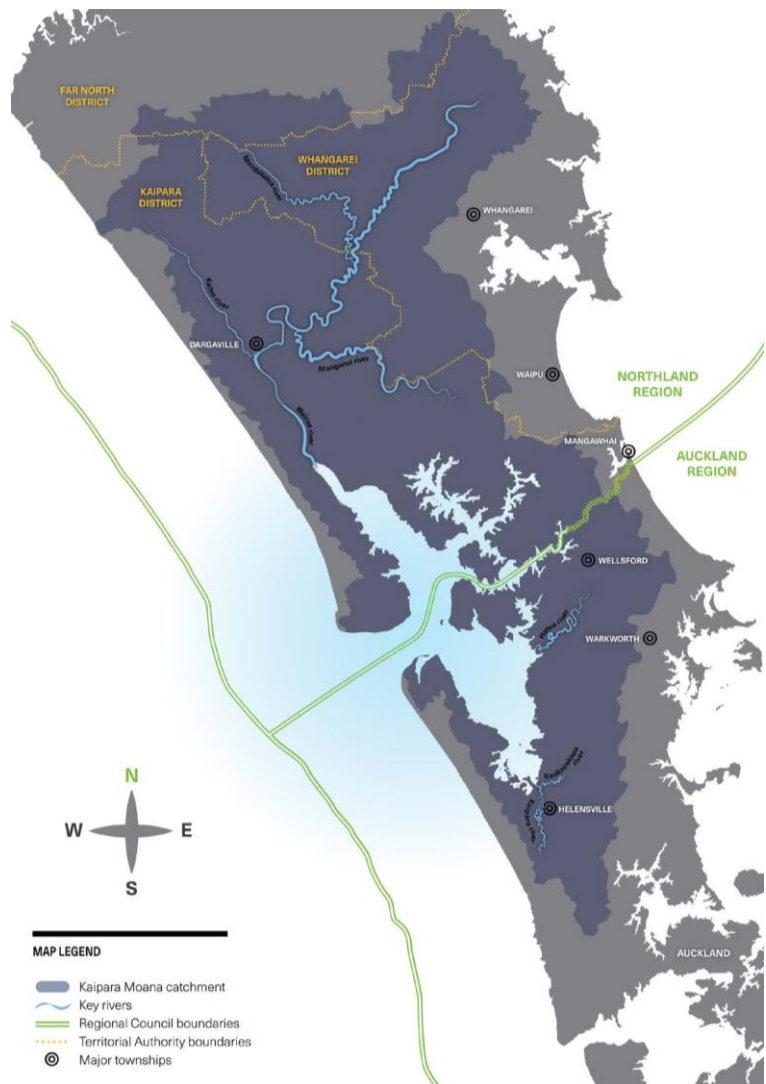


Kaipara Moana Remediation Joint Committee

Friday 30 October 2020 at 2:30pm

AGENDA

RĀRANGI TAKE



Rārangi Take O Te Poari **(Kaipara Moana Remediation Joint Committee Agenda)**

Meeting to be held in the Haranui Marae, 64 Haranui Road, Parakai, Helensville
on Friday 30 October 2020, commencing at 2:30pm

Recommendations contained in the agenda are NOT decisions of the meeting. Please refer to minutes for resolutions.

NGĀ MANA WHAKAHAERE **(MEMBERSHIP OF THE KAIPARA MOANA REMEDIATION JOINT COMMITTEE)**

| | | |
|---|--|---|
| NRC Chair Penny Smart | NRC Councillor Joce Yeoman | NRC Councillor Amy Macdonald |
| Auckland Council Daniel Newman | Auckland Council Greg Sayers | Local Board Chair Phelan Pirrie |
| Te Uri o Hau Malcolm Welsh | Te Uri o Hau Willie Wright | Te Rūnanga o Ngāti Whātua Virginia Warriner |
| Te Rūnanga o Ngāti Whātua Tame Te Rangi | Ngā Maunga Whakahī o Kaipara, Cherie Povey | Ngā Maunga Whakahī o Kaipara, Jane Sherard |

KARAKIA/WHAKATAU

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| 1.0 HOUSEKEEPING | |
| 2.0 NGĀ WHAKAPAHĀ (APOLOGIES) | |
| 3.0 NGA WHAKAPUAKANGA (DECLARATIONS OF CONFLICTS OF INTEREST) | |
| 4.0 WHAKĀE NGĀ MINITI (CONFIRMATION OF MINUTES) | |
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KARAKIA WHAKAMUTUNGA

TITLE: Confirmation of Minutes - 09 October 2020
ID: A1374625
From: Leah Porter, PA/Administrator Environmental Services
Authorised by Jonathan Gibbard, Group Manager - Environmental Services, on date 23
Group Manager: October 2020

Recommendation

That the minutes of the Kaipara Moana Remediation Joint Committee meeting held on 09 October 2020 be confirmed as a true and correct record.

Attachments/Ngā tapirihanga

Attachment 1: Kaipara Moana Remediation Joint Committee meeting minutes - 09 October 2020 [↓](#)



1. Kaipara Moana Remediation Joint Committee Minutes

Meeting held in the Waihau Marae, Arapaoa Road, RD1 Matakohe
on Friday 9 October 2020, commencing at 2:00pm

Tuhinga (Present):

NRC Chair Penny Smart
NRC Councillor Amy Macdonald
Auckland Council Greg Sayers
Te Uri o Hau Malcolm Welsh
Te Uri o Hau Willie Wright
Te Rūnanga o Ngāti Whātua Virginia Warriner
Te Rūnanga o Ngāti Whātua Tame Te Rangi
Ngā Maunga Whakahī o Kaipara, Cherie Povey
Ngā Maunga Whakahī o Kaipara, Jane Sherard

I Tae Mai (In Attendance):

Full Meeting
NRC, Malcolm Nicolson
NRC, Jonathan Gibbard
NRC, Duncan Kervell
NRC, Penny Pirrit
AC, John Hutton
Alan Wilcox

The Acting Chair, Malcolm Nicolson, declared the meeting open at 2:00pm.

Moved (Wright/Smart)

That the meeting be adjourned until 2:45pm.

Carried

The meeting resumed at 2:45pm

Ngā whakapahā/Apologies (Item 1.0)

Moved (Wright / Warriner)

That the apologies from NRC Councillor Joce Yeoman, Auckland Council Daniel Newman and Local Board Chair Phelan Pirrie 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.

2. Election of Chair and Deputy Chair (Item 4.1)

ID: A1369977

Report from Penny Pirrit, Consultant

Moved (Wright/Macdonald)

1. That the report 'Election of Chair and Deputy Chair' by Penny Pirrit, Consultant and dated 1 October 2020, be received.
2. That Tame Te Rangi be appointed as Chair of the Kaipara Moana Remediation Joint Committee.

Malcolm Nicolson vacated the Chair and Tame Te Rangi resumed as Chair

3. That Penny Smart be appointed as Deputy Chair of the Kaipara Moana Remediation Joint Committee.

Carried

3. Overview of Kaipara Moana Remediation Programme (Item 4.2)

ID: A1370177

Report from Penny Pirrit, Consultant

Presentation from Joint Committee member Willie Wright on the journey to establish the Kaipara Moana Remediation Programme and the purpose and aspirations of the programme and member parties.

Moved (Welsh/Warriner)

1. That the overview of Kaipara Moana Remediation Programme presentation be received.

Carried

4. Operational Processes of the Kaipara Moana Remediation Joint Committee (Item 4.3)

ID: A1369969

Report from Penny Pirrit, Consultant

Moved (Smart/Wright)

1. That the report 'Operational Processes of the Kaipara Moana Remediation Joint Committee' by Penny Pirrit, Consultant and dated 1 October 2020, be received.
2. That the joint committee meet monthly until April 2021 (excluding the month of January) at which time it will review the frequency of meetings.
3. That the joint committee confirm the initial schedule of meeting dates as:
 - October – 30th October all day
 - November – 16th November all day
 - December – 4th December morning
4. That the location of the monthly meetings be rotated around the Kaipara Moana catchment, and where practicable be held on marae.
5. That the forward joint committee work programme outlined in this report be approved and reviewed quarterly by the committee.

6. That in the interim, before a communications and engagement strategy is approved, the Chair and Deputy Chair be delegated to be media spokespeople for the work of this joint committee.
7. That a team of senior advisors, one from each of the councils and Kaipara Uri be set up to provide support and advice to the Chair and Deputy Chair on matters relating to the operation of the joint committee, including approving the content of papers for committee agendas.
8. That a paper on a proposed members allowance policy be brought to the joint committee's 30th October meeting.

Discussion regarding the representation of groups in the upper catchments, above the rohe of Ngati Whatua. Chair responded that this is initially a matter for the Crown to address within the current context of negotiations with Ngāti Whātua with the next scheduled meeting being Mon 12 Oct 2020. Decision was made by the Joint Committee that this is to be addressed through the engagement and communications workstream.

Carried

5. Kaipara Moana Remediation Programme Annual Work Plan – Proposed Approach to Work-streams (Item 4.4)

ID: A1369181

Report from Penny Pirrit, Consultant

Moved (Welsh/Povey)

1. That the report "Kaipara Moana Remediation Annual Work Plan- Proposed Approach to Work-streams" by John Hutton, Manager Auckland Council dated 28th September be received.

