Northland Regional Council Regional Policy Committee

Meeting Agenda

Regional Policy Committee

For meeting to be held in the Council Chambers, 36 Water Street, Whangarei, on Monday, 23 March 2015, commencing at 1.00pm.

NORTHLAND REGIONAL COUNCIL Regional Policy Committee

Agenda

For meeting to be held in the Council Chambers, 36 Water Street, Whangarei, on Monday, 23 March 2015, commencing at 1.00pm.

MEMBERSHIP OF THE REGIONAL POLICY COMMITTEE

Cr G Ramsey, Chairman

Cr D Sinclair Cr J Carr Cr C Brown
Cr B Shepherd (ex officio) Cr J Bain

OPEN MEETING

| Item | | Page |
|------|---|------|
| 1.0 | APOLOGIES | - |
| 2.0 | DECLARATIONS OF CONFLICTS OF INTEREST | - |
| 3.0 | OPEN MEETING | - |
| 3.1 | Confirmation of minutes of the Regional Policy Committee Meeting – 23 February 2015 | 1 |
| 3.2 | New Regional Plan – Project Plan | 5 |

ITEM: 3.1 Page 1 of 1

| ISSUE: | Confirmation of Minutes – 23 February 2015 | | | | | |
|---|--|---|-------|--|--|---------------------|
| ID: | A731142 | | | | | |
| To: | Reg | ional Policy Commi | ittee | , 23 March 2015 | | |
| From: | Evar | nia Laybourn, Com | mitte | ee Secretary | | |
| Date: | 09 N | larch 2015 | | | | |
| Report Type: | V | Normal operations | | Information | | Decision |
| Purpose: | | Infrastructure | | Public service | | Regulatory function |
| r urpose. | V | Legislative function | | Annual\Long Term Plan | | Other |
| Significance: | | High | | Moderate | | Low |
| | f this | report is to preser neeting held on 23 | | e unconfirmed minutes or ruary 2015 (attached) f | | |
| Legal compliance and significance assessment: Councils are required to keep minutes of proceedings in accordance with the Local Government Act 2002. Recommendation(s): | | | | | | |
| That the minutes of the Regional Policy Committee meeting held on 23 February 2015 be confirmed as a true and correct record. | | | | | | |

NORTHLAND REGIONAL COUNCIL REGIONAL POLICY COMMITTEE

Minutes of the Regional Policy Committee Meeting held in the Council Chamber, Northland Regional Council, 36 Water Street, Whāngārei, on Monday 23 February 2015, commencing at 2.00pm

Present: Northland Regional Council

Cr Graeme Ramsey (Chairman)

Cr Craig Brown Cr David Sinclair Cr Joe Carr Cr Dover Samuels Cr John Bain

In Attendance:

Chief Executive Officer – Malcolm Nicolson

Senior Programme Manager – Resource Management

Programme Manager – Policy Development

Committee Secretary

Meeting opened at 2.00pm and was adjourned at 2:01pm.

The Regional Policy Committee meeting reconvened the meeting at 3:06pm

Apologies (Item 1.0)

Moved Cr Ramsey/Cr Brown

That the apology from Cr Bill Shepherd for non-attendance be received.

Carried

Declaration of Conflict of Interest (Item 2.0)

The Chairman gave members the opportunity to declare an interest on any item of business on the agenda for the meeting.

Confirmation of minutes – 15 December 2014 (Item 3.1) Report from Evania Laybourn, Committee Secretary dated 16 February 2015. ID: A726441

Moved Cr Bain/ Cr Sinclair

1. That the minutes of the Regional Policy Committee Meeting held on 15 December 2014 be confirmed as a true and correct record.

Carried

Tāngata whenua issues and options report (Item 3.2) Report from Ben Lee, Programme Manager – Policy Development dated 10 February 2015.

ID: A723089

Moved Cr Dover Samuels/Cr David Sinclair

- 1. That the report "Tangata whenua issues and options" by Ben Lee, Programme Manager Policy Development and dated 10 February 2015, be received.
- 2. That the Regional Policy Committee receives the report by Keir Volkerling titled "Review of the NRC Regional Plans Tangata Whenua Issues and Options".

