

Lake Rotorua Catchment Stakeholder Advisory Group

Terms of Reference

December 2012

Context

The Rotorua Te Arawa Lakes Strategy Group (Strategy Group) was established under the Te Arawa Lakes Settlement Act 2006 and is a co-governance entity that brings together representatives of the Te Arawa Lakes Trust, Bay of Plenty Regional Council (BoPRC) and Rotorua District Council (RDC). The Strategy Group is tasked with providing the overall direction for the Programme and is the key funding decision-making body. The Strategy Group's vision is:

“promotion of the sustainable management of the Rotorua Lakes and their catchments, and for the use and enjoyment of present and future generations, while recognising and providing for the traditional relationship of Te Arawa with their ancestral lakes”.

In March 2008, central government agreed to contribute \$72.1 million over ten years to implement the Rotorua Lakes Protection and Restoration Programme, amounting to 50 per cent of the total cost (\$144.2m). In early 2012 the Strategy Group recommended that \$45.5m be allocated for incentives to reduce nitrogen leaching from rural land in the Lake Rotorua catchment by approximately 200 tonnes. Additional reductions are needed to meet sustainable loads and BoPRC has approved the development of rules to help meet the estimated combined reduction of 270 tonnes needed from rural land.

A public forum of stakeholders was held in August 2012 with the support of the Strategy Group partners. The forum recommended the formation of the Lake Rotorua Catchment Stakeholder Advisory Group to advise on the design and implementation of rules and incentives to achieve the nutrient target reductions from rural land.

Group purpose

The main purpose of the Lake Rotorua Catchment Stakeholder Advisory Group (the “Group”) is:

1. To provide oversight, advice and recommendations on “rules and incentives” options that will achieve the nutrient reduction targets needed from rural land in order to meet Lake Rotorua’s water quality target. This shall include advice on implementation options and District and Regional statutory plan changes.

The Group shall also:

2. Facilitate engagement with all stakeholders, in conjunction with the three partners represented within the Rotorua Te Arawa Lakes Strategy Group (RTALSG)

3. Advise on progress in developing and implementing rules and incentives, and make associated recommendations, to improve both progress of the programme and stakeholder relationships.

Group establishment

4. The Group has been established by resolution of the RTALSG on 28th September 2012 and by signatures to this Terms of Reference document of the three RTALSG partners, represented by the Mayor of Rotorua, the Te Arawa Lakes Trust Chairman and the Bay of Plenty Regional Council Chairman.

Group advisory, engagement and reporting functions

5. To achieve the Group's advisory purpose, it will:
 - a. Work with staff from the RTALSG partners and invited experts to investigate rules and incentives options and implementation options, assess their merits, rank options and make recommendations to the RTALSG and its partners;
 - b. Develop guidelines to evaluate rules and incentives options.
6. Individual members of the group shall engage with their respective agencies and sectors to ensure a two way flow of ideas and feedback on draft advice and other relevant matters.
7. The Group may occasionally seek broader stakeholder input by convening a stakeholder plenary or by other appropriate means. This engagement shall be done in conjunction with the RTALSG partners.
8. The Group shall report regularly to RTALSG and each of its partner agencies. The frequency and form of this reporting shall reflect the subject matter and urgency of the advice, particularly any relevant statutory planning timeframes.
9. To give structure to these functions, the Group shall develop a twelve month work programme within three months of being established.

Group composition, member selection, chairing and quorum

10. The Group shall comprise a minimum of twelve members, and a maximum of fifteen members, from the following sectors and agencies : Lake Rotorua Primary Producers Collective (LRPPC), Lakes Water Quality Society (LWQS), Bay of Plenty Regional Council (local elected member), Rotorua District Council (elected member), Te Arawa Lakes Trust, Maori Trustee, Forestry sector, Maori landowners, Small block owners, and any other bona fide stakeholder group subsequently agreed by Group consensus.
11. Group members shall be selected by their respective sectors and agencies (as per Clause 10) on the basis of the knowledge and skills they can bring to the table, particularly an ability to operate in a collaborative manner.

