedback and direction from the Joint Committee on 1 May 2023 is being taken into account in implementation planning.
4. *Endorse* the operational direction set out in this paper.
5. *Note* that criteria and guidelines to support good practice in works in erodible hill country are being peer reviewed by relevant technical experts and KMR partners.
6. *Note* there is also an opportunity to make minor amendments to some existing criteria for waterway adjacent works, in order to align with good practice or operational realities.
7. *Agree* to delegate final decisions to confirm or re-confirm KMR's operational criteria and the Call for Expressions of Interest to the Pou Tātaki, noting these will align with the Operational Strategy and Action Plan endorsed by the Joint Committee and the direction set out in this paper.

8. Note that training and communications will be key to successful implementation of the Soil Conservation Strategy and Action Plan, and that these will be carefully planned and executed.

Carried

Secretarial note:

Member Carmichael asked if KMR is liable for damage caused by the advised setbacks. Pou Tātaki responded that the liability falls on the landowner, but this would be double-checked.

Member Carmichael then questioned if the setback advice took into account the growth of the tree to maturity, including canopy and root base, and whether there are any central government storm-related grants that could be applied for to support KMR's recovery work. Staff confirmed that tree growth is taken into account for setback advice. The Pou Tātaki responded that storm grants had been looked into, and it did not appear that KMR was eligible at the time. She commented that KMR has different eligibility to landowners for most funding, and that the onus was on landowners accessing wider funding for support following the adverse weather. However, as KMR moved into more projects on public lands (for example with district council partners), this would be monitored.

Member Carmichael made suggestions for Attachment 1 (the Draft Call for Expressions of Interest). Suggestions included that it may be beneficial to promote the flexibility and collaborative approach that KMR applies, as well as clarifying that works are designed proactively to ensure that they do not worsen flooding impacts.

Member Blackwell noted in respect of fencing and planting setbacks that in some cases, e.g., the Kaihū River, maintenance was completed by digger, and that planting could interfere with access. He questioned if KMR took this into account. The Pou Tātaki clarified that KMR is always governed by rules, plan requirements and policies, and so if special setbacks were required, we honoured those including in respect to areas that cannot be planted due to drainage system requirements. NRC had also advised the width and operational requirements of its new flood management machinery, which KMR took into account for fencing and planting on the relevant stretches of this river. General discussion followed, regarding landowner preferences, and the abilities and restrictions of KMR given the rules around rivers and drains, and how the regulations in these spaces differ across regions and districts.

Chair Te Rangi identified the relevance of the present Water Reforms to the catchment. He noted that there are various options being applied in various parts of the catchment to manage river systems for floods, and that this was something about which to be mindful. One example was the Kaihū Valley Trail, where a dairy block owner had stated that no digger work had taken place in over 20 years. He spoke to the importance of viewing the river system from headwaters to the moana, aligning flood management in rural settings and stormwater management through the reforms.

A question was asked by a Haukāinga Member about environmental monitoring. The Pou Tātaki responded that KMR was not mandated to undertake or fund environmental monitoring (that was a matter for councils), but that we did broker conversations about monitoring, as while sediment monitoring would not show statistically meaningful change for some time given the nature of sediment contamination, it was important in the long-term that a whole-of-catchment monitoring approach be implemented. The Pou Tātaki also clarified that ultimately KMR would like to adopt a monitoring and outcomes framework that echoed that developed and used by the Waikato River Authority. In short, each of the main sub-catchments had worked through a process to identify values and aspirations, and this guided monitoring and reporting to reflect issues of greatest importance to the local iwi and community. The Kōrero Tuku Iho process in development was critical to moving to such a regime, should the KMR governors endorse this.

Member Wati sought clarification on planting and fencing road setbacks, noting the storm damage that cut off access to Poutō, and raising the importance of ensuring we do not create a new problem, when trying to resolve a sediment-driven one. The Pou Tātaki agreed and noted that while sediment was our driver for taking action, KMR's operational policy settings sought to deliver wider

environmental, economic and social outcomes, as per the KMR investment outcomes set out in the MOU and including resilience outcomes. KMR's proposed fencing and planting setbacks and rules on Zone D (hill country) took into account the potential impacts of adverse weather in respect of wind and flood damages, with a view to minimising those.

Member Craw spoke to Attachment 3 (the list of non-weedy exotic species available for KMR use). He raised the concern that the settings proposed were not conservative enough and suggested that KMR consider how to assess species that had been proven to be weedy in different countries, and/or that had the potential to become weedy in New Zealand due to a changing climate. KMR agreed that this needed to be clarified in Attachment 3, as the intent was not just to assess known weediness in New Zealand. KMR staff agreed to review the Perth-based database of weediness, which highlighted weediness of different species globally.

Chair Te Rangi noted that some forestry left small trees standing in order to seed and urged KMR to be mindful of the Wilding Pine example as a salutary reminder of the risks.