Carried

Conclusion

The meeting concluded at 3.10pm

ITEM: 3.2Page 1 of 2

| | | | Page 1 of | | | |
|---------------|----------------------------------|---------------------------|---------------------|--|--|--|
| ISSUE: | New Regional Plan – Project Plan | | | | | |
| ID: | A22813 | | | | | |
| To: | Regional Policy Comm | ittee, 23 March 2015 | | | | |
| From: | Ben Lee, Programme N | Manager – Policy Developm | ent | | | |
| Date: | 12 March 2015 | | | | | |
| Report Type: | ✓ Normal operations | ☐ Information | Decision | | | |
| Durnaga | ☐ Infrastructure | Public service | Regulatory function | | | |
| Purpose: | Legislative function | Annual\Long Term Plan | Other | | | |
| Significance: | Triggered | ✓ Not Triggered | | | | |
| Evocutive Su | Immonu | | | | | |

Executive Summary:

The purpose of this report is to present the project plan for preparing the new Regional Plan to the committee for approval.

Please refer to the <u>attached report</u> for more information.

Legal compliance and significance assessment:

The activities detailed in this report are part of the council's day to day operations, are provided for in the council's 2012-2022 Long Term Plan, and are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002. The matters are not significant under council policy.

Recommendation(s):

- 1. That the report "New regional Plan Project Plan" by Ben Lee, Programme Manager Policy Development and dated 12 March 2015, be received.
- 2. That the Regional Policy Committee approves the project plan for the new Regional Plan as attached to this report.

ITEM: 3.2 Page 2 of 2

Report

The proposed project plan is attached.

The committee will recall a draft project plan for preparing the new Regional Plan was presented to the committee at the 23 February 2015 committee workshop. The committee requested a number of changes, and these are shown in the attached as 'tracked changes' and/or comments.

Regional Plans Review - Project Plan

| Version # | Author | Date | Reason for Release |
|--------------|---------|---------------|---|
| 1 | Ben Lee | 10 Feb 2015 | First draft for 23 Feb RPC workshop |
| 2 | Ben Lee | 12 March 2015 | For RPC approval (changes shown as 'tracked changes' or noted by comment. |

1. Overview / key milestones

| Milestone | Timeframe |
|---|------------------------|
| Confirm project plan - RPC | March 2015 |
| 2. Confirm structure of regional plan and | April 2015 |
| section 32 report template ¹ - RPC | |
| 3. Committee workshops seeking approval / | April 2015 – June 2016 |
| direction for plan content and section 32 | |
| 4. Committee approves draft regional plan | July/August 2016 |
| and section 32 report for public feedback | |

2. Scope of the project plan

This project plan covers the preparation of the new draft regional plan in detail, and from then until notification of the proposed plan(s) in less detail.

3. Assumptions

- Regional Policy Committee will not have any external representatives² (means that the committee will be more nimble than if there were additional external reps).
- RPC continues to have delegation overseeing development of draft new regional plan.
- New science / research doesn't take longer than anticipated
- RPC is committed and available to meet frequently during the development of the draft and proposed plan(s).
- The draft regional plan will be made available for public feedback as one document (as opposed to breaking it up into parts and putting them out at different times).
- Council staff (Policy and Planning and other) able to commit the necessary time.
- Budget is available to pay for consultants as necessary.
- Law changes affecting the development of the new plan(s) can be accommodated without too much delay or additional resourcing.

¹ Section 32 refers to the section of the RMA that sets out how the provisions of a plan must be analysed and justified.

Note, RPC have ability to bring in additional members, and have signalled they may bring in particular expertise if necessary.

Any re-organisation of local government will not impact on the project.

4. Project goals

- 1. To release a draft new regional plan for public comment by July 2016
- 2. To publically notify a new proposed regional plan by September 2017.

