

**Agenda**

# Rārangi Take

Kaipara Moana Remediation Joint Committee  
Monday 13 June 2022 at 09.30am



# Kaipara Moana Remediation Joint Committee Agenda

Meeting to be held in the remote  
on Monday 13 June 2022, commencing at 09.30am

**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)**

Tame Te Rangi (Chair), Te Runanga o Ngāti Whātua  
Penny Smart (Deputy Chair), Northland Regional Council  
Amy Macdonald, Northland Regional Council  
Cherie Povey, Ngā Maunga Whakahii o Kaipara  
Daniel Newman, Auckland Council  
Georgina Connelly, Te Uri o Hau  
Greg Sayers, Auckland Council  
Jane Sherard, Ngā Maunga Whakahii o Kaipara  
Joce Yeoman, Northland Regional Council  
Malcolm Welsh, Te Uri o Hau  
Virginia Warriner, Te Runanga o Ngāti Whātua

### **KARAKIA / WHAKATAU**

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<b>1.0 HOUSEKEEPING</b>	
<b>2.0 NGĀ WHAKAPAHĀ (APOLOGIES)</b>	
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**TITLE:** **Confirmation of Minutes - Kaipara Moana Remediation  
Joint Committee 11 April 2022**

**From:** Sandra Harris, Administrator Kaipara Maurikura

**Authorised by** Justine Daw, Pou Tātaki, on 09 June 2022  
**Group Manager/s:**

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**Ngā mahi tūtohutia / Recommendation**

That the minutes of the Kaipara Moana Remediation Joint Committee meeting held on 11 April 2022, confirmed as a true and correct record.

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**Attachments/Ngā tapirihanga**

Attachment 1: Kaipara Moana Remediation Joint Committee Minutes 11 April 2022 [↓](#) 

Kaipara Moana Remediation Joint Committee  
11 April 2022

## Kaipara Moana Remediation Joint Committee Minutes

Meeting held remotely  
on Monday 11 April 2022, commencing at 09.30am

### Tuhinga (Present):

Tame Te Rangi (Chair), Te Rūnanga o Ngāti Whātua  
Penny Smart (Deputy Chair), Northland Regional Council,  
Amy Macdonald, Northland Regional Council,  
Daniel Newman, Auckland Council,  
Cherie Povey, Ngā Maunga Whakahī o Kaipara,  
Greg Sayers, Auckland Council,  
Virginia Warriner, Te Rūnanga o Ngāti Whātua,  
Malcolm Welsh, Te Uri o Hau,  
Joce Yeoman, Northland Regional Council,  
Georgina Connelly, Te Uri o Hau

### I Tae Mai (In Attendance):

Justine Daw – Pou Tātaki, Kaipara Maurikura	John Hutton – Interim Strategic Business Manager, Kaipara Maurikura
Duncan Kervell - Land and Catchments Projects Contractor, Kaipara Maurikura	Stephanie Versteeg - Amo-Rautaki Pākihi Strategic Business Manager, Kaipara Maurikura
William Wright - Ringa-Hononga Mana Whenua   Mana Whenua Relations Lead, Kaipara Maurikura	Lisette Rawson - Amo-Rauora Kōawa   Catchment Remediation Manager, Kaipara Maurikura
Ilka Pelzer – Ministry for the Environment (Observer)	Ben Hope - Ringa-Pārongo   Communications Lead, Kaipara Maurikura
Robyn Stubbing – Notetaker Kaipara Maurikura	Griffin Hope - Pūtohu – Hononga Hapū and Hāpori
David McDermott – Land Project Consultant Planting Specialist	Darren van Beek - Pūtahi – Tira Mahi, Whanake, Auaha   Workforce, Business Growth, and Innovation Advisor

*Secretarial Note: Committee members were introduced to Robyn Stubbing, note taker. Condolences to acknowledge the passing of Joint Committee member Greg Sayers's mother.*

The Chair declared the meeting open at 9.30am.

### Karakia Tīmatanga and Whakataua

*Secretarial note: Due to the current COVID-19 restrictions and the meeting being conducted fully remotely, proceedings were livestreamed - <https://youtu.be/avwnDDqg7cM>*

### Ngā whakapahā / Apologies (Item 1.0)

#### Moved ( Smart / MacDonald )

That the apologies from Councillor Danielle Hancock (Auckland Council) and Jane Sherard (Ngā Maunga Whakahī o Kaipara) for non-attendance be received.

Carried











**TITLE:** Receipt of Action Tracker - June 2022

**From:** Sandra Harris, Administrator Kaipara Maurikura

**Authorised by** Justine Daw, Pou Tātaki, on 09 June 2022  
**Group Manager/s:**

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### Whakarāpopototanga / Executive summary

This report tables to the meeting an Action Tracker, which records actions still to be resolved from previous Joint Committee meetings. It is a helpful record for both the Kaipara Maurikura and the Joint Committee to have visibility of outstanding actions, including to inform development of a forward schedule of work for the Joint Committee. The Action Tracker complements the formal Joint Committee papers and minutes, both of which are published on the KMR website.

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### Nga mahi tutohutia / Recommendation

That the action sheet be received.

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### Attachments/Ngā tapirihanga

Attachment 1: Action Tracker - June 2022 [↓](#) 





**TITLE:** **Forward Workplan 2022**

**From:** Sandra Harris, Administrator Kaipara Maurikura

**Authorised by** Justine Daw, Pou Tātaki, on 09 June 2022  
**Group Manager/s:**

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### **Whakarāpopototanga / Executive summary**

This report tables to the meeting an indicative forward Joint Committee Workplan, which sets out a high-level view of expected discussions and papers to be tabled over the calendar year 2022. It serves as a helpful record for both the Kaipara Maurikura, and the Joint Committee and will be refreshed on a monthly basis to reflect any new minuted Resolutions for which report-backs are required, new items for discussion, and any changes in timeframes.

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### **Nga mahi tutohutia / Recommendation**

That the Indicative Forward Workplan sheet be received.