12. LRPPC members must own or be directly associated with rural land in the Lake Rotorua catchment.
13. Each sector/agency shall nominate alternate members (at least one per sector/agency) and replacements as they see fit, subject to maintaining continuity where practicable.
14. The Group shall elect its own Chairman at its first meeting.
15. The quorum shall be seven members.
16. Staff from member organisations may attend and take an active part in Group discussions, but will not have voting rights unless they are also the selected Group members (as per Clause 10). Additional non-voting participants¹ may be invited to specific meetings at the Group Chairman's discretion.

Limitation of powers

17. There is no delegation of Council and/or RTALSG decision making authority to the Group.
18. The Group in its own right shall not make formal submissions on Council plans or resource consent matters.

Group operations

19. The Group shall operate in a collaborative fashion, both within its own setting and in its engagement with others, guided by the following:
 - a. Respect for all views at the table.
 - b. Wherever possible, decisions on advice (the Group's primary purpose) shall be by consensus, with a majority vote taken only if necessary.
 - c. Minority view(s) and associated reasons shall be recorded along with the majority view.
 - d. Observation of Te Arawa tikanga Maori.
 - e. Group members shall raise issues relevant to their sector/agency, but they are not "representative" in the sense that they are mandated to or expected to speak on behalf of their sector/agency.
 - f. The timely circulation of meeting agendas and minutes.
20. Group meetings shall generally be open to the public with any meeting publicity and speaking rights at the discretion of the Group Chairman. However, pending a majority group vote, public may be excluded from specified meeting sessions.

¹ This could include Federated Farmers, Fish & Game, Department of Conservation, Ministry for the Environment, Ministry of Primary Industries, rural professionals, scientists, economists, landowners, staff and elected members from other regions etc.

21. The Group shall meet monthly with additional meetings and engagement at the Group's discretion.

Group support, liaison and remuneration

22. Logistical support will be provided by BoPRC, including secretarial support, meeting rooms, documentation, printing and other practical support that will enable the Group to carry out its advisory purpose and reporting functions.

23. BoPRC shall provide the services of a non-voting Secretariat to:

- a. develop on behalf of the Group, practical concepts in respect of the design of policy, rules and incentives, and implementation options;
- b. to formally and informally engage with BoPRC, RDC, TALT and Group members to effect the purpose of the Group.

24. The group may request reports and expert advice via BoPRC, RDC and TALT channels.

25. Group members and the Secretariat shall be remunerated by BoPRC at a level to be agreed with the Group.

Term and review

26. The Group shall be established for an initial term of two years. The RTALSG may, every second year thereafter, resolve at its discretion to reconvene the Group for additional term of two years.

27. Notwithstanding Clause 26 the RTALSG may choose to review the need for and the effectiveness of the Group, one year after the Group's first meeting and at further times as the RTALSG resolves.

Definitions

Lake Rotorua's water quality target is formally represented by a "Trophic Level Index" (TLI) value of 4.2. The Proposed Regional Policy Statement states that sustainable annual nitrogen load corresponding to this TLI value is 435 tonnes (tN/y).

Nutrient reduction targets means the reductions needed in nitrogen and phosphorus loads from the catchment, in order to achieve Lake Rotorua's water quality target of TLI = 4.2. To achieve the sustainable annual nitrogen load of 435 tN/y, the overall reduction is 320 tN/y, with a rural component of 270 tN/y².

Rural land means agricultural and forest land, including dairy, drystock (sheep, beef, deer etc), cropping, horticulture, exotic plantation, native bush/forest, lifestyle blocks and land with gorse and scrub vegetation.

Consensus decision-making is a group decision making process that seeks the consent - not necessarily the agreement - of participants and the resolution of objections. Consensus is defined by Merriam-Webster as, first, general agreement, and second, group solidarity of belief or sentiment. It is used to describe both the decision and the process of reaching a decision.

Tikanga (noun) correct procedure, custom, habit, lore, method, manner, rule, way, code, meaning, plan, practice, convention.

² Catchment modelling by NIWA using the ROTAN model estimates a "steady state" N load based on current land use = 755 tN/y (including all land, sewage, geothermal, rainfall etc). To achieve a sustainable N load of 435 tN/y, a reduction of 320 tN/y is needed. The potential reduction from engineering actions (sewage reticulation, Tikitere geothermal treatment etc) is 50 tN/y. This means a 270 tN/y reduction is needed from rural land.