Carried

Karakia Mutunga

Whakamutunga (Conclusion)

The meeting concluded at 4:05pm.

| | |
|-------------------------------------|---|
| TITLE: | Kaipara Moana Remediation Joint Committee Members Allowance Policy |
| ID: | A1377632 |
| From: | Penny Pirrit, Northland Regional Council Management Representative |
| Authorised by Group Manager: | Jonathan Gibbard, Group Manager - Environmental Services, on date 23 October 2020 |

He Rāpopoto hautū / Executive summary

Membership of this committee requires all members to spend time reading agendas and background material; discuss, where relevant, the work of the committee with their respective entities; and attend committee workshops, meetings, and hui.

The local government members of this committee are reimbursed for their time and expenses through the Remuneration Authority and through each council's elected members expenses and allowance policy. This is not the case for the Kaipara Uri members.

No guidance was given in either the Kaipara Moana Remediation Programme Memorandum of Understanding or the related Terms of Reference on expenses and allowances. This committee must therefore decide on an allowance policy (the Policy) for non-local government members.

This report discussed matters that any Policy should address including reasons for having an allowance policy; the circumstances where a Kaipara Uri member may make an allowance claim; the suggested level of allowances; and procedures for claiming them.

A proposed Policy is attached to the report. It is recommended that the Joint Committee approve and adopt it.

Ngā tūtohu / Recommendation(s)

1. That the report 'Kaipara Moana Remediation Joint Committee Members Allowance Policy' by Penny Pirrit, Northland Regional Council Management Representative and dated 20 October 2020, be received.
2. That the Kaipara Moana Remediation Joint Committee Members Allowance Policy attached to this report be adopted.
3. That a review of the Members Allowance policy occurs after one year of operation.

Horopaki / Context

Membership of this committee requires all members to spend time reading agendas and background material; discuss, where relevant, the work of the committee with their respective entities; and attend committee workshops, meetings and hui.

Local government members of this committee are reimbursed for their time and expenses through the Remuneration Authority and through each council's elected members expenses and allowance policy. This is not the case for the Kaipara Uri members. As no guidance was given in either the Kaipara Moana Remediation Programme Memorandum of Understanding or the related Terms of Reference, this committee must decide on a non-local government members allowance policy

Tātari me ngā tūtohu /Analysis and advice

There are three options to consider in relation to a members' allowance policy:

1. do nothing, which is not acceptable as the success of the joint committee requires all members to be able to participate positively without impact on their personal finances, and would be inconsistent with the approach taken for similar co-governance arrangements;
2. develop an allowance policy using other similar policies to guide the matters an allowance would be paid for and the level of allowances;
3. develop an allowance policy in isolation with no regard to other similar situations.

The second approach has been taken here. A review on how other similar joint entities (between local government and iwi) approached the allowance issue provides solid and well tested processes and advice. Option three could provide a bespoke approach but risks not having the robustness of following processes that have been used by other similar entities. As payment of the members allowances is from public money it is important that the Policy is robust and transparent.

The allowance approaches reviewed are from the Te Oneroa-a-Tōhē Board, the Ngāti Whātua Ōrākei Reserves Board, and the Tūpuna Maunga o Tāmaki Makaurau Authority.

Generally, the allowance policies for each follow a similar structure with the focus on the following

Key Principles: Recognition that members participation in meetings, workshops and hui incurs a personal expense. Consequently, there is a need to ensure members are not financially disadvantaged by participating and that the financial impact of their participation does not act as a disincentive for fully participating in the business of the committee.

Eligibility: Identifies under what circumstances members are eligible to claim allowances for attendance. Generally, allowances can be claimed for formal scheduled meetings, and for workshops of the committee that have been agreed by resolution.

Attendance at other hui, for example to consult or engage with stakeholders, is only reimbursed if the members attendance was agreed by resolution of the committee/board. This is to ensure individual members do not set their own work programmes outside what the committee/board has instigated. Such an approach does not prevent members from engaging with other parties, but if they do so, they do it as an individual (not as a member) and cannot claim an allowance for the time spent.

Some policies also recognise that participation by members at formal meetings requires pre-reading and/or engagement with the entity they are representing. This is relevant to the work of this joint committee as Kaipara Uri members will be expected by their respective entities to discuss with them aspects of the joint committee's work programme.

Restrictions: This outlines the circumstances when allowances will not be paid, including when a member's participation is paid by another organisation, mileage not associated with joint committee participation travel, time spent travelling, and cancellation of meetings.

Meeting/Workshop allowance: This indicates the allowance rates to be paid to the chair and members. A chair is usually paid at a higher rate in recognition they will have additional responsibilities.

Allowances can be paid on a daily rate with a 'working day' to be 6-8 hours. No additional allowance is paid for days longer than 8 hours. If four hours are spent one day reading agenda material and then another four hours the next day at a meeting, that is considered one working day.

Another approach is to have an hourly rate (up to a maximum per day) which is calculated by dividing a daily rate by 8 and multiplying by the numbers of hours worked. This approach requires

the member to take careful records of the time sent on joint committee meetings and is not recommended for this committee.

As the work programme of this committee is likely to require workshops and formal meetings covering 6-8 hours, and there is a need for Kaipara Uri members to engage with their individual entities, it is recommended the members allowance policy provides for the ability to claim both for the committee meeting/workshop day plus an additional day to cover individual member entity engagement.

Travel Allowance: This outlines the vehicle mileage allowance which is normally the IRD vehicle allowance rate of 0.79 cents per kilometre.

Procedures: This outlines the process members must follow to make an allowance claim.

Proposed Policy: The detailed wording of the above matters can be seen in the proposed Policy in Attachment one to this report.

Remuneration: The proposed Policy also sets out the daily rate for the Chair and members. The suggested rates have been informed by rates paid to the other entities and an assessment using the Cabinet Fees Framework.

Rates of Similar Entities

| Entity | Chair Allowance | Members Allowance | Applies to |
|---|------------------|-------------------|---|
| Te Oneroa-a-Tōhē | \$ 360 per day | \$275 per day | Daily allowance for Board meetings; and any other workshop or hui agreed to by the Board |
| Ngāti Whātua Ōrākei Reserves Board | \$575 per day | \$350 per day | Board meetings (3 hours) and includes recognition of members talking to Ngāti Whātua Ōrākei Trust Board before meeting (total of 6 hours) |
| Tūpuna Maunga o Tāmaki Makaurau Authority | \$578.00 per day | \$373.00 per day | Authority meetings and business |

Cabinet Fees Framework as a guide.

The Cabinet Fees Framework is used by many Government bodies whose fees are not determined by the Remuneration Authority.¹ The framework categorises organisations into a number of types and provides an assessment process.

The role and functions of this joint committee fit best under the framework's "Group 4 – all other committees and other bodies". Under the framework as a Group 4 committee, the level of fees is determined with reference to:

- skills, knowledge and experience required for members;

¹ <https://www.dpmc.govt.nz/cabinet/circulars/co12/6>

- function, level and scope of authority;
- complexity of issues;
- public interest and profile.

In considering how the joint committee ‘scores’ against these matters it is important to refer to the Kaipara Moana Remediation Programme Memorandum of Understanding and the Terms of Reference which set out the following roles and functions of this joint committee:

“The purpose of the Joint Committee is to carry out the decision-making responsibility in relation to the allocation of funds for the Kaipara Moana Remediation programme, including funding from the Crown and councils, and contributions (e.g. from landowners or others) needed to access funding from Crown and councils for remediation works. This includes (but is not necessarily limited) to:

- a. providing stewardship and governance over the expenditure of the Crown Grant and council funding, as well as contributions from land-owners;*
- b. commissioning and approving remediation budgets and work-plans for the Kaipara Moana Remediation programme;*
- c. assisting councils and Kaipara Uri in any consideration of funding arrangements with the Crown and other parties as may be required;*
- d. formulating and recommending to councils and Kaipara Uri the preferred Kaipara Moana Remediation operations vehicle to undertake operational works as directed by an approved long-term annual remediation budget and work-plan;*
- e. guiding the work of councils and Kaipara Uri on any monitoring and reporting obligations;*
- f. assisting councils and Kaipara Uri in its review and consideration of the Funding Agreement; and*
- g. assisting and supporting signatory entities to the Funding Agreement with any audit and reporting obligations required in respect of the Crown Grant and council contributions.”*

The Cabinet framework uses the following assessment system to indicate the level of remuneration most appropriate for Class 4 committees. Suggestions are provided for where the Kaipara Moana Remediation Joint Committee may reasonably be placed in each category.