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### **Attachments/Ngā tapirihanga**

Attachment 1: Indicative Forward Workplan 2022 [↓](#) 



**TITLE:** Year 3 Annual Work Plan (Final Draft)

**ID:**

**From:** Stephanie Versteeg, Amo-Rautaki Pākihi | Strategic Business Manager

**Authorised by  
Group Manager:** Justine Daw, Pou Tātaki, on 09 June 2022

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### He Rāpopoto hautū / Executive summary

The Kaipara Moana Remediation (KMR) Programme Deed of Funding with the Ministry for the Environment (MfE) requires the KMR Joint Committee (Joint Committee) to prepare an Annual Work Plan for each Financial Year of the programme. The Final Draft Annual Work Plan (the Work Plan) is appended (Attachment 1).

As required under the Deed of Funding a draft of the plan was provided to MfE by 30 April, and MfE is to notify the Joint Committee whether the Ministry accepts the draft Work Plan, or whether it requests reasonable modifications to it.

At the time of writing this report, MfE are yet to provide written confirmation that they are not seeking modifications to the draft Year 3 Annual Work Plan. However, staff are in communication with MfE and if written feedback is received prior to the Joint Committee's meeting on 13 June then it can be tabled at that meeting.

If MfE seek no modifications to the draft Year 3 Annual Work Plan, it is recommended the Joint Committee confirms adoption of the plan, subject to minor adjustments between financial years when expenditure for Year 2 projects is reconciled for FY2021-22 and unspent budget is transferred to FY2022-23 as required to take multi-year projects through to completion. The latter is required as expenditure for some projects to year's end is not yet confirmed.

On current estimates, KMR will not need to draw down additional grants funding from MfE in the first six months of the Year 3 Work Plan. The remaining \$5.486 million of Crown funding contribution will be sufficient, when combined with matched council and other funding sources, to progress all projects to December 2022.

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### Ngā tūtohu / Recommendation(s)

1. That the report 'Year 3 Annual Work Plan (Final Draft)' by Stephanie Versteeg, Amo-Rautaki Pākihi | Strategic Business Manager and dated 9 June 2022, be received (Attachment 1).
2. That the Joint Committee confirm and adopt the Year 3 Work Plan and budget, subject to minor adjustments between financial years when expenditure for Year 1 projects is reconciled for FY2021-22 and unspent budget is transferred to FY2022-23 as required.
3. That the Chair and Deputy Chair are delegated approval of any modifications to the Annual Work Plan to address feedback from the Ministry for the Environment on the draft Work Plan.
4. That the Year 3 Annual Work Plan be submitted to the Ministry for the Environment by 30 June, as required under the Deed of Funding, and KMR staff work with the Ministry to finalise the Year 3 budget for multi-year projects as these are confirmed.

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## Horopaki / Context

1. At the Joint Committee workshop on 14 March 2022 and the Joint Committee Hui on 11 April 2022, early direction for the KMR Year 3 Annual Work Plan was sought and received. In line with that direction, a draft Year 3 Annual Work Plan was developed by mid-April 2022.
  2. In line with Joint Committee decisions, the Year 3 Annual Work Plan was then reviewed by the Joint Committee Chair and Deputy Chair and signed out by the Joint Committee Chair on 28 April 2022 for submission to the Ministry for the Environment for review.
  3. While the Ministry has 20 working days following that to request any reasonable modifications to the Work Plan, a short extension sought by MfE was granted. Written feedback has not yet been received from the Ministry.
  4. This report updates the Joint Committee on steps taken to finalise the Year 3 Annual Work Plan and, pending a response from MfE, seeks a decision from the Joint Committee to confirm its adoption.
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## Tātari me ngā tūtohu / Analysis and advice

### Proposed further process to confirm the Annual Work Plan

Under the Kaipara Moana Remediation Programme Deed of Funding, MfE is to notify the Joint Committee whether the Ministry accepts the draft Work Plan, or whether it requests 'reasonable modifications' to it, to be accompanied by the rationale for such requests. If MfE does not seek modifications, the draft Annual Work Plan is deemed to be incorporated into and form part of the Deed of Funding.

If MfE requests modifications, the Joint Committee will 'as it reasonably considers appropriate' update the draft and resubmit it to the Ministry for subsequent review. If the Joint Committee does not agree to changes and after further discussion MfE continue to request modification, grant funding specific to that area of the Annual Work Plan will not be provided, while the funding for projects the Ministry does agree with will be paid on the basis that the Annual Work Plan has been agreed and finalised. In short, disagreement in one area of the Annual Work Plan will not hinder the balance of the projects proceeding.

At the time of writing this report, MfE are yet to provide written confirmation that no modification to the draft Year 3 Annual Work Plan is sought. It is anticipated that written feedback will be received prior to the Joint Committee's meeting on 13 June and can be tabled at that meeting.

If MfE seek no modifications to the draft Year 3 Annual Work Plan, it is recommended the Joint Committee confirms adoption of the Year 3 Annual Work Plan, subject to minor adjustments between financial years when expenditure for Year 2 projects is reconciled for FY2021-22, and unspent budget is transferred to FY2022-23 as required to take projects through to completion. The latter is required as expenditure for projects to FY2021-22 year's end can only be fully confirmed from mid-July.

If MfE seek modification to the Year 3 Annual Work Plan, it is recommended that the Chair and Deputy Chair are delegated approval of any changes, following negotiation with the Ministry to reach a satisfactory conclusion.

This delegation is recommended because the Joint Committee is next scheduled to meet on 15 August, and postponing decisions may lead to delays in implementation. To retain visibility for the Joint Committee, proposed changes can be communicated to members before decision-making by the Chair and Deputy Chair. This will give members an opportunity to provide views, if desired, to help inform any decisions. If a fundamental reworking of the Annual Work Plan is sought by MfE – which is not anticipated – the Chair and Deputy Chair can decline to exercise their delegation, and decision-making can be brought back to the Joint Committee on 15 August.

### Overview of the Year 3 Annual Work Plan

The proposed Kaipara Moana Remediation Programme Year 3 Annual Work Plan is provided as Attachment 1 to this report, for final consideration and adoption by the Joint Committee.