5. Topics

For the purposes of allocating workload to staff and working with the committee, the drafting of new regional plan(s) is broken up into topics. The topics may need to be reviewed as the project progresses.

| Topic title | Detail |
|---|---|
| Water quality | Contaminants discharged to water (particular focus on sediment, nutrients, and faecal matter). Includes point source and non-point source discharges – land disturbance activities, run-off and leaching, and stock exclusion from water bodies. Does not include hazardous substances, agrichemicals and contaminants associated with solid wastes. Also includes structures in water and dames |
| Water quantity | Activities that affect the flow, flow variability and water level of water resources. Includes water takes (including geothermal), bores, dams, water diversions and structures in fresh water. |
| Coastal water space | Activities operating in the coastal marine area. Includes occupation of space, public access recreational activities, structures (e.g. moorings, marinas and aquaculture) reclamations/impoundments, dredging, extraction and depositing/disposal of material, and commercial use of CMA (e.g. ports and wharves). |
| | The identification and management of indigenous biodiversity in the coastal marine area. Includes aquatic pests, mangroves, and the identification and management of significant indigenous vegetation and significant habitats of indigenous fauna |
| | Managing activities in water bodies (mainly the coastal marine area) that impact on: Outstanding and high natural character Outstanding natural features and landscapes Significant indigenous vegetation and significant habitats of indigenous fauna (excluding freshwater bodies). (Does not include the identification of significant indigenous vegetation and significant habitats of indigenous fauna) Historic heritage |
| Air quality | All discharges to air – smoke, odour, dust and spraydrift |
| Natural hazards | Covers the functions of the regional council for avoiding or mitigating natural hazards. Includes land use (e.g. development on floodplains), hazard protection structures (e.g. stopbanks and seawalls), land drainage and the role natural features in mitigating hazard risk (such as wetlands, floodplains and dunes). |
| Infrastructure and mineral extraction | Focuses on the management approach for significant infrastructure and mineral extraction activities. Includes renewable energy, sand extraction and quarrying. |

Hazardous substances and contaminated land Covers solid waste disposal to land, the use, storage, transport and disposal of hazardous substances in the coastal marine area and the disposal / discharge of hazardous substances to land and water (fresh and coastal).

6. Project responsibilities

| Role | Responsibilities | Who |
|---------------------------|---|--|
| Governance | Determines key process steps and time line for developing the new plan | Regional Policy Committee |
| | Sets guiding principles for preparing the new plan | |
| | Determines responses to key regional planning issues | |
| | Approves structure and content of the new plan | |
| | Approves structure and content of Section 32 report | |
| Project Steering Group | Approves the project plan (including variations) | (Same membership as for the Waiora Northland |
| | Approves any consultation and communication strategies | steering group) Tony Phipps |
| | Identifies and monitors major risks and | Colin Dall |
| | mitigation measures | Duncan Kervell |
| | Approves recommendations to council (includes being the final arbiter if there is | Natalie Glover |
| | staff disagreement). | Justin Murfitt |
| | Secures the necessary resources (budget | Darryl Jones |
| | and staff) | Susie Osbalidiston |
| | | Abraham Witana |

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|-------------------------------|---|----------------------------------|
| Project Manager | Leads the team | Ben Lee |
| , manager | Manages the planning of the project | |
| | Monitors and reports progress to Project Steering Group and to council (work reports) | |
| | Prepares council agenda items | |
| | Ensures delivery | |
| | Reviews all documents before being sent to Project Steering Group | |
| | Provides advice and support for Topic Leads | |
| | Prepares or sources templates, guidance etc for the reviews and preparation of new draft plan(s) as necessary | |
| | Laisses with RPC chair as necessary | |
| | Provides RPC with policy options and recommendations | |
| Project Manager Support | Fills in for the Project Manager when not available | Jon Trewin |
| | Undertakes some of the Project Manager's tasks as necessary | |
| | Carries our Project Manager's tasks where it would be an opportunity to develop project management experience | |
| Topic Leads | Co-ordinates and writes up the drafting of | Jon Trewin |
| | plan provisions for allocated topic(s) | Michael Payne |
| | Leads the technical working groups | Michael Day |
| | | Ben Tait |
| | | James Griffin |
| | | Robyn Broadhurst |
| | | (see below for topic allocation) |

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| Topic support | Provide back-up to Topic Leads | Jon Trewin |
| | Key reviewer of Topic Leads' work | Michael Payne |
| | Assists Workstream Leads as necessary | Michael Day |
| | | Ben Lee |
| | | Ben Tait |
| | | James Griffin |
| | | Justin Murfitt |
| | | Robyn Broadhurst |
| | | (see below for topic allocation) |
| Staff technical working groups | Key staff to provide technical support and advice to the Topic Leads | See table below |
| (one working group per workstream) | Review outputs as necessary | |
| Economic advisor | Provides advice and information on economic matters. | Darryl Jones |
| | Assist with preparation of Section 32 template | |
| | Assists with preparation of Section 32 | |
| | Assists with reviewing Topic Lead outputs | |
| Cultural advisor | Provides advice and information on tangata whenua matters. | Abe Witana |
| | Assists with preparation of Section 32 | |
| | Assists with reviewing Topic Lead outputs | |
| Primary stakeholders | The small group of very interested / affected stakeholders that will be used to test ideas with and kept fully informed of progress. | See table below |
| Administration Support | Primarily managing mail outs, any major printing jobs and putting together agendas for committee workshops and meetings. | Evania Laybourn (and other admin cover as required) |