Skills knowledge and experience

| | | |
|---------------|--|----|
| Pre-eminent | Outstanding and authoritative knowledge, recognised nationally and internationally for expertise in a particular field. | 12 |
| Distinguished | Deep and broad knowledge in a specific area or as a leader. Widely respected as a subject matter expert or authority in their field. | 10 |
| Substantive | Substantial range of knowledge experience in a field or professional discipline sometimes associated with senior level functional or technical leadership, executive management or governance roles. May include widely respected people with broad community support. | 8 |
| Technical | A number of years experience in a technical, professional field or in a leadership role is a pre-requisite. | 6 |

| | | |
|------------------------|--|---|
| Specialised experience | No specific experience is required but members would have broad general knowledge and may represent a body of opinion. | 4 |
|------------------------|--|---|

Suggested score: 4

Function, level and scope of authority

| | |
|--|---|
| Sets policy or work programme for a major area of economic activity or policy area of importance to the Government's strategic priorities. | 6 |
| Sets policy or work programme and/or exercises regulatory/disciplinary powers at an industry level. | 5 |
| Provides expert counsel and advice direct to Ministers, Government Department CEO's and/or multi-agency task forces on technical or major policy issues, where issues are of strategic importance. At this level the body would be expected to be proactive in identifying emerging issues and contributing to policy direction and to inform the Government's agenda. | 4 |
| Exercises regulatory/disciplinary powers at the individual/professional level. This will include the power to impose fines and suspend or prohibit professional practice by the individual. (NB: This would include an individual corporate member.) | 3 |
| Provides a broad range of advice on technical and/or policy issues (multi outputs) to a Department/CEO where issues affect Government policy. | 2 |
| Provides ad hoc advice to a Department/Minister on minor matters. Generally, a limited focus at a single output level. | 1 |

Suggested score: 5

Complexity of issues

| | | |
|--------------|---|---|
| Innovative | The development of new concepts is required to find innovative and pathfinding solutions. There will be little or no external guidance (NZ or internationally) to aid resolution of these issues. | 5 |
| Constructive | The development of new policy or advice is required where the issues are complex, multi-dimensional and involve substantial research, consideration of possible alternatives and their consequences. The body may commission research or utilise the findings to inform their policy development or advice. | 4 |
| Evaluative | Issues will include circumstances, facts and concepts different to those that have been experienced in the past. Analytical thinking and evaluative judgement will be required to identify realistic alternatives and apply/recommend a solution. | 3 |
| Judgement | Solutions will be found from application of professional or personal judgement and generally guided by previous decisions. Circumstances may be different from those previously experienced but there will be a sufficient frame of reference to make a considered decision/recommendation. | 2 |

| | | |
|-------------|--|---|
| Operational | Issues to be resolved are generally within existing policy and prior decisions. Decisions can generally be made quickly and with reasonable certainty. | 1 |
|-------------|--|---|

Suggested score: 3

Public interest and profile

| | |
|--|---|
| Widespread public interest in outcomes would be expected. Member/s will attract strong media interest. Potential risk to personal and/or the body's reputation is high. | 5 |
| Strong public and stakeholder interest and importance would be associated with these issues. Media interest would also be expected, but potential risk to personal or the body's reputation is unlikely. | 4 |
| Moderate but widespread public interest is likely. Reputational risk is minimal. | 3 |
| Public interest is likely to be limited, but the issues would be of interest to other members of the particular profession or sector. | 2 |
| There is likely to be little or no wider public interest in the decisions. | 1 |

Suggested score: 4

Total Score: 16

Group 4 daily fees

| Total score | Level | Fees range - chair | Fees range - members |
|-------------|-------|--------------------|----------------------|
| 24-28 | 1 | \$540 - \$1,150 | \$405 - \$865 |
| 20-23 | 2 | \$390 - \$885 | \$290 - \$560 |
| 15-19 | 3 | \$280 - \$575 | \$205 - \$395 |
| 10-14 | 4 | \$250 - \$365 | \$190 - \$270 |
| 9 or less | 5 | \$205 - \$265 | \$150 - \$205 |

The score of 16 indicates the suggested daily rates payable to Kaipara Uri members of the joint committee fall within the range indicated in level 3.

As the Joint Committee is charged with making critical and significant decisions about work programmes and funding it is recommended the daily allowance rate be set at the higher end of the range, and that members be paid an additional 'day' to enable them to engage effectively with their iwi entities around agenda items and the work programme.

The daily rate for the Chair would be \$575.00 with the ability to claim up to two days per month (if there was a formal meeting or workshop scheduled). The daily rate for individual members would be

\$350.00 with the same ability to claim for two days. Attendance at any additional meetings, workshops or hui could only be claimed if they had been approved by resolution of the Joint Committee. The attached Policy can be referred to for more detail.

This daily recommended rate is consistent with rates paid by similar co-governance bodies as set out above.

It is recommended the Policy is reviewed after one year of operation. It will be clear by then whether the workload of the joint committee, particularly that of the chair, can be managed within the two days identified or whether the workload is greater than expected.

1. Aromātai whāinga haumi mō te oranga / Wellbeing investment objectives and assessment

The Joint Committee is charged with ensuring the wellbeing investment objectives are achieved through the implementation of the work programme. This will require an integrated partnership approach by the Joint Committee. To be successful the Joint Committee needs to ensure its members are not financially disadvantaged by participating and that the financial impact of their participation does not act as a disincentive for fully participating in the business of the committee.

2. Ngā ritenga take pūtea / Financial implications

The potential cost² of a participation allowance for Kaipara Uri members of the Joint Committee per annum could be;

Chair: \$ 12,650.00

Individual member: \$7,700.00

Total potential cost per annum: \$ 51,150.00

This potential cost per annum is based on;

1. 11 formal meetings/workshops per annum
2. An additional 11 days (one per formal meeting) for Kaipara Uri members to discuss with their relevant entities any agenda items.
3. A daily rate where a day is 6-8 hours of formal meeting and/or workshop and includes pre-meeting reading; and can be made up of two consecutive days of 3-4 hours each.
4. No extra payment where a day exceeds 8 hours
5. No payment for any other engagement with stakeholders, iwi, hāpu, or community groups will be paid unless the joint committee has formally resolved that a member is required to participate as a representative of the committee. It is expected the Engagement and Communication Strategy (yet to be developed and adopted) will give greater guidance on what level of member participation is required at such events.
6. One chair and five other Kaipara Uri members.

In addition, travel costs can be claimed. It is not possible to indicate what those costs may be at this stage.

It is recommended payment of these allowances is from the proposed year one budget for governance and administration costs. Claims for attendance can commence from 9 October 2020.

² These are potential costs as each member can choose whether to make a claim or not.

3. Significance and Engagement³

1. In relation to section 79 of the Local Government Act 2002, the decisions arising from this report are considered to be of low significance when assessed against Northland Regional Council's significance and engagement policy. This does not mean that this matter is not of significance to tangata whenua and/or individual communities, but that the joint committee is able to make these decisions without undertaking further consultation or engagement.

4. Ngā tūraru me ngā mauru / Risks and mitigation

There is a risk to the success of the partnership approach of the Kaipara Moana Remediation programme if the participation of the Kaipara Uri members in the Joint Committee is not given appropriate financial recognition. This risk will be mitigated by having a public and transparent Policy on payment of allowances.

5. Ngā whāinga mō āmuri / Next steps

Once adopted Kaipara Uri members will be provided with claim forms that can be used after each meeting to make a claim.

The Policy should be reviewed one year after it is adopted to ensure currency.

Attachments/Ngā tapirihanga

Attachment 1: Draft Member's Allowance Policy [↓](#) 

³ This joint committee is using the Northland Regional Council's standing orders in relation to reports and agendas. The Local Government Act requires councils to have a significance and engagement policy (which identifies matters that require special consultation with tangata whenua and the community) and to have regard to that policy when making decisions.

Kaipara Moana Remediation Joint Committee

Members' Allowances Policy

1. Statement of Purpose

This policy explains the circumstances in which the Kaipara Moana Remediation Joint Committee (the Joint Committee) will pay meeting and associated travel allowances to Kaipara Uri members⁴ appointed to the Joint Committee and sets out the conditions that must be met for a claim to be paid.

2. Policy Goal

This policy is to ensure the Joint Committee's position and procedures for the payment of allowances to appointed members is transparent, accountable, and fair.

3. Key Principles

- a) The Joint Committee recognises that appointed members incur personal expense as a result of participating in meetings, workshops and hui of the Joint Committee.
- b) The Joint Committee wishes to ensure appointed members are not financially disadvantaged by their participation, or that the financial impact of their participation acts as a disincentive to participation.
- c) The application of a balanced policy on the payment of allowances to appointed members will ensure accountability and transparency regarding the financial operation of the Joint Committee.
- d) All meeting fees must be claimed in the financial year the meetings take place, or, if the meeting takes place in the last month of the financial year, within 30 days of that meeting.
- e) Members may opt not to get paid meeting fees by not submitting the required forms or may elect to nominate a lesser fee than the fee that is set.

4. Eligibility

- a) Subject to the restrictions noted below, appointed members are eligible to claim allowances for attendance⁵ at the following:
 - i. Formal Meetings, ie., the permanent and regularly scheduled meetings of the Joint Committee.
 - ii. Workshops of the Joint Committee, if the membership and workshop schedule have been approved by a Joint Committee resolution.
 - iii. Engagement of the member with its iwi entity on matters that are on the Joint Committee's agendas and agreed work programme. Note a maximum of one day will

⁴ (Local Authority) Elected members' remuneration, expenses and allowances are governed by the Remuneration Authority. They are therefore not eligible for meeting allowances or travel for attendance at meetings or workshops of the Board. This policy only covers allowances incurred by iwi appointed representatives.

⁵ For completeness, it should be noted that appointed members are eligible to claim travel and meeting allowances if a meeting lapses due to lack of a quorum.

be remunerated per scheduled formal meeting (for clarity this does not apply to workshops).

- b) Attendance at any other meeting outside the formal meeting schedule, such as engagement with stakeholders, iwi, hāpu and local communities, will be reimbursed upon approval by a Joint Committee resolution. These meetings must be identified in a schedule prior to attending and be approved by the Joint Committee. Individual members should not be in a position where they could be considered to be setting their own work programmes without the endorsement of the body.

5. Restrictions

Allowances will not be paid:

- a) To any appointed member whose participation on the Joint Committee is remunerated by another organisation. This will be determined by a declaration statement included on the claim form. To avoid doubt, the Joint Committee (through the Northland Regional Council) will reimburse the member (unless otherwise advised by the member). Any issues regarding remuneration in these cases are a matter to be resolved between the member and the organisation concerned.
- b) For any mileage that is not associated with travel between a member's primary residence and properly scheduled meetings or workshops of the Joint Committee, in the member's own vehicle, and by the most direct route that is reasonable in the circumstances.
- c) If a meeting / workshop is cancelled.