In summary, the Year 3 Annual Work Plan:

1. is focussed on scaling up delivery of Sediment Reduction Plans and associated remediation activity, particularly through Landowner Grants and the Whenua Whānui Fund, and key partnerships with Kaipara Uri, Fonterra and The Forest Bridge Trust.
2. includes new initiatives that will enable implementation of Kōrero Tuku Iho (KMR's Mātauranga Māori Strategy) and its alignment within the KMR programme, enable effective long-term monitoring and evaluation, and support development of partnerships that bring in third party contributions to reduce costs to those taking action in the KMR programme.
3. provides operational funding for the Kaipara Maurikura, the Joint Committee and the development of Digital Tools in line with previous Work Plans, and allocates a major proportion of the communications budget for targeted outreach and engagement with communities, Kaipara Uri, iwi/hapū, marae and landowners.

Table 1 below summarises the six KMR work programme areas. Proposed budget and apportionment between funding sources is identified.

Project budgets in the Work Plan represent the estimated quantum required to achieve the identified outcomes. This includes a current estimate of the quantum of grant funding that will need to be rolled over from the current Year 2 financial year (2021-2022). As noted previously, this amount will be updated and confirmed after the end of the current financial year.

Budget estimates suggest that additional grants funding may need to be drawn down from the Ministry in the second half of FY2022/23. This will be actioned in the process set out in the Deed of Funding, including budget identification at the half year review.`



**Table 1: Overview by KMR work programme area in Year 3**

Work programme area	Proposed Year 3 funding			Summary of budget area
	Crown	Council/ Landowner /other	Total	
<b>Programme delivery – sediment reduction</b>	5.314	5.223	10.537	<ol style="list-style-type: none"> <li><b>1. Remediation grants and partnerships:</b> Continued support for remediation through Landowner Grants and the Whenua Whānui Fund, key partnerships with Kaipara Uri, Fonterra and The Forest Bridge Trust, and the development of Catchment Reference Groups.</li> <li><b>2. Workforce and capability development:</b> Increased focus, including Field Advisor training and mentoring, nursery support, and Employment Hub implementation.</li> </ol>
<b>Engagement &amp; partnership</b>	0.120	0.120	0.240	<ol style="list-style-type: none"> <li><b>3. Communications:</b> Budget reduced (with corresponding increase in 4 below).</li> <li><b>4. Community outreach:</b> New budget area focused on community/iwi/hapū outreach to build awareness of and participation in KMR.</li> </ol>
<b>Thriving Maurikura</b>	0.164	1.802	1.966	<ol style="list-style-type: none"> <li><b>5. Thriving Maurikura:</b> A slight decrease relative to Year 2.</li> </ol>
<b>Governance, planning &amp; reporting</b>	0.150	0.230	0.380	<ol style="list-style-type: none"> <li><b>6. Governance:</b> No change to Joint Committee costs.</li> <li><b>7. Programme monitoring:</b> New project to develop a programme monitoring and evaluation framework, expected to kick off in early 2023, to support outcome reporting. This will also cover audit costs and programme modelling.</li> </ol>
<b>Digital tools</b>	1.753	0.398	2.151	<ol style="list-style-type: none"> <li><b>8. System development and maintenance:</b> Continuation of existing projects with some additional budget for Phase 2 of digital tools, as well as ongoing maintenance.</li> <li><b>9. System governance and improvements:</b> Finalising digital improvements for sediment risk and wetlands, and hosting of a Technical Reference Group.</li> </ol>
<b>Strategy &amp; opportunities</b>	0.331	0.060	0.391	<ol style="list-style-type: none"> <li><b>10. Soil Conservation Strategy:</b> Budget rolls over to develop, test and roll out Strategy.</li> <li><b>11. Korero Tuku Iho:</b> New two-year implementation project (to be refined following detailed project planning and costing)</li> <li><b>12. New opportunities and partnerships:</b> Small new budget to seek new opportunities.</li> </ol>
<b>TOTAL</b>	<b>\$7.832</b>	<b>\$7.833</b>	<b>\$15.665</b>	

12. Year 3 Key Performance Indicators are set out below.

**Table 2: Key Performance Indicators**

Focus Area	Metric	6-month target	Total Year 3 target	% change from Year 2
<b>Sediment reduction activities</b>	Number of Farm Environment Plans completed (total)	150	300	+21%
	• Sediment Reduction Plans	74	160	-17%
	• Tiaki FEPs	70	140	150%
	Area (ha) of land covered by Farm Environment Plans completed	31,057	62,114	28%
<b>Freshwater restoration</b>	Number of plants planted in riparian, lake, or wetlands areas	256,426	512,853	-21%
	Area (ha) of riparian, lake, or wetlands planting completed <sup>1</sup>	51	103	-29%
	Length (km) of new fencing constructed	125	250	+49%
<b>Other soil conservation measures</b>	Area (ha) of afforestation, space planting or biodiversity planting not in riparian, lake, or wetlands margins completed	0	Up to 60 ha (TBC)	NA
<b>Nature based employment</b>	Number of people-hours worked in each reporting period	35,052 (22.5 FTE)	105,995 (67.9 FTE)	43%
	Number of people undertaking training in each reporting period	15	30	NA

#### Budget by funding source

A key requirement in the Deed of Funding is for Crown contributions to be matched (i.e. at least one-to-one) by 'other' contributions, which include council funds, landowner contributions, and industry, philanthropic and community contributions, over the programme's life. It is important this balance of funding is maintained over each financial year both consistency of approach and to ensure the Crown retains confidence funding obligations are met. The Work Plan sets out a proposed apportionment of funding sources for each project area.

The KMR programme achieves this funding split in each Annual Work Plan. The split in the proposed budget is as follows:

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<sup>1</sup> This has decreased more than total plants as we now recommend higher numbers of stems per hectare for planting in land immediately adjacent to a waterway.

