

Terms of Reference: Pouto Catchment Group

- Purpose:
- To work collaboratively to maintain and improve the state and management of freshwater in the Pouto Catchment.
 - To work with the Northland Regional Council and its Environmental Management Committee in Pouto Catchment to deliver the Waioira Northland Water programme, including the review of the freshwater provisions of the current Water and Soil Plan for Northland to give effect to the Freshwater NPS.
 - To discuss and develop objectives, policies and rules to be included in the Water and Soil Plan for Northland (or other relevant regional plan) and other related actions for recommendation to the Northland Regional Council and others.

The Pouto Peninsula is located on the West Coast of Northland, approximately 60 km south of Dargaville. About 60 lakes are found within the Pouto Peninsula; [Significant lakes include Grevilles Lagoon, Kapoai, Parawanui, Wainui, Rototuna, Wairere, Phoebe's, Karaka, Rotopouua, Humuhumu, Roto – otuauru, Mokeno, Rotokawau, Waingata, Kanono, Kahuarere, Whakaneke]. The lakes are primarily located on private and Department of Conservation (DoC) held land and have high cultural, recreational, ecological and environmental values. The lakes have excellent water quality and outstanding ecological condition, providing habitat for a range of endangered plants and animals.¹ For these reasons the Northland Regional Council identified the Pouto Lakes as some of several outstanding waterbodies for the Waioira Northland Water Programme.

Under the National Policy Statement for Freshwater (NPS), councils must set freshwater objectives, and water allocation and water quality limits for all waterbodies in Northland so that the overall quality of freshwater in the region is maintained or improved.

Councils will remain responsible for preparing resource management plans and plan changes to give effect to the NPS (in particular setting freshwater objectives and limits). Work on this in Northland will commence during 2013-14 when the Council has made decisions on the Proposed Regional Policy Statement and the review of regional plans begins.

The Pouto Lakes have been identified by the Northland Regional Council as outstanding fresh water bodies in line with the National Policy Statement for Freshwater Management 2011 (NPS). This has implications for the management of the Lakes and for the setting of objectives and limits. Objectives and limits need to be set in a statutory document (the appropriate statutory document is currently the Water and Soil Plan for Northland, or in future, a combined regional plan).

Outstanding freshwater bodies are those water bodies with outstanding values. The quality of outstanding freshwater bodies must be protected under the NPS.

¹ NIWA have recorded that 4 Pouto lakes have outstanding lake value and 7 Pouto lakes have high to medium lake value.

The collaborative stakeholder group will confirm the values for management of the Pouto Catchment and the objectives and limits to be included in a management plan for the lakes.

The collaborative stakeholder group will develop regulatory (e.g. limits, policies and rules) as well as non-regulatory management options to achieve the agreed environmental objectives with the aim of providing the Environmental Management Committee and the Northland Regional Council with consensus recommendations for a plan change to the Water and Soil Plan for Northland and an agreed plan for implementing the non-regulatory management options.

The Environmental Management Committee will implement the recommendations of the Pouto Catchment Group where they are able to do so and will promote the recommendations that require Northland Regional Council or other committee, or stakeholder endorsement. To facilitate this occurring, recommendations from the Pouto Catchment Group must also be consistent with the Resource Management Act 1991, relevant National Policy Statements and Environmental Standards, the Regional Policy Statement, the Local Government Act 2002 and the Northland Regional Council's Long Term Plan.

- Establishment: The Pouto Catchment Group is established as a subcommittee of the Northland Regional Council Environmental Management Committee under the Local Government Act 2002.
- Chair: The subcommittee may select its own chair, but in the event the selected chair is not a regional councillor, the appointment must be confirmed by the regional council.
- Quorum: A quorum shall include the Chair and a total of at least 50% of the normal membership.
- Membership: Members have been selected to reflect the broad local interests in water management in the Pouto Catchment and to provide a cross-section of values, understanding and perspectives. It is expected that members will engage with their organisations and wider networks to share information and get feedback on the matters being considered.
- One nominated Northland Regional Councillor
 - One Kaipara District Council representative (elected member or commissioner)
 - Up to two members nominated by and representative of Te Uri o Hau
 - Up to two representatives nominated by other local iwi and hapu with interests in the catchment.
 - One member nominated by Pouto Topu Trust
 - One member nominated by Fish and Game New Zealand
 - One member nominated by Department of Conservation.
 - One member nominated by Forest and Bird
 - One member nominated by recreational interests
 - One member nominated by local forestry interests
 - Two members nominated by dairy farming interests
 - Two members nominated by dry stock farming interests

Two members nominated by public process to represent residents of the catchment not otherwise represented.