Programme Rephasing (Item 6.3)

Report from Stephanie Versteeg, Amo-Rautaki Pākihi | Strategic Business Manager

Moved (Warriner/Carmichael)

That the Joint Committee:

1. *Receive* the report 'Programme Rephasing' by Stephanie Versteeg, Amo-Rautaki Pākihi, dated 24 July 2023.
2. *Note* that KMR is working with the Ministry for the Environment to secure a 'time-only' extension (rephasing) of the KMR programme contract.
3. *Note* the scenario modelling undertaken by Grant Thornton to support the rephasing discussions (Attachment 1).
4. *Note* that four scenarios were modelled (over 10 years and 12 years), with a 12-year \$200m programme most likely to reflect a realistic level of annual activity and expense.
5. *Note* that while not explicitly modelled in the Grant Thornton model, in line with Memorandum of Understanding commitments, the working assumption is that both Councils will continue to support the KMR programme for an extended contract term to some degree, given that Councils will continue to benefit materially from the Crown investment in KMR, but that this will need to be tested through the respective Long Term Plan processes.
6. *Provide* direction to the Kaipara Maurikura on preferred scenarios to inform further discussion with the Ministry for the Environment.

Carried

Secretarial note:

The Pou Tātaki noted that the MoU already speaks to a 10-year programme, and refers to additional Council contributions beyond the life of the current contract in order to continue support for KMR. Councils benefited significantly from the Crown investment: Currently, for every Council dollar invested in KMR, each Council had a return of 10 to 1. In other words, for every \$1 invested, each Council saw a return of \$10. If the programme was extended, this positive of return would continue: Council investment over a ten year programme would yield an investment ratio of \$6.25 to every \$1 invested; while a 12 year programme would yield a \$5 to \$1 return on investment.

Member Carmichael commented that a longer period could result in increased operational efficiency and research and would give more time to observe benefits and outcomes. In addition, sediment reduction impact modelling could be more accurate. Member Carmichael asked if an extension in time would potentially result in reduction of plant costs as nurseries would have long-term

employment and demand certainty. She suggested these benefits be added to the business case for a programme extension. KMR staff agreed that there were some significant benefits from extension, and that already large-scale planting had demonstrated some pricing benefits from more stable demand and supply regimes.

The Pou Tātaki spoke to the original programme phasing being a ‘steep mountain’ with unrealistic peak delivery years. She also noted that local suppliers (workforce) would struggle with this peak, because of the real-world difficulty in investing in scaling up, and taking on more staff, only to reduce the business a year or two afterwards. There was also a concern in respect to nursery investment in propagating taonga species, which could take several years to grow to plantable size. The uncertainties of a KMR with ‘steep mountain’ growth and then rapid down-sizing were real – and they stymied willingness to invest in both workforce and infrastructures.

Member Craw noted that he was supportive of an extension. He asked what the modelling of overheads looked like for the longer timeframe. Stephanie Versteeg responded that these models were included in Attachment 1 – Grant Thornton report. Member Craw noted that KMR is still in the expansion phase, only just beyond establishment and that the programme will have ongoing momentum after 6 years, at which stage there may be an opportunity to leverage from other future funding e.g. Climate Change funds.

Stephanie Versteeg added that if there were real time pressures on KMR – it was important that the programme sought an extension sooner rather than later, because partnerships take time and we already have landowners seeking multi-year contracts, to which KMR is already in some cases unable to commit. The Pou Tātaki noted that this is starting to get in the way, because KMR cannot, under the Public Finance Act, commit to contracts (projects) beyond the funding. In other words, we were running out of engagement and funding ‘run way’ just as KMR was really getting going.

Member Warriner asked what the next steps were, particularly if the time extension was accepted by the Crown. Steph informed members that staff were meeting with MfE the following day, to discuss guidance from Governors received at today’s Hui and submission of the technical report from Grant Thornton.

Chair Te Rangi reminded the group that it took significantly longer than 6 years to cause the sediment damage to the Kaipara Moana, and we have to keep our focus on the question of how the environment benefits from our choices. He asked who will benefit from the restoration of the Moana, noting the commercial fisheries industry would certainly do so, given over 90% of Snapper in the West Coast fisheries spawns from the Kaipara Moana. A wide segment of the population and many industries benefit from remediation of the Kaipara Moana. He indicated that we want to be aware of creating a ‘Gold Rush’, as land and commercial values increase. It would take time to reverse the situation whereby snapper gills were mutating from the contaminants in the sediment in the Kaipara Moana, putting into perspective the decision to extend the programme.

Katie Owen, an Observer from MfE, was asked to comment on the Crown’s position and next steps. and confirmed that the plan was to take the extension case to the last Cabinet meeting in August before the General Elections. Stephanie Versteeg agreed that we were in a time-limited window.

Chair Te Rangi also highlighted that all 12 Members will need to be acutely aware of the next steps and emergent direction on this matter, given that 5 of the 12 KMR Joint Committee Members were absent from the meeting and discussions on this important issue.