**Table 3: Funding split by sources (rounded)**

Source	%
Crown	50.0
Council	21.2
Industry/NGO	3.1
Landowner/other	25.7

Key changes in Year 3 budget, relative to the draft submitted to MfE

As signalled in the 11 April paper, KMR staff have continued to refine assumptions about the level of remediation activity that KMR can effectively support in 2022-23, the quantum of actual expense in the current financial year, and the funding for multi-year projects that needs to be carried over.

*Ensuring sustainable growth of the programme in Year 3*

Year 3 of the programme is about shifting from set up to delivery, and achieving a sustainable rate of scale up that supports the programme's full range of objectives. To achieve this, as noted in the paper provided to the Joint Committee in April, given uncertainties in the current operating environment for KMR, our partners and landowners in the catchment, KMR recommends a moderate (middle-of-the-road) approach to scaling up in Year 3.

The work plan approved by the Chair and Deputy Chair for submission to the Ministry for the Environment at the end of April had a more conservative estimate of remediation relative to the early draft shared with the Joint Committee in April. Staff have further refined some assumptions, and Key Performance Indicators for 2022-23 in the appended Work Plan have slightly increased relative to draft approved for submission to MfE at the end of April.

Reflecting the need to ensure KMR delivers high quality remediation outputs, staff have increased the resource required to support Quality Assurance processes and to support field advisors and nursery strategy implementation (\$196,000 increase to the budget for *Programme Delivery – Remediation Grants and Partnerships, and Capability and Workforce Development*).

To ensure Field Advisors are supported to provide targeted land management advice via KMR's digital tools as they come available, additional costs are also included to support Digital Tools learning and development (\$140,000 increase to *Digital Tools System Development and Maintenance*).

*Updated view on multi-year projects*

KMR has updated the estimate of the value of currently approved remediation contracts that are likely to carry over to 2022-23. Relative to the draft work plan in April, this sees a considerable increase to the remediation budget (~\$300,000 additional Crown contribution and a matched level of landowner contribution). This amount will be finalised after the end of the financial year, once KMR understands both the total quantum of activity contracted between now and 30 June, as well as the amount of approved activity that is signed off as completed (and paid out).

Note: remediation activity will often span financial years. With planting season spanning winter, planting will typically be approved in one financial year and KMR will only make final payment in the following financial year, once the planting is confirmed as established. Projects only involving fencing may take place in one financial year, though these grantees still have 12 months within which to complete the fencing so projects will often also span two financial years.

As the Joint Committee is already aware, a major programme of work is underway in Digital Tool development. Additional carry-over of funding is now likely due to modest delays (noting that no increase is forecast to the overall budgets for the base design and build of the digital tools).

Specifically, the wetlands mapping project will come in considerably under budget but \$91,650 will carry over to the new financial year with the final payment expected in September 2022. A final payment of \$40,000 for the SmartyGrants is also now expected to carry over for payment in July 2022.

Note that the Freshwater Management Tool will be completed in 2023-24; in addition to the \$925,920 budgeted for development of the tool in 2022-23, a further \$490,820 will be required in 2023-24.

#### *Reflecting other progress and changes*

The Remediation Grants and Partnerships budget also incorporates updated estimates of the new Forest Bridge Trust partnership arrangement that is currently under negotiation.

#### Ongoing engagement with MFE

KMR programme staff and MFE staff will continue to engage regularly, and KMR programme staff will provide, where relevant, additional work programme planning material. This is to ensure MFE is kept up to date and has a good understanding of the programme as it develops.

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### Considerations

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

Projects within the Year 3 Work Plan have been assessed as contributing to meeting the wellbeing investment objectives of the KMR programme.

#### **2. Ngā ritenga take pūtea / Financial implications**

Year 3 Annual Work Plan costs are anticipated to be met through a combination of Crown grant funding, cash and in-kind contributions by councils, and third party and land-owner contributions. The assumption is that Auckland Council and Northland Regional Council will deliver financial contributions to the KMR Programme in line with commitments in their Long Term Plans, and that Ministers will accept the programme will meet its co-funding obligations and therefore confirm Crown grant funding to the 6 years specified in the Deed of Funding.

#### **3. Ngā hiranga me ngā hononga / 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.<sup>2</sup>

#### **4. Ngā tūraru me ngā mauru / Risks and mitigation**

Risks and mitigations will be managed across Year 3 Work Plan projects. Ongoing risk identification and management will be required, particularly in projects where further strategy and delivery specification is required.

#### **5. Ngā whāinga mō āmuri / Next steps**

If approved, the Maurikura will begin to work to the Year 3 Work Plan from 1 July 2022. Year 2 Work Plan expenditure at the end of the 2021-22 financial year, and any associated carry-

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<sup>2</sup> 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.

over of Year 2 funds into Year 3, will be available in July/August, and the estimates provided in the Year 3 Work Plan will then be updated to reflect this.

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### **Ngā tapirihanga / Attachments**

Attachment 1: Kaipara Moana Remediation Programme Year 3 Annual Work Plan (Final) [↓](#) 







































**TITLE: Conflict of Interest Management**

**ID:**

**From:** Justine Daw, Pou Tātaki

**Authorised by** Justine Daw, Pou Tātaki, on 09 June 2022  
**Group Manager:**

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**He Rāpopoto hautū / Executive summary**

On 11 April 2022, the Kaipara Moana Remediation Joint Committee (the Joint Committee) sought further information on how the Kaipara Maurikura was managing real or perceived conflicts of interest by Joint Committee Members in undertaking Joint Committee business.

KMR is subject to local government requirements in managing real or perceived conflicts of interest by Joint Committee Members. As KMR provides significant direct grant funding, we recommend some additional procedures are put in place to more proactively ensure that best governance practice norms are applied.

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**Ngā tūtohu / Recommendation(s)**

1. That the report 'Conflict of Interest Management' by Justine Daw, Pou Tātaki and dated 9 June 2022, be received.
2. *Note* that all Joint Committee members are subject to the Northland Regional Council's Conflict of Interests policy, which records and manages real or perceived conflicts of interest in line with local government good practice.
3. *Note* that some Joint Committee members are also subject to Auckland Council's Conflict of Interests policy, by dint of their representative role on the Joint Committee.
4. *Agree* that as KMR provides significant grant funding, the Kaipara Maurikura will apply additional protocols, as set out in the Agenda Report, to apply best practice norms to manage conflicts of interest relating to Joint Committee interests in respect of grant funding.