6. Meeting / Workshop Allowance

The allowance is based on a daily rate. It is expected a working day is about 6-8 hours, and the daily fee is calculated on this basis. Work for longer than 8 hours in one day does not attract extra payment.

Where a member spends time, for example one evening, preparing for a meeting the next day, if the preparation and meeting time combined is between 6 and 8 hours, then one daily fee would be paid for the combined preparation and meeting time.

The Joint Committee will pay a maximum daily meeting / workshop allowance of \$575 for the Chairperson and \$350 per Board member subject to the provisions of this policy. For clarity, if a member attends two meetings (formal meeting and a workshop) on the same day, the allowance may only be claimed once for that day. Members may choose to not claim this allowance.

The Joint Committee will also pay an additional allowance (equivalent to the daily allowance) of one day per formal meeting in recognition that Kaipara Uri members of the Joint Committee will be required by their individual iwi entities to discuss with those entities matters on the Joint Committee's agendas and work programme.

7. Travel Allowance

The Joint Committee will pay a vehicle mileage allowance of 0.79 cents per kilometre reimbursement for travel, subject to the provisions of this policy. Eligible appointed members may choose to not claim mileage.

8. Procedures

- a) The Northland Regional Council (the Council) will administer the payment of the allowances in this policy on behalf of the Joint Committee. The Council will ensure a Kaipara Moana Remediation Joint Committee Claim for Meeting Allowances Form is attached to every notice of a meeting sent to appointed members of the Joint Committee, and that copies are available at each meeting.
- b) At each Joint Committee meeting, the Joint Committee Secretary is to note the time and date of the meeting and a list of attendees and provide a copy of this to the Council.
- c) Joint Committee members must return completed claim forms to the Council as soon as practicable after each meeting.
- d) Completed forms must be signed by the Chair of the Joint Committee.
- e) Claims are to be presented to the Group Manager, Environmental Services of the Council for dual approval.
- f) Payment will be made by the Payroll Officer by direct credit by the 25th of each month.
- g) Expenditure will be reported in the Financial Statement of the Joint Committee.

9. Responsible Persons

The Group Manager, Environmental Services (Northland Regional Council) and Joint Committee Secretary are responsible for overseeing implementation of this policy and for providing guidance for decisions that may not align to the policy. This aspect of the policy will be reviewed once the Kaipara Moana Remediation Operations entity is established.

10. Amendments and Review Dates

| | |
|--------------------------|---|
| 30 th October | Draft policy presented to Joint Committee meeting for discussion. |
| | |
| | |

TITLE: Establishment Tasks and Arrangements

ID: A1377614

From: Alan Wilcox, Kaipara Uri Management Representative

Authorised by Jonathan Gibbard, Group Manager - Environmental Services, on date 23
Group Manager: October 2020

He Rāpopoto hautū / Executive summary

This Report outlines tasks to be addressed over the next 12 month period. It focuses on immediate actions required to allow the implementation of decisions of the Kaipara Moana Remediation Joint Committee (Joint Committee). It recommends a schedule of work that will address longer term organisational development, identifies immediate servicing requirements, makes recommendations for an interim management and delivery structure and personnel, and recommends Joint Committee delegations to these personnel to enable finances to be spent and contracts to be let consistent with investment objectives.

Recommendation(s)

1. That the report 'Establishment Tasks and Arrangements' by Alan Wilcox, Kaipara Uri Management Representative and dated 20 October 2020, be received.
2. Note the 12 month work tasks anticipated to be required under a Year 1 Work Programme, as presented in Attachment 2 of this report, acknowledging that from time to time these will need to be updated and adjusted.
3. That an Interim Management Team be created to support the establishment of the Kaipara Moana Remediation Programme in the interim, until such time as a permanent structure and personnel are put in place.
4. That representatives endorsed by the Northland Regional Council, Auckland Council and Kaipara Uri entities coordinate the establishment of the Kaipara Moana Remediation Programme as the Interim Management Team.
5. That the Northland Regional Council representative is appointed Interim Coordinator, with oversight of key implementation and management matters, and coordinating reports and recommendations to the joint committee.
6. Note the staff support structure with a Project Coordinator and Project Leads being seconded from Northland Regional Council and Auckland Council.
7. Note that seconded staff time from Northland Regional Council and Auckland Council will be counted as part of their parent organisations' contribution to the Remediation Project.
8. Approve the positions of Interim Coordinator, Kaipara Uri Management Representative, Kaipara Uri Research and Engagement, and Administrative Support Person, being contracted until permanent staffing arrangements are in place.
9. That a sum of \$350,000 be allocated for Contract servicing staff, to be paid from Council's cash contributions until such time as the Deed of Funding is signed and Crown money available.
10. That in the interim, until the establishment of an operations entity, the remediation programme will utilise Northland Regional Council financial delegations, with the delegated authority held by the Group Manager Environmental Services (NRC) to

approve expenditure up to \$250,000, provided expenditure has previously been approved by the Kaipara Moana Remediation Joint Committee either by specific resolution or within an Annual Work Programme and Budget.

11. That, prior to consideration of procurement policies arising from the Workforce Development Strategy and the establishment of an operations entity, Northland Regional Council procurement policies relating to procurement of services and contracts be adopted with the following variations:
 - a. Where possible any contracts that are awarded are restricted to no more than one year;
 - b. All suppliers are requested to give consideration to how the objectives of the Kaipara Moana Remediation Programme Memorandum of Understanding as set out in Appendix One can be fulfilled by their proposals;
 - c. The Joint Committee itself, and staff, when awarding contracts, give greater consideration to suppliers that best meet the objectives of the Kaipara Moana Remediation Programme Memorandum of Understanding;
 - d. That reasons for the decision clearly state why tenders are being allocated to the successful suppliers;
 - e. That in the interim the Group Manager Environmental Services (NRC) and Interim Management Team form a Panel for the purposes of determining Tenders;
 - f. That the Tenders Panel have authority to approve tenders where such approvals are clearly within the Kaipara Moana Remediation Joint Committee's Annual Plan and Budget up to a value of \$250,000, referring, with recommendations tenders over \$250,000, to the Joint Committee for approval.
 - g. That the Interim Management Team and Group Manager Environmental Services (NRC) be permitted to determine those occasions that may arise where an advantageous result would not be achieved by advertising a tender or RFQ or seeking three (3) formal written quotes (in accordance with NRC procurement policy thresholds);
 - h. That in these circumstances, the reasons for not seeking three (3) written quotes and / or advertising tenders must be documented in writing and available to the Joint Committee on request.

Horopaki / Context

At its meeting on 9 October 2020 the Joint Committee received a report on the proposed approach to the Annual Work Plan for the 2020-2021 financial year. The report identified two broad areas of work, suggesting the remediation programme has an initial dual focus:

- Achieve early wins for environmental remediation on the ground, with associated job creation outcomes
- Establish systems and processes to ensure the successful delivery of the Kaipara Moana Remediation programme over its envisaged 10 year life-span.

This Report addresses the second of the focus areas above: the establishment of systems and processes to ensure the successful delivery of the remediation program. It outlines tasks that should be undertaken over a 12 month period to implement the decisions of the Joint Committee.

At its first meeting the Joint Committee had regard to its terms of reference and considered its operating processes. This included the location of meetings, potential dates until the New Year, planned workshops, a forward work programme, communication protocols, servicing the Joint Committee, approval of agenda papers, and some brief reflections on remuneration of Joint Committee members.

In order to maintain momentum to get work on the ground underway as soon as possible, decisions are now required relating to:

- Scheduling immediate and longer term organisational development decisions
- Immediate servicing requirements, programme and project management accountabilities
- Delegations to ensure the Investment Objectives of the remediation programme are able to be implemented efficiently and effectively.

In evaluating the requirements of the Joint Committee and making recommendations, particular consideration has been given to:

- The objectives of the Kaipara Moana Remediation Memorandum of Understanding (MOU) as set out in Attachment 1
- Ensuring that decisions will not unnecessarily bind or limit the flexibility of the eventual delivery entity to make long term decisions
- Keep expenditure tight at this stage while making progress in essential establishment type tasks.

Decision Making Timetable

Attachment 2 sets out the multiple decisions that the Joint Committee will need to address over the course of the next 12 months. While lengthy, it is not exhaustive, and will need to be updated as time passes.

Decisions have been placed in two groups: those that are required before the establishment of the operations entity arrangements; and those that will need to follow after. They illustrate the volume of work anticipated over the period. The assumption made is that the new operations entity arrangements will have been established prior to the new financial year beginning 1 July 2021.

As can be seen from Attachment 2, a number of implementation projects are proposed to be initiated and reported on from November 2020. These are expected to provide early wins and are reported on elsewhere in the Agenda for this Joint Committee meeting.

A range of operational decisions will be required in November and December relating to reporting and information to the Joint Committee. The Deed of Funding and Annual Work Plan and Budget is also expected to be finalised at this time.

At the same time an initial report on the Communications and Engagement strategy is expected – this will set out the identity position (“branding”) of the Joint Committee and key communications processes. A requirement for an Information Technology Plan project should also be considered in November 2020. This will relate to key decisions required for Farm Environment Plan information collection, monitoring, evaluation and accounting systems.

Significant decisions will be required from the Joint Committee early in the New Year, with a report in February on options for the proposed operations entity for the remediation programme. Depending on the structure and form of the operations entity, decisions on staffing, and the possible employment of a general manager or CEO will be required.

More considered procurement and contracting policies and procedures, and delegations, may also be considered at this time. An Engagement Strategy (Phase 2 of the Communications and Engagement Strategy) and a Workforce and Human Resources Strategy will be reported. It is also anticipated that information from best practice trials will start coming to the Joint Committee from time to time in the New Year.