Topic allocation

| Topic title | Lead | Support | Staff technical working groups | Primary stakeholder |
|-----------------|---|------------------------------|--|---|
| Water quality | Ben T | Robyn B Justin M Jon T | Richie, Susie, Natalie, Jean-Charles , Stuart S, Duncan K, Tess D, Denis W, Abe | Forestry RMA Group –Ursula Buckingham Dairy Industry Liaison Group Helen Moodie Dry Stock Industry Liaison Group – Louise Wilson Horticulture NZ – Chris Keenan Balance Agri-Nutrients – Murray Lane/Neil Crowson NZTA – Jane Price Catchment groups – Natalie B IKHMG – Leane Makey District Councils – wastewater and stormwater asset managers Department of Conservation – James Witham – Forest and Bird – Marianna Young Fish and Game – Corina Jordon |
| Water quantity | Robyn B James G (wetlands, dams, and structures) | Ben T Justin M | Stuart S, Susie, Emily, Pride, Dale H, Natalie, Allan R (dams), Abe; Geoff H | Dairy Industry Liaison Group – Helen Moodie Dry Stock Industry Liaison Group – Louise Wilson Horticulture NZ – Chris Keenan Irrigation NZ – Andrew Curtis 0 Avocado Growers Association? – Sue Cullam Department of Conservation – Andrew Townsend Fish and Game – Nathan Burkepile Forestry RMA Group –Ursula Buckingham Catchment groups – Natalie B IKHMG – Leane Makey District Councils – stormwater and water asset managers Forest and Bird – Marianna Young |
| Coastal | Michael D Jon T(significant / outstanding values) James G (marine biodiversity) | Michael P Ben L | General Allan R, Paul M, Jim L, Ross W, Ricky, Laura, Abe Marine biodiversity Don M, Irene, Paul M, Bruce G, Lisa F, Richie, Carol N, Kane M, Gail T, Abe | Aquaculture NZ (Rebecca Clarkson) MPI – Aquaculture (Michael Nielson) Kier Volkerling Department of Conservation – James Witham Heritage NZ – Bill Edwards, Atareiria Heihei (Tangata Whenua Heritage) District Councils: KDC – Vanessa Anich WDC – Robin Rawson, Evan Cook, Heather McNeal (Heritage) FNDC – Greg Wilson Far North Holdings – Chris Galbraith |
| Air quality | Jon T | Michael P | Obi, James M, Stuart S, Colin | Agricultural Aviation Association - John Sinclair Horticulture NZ – Lynette Wharfe Fed Farmers – Richard Gardner NZ Refining – Riaan Elliot |
| Natural hazards | Michael D | Michael P | Toby, Laura, Ricky, Allan R, Bruce H, Stuart | District councils: Vanessa Anich (KDC), Lynley Newport (FNDC), David Colman (WDC) |

| | | | | Department of Conservation (coastal hazards) – James Witham NZTA - Jacqui Hori-Hoult |
|--|-----------|----------------|-------------------------------------|---|
| Infrastructure and mineral extraction | Jon T | Michael Day | Geoff, Chris P, Tess, Colin, Graham | KDC – Vanessa Anich + reps from infrastructure and services WDC – Robin Rawson + reps from infrastructure and services FNDC – Greg Wilson + reps from infrastructure and services. Aggregate and Quarry Association - Bill Bourke NZTA – Jane Price |
| Hazardous substances and contaminated land | Michael P | Jon T | James M, Garry, Stuart S | Oil Companies (David Le Marquand – burton consultants) BP (James Court) District Councils (John Langsford WDC, Robert Schlotjes KDC, Bruce Hows FNDC) |