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**Horopaki / Context**

All KMR staff, secondees and direct contractors members are subject to the Northland Regional Council's Conflict of Interests policy, which records and manages real or perceived conflicts in line with local government good practice.

KMR Joint Committee members are also subject to this policy, which the Kaipara Maurikura implements through its management of Joint Committee processes as follows:

- Joint Committee members are required to complete a Conflict of Interests form upon appointment, and any advise any updates as conflicts change.
- An Interests Register for Joint Committee members is maintained and regularly reviewed, with the Kaipara Maurikura identifying to the Chair any Conflicts of Interest as part of run sheet development for each Joint Committee workshops and formal Hui.
- At Joint Committee meetings, the standard agenda includes a Conflict of Interests agenda item, and the Chair calls for Conflicts of Interest from members at the start of each meeting in order to manage these. Where a conflict is identified, the member may not participate in discussion, nor vote on, the relevant matter.

- In addition, the application of other Northland Regional Council policies (e.g. Procurement Policy, Fraud Policy) and procedures (IT procedures, audit practices) also serve as a check and balance to ensure appropriate management of Joint Committee conflicts of interest.

Some Joint Committee members are also subject to Auckland Council's Conflict of Interests policy, by dint of their representative role on the Joint Committee. This policy is comprehensive, and consistent with Northland Regional Council policy settings (both Northland Regional and Auckland Council practices meet local government good practice). The proposed additional measures in the section below align directly to the Auckland Council's Conflict of Interests policy.

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### Tātari me ngā tūtohu / Analysis and advice

All KMR **operational procedures**, including the procedures employed by the Kaipara Maurikura in respect of grant funding, are developed and implemented by Kaipara Maurikura staff, with Pou Tātaki sign-off, following advice by independent experts, as follows:

- **For all supplier accreditation processes to date** (i.e. assessment of whether nurseries, fencing teams, spraying teams meet KMR criteria) independent industry experts provide advice and recommendations to the Kaipara Maurikura. In line with Northland Regional Council's Conflict of Interests policy, the Kaipara Maurikura operationalises the management of any real or perceived conflict of interest, including in respect of Joint Committee members<sup>3</sup>. In these cases, commercial confidentiality and Privacy Act interests also apply and so communication protocols are engaged directly with the Chair in the initial stages, then taken to the Joint Committee once a decision on conflict of interest management has been made.
- **For all Field Advisor accreditation processes to date** (i.e. assessment of whether individuals meet KMR criteria to contract to KMR as a KMR Field Advisor), a similar process applies, with both Maurikura staff and independent experts assisting with the assessment process. The contractual arrangements between KMR and the accredited Field Advisor manage conflicts of interests explicitly, and in line with the Northland Regional Council's Conflict of Interests policy.
- **For all grant applications to date**, either an independent Field Advisor and/or an independent Sediment Reduction Plan (SRP) Panel reviews applications (SRPs) against KMR grants criteria and makes recommendations to the Kaipara Maurikura on grant funding. Operational investment decisions in line with Northland Regional Council's Delegations Policy then apply if the recommendation is that the application meets the investment criteria. As KMR currently operates on an 'open' funding model (i.e KMR works with all landowners across the catchment who can meet the 50:50 co-funding requirements, and on the basis that all SRPs that meet current criteria are funded), there is currently **no specific restriction** on Joint Committee members applying for grant investment for land(s) in which they hold an interest, direct or indirect.

As KMR's core business is to invest, via significant grant funding, in sediment reduction activities, there is rightly a high degree of public interest in, and scrutiny of, Joint Committee members' interests, real or perceived, in respect of grant funding investments by KMR.

In line with Institute of Director best practice guidance, and the Auckland Council Conflict of Interests policy, we are therefore recommending new and additional KMR conflict of management

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<sup>3</sup> In the recent case of a Joint Committee member having an interest in a company that was seeking to be accredited to KMR as a supplier, a new and irreconcilable conflict of interest was identified, and that member offered to stand down from the Joint Committee, in line with the Northland Regional Council Conflict of Interest policy.



policy settings to proactively manage conflicts in areas where there are, or could be, direct financial interests by Joint Committee members, as follows:

- To **prohibit** Joint Committee members from applying for **direct** KMR grant investment. This would mean that any land or commercial entity directly owned by a Joint Committee member cannot access Sediment Reduction Plan assistance via KMR grant funding schemes (irrespective of type) or enter into a financial or commercial relationship with KMR.
- To **restrict** Joint Committee members with a current or likely future **indirect** interest in KMR grant investment (for example, where they are members of a local catchment group, sit on an environmental or iwi/hapū trust, or have shares in a commercial entity that is applying or likely to apply for KMR grant funding) as follows:
  - **they may not participate in discussion, nor vote on, any Joint Committee matters** relating on KMR grant criteria and/or policy settings, either in respect of current grant funding mechanisms, or settings for future grant funding mechanisms.

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## Considerations

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

Effectively managing reputational risks to the KMR programme is a foundation value for KMR. Adopting best practice management of conflict of interests, both real and perceived, protects the mana of the programme, and the people, including governors, that associate with it.

### 2. **Ngā ritenga take pūtea / Financial implications**

Managing conflicts of interests in KMR underpins sound financial management. There are no specific financial implications over and above current practice to contract for independent, expert advice as needed to ensure arms-length advice to the Kaipara Maurikura.

### 3. **Ngā hiranga me ngā hononga / 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.<sup>4</sup>

### 4. **Ngā tūraru me ngā mauri / Risks and mitigation**

Effectively managing reputational risks to the KMR programme is a foundation value for KMR. Adopting best practice management of conflict of interests, both real and perceived, protects the mana of the programme, and the people, including governors, that associate with it.