In March 2020 it is expected a Mātauranga Maori, Science and Monitoring Strategy will be available for consideration.

Subsequent to decisions on the new operations entity structure, and the possible appointment of a general manager or chief executive, financial and human resource systems can be further developed, along with monitoring and reporting systems. This will take work well into 2021.

New Entity and Staffing Arrangements

One of the tasks of the Joint Committee, as listed in Attachment 2, is to identify options for and facilitate the establishment of an operations entity for the remediation programme. In considering this the Joint Committee may want to identify how it is to be served by the staff in the long term, possibly considering a chief executive officer or general manager, and a structure for senior advisory and management staff.

Formal consideration of this scheduled for February 2021. In November there will be a workshop to start the discussion on the options available and to get feedback and questions that need to be addressed in a full report. Timing is predicated on the preparation of a full report looking at the options, and the advantages and disadvantages of each. Other matters such as the Deed of Funding and initial Annual Work Plan will take priority before Christmas.

Interim Servicing Requirements

In the interim, and until the establishment of an operations entity, it is proposed the procedures and policies of the Northland Regional Council are utilised, except where there has been a specific decision by the Joint Committee to take an alternative approach (see below under Delegations and Procurement). In Implementing policies and procedures the Joint Committee and staff will consider the principles behind the objectives of the Kaipara Moana Remediation Programme MOU, as set out in Attachment 1.

For staff resourcing, a report to the Joint Committee considered on 9 October 2020 suggested a group of senior staff continue to serve the Committee: one from Auckland Council, one from Northland Regional Council, and one from Kaipara Uri. It is recommended this continue until such time as decisions are made on the structure of an operations vehicle and appointment of permanent staff.

It is recommended that Northland Regional Council (NRC), Auckland Council (AC) and Kaipara Uri nominees continue in the role of coordinating this process as the Interim Management Team. These staff are working constructively in their respective roles.

It is recommended the NRC representative is appointed the Interim Coordinator of the Kaipara Moana Remediation Programme, with oversight of key implementation and management matters, and to prepare reports and recommendations to the Joint Committee in consultation with the other two members of the Interim Management Team.

In addition, it is recommended the NRC’s Group Manager – Environmental Services, keeps oversight of remediation programme activities, especially financial decisions, to ensure programme risks have appropriate oversight in the interim. This will take the form of monthly updates from the Management Team, approval of agenda papers, a review of expenditure and occasional review of processes to ensure that there is limited risk to the programme.

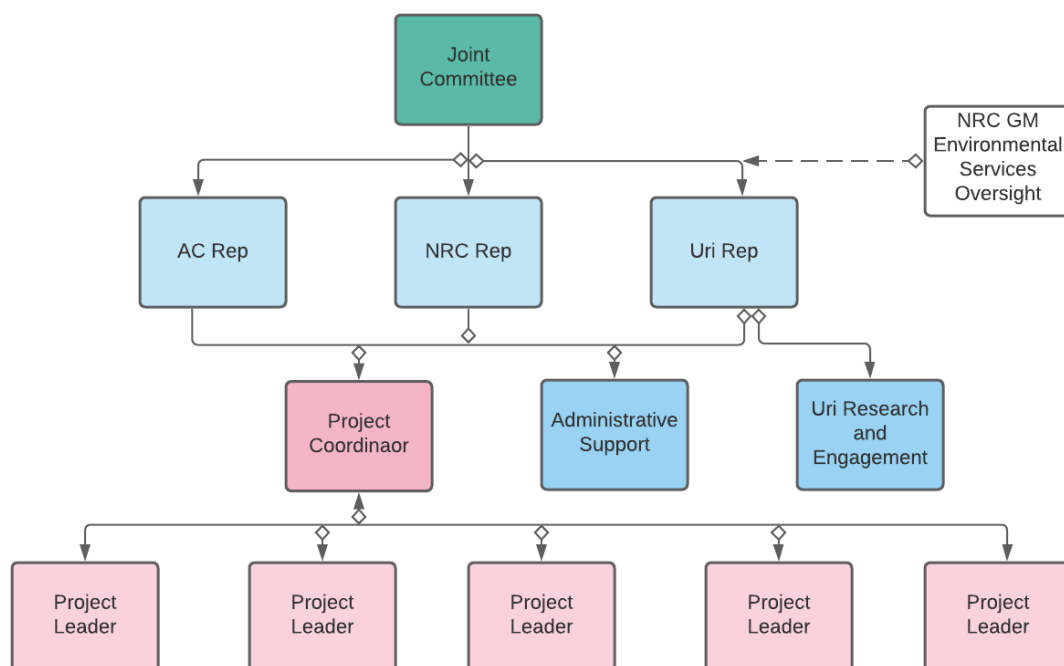
It should be noted the Group Manager – Environmental Services has delegated authority to authorise agendas for Joint Committee meetings and workshops, and that when preparing business items for an agenda he is required to consult with the Joint Committee’s Chair and Deputy Chair. Agendas will be prepared under the supervision of, or by members of the Interim Management Team, and submitted to Group Manager – Environmental Services for sign-off.

The work of the Joint Committee can be implemented by a range of Project Leaders, reporting to the Interim Management Team, as shown in the diagram below. These project leaders can be coordinated by a Project Coordinator, working with appropriate project management disciplines structures and procedures to ensure that all project and expenditure comply with funding guidelines from the Ministry for the Environment and NRC, and will stand up to audit.

It is also proposed that a part time person (0.5 FTE) to support Kaipara Uri be appointed or seconded. This person will have the role of liaising with Kaipara Uri representatives on the Joint Committee, liaising and reporting information to and from Kaipara Uri themselves, assisting with communications and engagement with marae and others, and supporting Kaipara Uri entities in relation to the remediation programme as required.

In order to assist Joint Committee members and the Interim Management Team, it is recommended an Administrative Support Person be contracted until 1 July 2021. This person would carry out much of the organisational and administrative work.

The roles of each of these are summarised in Attachment 3, and the proposed structure is schematised as follows:



Ngā ritenga take pūtea / Financial implications

Costs associated with these staff are as follows:

- The time of the AC Management Team representative, Project Coordinator and project leaders seconded from the Auckland Council, will be allocated as an in-kind contributions to the programme from Auckland Council.
- Costs of the NRC, Kaipara Uri Representatives, Kaipara Uri Research and Engagement (0.4 FTE) and Administrative Support personnel will be borne by the cash contributions from Northland Regional Council (and if there is any shortfall, Auckland Council or Crown allocations).
- Costs for the GM Environmental Services and Project Leads will be taken as in-kind contributions to the project from NRC.

These costs are expected to be within an envelope of \$350,000 up until 30 June 2021.

Work is underway with the financial services area of the Northland Regional Council to ensure a consistent and equitable recording of in-kind contributions and time.

Delegations for Procurement

Much of the work through the implementation phase will be undertaken by seconded staff, consultants or contractors. In the absence of a tailored procurement policy for the remediation programme, it is recommended the Interim Management Team use the NRC's policy and the principles contained in the MOU in allocating contracts or seconding or employing staff.

In order to function effectively and efficiently through the implementation phase of the remediation programme, there are a number of financial delegations the Joint Committee is recommended to make. These delegations will enable the Joint Committee to approve the NRC to enter into specified contracts and/or purchase orders for:

1. the purchase of materials or goods required;
2. the engagement of services;
3. daily or administrative Committee functions; and
4. capital purchases.

Delegations include the authority to sign and approve orders within expenditure limits and policies in the Joint Committee's Annual Plan, Annual Budget, the MOU and Funding Agreement, and any other relevant policy or procedure.

The Group Manager Environmental Services already has delegated authority to spend up to \$250,000. These limits are exclusive of GST.

The Northland Regional Council has a well-developed procurement policy consistent with the requirements of the Local Government Act 2002. It is recommended this policy is adopted for the remediation programme in the interim. Critical elements of the policy are set out in Attachment 4. The policy is summarised as follows:

- **Purchases between \$0 and \$3000:** At least one (1) verbal quotation is required for goods and services at this level of order value.

- **Purchases between \$3,001 and \$25,000:** At least two (2) written quotations are to be requested.
- **Purchases between \$25,001 and \$75,000:** Staff can either choose to advertise a tender or RFQ or obtain at least three (3) written quotations.
- **For purchases between \$75,001 and \$250,000:** Either a formal tender or RFQ is to be invited by public advertisement or GETS.
- **Purchases in excess of \$250,000:** For purchases in excess of \$250,000, a formal tender or request for quote (RFQ) is to be invited by public advertisement and/or GETS (Government Electronic Tender Services). Awarding of tenders for purchases in excess of \$250,000 shall be referred to the Tenders Committee for an award decision.

A challenge the remediation programme faces in its allocation of contracts in the current fiscal year is that:

- The programme is under some pressure to distribute the \$12 million it is about to receive from Government, to achieve both environmental outcomes and job creation
- We are already four months into the financial year
- The workforce strategy has yet to be initiated – this strategy will recommend a procurement and employment regime having fully considered the views of different parties and the terms and implications of the objectives of the Kaipara Moana Remediation Programme MOU
- Some projects have only one supplier.