Members are generally mandated sector or group representatives, with preference given to selection of members who reside in the catchment. Where members have not been given a mandate from their sector or interest group they will participate as individuals and are expected to convey ideas and perspectives from their wider networks.

Councillors have particular statutory (and non-statutory) responsibilities outside of the Pouto Catchment Group, but within the group they have the same rights and responsibilities as all other members. In addition to the particular knowledge, expertise and perspectives, they will represent the interests of the wider district and regional communities.

To assist the Pouto Catchment Group to make satisfactory progress and build consensus, members are expected to attend all meetings. Substitutes are discouraged and must be approved by the Chair in advance. (If a meeting is missed, or if a substitute does participate, members will be expected to catch up and to resist the temptation to re-litigate matters that have been agreed in their absence.)

Between meetings members are expected to interact with their nominating body / wider networks to obtain feedback on options being discussed.

As the group is undertaking a collaborative exercise based on consensus decision-making, at the end of the process, members will be asked to declare whether they can support the outputs and recommendations to the Environmental Management Committee that have been produced by the process and will be expected to promote them to their organisations and networks. Members will also be asked whether their nominating organisations / organisations they represent (where appropriate) will formally endorse the consensus agreement.

Where it becomes known that an important sector, interest or perspective is not represented on the Pouto Catchment Group, the Environmental Management Committee will consider adding another member, taking into account their interest/perspective, their availability and the need to keep the group to a size that can work effectively together.

The Pouto Catchment Group may establish working groups to advance work on specific topics and may request research and expert advice from, but not limited to, the Northland Regional Council.

Collaborative
decision making:

Collaborative decision making is not consultation. A credible commitment to the collaborative process by the individuals and

organisations involved is required. Decisions need to be made by consensus (near consensus) not majority rule.

Consensus: Consensus is defined as every member of the Pouto Catchment Group agreeing that they can accept the agreement / recommendation.

Principles of participation:

To this end all members will:

- Participate cooperatively and civilly.
- Be committed to achieving a balanced – environmentally, economically, culturally and community – management regime for the catchment and Northland's freshwater.
- Commit to open, honest and collaborative discussions and decision making.
- Chatham House Rules will be followed. Members and participants in working groups are free to discuss matters with other parties – but not the media – but won't attribute people to the options or opinions discussed.
- Contributions are made without prejudice – i.e. nothing said within the group may be used in subsequent planning or legal processes except for any recommendations or agreements reached by the group.
- Members are expected to show respect for other views and avoid promoting discord within the group.
- Any public statements by the group must be agreed by the group and made through an agreed spokesperson. (This also applies to those technical advisors, staff and others who attend the meetings in support of the Pouto Catchment Group.
- Support decisions and recommendations reached by consensus by the group in subsequent public discussion, including appearing at any subsequent hearing if requested.

The Chair of the Group / Facilitator will:

- Ensure a fair and equitable group process
- Foster an atmosphere of respect, open-mindedness and group learning
- Design an enjoyable and productive process to enable the group to achieve its task
- Facilitate input from all members of the group so that every voice is heard
- Provide or acquire guidance on collaborative decision making techniques, including constructive ways to voice disagreement and negotiate potential outcomes.

Key Tasks:

1. Establish objectives, uses and values (e.g. ecosystem health, stock watering, etc) for the catchment.

2. Establish desired environmental state (and confirm the current state - does this mean things have to improve and by how much).
3. Determine freshwater limits to achieve the desired environmental state (both quality and quantity).
4. Determine the potential policy and management options (regulatory and non-regulatory) to achieve the preferred state.
5. Develop good management practices and other non-regulatory tools for maintaining and improving the catchment's freshwater and its management and establish the on the ground costs and benefits of them (which may include trials).
6. Develop an implementation plan and recommendations (including a draft plan change) for:
 - a. the Environmental Management Committee to consider / implement / recommend to the Northland Regional Council as part of regional plan changes and annual and long term planning
 - b. other relevant parties such as government, industry, community groups, landowners etc to consider / implement.

In completing the tasks the Pouto Catchment Group will:

- Consult with relevant stakeholders throughout the development of the implementation plan and recommendations.
- Receive, review and consider technical material as well as consultation and engagement feedback and results.

Key outputs and timeframes:

1. Report documenting the values, objectives, desired environmental state (and freshwater limits to achieve it), and agreed management options for the catchment [initially suggest October 2014].
2. A draft plan change ready for notification incorporating any preferred / agreed management responses.

Technical advice:

The Pouto Catchment Group will be supported by a technical group made up of technical advisors across a range of specialisms relevant to the catchment including: environmental science, matauranga Maori and Maori values, farm systems and land management, economics and social science.

NRC shall provide secretariat and administrative support, as well as technical support in line with NRC functions and work programmes.