### 5. **Ngā whāinga mō āmuri / Next steps**

It is proposed that the new, additional KMR conflict of interest management policy settings will apply as soon as practicable, once process flowcharts for managing grant investments to reflect the additional settings have been developed to support training, roll-out and use.

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<sup>4</sup> 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 is that council's Significant and Engagement Policy that will apply to joint committee decision making.

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**Ngā tapirihanga / Attachments**

Nil

**TITLE: In Kind Contributions Policy**

**ID:**

**From:** Lisette Rawson, Amo - Rauora Kōawa | Catchment Remediation Manager and Stephanie Versteeg, Amo-Rautaki Pākihi | Strategic Business Manager

**Authorised by Group Manager:** Justine Daw, Pou Tātaki, on 09 June 2022

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**He Rāpopoto hautū / Executive summary**

As invited by the Joint Committee in September 2021, this paper proposes a refresh of the in-kind contributions that can be accounted for in the KMR programme.

Now that the KMR programme is up and running and operational settings are in place, the review aims to provide a more up-to-date view of, and greater clarity on, the scope of acceptable in-kind contributions to best achieve KMR programme outcomes.

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**Ngā tūtohu / Recommendation(s)**

1. That the report 'In Kind Contributions Policy' by Lisette Rawson, Amo - Rauora Kōawa | Catchment Remediation Manager and Stephanie Versteeg, Amo-Rautaki Pākihi | Strategic Business Manager and dated 6 June 2022, be received.
2. *Note that the Kaipara Moana Remediation programme funding model requires the \$100 million in Crown funding to be matched by funding from other sources, including 'in-kind' contributions.*
3. *Note that the Joint Committee agreed in September 2021 to interim policy settings for KMR in-kind contributions, with a recognition that greater definition of what can be accounted for as an in-kind contribution was likely to be needed as KMR operational policy settings were developed and implemented.*
4. *Agree the recommended more detailed definition of 'in-kind' contributions in the KMR programme (right hand column, Attachment 1).*
5. *Agree the recommended graduated scale which caps the proportion of total sediment remediation project costs that can be accounted for as management and administration, including those supported by 'in-kind' contributions.*

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**Horopaki / Context**

Under the *Jobs for Nature* Deed of Funding that governs the KMR programme, only 50% of the value of agreed sediment reduction activities can be funded by the KMR programme, with matching co-funding, including 'in-kind' contributions, required to unlock the matching Crown dollar and achieve the full scope of agreed sediment reduction activities.

Specifically, the Deed of Funding sets out in clause 10.1 the following requirement:

*It shall be a condition subsequent to the payment of any Grant funding in the 2021/22 Financial Year, and if applicable, any Financial Year thereafter that Auckland Council and Northland Regional Council (at their respective discretion) commit to co-fund (whether through direct funding, financing, staff and resource allocation or otherwise) the Project through their respective Long-Term Plans, in combination with other third-party contributions (i.e.,*

*landowner, industry association, philanthropic), to the total of \$100 million (the “Co-funding”). The Co-Funding, for the first year of this Deed, will be up to \$1 million from Auckland Council and up to \$500,000 from Northland Regional Council.*

KMR cannot achieve its vision and outcomes without in-kind contributions. As sediment reduction is KMR’s focus, the activities that can be accounted for as an in-kind contribution must ultimately support sediment reduction. Achieving catchment-scale transformation in sediment reduction requires significant engagement and coordination, and the cost of achieving this is relatively untested both internationally and nationally.

In September 2021, the Joint Committee agreed a high-level scope for KMR in-kind contributions, while recognising that a review may be needed. In particular, the Joint Committee acknowledged that greater definition of what can be accounted for as an in-kind contribution would likely be needed as operational policy settings were developed and implemented, particularly in respect of KMR grant funding.

In line with the earlier policy, the present review covers in-kind contributions for:

- Uri and other Iwi/Hapū contributions to relevant KMR activities
- Landowner Grants
- Whenua Whānui Fund grants
- General settings for all KMR activities (e.g. mileage costs).

It is important to note that the majority of specific values (costs) of activities discussed in this paper and attachment reflect the refreshed KMR Pricing Schedule, which was considered and approved by the Joint Committee in April 2022.

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## **Tātari me ngā tūtohu / Analysis and advice**

The Joint Committee has previously made decisions on KMR grant criteria and scope.

For all grants, activities that directly contribute to sediment reduction can be in-kind contributions (right hand column, Attachment 1). Examples include: the value of fencing, site preparation, plant propagation, planting, plant freight, and materials such as fence posts, troughs and gates.

In addition, for Whenua Whānui Fund Grants and for Uri and Iwi/Hapū contributions, the value of relevant time and other costs can also be counted. Examples include: time/costs to host/attend project meetings, project management/administration, training and education, and community engagement.

The in-kind contributions outlined in Attachment 1 have been costed at the same rate as KMR Accredited Contractors are paid (see the *KMR Schedule of Prices* agreed by the Joint Committee in April 2021 and publicly available on the KMR website). Time spent is proposed to be benchmarked at comparable market rates. In short, the proposed principle for application is ‘equal work/activity to be valued at equal rate/costing’ to reflect the equity lens that underpins the KMR programme.

### ***Graduated scale***

In September 2021, the Joint Committee recommended *that a set of rules be developed for a graduated system to quantify in-kind contributions*. The body of the paper set out that: *This process will benefit from the development of a graduated system, using formulas or rules, to provide the advisor with guidance on the degree of in-kind contribution that is acceptable.*

Based on modelling of current KMR project data, and following consultation with a small set of trusted stakeholders, we are proposing a ‘graduated system’ for in-kind contributions for KMR that:

- enables remediation (sediment reduction)
- equitably values in-kind contributions (*equal value for equal work/activity*)

- effectively manages funding at KMR programme level (c.f. Deed of Funding)
- builds understanding of the true costs of remediation, and future implications for the programme (and beyond to other similar programmes)
- can be adapted as required.

Generally, KMR operates on the basis that landowner/community labour can be used to achieve 50:50 matched contributions, though for large planting projects under landowner grants a KMR accredited contractor should be used.