Given these pressures and limitations it is suggested that the Joint Committee considers amending the NRC procurement policy as follows:

- Where possible any contracts that are awarded are restricted to no more than one year;
- All suppliers be requested to give consideration to how the objectives of the Memorandum of Understanding as set out in Appendix One can be fulfilled by their proposals;
- The Joint Committee itself, and staff, when awarding contracts, be requested to give consideration to the suppliers that best meet the objectives of the Memorandum of Understanding;
- That reasons for the decision clearly state why tenders are being allocated to the successful suppliers;
- That in the interim the Management Team form a Panel for the purposes of determining Tenders;
- That the Tenders Panel have authority to approve tenders where such approvals are clearly within the Kaipara Moana Remediation Joint Committee's Annual Plan and Budget up to a value of \$250,000, referring, with recommendations tenders over \$250,000, to the Joint Committee for approval.

- That the Interim Management Team and Group Manager Environmental Services (NRC) be permitted to determine those occasions that may arise where an advantageous result would not be achieved by advertising a tender or RFQ or seeking three (3) formal written quotes (in accordance with NRC procurement policy thresholds);
 - That in these circumstances, the reasons for not seeking three (3) written quotes and / or advertising tenders must be documented in writing and available to the Joint Committee on request.
-

1. Aromātai whāinga haumi mō te oranga / Wellbeing Investment objectives and assessment

The measures set out in this report give expression to the investment objectives of the Kaipara Moana Remediation Programme MOU (Attachment 2). The allocations and resources proposed enable immediate implementation of those projects that will lead to restoration of the mauri to Kaipara Moana and enable it to be healthy, self-sustaining and naturally productive.

The inclusion of Kaipara Uri representative staff in the Interim Management Team and the employment of an Engagement and Research person ensures that the human capital considerations set out in the in the MOU objectives, such as empowering Kaipara Uri and local community participation, are also expressed.

2. Ngā tūraru me ngā mauru / Risks and mitigation

The expenditure decisions arising from this report are relatively modest and have limited risk. The staff in the Interim Management Group have been working constructively as a unit for some time and a cooperative approach has been developed. Employing a Project Coordinator with the Project Leaders under specific project management and reporting disciplines limits risk and reflects a common approach for organisational arrangements.

3. Significance, Risk and Mitigation

In relation to section 79 of the Local Government Act 2002, the decisions arising from this report are considered to be of low significance when assessed against Northland Regional Council's significance and engagement policy. This does not mean that this matter is not of significance to tangata whenua and/or individual communities, but that the joint committee is able to make these decisions without undertaking further consultation or engagement.⁶

4. Ngā whāinga mō āmuri / Next steps

Upon the joint committee making the excepting the recommendations as set out above, staff implementing these decisions will:


1. Bring forward appropriate reports relating to the Year 1 Work Programme
2. Establish the Interim Management Team and interim staff support structure with a Project Coordinator, and Project Leaders, Kaipara Uri Research and Engagement person, and Administrative Support Person.


⁶ This joint committee is using the Northland Regional Council's standing orders in relation to reports and agendas. The Local Government Act requires councils to have a significance and engagement policy (which identifies matters that require special consultation with tangata whenua and the community) and to have regard to that policy when making decisions


3. Following approval, allocate a sum of \$350,000 be allocated for Contract servicing staff, to be paid from Council's cash contributions until such time as the Deed of Funding is signed and Crown money available.
 4. Work within the Northland Regional Council financial delegations policy as amended by this report.
 5. Ensure that the Joint Committee is kept informed on progress and any major issues.
-

Attachments/Ngā tapirihanga

Attachment 1: Investment Objectives [↓](#) 

Attachment 2: Anticipated 12 Month Work Tasks [↓](#) 

Attachment 3: Duties of Interim Staff [↓](#) 

Attachment 4: Excerpts from NRC Procurement Policy [↓](#) 

Attachment 1: Investment Objectives

The Annual Work Plan needs to meet the investment objectives of the Kaipara Moana Remediation programme. These objectives were identified in the Kaipara Moana Remediation Business Case, and are refined in the Memorandum of Understanding (the MOU) between the Crown, Kaipara Uri entities (Ngā Maunga Whakahī o Kaipara, Te Roroa, Te Rūnanga o Ngāti Whātua, Te Uri o Hau), and the Northland Regional Council and Auckland Council. The Kaipara Moana Remediation investment objectives are:

1. (a) **Tiaki taiao (Natural Capital)**: Primary objective is to restore mauri to Kaipara Moana and enable it to be healthy, self-sustaining and naturally productive through:
 1. (i) material reduction in erosion from land and streams, including a reduction of associated contaminants;
 2. (ii) improvement in water quality and biodiversity of streams/waterways; and
 3. (iii) reduction in sediment in Kaipara Moana to below ecological effects threshold.
2. (b) **Ōhanga (Physical & Financial Capital)**: Create sustainable, resilient and optimised primary production in the Kaipara catchment and harbour through:
 1. (i) improved land management guided by improved advice and evidence; and
 2. (ii) recognising intergenerational equity and support a just transition to better environment outcomes;
3. (c) **Manaaki Tangata (Human Capital)**: Improve Kaipara Uri and local skills and capability to support innovation, effective land management, and community resilience through:
 1. (i) material lift of capability and capacity to address environmental challenges;
 2. (ii) providing exemplar benefits to other catchments and nationally; and
 3. (iii) developing and utilising local skills and local enterprise to lead to sustainable outcomes; and
4. (d) **Tātai Hononga (Social Capital)**: Enable kotahitanga by empowering Kaipara Uri and local community participation, including hapū and marae, in local solutions, leveraging opportunities through:
 1. (i) mobilising local participation and delivery;
 2. (ii) line of sight between local initiatives and governance - so that local activities are

aligned with wider needs; and

3. (iii) customary practice is prioritised with focus on taonga species and mātauranga Māori perspectives.

Attachment 2: Anticipated 12 Month Work Tasks

| Work Stream | Estimated Report Timing |
|---|--------------------------------|
| | |
| Governance, Management and Administration Prior to 30 June 2020 | |
| | |
| Initial Committee processes and procedures | October 2020 |
| Committee Members Remuneration | October 2020 |
| Delegations and Procurement Policies | October 2020 |
| Deed of Funding | November 2020 |
| First Year Work Programme | November 2020 |
| Options for Operational Entity: i.e., stand-alone business unit, trust, company, etc – initial Workshop | November 2020 |
| Reporting Policies, Protocols and Templates Framework | December 2020 |
| Committee reports | December 2020 |
| Monthly progress and Financial Reports | December 2020 |
| Half yearly and Annual Reports | December 2020 |
| New Operations Entity decision | February 2021 |
| Staff Structure | March 2021 |
| Year Two Work Programme | March 2021 |
| Decision on Staff Employment (CEO) | April 2021 |
| Human Resource Policies and Procedures | April 2021 |
| Procurement and Contracting Policies and Procedures | April 2021 |
| | |
| Engagement and Communication | |
| | |
| Links with overall strategy | December 2020 |
| Identity and communication strategy processes and channels | December 2020 |
| Branding and imaging | December 2020 |
| Engagement Strategy, Stake-holder map and database | February 2020 |
| Key messages | February 2020 |
| Communications processes and channels | February 2020 |
| Engagement and communications cycle, calendar and timetable | February 2020 |
| Maori/Marae communications and engagement protocols, process and timetable | February 2020 |
| Links with IKHMG IBT, Sustainable Land Use, Fonterra FEPs and other projects | February 2020 |
| | |
| Remediation implementation | |
| | |

| | |
|--|--------------------|
| Project and Programme Management Polices | October 2020 |
| Land Owner engagement schedule and activities | From November 2020 |
| Partnership and leverage linkages (e.g Fonterra) | From November 2020 |
| Contracting Activity | From November 2020 |
| Funding application policies and practices – finding allocations in accordance with policy | From November 2020 |
| Processing/approving of FEPS | From November 2020 |
| Processing of Funding applications | From November 2020 |
| Forest Bridge Trust partnership | From November 2020 |
| Farm Environment Plan Implementation (Northland) | From November 2020 |
| Kaipara Nurseries | February 2021 |
| Community Lead Projects (Report and Approach) | March 2021 |
| Adviser Training and Accreditation | May 2021 |
| | |
| Capability and workforce | |
| | |
| Human Resources and Workforce Strategy | February 2021 |
| Staff Structure | February 2021 |
| Adviser Training and Accreditation | May 2021 |
| | |
| Digital systems and tools | |
| | |
| IT and Information Management Strategy including FEP tools accounting and grants system | February 2021 |
| Hardware and software requirements and Licencing | February 2021 |
| | |
| Science and Monitoring | |
| | |
| Mātauranga Māori, Science and Monitoring Strategy | November 2020 |
| Best practice investigations and trials | From January 2021 |
| | |
| | |
| Governance, Management and Administration After 30 June 2020 | |
| | |
| Planning Programming and Budgeting System and Policy | |
| Reporting Policies, Protocols and Templates Framework | |
| Committee reports | |
| Risk Register and Reporting | |
| Health and Safety Reporting | |
| Project and Programme Reporting | |
| Monthly progress and Financial Reports | |

| | |
|---|--|
| Half yearly and Annual Reports | |
| Governance Policies | |
| Delegations Policies | |
| Human Resource Policies and Procedures | |
| Procurement and Contracting Policies and Procedures | |
| Financial Policies and Processes | |
| Funding strategies and policies | |
| Pricing and charging policies | |
| Treasury and Investment Policies ?? | |
| Depreciation polices | |
| Financial Management Information System - Accounting System | |
| AP and AR and month-end procedures | |
| Petty cash policies | |
| | |
| Engagement and Communication | |
| | |
| Implementation of strategy | |
| | |
| Remediation implementation | |
| | |
| Kaipara Nurseries | |
| | |
| Capability and workforce | |
| | |
| Delegations Policies | |
| Human Resource Policies and Procedures | |
| Procurement and Contracting Policies and Procedures | |
| Performance management system | |
| Remuneration and rewards policy and procedures | |
| Training and capability development activities | |
| Health and Safety Policies, practices and audits | |
| | |
| Digital systems and tools | |
| | |
| Implementation of IT and Information Management Strategy | |
| | |
| Science and Monitoring | |
| | |
| Mātauranga Māori, Science and Monitoring Strategy | |
| Best practice investigations and trials | |
| Data collections practices and protocols | |

| | |
|--|--|
| Monitoring System | |
| Reporting cycle, templates and protocols | |
| Evaluation research and feedback | |
| | |