7. Key tasks

The following are the key tasks for preparing the draft regional plan, and in less detail for the proposed plan(s).

| | Task | Output | Completion date |
|----|---|--|-----------------|
| 1. | Complete project plan | RPC approves project plan | March 2015 |
| 2. | Complete Section 32 template | RPC approves Section 32 template | April 2015 |
| 3. | Complete new regional plan structure | RPC approves plan structure | April 2015 |
| 4. | Complete decision | Workshops for all topics held and | July 2015 |
| | sketching workshops | necessary direction sought. | |
| 5. | Complete workshops seeking approval / direction for plan content and section 32 | | Feb 2016 |
| 6. | Complete draft regional plan and Section 32 | RPC approves draft regional plan and section 32 report for public feedback | July 2016 |
| 7. | Complete regional plan and Section 32 for notification | Council approves regional plan and Section 32 for notification. | July 2017 |

8. Major science and information gathering

These are the major science and information projects to inform, or provide content for, the new regional plan.

| Topic | Description | Completion date |
|---------------|---|-----------------|
| Coastal | Mapping significant anchorages | May 2015 |
| Coastal | Mapping significant surf breaks | May 2015 |
| Coastal | Mapping historic heritage in the CMA | June 2016 |
| Coastal | Mapping significant marine biodiversity in the CMA | July 2015 |
| Coastal | Identifying new or expanded mooring areas | July 2015 |
| Coastal | Confirming ONFs (mapping listed areas in RPS) | TBC |
| Biodiversity | Sites of ecological significance (aquatic) | July 2015 |
| Water quality | Lakes Nutrient Limitation | July 2015 |
| Water quality | Lake Management (Joint Venture with MPI) | TBC |
| Water quality | Whangarei Harbour sediment load limit (MPI Joint Venture) | TBC |
| Water quality | Freshwater management units and objective framework for contaminants (rivers) | July 2015 |

| Water quality | Sediment core analysis (Kaipara & Whangarei Harbours) | July 2015 |
|----------------|---|------------|
| Water | Tangata whenua values for freshwater (Joint venture with MPI) | TBC |
| Water quantity | Water allocation calculator | March 2015 |
| Water quantity | Ground water / surface water interaction | April 2015 |
| Water quantity | Review of highly allocated catchments – Priority Catchments | May 2015 |
| Water quantity | EFSAP / RHYHABSIM (water level defaults) | Complete |
| Water quantity | Cumulative effects of Dams in Northland Catchments | July 2015 |

9. Project constraints³

(Note – Risks are covered in a later section)

Staff and the committee won't be available from late December to mid-January (holidays).

10. Risks

(Note - also refer to assumptions).

Residual Nature of risk Risk **Risk Mitigation** Potential impact on project Risk High Ensure project is given Medium Staff time committed to Timeframes not met. necessary priority and other projects is greater than anticipated. timeframes to allow sufficient resources to be available. Keep close contact with manager (Justin) to identify staff resourcing conflicts and design project plans together. Ensure budget available for consultants / contract staff. Key project members leave Time delays while new project High Put in place Topic Medium or are not at work for members come up to speed or while Supports for each topic extended time (e.g. project members away. . to act as cover for the Topic Leads, and Christmas holidays). Project Manager Support to cover the Project Manager.

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³ Constraints are concerns that already exist; you cannot alter them and you need to live with them. Don't confuse constraints with risks. Risks describe concerns that have not happened and need to be prevented from happening if possible.

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|--|---|-----------------|---|-----------------|
| Local government reorganisation | Timeframe delays or change in approach for delivering new plans. Existing expertise in council leaves | Medium | Keep abreast of developments. Design the plan structure to allow district plans to be 'clipped on'. Assuming any transition will be 18 months to 2 years away, aim to have draft plan complete within this time. Have 'shadow' roles for key members of project team. Ensure budget available for consultants / contract staff. | Medium / low |
| The draft plan is not completed within the current council's term (see also local government reorganisation above). | The new council may wish to change the content and or/direction taken in the plans. | Medium | Have 'notification' of the draft plan before the next elections as the ultimate goal of the project. | Medium / low |
| Councillor and CEO expectations of timeframes for deliverables are not met | Puts stress on staff to deliver which may result in extra hours worked and/or substandard deliverables. | Medium / low | Ensure the timeframes for completing deliverables are realistic and resources are committed. Frequently review the timeframes and inform CEO and Councillors as early as possible about any potential for slippage. | Low |
| Insufficient internal expertise to prepare plan content and Section 32 (see also local government reorganisation above). | May result in delays while staff up skill themselves, unanticipated costs employing the necessary expertise (consultants), or substandard deliverables. | Medium | Build contingency into budgets for consultants. Ensure deliverables are well reviewed and tested. Have 'shadow' roles for key members of project team. | Medium / low |

