Healthy Rivers
PLAN FOR CHANGE

Wai Ora
HE RAUTAKI WHAKAPAIPAI

Maniapoto Māori Trust Board
Raukawa Charitable Trust
Te Arawa River Iwi Trust

Tūwharetoa Māori Trust Board
Waikato Raupatu River Trust
Waikato Regional Council

Terms of Reference
Technical Alliance

November 2013

Technical Alliance - Terms of Reference

Definition

The Technical Alliance comprises a Technical Leaders Group (TLG) and a Technical Support Group (TSG). Members of these two groups collectively provide an impartial, advisory group of specialists with a range of areas of expertise, who will collate, summarise, analyse and present technical information about the rivers and the consequences for stakeholders and decision makers of different land management scenarios.

Purpose

The Technical Alliance will inform policy development by providing expert advice and information on the state of the Waikato and Waipa Rivers and their catchments, and on the consequences of land management options, rather than deciding which limits and land use scenarios will be used. The Technical Alliance will be informed by the objectives for the project as agreed by Waikato Regional Council and River Iwi (project partners).

The Technical Alliance will seek consensus or agreement in their discussions. At the least, the TLG and any sub-groups of the TSG will:
1. identify areas of agreement;
2. record areas of disagreement so that they can progress to address all of the issues; and
3. narrow the points of debate.

Areas of expertise

Members will, collectively, have expertise in the following:
a) water quality;
b) soil stability and land management;
c) catchment and water quality modelling;
d) aquatic ecosystems (invertebrates, fisheries);
e) riparian (land and water interface);
f) mātauranga Māori;
g) farm systems, land management systems (across main land use types);
h) economic (including at property and catchment level);
i) social outcomes; and
j) health issues associated with water quality.

The requirement for additional areas of expertise may be identified during deliberations of either the TLG or TSG.

Co-ordinator

Co-ordination of workshops and the provision of administrative services for the TLG and the TSG will be provided by Waikato Regional Council. Recording of meeting or workshop minutes and assistance with report writing will be provided by Waikato Regional Council.

Scope

The Technical Alliance cannot widen or alter the scope of the plan change, being to address the effects of discharges to land and water in the Waikato and Waipa River catchments.

Matters in scope include:
a) diffuse and point source discharges to land and water;
b) adverse effects of rural land use activities on water bodies; and
c) consequential changes to regional plan provisions, to ensure the Waikato and Waipa River catchments are integrated with the rest of the regional plan.

Matters outside scope include:
1. management of diffuse contaminants which accumulate in soil but do not affect water quality, such as cadmium;
2. management of pest species, except to note the presence of such species and their role in ecosystem functioning;
3. implementing the biodiversity provisions of the Proposed Regional Policy Statement Decisions (November 2012);
4. reviewing regional plan provisions for domestic on-site wastewater treatment and disposal;
5. reviewing regional plan provisions for the take and use of water; and
6. land use or adverse effects of discharges in catchments other than the Waikato/Waipa River Catchments.

Role of the TLG
The TLG will consist of up to seven members including the chair. The role of the TLG is to provide high level advice to the Collaborative Stakeholder Group and to the Joint Steering Group/Te Rōpū Hautū, ensure integration among areas of expertise, and provide quality assurance for work commissioned from the TSG.

The TLG will ensure work carried out by members of the TSG is relevant, targeted, timely, appropriately resourced and cost-effective.

The work of the TLG will include:
1. Responding to questions from the Collaborative Stakeholder Group and Te Rōpū Hautū;
2. Identifying and agreeing the priorities for funding new work or commissioning work from the TSG and making recommendations on these to Te Rōpū Hautū;
3. Forming sub-groups within the TSG to address specific questions;
4. Ensuring work of both the TLG and TSG is aligned with stakeholder and council expectations;
5. Ensuring sector interests are aligned with the priorities identified for the project such that new work is commissioned with the appropriate sector input and buy-in;
6. Providing a quality assurance role on work provided by the TSG;
7. Commissioning peer review of its own work or that of the TSG if necessary;
8. Providing technical information to the Collaborative Stakeholder Group and Te Rōpū Hautū in a manner that will facilitate decision making; and
9. Providing a leadership role in ensuring mātauranga Māori is fully integrated into the process.