Attachment 3: Duties of Interim Staff

Management team

- advise in a support joint committee representatives
- draft papers and prepare agendas
- coordinate strategy and direction options for the joint committee consideration
- liaise with government departments and key agencies
- Provide professional support to develop the new entity
- Liaise with and take directions from the contributing agencies to the joint committee (NRC, AC, Kaipara Uri.
- Act as a tenders panel to let contracts and carry out procurement activity
- Act as a project control group overseeing all projects
- Where required act as a project leader

Project Coordinator

- Maintain a database of all projects, project briefs timeframes, resources and budgets
- Monitor and report on the progress of each project to the management team
- Liaise with the project leaders to ensure projects are on task
- Raise any issues foreseen with the project leaders in if required the management team

Uri Research and Engagement Advisor

- Support representatives with research relating to the inclusion of hapu and Uri in the remediation process – including research supporting positions taken in final treaty settlement matters relating to the Kaipara Moana
- Assist representatives with engagement activity
- Provide administrative support as required to Uri representatives
- Contribute to Mataranga Maori activities within the project and programme work of the KMR.

Administrative Support

- Coordinate agendas for the joint committee
- Program schedule and book meetings and make meetings arrangements on Marae and other venues for the joint committee and its representatives
- Assist representatives with Administrative support as required

Project Leaders

- Prepare project briefs and project Skype's briefs and project plans for consideration and approval by the interim management team and joint committee
- Within the policy and procurement guidelines of the joint committee, employee or contract appropriate resources to carry out projects
- Liaise with the project coordinator to monitor and report on the progress of the projects
- Take overall responsibility for the project outputs and outcomes
- Drive and deliver the project to conclusion

Attachment 4: Excerpts from NRC Procurement Policy

Critical elements of the Northland Regional Council Procurement Policy are as follows:

“When planning procurement projects, we will:

- Use processes that are proportionate to the size, complexity and risks involved in the contract to get the best outcomes;
- Make sure we have up to date knowledge about the market and the effect our procurement has on it;
- Involve suppliers early in the process to explain our needs, learn about them and explore opportunities for new solutions before going to market; and
- Ensure we have financial approval aligned with council’s financial delegation policy and approved budgets before going to market.

“When we buy goods/services/works, we will:

- Purchase off government collaborative contracts;
- Focus on supporting Northland goods and service providers by buying locally in those situations where all other attributes are equal, and noting that we must give all suppliers a full and fair opportunity to compete;
- Choose suppliers that have demonstrated their ability to meet our requirements and offer the best value for money over the lifetime of the goods/services/works, considering:
 - all the costs of ownership over that lifetime; and
 - suppliers’ ability to deliver what we need at a fair price and on time; and
 - broader outcomes, which include increasing access for New Zealand businesses, construction skills and training, improving conditions for New Zealand workers and reducing emissions and waste – for further detail see <https://www.procurement.govt.nz/broader-outcomes/>; and
- Have an approved purchase order/contract in place before the supplier starts delivering goods/services/works – except when using a Credit card.

Thresholds and rules

Our standard procurement processes are based on the following monetary thresholds and rules.

Purchases in excess of \$250,000 and between \$75,000-\$250,000

For purchases in excess of \$250,000, a formal tender or request for quote (RFQ) is to be invited by public advertisement and/or GETS (Government Electronic Tender Services). Please refer to the separate tendering policy

For purchases between \$75,001 and \$250,000, either a formal tender or RFQ is to be invited by public advertisement or GETS in accordance with council's tendering policy.

Occasions may arise where, due to extenuating circumstances, an advantageous result would not be achieved by advertising a tender or RFQ, for purchases between \$75,001 and \$250,000. As a minimum, three (3) formal written quotations will be required. In these circumstances, the reasons for the extenuating circumstances must be documented in writing and authorised by the relevant group manager or CEO prior to proceeding to seek quotations. Such contracts must be authorised and signed by the relevant group manager or CEO.

Purchases between \$25,001 and \$75,000

There are several options open to council staff for goods and services of this value.

Staff can either choose to advertise a tender or RFQ for the relevant goods and services following the guidelines listed in the above clause "purchases in excess of \$25,000 and between \$75,000 and \$250,000" or obtain at least three (3) written quotations and the most advantageous to council shall be selected.

Occasions may arise where, due to extenuating circumstances, an advantageous result would not be achieved by advertising a tender or RFQ or obtaining three (3) formal written quotations for purchases between \$25,001 and \$75,000. In these circumstances, the reasons for the extenuating circumstances must be documented in writing and authorised by the relevant group manager or CEO prior to proceeding to seek single quotations.

Purchases between \$3,001 and \$25,000

At least two (2) written quotations are to be requested and the most advantageous to council shall be selected. If for some reason two (2) written quotes cannot be obtained, the reasons are to be documented and referred back to the group manager or CEO for acceptance and sign-off.

Purchases between \$0 and \$3000

At least one (1) verbal quotation is required for goods and services at this level of order value. This verbal quotation is to be recorded on the requisition with the supplier's name, contact details and prices.

Rules applying to the above thresholds

Awarding of tenders for purchases in excess of \$250,000 shall be referred to the Tenders Committee for an award decision – please refer to the Tendering Policy

- Detailed specifications and “Requests for Written Quotation” are to be provided to the suppliers providing quotations.
- Documentation must be retained on file regarding the process undertaken to source the successful supplier.
- If staff are not accepting the lowest-priced bid, then the reasons must be documented and forwarded to the group manager or CEO for acceptance and sign-off.
- Staff must operate within their level of financial delegation as authorised by the staff purchasing delegations register and shall only have the ability to accept tenders or quotes within the limit of their approved financial delegation.
- Under no circumstances are orders to be split into their component parts so that the total value of the procurement is diminished to achieve a lower threshold. If the procurement has several stages, then the total overall expected value of all the stages of procurement is to be summed, to determine the threshold that applies.

TITLE: **Kaipara Moana Remediation – Initial Project Approvals**

ID: A1378286

From: John Hutton, Auckland Council Management Representative

Authorised by Jonathan Gibbard, Group Manager - Environmental Services, on date 23
Group Manager: October 2020

He Rāpopoto hautū / Executive summary

Approval is sought for four initial projects to achieve timely outcomes and help set up the building blocks required for Year 1 of the Kaipara Moana Remediation programme.

Three of the proposed projects are to develop strategies which will underpin later decision-making and investment in the key areas of engagement and communications, and capability and workforce.

A fourth project will identify the best plants for riparian planting to stabilise stream banks in the Kaipara Moana catchment, enabling nurseries to begin growing these plants for the 2022 planting season.

Approval is also sought for the Northland Regional Council to provide the banking and accounting services required for the remediation programme by being nominated as the ‘recipient’ to receive Crown grant funding, until such time as a future Kaipara Moana Body is established and an alternative arrangement put in place.

Ngā tūtohu / Recommendation(s)

1. That the report ‘Kaipara Moana Remediation – Initial Project Approvals’ by John Hutton, Auckland Council Management Representative and dated 21 October 2020, be received.
 2. That budget be approved for four projects totalling \$407,000 (excluding GST), being:
 - a. Engagement and Communications Strategy (\$102,000)
 - b. Kaipara Nursery Strategy (\$60,000)
 - c. Workforce Strategy (\$71,000)
 - d. Te Paiaka – Native Root Project (\$174,000)
 3. That the Northland Regional Council is asked to provide the banking and accounting services required to undertake these and future projects, until such time as a future Kaipara Moana Body is established.
 4. That the four projects be funded by a combination of in-kind and cash contributions by Auckland Council and Northland Regional Council, ahead of the finalisation of a deed of funding with the Crown, and that this will be counted as part of councils’ co-funding contributions to the remediation programme.
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Horopaki / Context

Six inter-related work-streams have been identified to progress the Kaipara Moana Remediation programme, as set out in the 9 October 2020 report ‘Kaipara Moana Remediation Programme Annual Work Plan – Proposed Approach to Work-streams’:

- Governance, Management & Administration
 - Engagement & Communications
-

- Capability & Workforce
- Mātauranga Māori / Science & Monitoring
- Digital Systems & Tools
- Remediation Implementation.

This report seeks approval from the Joint Committee for four initial projects relating to three of the above work-streams:

- Engagement and Communications Strategy (Engagement & Communications work-stream)
- Kaipara Nursery Strategy (Capability & Workforce work-stream)
- Workforce Strategy (Capability & Workforce work-stream)
- Te Paiaka – Native Root Project (Mātauranga Māori / Science & Monitoring work-stream).

Tātari me ngā tūtohu / Analysis and advice

The Kaipara Moana Remediation programme is in its commencement phase, where achieving timely outcomes and setting up building blocks for the programme is a priority.

Three of the projects proposed here are to produce strategies to inform the programme's approach to, respectively, engagement and communications, nurseries, and workforce requirements.

Early completion of these strategies will help meet challenges the remediation programme faces in achieving wins on the ground with associated job creation outcomes, and building systems and processes to ensure the successful delivery of the overall programme.