To achieve remediation outcomes and manage programme overheads, KMR is required to manage the overall proportion of programme and project level spend on management and administration (of all types). Drawing on several real-world KMR project scenarios modelled, we therefore propose:

- all management and administration costs reflect fair market values.
- for projects with a total cost of \$20,000 or higher, management and administration costs to KMR be **capped at 10%** of total project costs (noting that KMR will fund up to 50% of these costs).
- for projects with a total cost of less than \$20,000, management and administration costs be **capped at 11%** of total project costs (noting that KMR will fund up to 50% of these costs). This reflects that for smaller projects, particularly those run under the Whenua Whānui Fund, the cost of project and community coordination may comprise a greater proportion of project costs.

In modelling these scenarios, we note that costs are sensitive to the value placed on time (i.e. labour costs). Using reasonable market rates, staff consider that a 10% cap will be sufficient for the vast majority of projects.

For some projects, remediation costs won't be known at point of contracting (e.g. if a contract is to develop SRPs). For such projects, we propose to use estimated costs (e.g. target # of SRPs, and assumed average cost of remediation per SRP) where possible to ensure management and administration costs do not exceed 10% of total estimated project costs.

As KMR is still maturing, we need to continue to look at real costs over time. We propose to monitor costs and the proposed cap on management and administrative costs as a proportion of total project costs over Year 3 and review this when developing the year 4 Annual Work Plan (and programme rephasing).

Anecdotal evidence suggests that a 50% contribution may be a barrier for some landowners, so we also propose further monitoring to understand:

- The extent to which this is a barrier (and for whom);
- The potential to be flexible on providing a 50% contribution, and when this may be justified, including as Soil Conservation Strategy settings come on line; and
- Potential alternative sources of funding to assist with the non-Crown 50% contribution.

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## Considerations

1. **Aromātai whāinga haumi mō te oranga / Wellbeing Investment objectives and assessment**  
Fair assessment of in-kind contributions is key to achieving KMR's sediment reduction goals, and ensuring equity across the programme, in line with the KMR Memorandum of Understanding.
2. **Ngā ritenga take pūtea / Financial implications**

KMR budgets and previous (i.e. Grant Thornton) programme projections have factored in in-kind contributions, based on estimates. In Year 3, KMR will be re-modelling the programme timeframes, costs and phasing. A key input to this work will be up-to-date scope and costing of in-kind contributions. Managing in-kind contributions to help achieve the programme's 50:50 matched funding model remains a key driver of programme grant design.

### 3. **Ngā hiranga me ngā hononga / 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.<sup>5</sup>

### 4. **Ngā tūraru me ngā mauru / Risks and mitigation**

Effectively managing reputational risks to the KMR programme is a foundation value for KMR. Adopting best practice management of conflict of interests, both real and perceived, protects the mana of the programme, and the people, including governors, that associate with it.

### 5. **Ngā whāinga mō āmuri / Next steps**

The new in-kind contribution scope will be operationalised with immediate effect, and included in forthcoming guidance, including to Field Advisors for their discussions with landowners on Sediment Reduction Plans.

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## **Ngā tapirihanga / Attachments**

Attachment 1: KMR In-kind Contributions – Scope [↓](#) 

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<sup>5</sup> 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 is that council's Significant and Engagement Policy that will apply to joint committee decision making.







**TITLE:** Pou Tātaki Update

**ID:**

**From:** Justine Daw, Pou Tātaki

**Authorised by** Justine Daw, Pou Tātaki, on 09 June 2022  
**Group Manager:**

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### He Rāpopoto hautū / Executive summary

This report updates the Kaipara Moana Remediation (KMR) Joint Committee on progress in the KMR work programme in the two months since the last Joint Committee Hui.

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### Ngā tūtohu / Recommendation(s)

1. That the report 'Pou Tātaki Update' by Justine Daw, Pou Tātaki and dated 9 June 2022, be received.

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### Horopaki / Context

The Joint Committee last met in formal hui on 11 April 2021. This update report provides information on developments in the KMR programme and the Kaipara Maurikura in the two months since then.

#### Overview

KMR continues to accelerate programme delivery, with ongoing progress in growing the pipeline of Sediment Reduction Plans (SRPs), and good results from the winter 2022 Foundation Planting campaign. External communication continues to lift, and online and in-person community engagement has resumed. While we are now scaling up sediment reduction funding, the programme costs and expenditure remain lower than originally budgeted. As per the Annual Work Plan paper, we will carry over unused budget.

In the next quarter, we will continue to focus on growing the project pipeline, external engagement and getting back out into the community, and building momentum on training and workforce development.

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### Tātari me ngā tūtohu / Analysis and advice

Thriving Maurikura	<ul style="list-style-type: none"><li>• KMR continues to be affected by COVID-19 impact, with ~6% average drop in capacity since February. Under Orange, we are back in the office and the community, with safeguards.</li><li>• Several Maurikura members attended a free te ao Māori workshop hosted by MPI.</li><li>• An MSD staff member is now hot-desking part-time in the Maurikura office to strengthen links.</li></ul>
Programme Delivery	<p><i>Sediment Reduction Plans</i></p> <ul style="list-style-type: none"><li>• New Sediment Reduction Plans (SRPs) cover 5856 Ha, 29kms of fencing and ~41,000 plants. (These figures exclude SRP data from Fonterra and Forest Bridget Trust).</li><li>• 35 new Expressions of Interest for SRPs were received from landowners in April and May.</li></ul> <p><i>Foundation Planting (Winter 2022)</i></p> <ul style="list-style-type: none"><li>• KMR has confirmed 115, 000 plants for planting this winter, with a further 72 landowners being engaged by Field Advisors, which will result in additional winter planting numbers. 19 associated Sediment Reduction Plans are approved or in development.</li></ul>