Member Carmichael confirmed her support for a time-only extension and for a 10 year programme (Scenario 3) and Member Craw also noted his support for this scenario.

Member Warriner asked if Members will receive an update at the workshop next month, which was confirmed by the Pou Tātaki.

Kōrero Tuku Iho Update (Item 6.4)

Report from William Wright, Ringa-Hononga Mana Whenua | Mana Whenua Relations Lead, Celia Witehira, Kōrero Tuku Iho Project Manager

Moved (Wati/Blackwell)

That the Joint Committee:

1. Receive the report titled 'Kōrero Tuku Iho Update' by Celia Witehira, Kōrero Tuku Iho Project Manager, dated 24 July 2023.
2. Note that this report provides an update on Stage 2 design and implementation, including the goal and vision of and the Reference Rōpū.

Carried

Secretarial note:

Celia Witehira updated the Joint Committee on the proposed Whakatauirā, noting they are still in the scoping phase. She commented that a deep knowledge and understanding of place takes time and can only come from Tangata Whenua.

Member Carmichael asked about the approach of starting the Whakatauirā in multiple areas, and whether it would be more suitable to start with one area. Celia responded that the timing for each area will be different, and only one may be fully stood up in the current financial year.

Member Wati asked how the Whakatauirā areas were selected, and Celia responded that it was decided by the Reference Rōpu, based on a number of factors and understanding of significant areas, supported by the 'Analysis and Advice' section of the report (Item 6.4).

Willie Wright further commented that other underpinning factors included where there was a high proportion of highly erodible land that were linked to many groups because of the sensitivity and ecological significance of the proposed case study sites.

Chair Te Rangi commented that connectivity is the cornerstone of KMR's activity, and that Māori communities are experiencing multiple points of engagement at this time, most if not all of which are unpaid. Mindful of this, Kōrero Tuku Iho should maintain awareness and sensitivity and work with these communities to engage when they are ready – this may take time, especially for processes that start at the headwaters and include the whole catchment. He iterated that these engagements involve a transfer of information, which needs to be carefully managed.

Pricing Review (Item 6.5)

Report from Report from Darren Van Beek, Kaiārahi Whakaora Whenua Kōawa | Remediation Programme Lead, David McDermott, Consultant

Moved (Blackwell/Craw)

That the Joint Committee:

1. Note the presentation 'KMR 2023 Pricing Review', by Darren Van Beek, Kaiārahi Whakaora Whenua Kōawa, and David McDermott, Consultant, made to the Joint Committee on 24 July 2023.

Carried

Secretarial note:

Member Craw asked if staff were looking into drone spraying options as an alternative to helicopter spraying, and staff responded that while they did not have pricing for this in the KMR Schedule of

Prices as yet, KMR is open to the idea of including this treatment as it can be very cost-effective, and expect that it will be introduced in future once more accredited partners are using it.

Duncan Kervell informed Members that a test of drone-spraying may take place at a Navigator project site due to significant constraints relating to access and wetness.

Chair Te Rangi asked if thought had been given to commercial plant contractor loading machinery as some landowners or whanau may struggle with the physical requirements of unloading plants. KMR staff responded that KMR currently uses half litres (28-cell trays of plants) or '50s' as this is the sizing of plants on delivery, and these are generally able to be unloaded without specialist equipment, but in some large-scale orders commercial equipment may be appropriate.

Member Wati questioned the effects of the spray used for site preparation and maintenance, and how this affects the Moana, referencing the snapper gill mutations observed in the past. Member Craw assured Member Wati that the spray programme decreases steeply over the first few years, after which spray is not required. [Note: KMR only supports weed management spraying for a period of either 2 or 3 years after planting, depending on the planting type].

The Pou Tātaki clarified to members that we support landowners if they choose a spray-free [i.e hand removal or other alternative management] option for weed management. Such options would realistically only be possible for small-scale planting.

Pou Tātaki Report (Item 6.6)

Report from Justine Daw, Pou Tātaki

Moved (Leoni/Blackwell)

That the Joint Committee:

1. Receive the report 'Pou Tātaki Report', by Justine Daw dated 24 July 2023.

Carried

Secretarial note: Item brought forward to 12.56 to assist time management before lunch.

Committee and Executive Interests (Item 6.7)

Report from Sophie Bone, PA and Governance Support

Moved (Carmichael/Wati)

That the Joint Committee:

1. Note the paper 'Committee and Executive Interests', by Sophie Bone, PA to Pou Tātaki and Governance Support, dated 5 July 2023.
2. Request that Joint Committee members provide advice of any new or changed interests to the interests shown in Attachment 1.

Carried

Secretarial note: Item brought forward to 1.03pm to assist time management before lunch.

Karakia Mutunga

Whakamutunga (Conclusion)

The meeting concluded at 3.32pm