There are considerable time-frame pressures on the programme to achieve outcomes in this financial year. Early commencement of these projects will help manage this.

The fourth proposed project will identify the most effective plants for riparian planting. Early commencement and completion of this project will allow the right plants to be sourced and grown by Kaipara nurseries for riparian planting from 2022. There is also a timing pressure to secure the services of a contractor with prior experience to undertake the required fieldwork and data collection.

Project budget provided through council cash and in-kind contributions

The four projects can be undertaken with resources from councils of cash and in-kind contributions. Written confirmation has been received from the Ministry for the Environment that these can be accounted for as part of the overall co-funding contribution by councils to the remediation programme.

This means commencement of the projects does not need to wait until finalisation and approval of the Year 1 work programme in its entirety, noting the Year 1 work programme will be required to be attached to deed of funding which remediation programme partners will sign with the Crown. (It is anticipated decisions will be sought to approve a Year 1 work programme at the joint committee's meeting scheduled for 16 November 2020).

Northland Regional Council proposed to be the 'banker' for the remediation programme

The Kaipara Moana Remediation programme requires a 'recipient' of funds from the Crown, with the recipient having appropriate accounting and financial processes to administer those funds. This Kaipara Moana Remediation Joint Committee is not a legal entity and cannot enter into its own contractual arrangements, or hold bank accounts in its own name, and therefore cannot be the 'recipient'.

At this stage it is recommended the Northland Regional Council is nominated to be the ‘recipient’ to receive Crown funding under the anticipated deed of funding. In doing so, the Northland Regional Council would hold and account for funding on trust, to the benefit and direction of this joint committee’s collective governance.

The Northland Regional Council has indicated it is happy to undertake this function. This would apply both for the projects which approval is sought for in this report, and for future projects approved as part of the wider Year 1 work programme.

As presently envisaged, all member parties for the Kaipara Moana Remediation programme – councils and Kaipara Uri entities - would sign the deed of funding with the Crown and have decision-making responsibilities and obligations under it. However, only one party would receive funds and be responsible for providing the banking and administrative support required – to effectively be the banker for the programme.

Confirmation that this approach is appropriate will assist discussions presently underway with the Ministry for the Environment on the deed of funding required for the Crown to begin funding the remediation programme. The deed of funding can be considered in detail at the next meeting of the joint committee, scheduled for 16 November 2020.

It should be noted this arrangement would not last for the life of the remediation programme. As set out in the Kaipara Moana Remediation Memorandum of Understanding, a statutory Kaipara Moana Body is anticipated to be established at some future date, with governance and stewardship of the remediation programme being taken up by it.

The future Kaipara Moana Body will likely be a legal entity able to receive and administer funds. This will enable a reconfiguration of funding arrangements, for example by the future Body entering into a new deed of funding with the Crown and becoming the recipient of that funding. (Noting also that matters relating to the future statutory Kaipara Moana Body need to be addressed in Treaty settlement discussions, which are separate from the work of this joint committee).

Project details and summary of costs

A summary of the proposed projects is provided below, with budget distinguished between cash and in-kind contributions by councils.

Detailed project documentation following best-practice project management principles is available but is not provided with this report.

The budgets for which approval is sought contain a contingency of around 10% for any unanticipated increase to projected costs.

Table 1: Initial projects proposed for approval

| | Project Name | Work-stream | Budget |
|---|--|---|------------------|
| 1 | Engagement and Communications Strategy | Engagement & Communications | \$102,000 |
| 2 | Kaipara Nursery Strategy | Capability & Workforce | \$60,000 |
| 3 | Workforce Strategy | Capability & Workforce | \$71,000 |
| 4 | Te Paiaka – Native Root Project | Mātauranga Māori / Science & Monitoring | \$174,000 |
| | | | \$407,000 |

In addition to the above, budget approval of \$350,000 for management and administrative services to support the joint committee and work programme, is sought in a separate report on this agenda.

Project 1: Engagement and Communications Strategy

Timeframes: November 2020 to February 2021 (with support to April 2021)

The Engagement and Communications Strategy Project will be undertaken by two specialist providers who will provide, respectively:

- i) **Engagement Strategy:** clarify and articulate the purpose, principles, themes and desired outcomes of the programme; align projects to outcomes; and provide clarity and visibility to decisions and priority setting. With this alignment and focus:
 - a. identify the stakeholders, partners, and focus groups for the programme
 - b. define the programme’s key messages and desired outcomes for each of these
 - c. develop a framework that includes consideration of approach and engagement, expectations and risk, scale and target, and long-term brand and identity.

- ii) **Communications Strategy:** identify key communications platforms and products, aligning these with identified stakeholders and partners. Undertake concept and design work for subsequent approval of budget and implementation on:
 - a. branding and identity
 - b. website development
 - c. simple communications / marketing resources
 - d. other collateral as required.

For the engagement strategy, a conversation with the Integrated Kaipara Harbour Management Group (IKHMG) will be required to consider how the remediation programme and the IKHMG might evolve in relation to each other. The IKHMG has long provided a platform for communication and engagement between the many community, marae and hapū, industry association, council, and environmental organisations involved through the Kaipara Moana catchment. It is also undertaking certain operational functions with government and council funding. Consideration of engagement mechanisms with marae and hapū groups in the catchment headwaters can be undertaken through the engagement strategy.

| | |
|------------------------------|------------------|
| Total project budget | \$102,000 |
| Council cash contribution | \$85,000 |
| Council in-kind contribution | \$8,000 |
| Contingency | \$9,000 |

Note – values identified above are exclusive of GST

Project 2: Kaipara Nursery Strategy

Timeframes: November 2020 to April 2021

The Kaipara Nursery Strategy will identify the key supply needs for collecting and germinating eco-sourced seeds to grow robust plants, and related nursery and workforce requirements of the Kaipara Moana Remediation Programme. It will recommend the short, medium and long term approaches that are required to ensure the supply of stock can meet the Kaipara Moana Remediation deliverables, and align forecast demand, design collaboration, and supply. (Noting an estimated 30 million riparian plants will be required over the 10 year project period). Kaipara Uri entities have an interest in the development of nursery capacity and associated business opportunities.

| | |
|---------------------------|-----------------|
| Total project budget | \$60,000 |
| Council cash contribution | \$48,000 |

| | |
|------------------------------|---------|
| Council in-kind contribution | \$6,000 |
| Contingency | \$6,000 |

Note – values identified above are exclusive of GST

Project 3: Workforce Strategy

Timeframes: November 2020 to February 2021

The Workforce Strategy project aims to create a strategy to identify the workforce required to deliver all components of the Kaipara Moana Remediation Programme implementation. Central to the strategy will be a consideration of the workforce skills needed to deliver that capacity; and how to maintain the viability and longevity of that workforce. Achieving training, development and employment opportunities for rangatahi will help meet the remediation programme's investment objective of Manaaki Tangata (Human Capital).

| | |
|------------------------------|-----------------|
| Total project budget | \$71,000 |
| Council cash contribution | \$60,000 |
| Council in-kind contribution | \$5,000 |
| Contingency | \$6,000 |

Note – values identified above are exclusive of GST

Project 4: Te Paiaka – Native Root Project

Timeframes: November 2020 to May 2021

Te Paiaka – Native Root Project will undertake data collection and analysis of rooting properties for common riparian plant species of the Auckland Region and much of Northland. The project will determine the plants most effective for riparian planting (and where on the streambank to plant) to minimize and mitigate streambank erosion. The quantitative data collected will also be input into the Bank Stabilisation and Toe Erosion Model. Undertaking riparian planting with effective and locally-sourced native plant species is a long-stated objective of Kaipara Uri and will support biodiversity outcomes.

| | |
|------------------------------|------------------|
| Total project budget | \$174,000 |
| Council cash contribution | \$110,000 |
| Council in-kind contribution | \$54,000 |
| Contingency | \$10,000 |

Note – values identified above are exclusive of GST

1. Aromātai whāinga haumi mō te oranga / Wellbeing Investment objectives and assessment

The four proposed projects have been assessed as meeting the wellbeing investment objectives of the remediation programme.

2. Ngā ritenga take pūtea / Financial implications

Approval of the four proposed projects requires budget of \$407,000. These costs can be met through a combination of cash and in-kind contributions by councils. These costs are already budgeted for by councils and can be accounted for as co-funding for the remediation programme.

3. Ngā tūraru me ngā mauru / Significance, risk and mitigation

Risks and mitigations for the projects have been identified and have been assessed as minimal. Contractors will be engaged to undertake much of the work, with project management, support and additional work provided by experienced council staff.

4. Significance and Engagement

In relation to section 79 of the Local Government Act 2002, the decisions arising from this report are considered to be of low significance when assessed against Northland Regional Council's significance and engagement policy. This does not mean that this matter is not of significance to tangata whenua and/or individual communities, but that the joint committee is able to make these decisions without undertaking further consultation or engagement.⁷

5. Ngā whāinga mō āmuri / Next steps

Approval of the four proposed projects will enable them to be commenced immediately. Other projects are being prepared to be approved as part of the Year 1 work-plan, anticipated to be considered by this joint committee at the meeting scheduled for 16 November 2020.

Attachments/Ngā tapirihanga

Nil

⁷ This joint committee operating under the Local Government Act which requires a significance and engagement policy (which identifies when matters require special consultation with tangata whenua and the community) and to have regard to that policy when making decisions. As the administrative support for the joint committee is provided by the Northland Regional Council, it's that councils Significant and Engagement Policy that will apply to joint committee decision making.