	<p><i>Field Advisor training &amp; development</i></p> <p>Now that COVID-19 settings allow, we are preparing two further training courses:</p> <ul style="list-style-type: none"> <li>• 17 June Field Advisor refresher workshop (Te Hana) to ensure that all Field Advisors are up to date and trained to use our new templates and processes.</li> <li>• 5-7 July Field Advisor training course (Ātiu Creek) to mentor Field Advisors trained earlier in 2022, and train new Ngā Maunga Whakahii and Te Roroa people.</li> <li>• A focus now is to develop a systematic check-in, technical support and mentoring process for Field Advisors to build a thriving ‘community of practice’ and run more 1 day introductory hui.</li> </ul> <p><i>Suppliers / Accredited Contractors:</i></p> <ul style="list-style-type: none"> <li>• 1 more contractor has been accredited, bringing the total to 22. The contractor affiliates to iwi/hapū in the catchment. Te Uri o Hau Environs is also in the process of accreditation.</li> <li>• We met with Fonterra to discuss progress in the Tiaki Partnership.</li> </ul> <p><i>Workforce Development</i></p> <ul style="list-style-type: none"> <li>• On 14 June, KMR, MSD and Uri are holding a Planning Day to scope Hub priorities and actions for next financial year, following which a briefing will be given to the Joint Committee in July.</li> <li>• Two Kaitiaki workforce coordinator roles are shortly to be advertised as part of KMR’s contribution to the Hub work programme.</li> <li>• We met with MBIE on the Regional Workforce Plan, due to be published shortly. There is strong alignment between the plan, centred on a Mātauranga Māori framework, and KMR.</li> </ul>
Digital Tools	<p>Development of key digital tools continues, with progress in this reporting period as follows:</p> <ul style="list-style-type: none"> <li>• Ongoing development of the SmartyGrants (KMR grant management) tool.</li> <li>• Ongoing integration of SmartyGrants with Media Suite’s platform which will enable a spatial view of KMR programme activity and support Farm Planning.</li> <li>• Engagement with NRC to identify needs for Smarty Grants’ ‘software as a service’ solution.</li> <li>• Contract finalised for development of a Northland Freshwater Management tool.</li> <li>• Development of GIS layers on Wetlands and Highly Erodible Land features are in progress.</li> <li>• Inaugural (context-setting) meeting of Digital Technical Reference Group held.</li> </ul> <p>In terms of future key project milestones:</p> <ul style="list-style-type: none"> <li>• KMR will host a demonstration of SmartyGrants and MediaSuite on 22 June.</li> <li>• We will engage with NRC on procurement of security/penetration testing</li> <li>• Begin scoping Learning and Development tools for the Digital Tools suite to support users</li> </ul>
Engagement & Partnership	<p>Work to lift KMRs’ external presence and impact continues, with progress as follows:</p> <ul style="list-style-type: none"> <li>• A Partnership Forum in May was attended by ~55 community, industry and NGO partners.</li> <li>• A public Zui was attended by ~70 people in May, with the next Zui on 21 June.</li> <li>• A further Pānui was issued in May, with subscriptions now at ~1100 people</li> <li>• KMR has established social media profiles on Facebook, LinkedIn and Instagram platforms.</li> <li>• KMR presented on KMR to Whangārei District Council’s Te Kārearea Committee</li> <li>• KMR attended two Beef+Lamb events, and are engaging at senior level on a future partnership.</li> <li>• We met with MPI (Sustainable Land Use) on farm planning support and farm advisory Career Pathways Scheme, and the Māori Agribusiness team to identify areas of mutual interest.</li> <li>• We engaged with Te Uru Rākau on its forestry advisory service and native afforestation incentives, given linkages with the forthcoming soil conservation strategy.</li> <li>• We are contracting next year’s partnership contracts with Fonterra and Forest Bridge Trust</li> </ul> <p>In terms of future key milestones:</p> <ul style="list-style-type: none"> <li>• A presentation is booked for July to Kaipara District Council</li> <li>• Through Amotai and with other providers, we are developing video, photo and text case studies to showcase the KMR programme and people, including in te reo.</li> <li>• A KMR media content calendar is in development.</li> </ul>
Strategy & Opportunities	<p><i>Soil Conservation Strategy:</i> A draft project plan is complete and work is starting to establish a project advisory group and commission analysis. Northland Regional Council is undertaking a refreshed soil conservation strategy on similar timeframes, and we are working closely with the team (and Auckland Council Healthy Waters) to align KMR activity and use a shared evidence base.</p>

	<p>Given the current need to accelerate KMR delivery and build key systems, we are exploring only a small number of viable, near-term opportunities:</p> <ul style="list-style-type: none"><li>• We are in discussion with Trees that Count to access 20,000 free plants for groups undertaking planting this winter to reduce the costs of planting.</li><li>• Possible partnership with QE2 Trust to reduce fencing costs and protect biodiversity.</li><li>• Possible Auckland Council pilot to reduce fencing costs and protect biodiversity.</li></ul>
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### KMR Financials April 2022

#### Funding received

MFE	9,121,600
Interest earned on unspent funds	22,983
<b>Sub Total</b>	<b>9,144,583</b>

**Total KMR Opex costs** **2,914,153**

**Funding Remaining** **6,230,430**

NRC in kind labour 194,452

NRC in kind Opex costs 462,478 Note: this includes salaries

AC in kind labour 379,240

AC in kind Opex costs 1,007,035

**Total in kind expenditure** **2,043,205**

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**Total Expenditure** **4,957,358**

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### Ngā tapirihanga / Attachments

Nil

**TITLE: Opportunities - Auckland Council and EnviroStrat Presentations**

**From:** Ben Hope, Ringa-Pārongo | Communications Lead

**Authorised by Group Manager/s:** Justine Daw, Pou Tātaki, on 09 June 2022

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**Whakarāpopototanga / Executive summary**

A brief presentation from both Auckland Council and EnviroStrat of possible opportunities for future Kaipara Moana Remediation Work.

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**Ngā mahi tūtohutia / Recommendation**

That the Presentations:

1. By Auckland Council on a potential collaboration with Kaipara Moana Remediation on carbon offsetting in the Auckland Region
2. By EnviroStrat on case studies of relevance to Kaipara Moana Remediation

Be received

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**Background/Tuhinga**

Not relevant

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**Attachments/Ngā tapirihanga**

Nil