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| Insufficient information to for robust Section 32 in particular areas. | May result in delays and unanticipated costs in collecting the necessary information. | Medium | Budget for consultants. Accept that we won't always have perfect information (80:20 rule). Before making any decision about obtaining new information, ensure that the benefit exceeds the costs. | Medium / low |
| Lack of buy in from Maori and key stakeholders. | Significant opposition to new plan could result in significant challenges which can increase time and costs (particularly if they result in Environment Court hearing). | Medium / high | Prepare a draft regional plan for public feedback. Identify primary stakeholders (those with significant interest and likely to be substantial participants in the formal process) and use them to 'test' ideas with as the draft regional plan is developed. Consider having mediated sessions) with primary stakeholders (and RPC?) to prepare the notified regional plan. Have available staff / resources for advice on Maori and economic matters | Medium |
| Governance debate too long, not able to agree and/or is not able to meet frequently. | May result in delays. | Medium / high | When putting up options to council for the governance structure for preparing the draft and proposed plan, clearly communicate that in order to meet timeframes, the governance structure will need to be strategic, committed and able to meet frequently. Recommend that these attributes be included in the governance terms of reference. | Medium |
| Staff get too involved in governance issues | May result in delays. | Medium / high | Project plan clearly outlines governance and staff responsibilities | Medium |

| Maori co-governance or co- management becomes a reality (either forced or by NRC initiative). | May result in delays or changes in direction of the new plans. Assuming this extends to the plan development, the governance structure is at risk of not being as 'nimble' (e.g. not being able to meet frequently or extra time bringing people up to speed). Beach management board for Te Oneroa a Tohe (90 Mile Beach) is likely to be set up within next 1-2 years. | Medium | Keep abreast of any potential developments. Engage early with appropriate cogovernance / management structures. | Medium / low |
|--|--|--------|---|-----------------|
| Significant inconsistencies between the draft/proposed plan and the Auckland Unitary Plan. | May result in conflicting approaches to managing shared resources and resource users. | Medium | Ensure the Auckland Council is kept informed throughout the plan development process and identified as a primary stakeholder. Ensure Topic Leads check the Unitary Plan during the review and when developing plan provisions. Follow a structure the same/similar to the Unitary Plan. | Medium / low |

11. Communication Management

Note – this section is in lieu of a separate formal communications plan.

Project reporting

- Project Manager and Project Steering Group to meet monthly and more frequently as necessary. The Waiora Northland Project Steering Group meets monthly, and given it's the same people it would make sense that the meetings for each project happen at the same time.
- Progress reports from Project Manager to Project Steering Group given in writing at least 5 working days before scheduled monthly meetings.
- Written progress provided to council in the monthly council work reports.
- Justin Murfitt to give verbal updates to Senior Management Team at scheduled meetings upon completion of key milestones or as required

Internal stakeholders/interests

- Most directly affected staff with relevant experience will be involved in a Technical Working Group.
- Affected departments are represented on the Steering Group. Expectation is that they would communicate necessary information to their departments

External stakeholders/interests and Maori

Project Manager to be the main point of day-to-day contact.

- RPC chair to attend key engagements as necessary.
- Key stakeholders and Maori contacts to be emailed updates as necessary.
- Key stakeholders will be those that have an interest greater than the public generally, and will include agencies, iwi groups, interest groups and industry organisations.
- Key stakeholders and Maori contacts have been identified (was done as part of organising the plan review workshops) and additions can be made as necessary.
- **Te Taitokerau Maori Advisory Committee**Provide update papers and/or presentations as necessary.

Environmental Management Committee

- Keep EMC informed via the monthly Waiora Northland project update.
- Provide papers and/or presentations on issues EMC likely to have a significant interest in.
- Invite RPC members to EMC when there are presentations relevant to regional planning issues and vice versa.