Specific tasks of the TLG will include:
1. Provide expert advice and information about the knowledge and state of the Waikato and Waipa River catchments;
2. Agree on the problem statement, including the cause, behaviours and drivers causing the problem;
3. Assist in developing a comprehensive understanding (across environmental, economic, cultural and social outcome areas) of the possible consequences for a range of target scenarios on catchment and property level outcomes through modeling, assessment and joint discussions;
4. Perform a gap analysis to assess information currently missing in order to inform the development of target scenarios and property level outcomes, and possible consequences of these;
5. Assist as required during the stakeholder/community engagement process to explain technical aspects relating to scenarios and consequences;
6. Assist as required to review or refine the possible consequences as options are narrowed and policy methods are tested;

7. Assist as required in providing specialist advice on possible implications of policy methods to support robust policy development;

8. Alignment of Technical Alliance outputs with other project workstreams so that the overall process runs smoothly and efficiently, particularly in relation to drafting reports and preparation of material (maps etc), responding to requests for further analysis, and ensuring that the records and reports are suitable as the basis for subsequent Resource Management Act 1991 section 32 reporting on policy options, costs and benefits.

Role of the TSG

The TSG will be a wider group of specialists under instruction from the TLG for the purposes of research, data collation, report writing, peer review or any other task that the TLG deems appropriate.

The work of the TSG could include:

1. Responding to requests for information from and reporting back to the TLG;
2. Working individually or in sub-groups as required by the tasks and as guided by the TLG.

Specific tasks of the TSG will include:

1. Provide expert advice and information about the knowledge and state of the Waikato and Waipa River catchments;
2. Assist in developing a comprehensive understanding (across environmental, economic, cultural and social outcome areas) of the possible consequences for a range of target scenarios on catchment and property level outcomes through modeling, assessment and joint discussions;
3. Assist as required during the stakeholder/community engagement process to explain technical aspects relating to scenarios and consequences;
4. Assist as required to review or refine the possible consequences as options are narrowed and policy methods are tested;
5. Assist as required in providing specialist advice on possible implications of policy methods to support robust policy development;
6. Agree on methodology to be used in the modeling and scenario development.

Key outputs

The Technical Alliance's key outputs are:

1. Clear problem definition statements for the main issues that the plan review seeks to address, including an overview of the river/catchment systems, key linkages, and how it should be divided for technical assessments. Points of agreement and difference will be identified.
2. Refined range of land use scenarios and key indicators that meet the needs of the community engagement process and decision making process.
3. Descriptions of the range of river health outcomes that could occur under a range of land management scenarios.
4. Descriptions of the range of catchment scale consequences associated with the range of river health outcomes (using agreed indicators that represent environmental, economic, cultural and social outcomes).
5. Descriptions of the range of property scale consequences, by main land use types, associated with the range of river health outcomes (using agreed indicators that represent environmental, economic, cultural and social outcomes).
6. A draft range of river limits and targets defined based on the river health outcomes and consequences.
7. Documents setting out agreed and disagreed matters between technical experts.

These outputs will be guided by and made within the context of relevant legislation and national policy statements. The Vision and Strategy's objectives, including restoration and protection of the health and wellbeing of the Waikato River and the recognition that no further degradation should occur, underpin the plan change. Also relevant are the National Policy Statement Freshwater Management 2011, the New Zealand Coastal Policy Statement 2010, the Proposed Regional Policy Statement Decisions (November 2012) (the latter until and unless it is amended by the Environment Court) and the National Environmental Standards for Sources of Human Drinking Water. In the event of inconsistencies between these documents, the Vision and Strategy prevails. Outputs need to use the same language as the policy statements, particularly in relation to objectives, limits and targets, to ensure consistency of messages to stakeholders.

Timing of outputs needs to be aligned, as necessary, with key steps in the stakeholder engagement process.

Terms
Members of the Technical Alliance will agree to:
  a) these Terms of Reference;
  b) the Environment Court's Code of Conduct for expert witnesses; and
  c) disclose any conflicts of interest and to not act as an advocate for any party.

The Chair will liaise with the project's communications team to deliver information to the media. Other members will not provide information or updates on behalf of the Technical Alliance unless authorised to do so by the Chair.

Reporting
Reporting of all outputs will be through the Chair and in writing to the Joint Steering Group/Te Rōpū Hautū and will be made publicly available through council's website. Workshop discussions and outputs will be recorded, using council-resourced report writers.

Technical Alliance members will be expected to prepare and speak to presentations to stakeholders and project partners, as required.

The Technical Alliance will liaise, through the Chair of the TLG and the Joint Steering Group/Te Rōpū Hautū, with the Collaborative Stakeholder Group, a group established to review and deliberate on technical material and results of engagement processes to guide decision makers in the policy making process.

The Technical Alliance has a 'service delivery' function to support the project partners in stakeholder engagement and in policy development and decision making. The process involving the Technical Alliance, project partners and Collaborative Stakeholder Group is an iterative one and recognises the need for the Technical Alliance to both provide information and advice and to respond to requests, as required. The timing of outputs from the Technical Alliance will need to align with requirements of the Collaborative Stakeholder Group, so that outputs are timely and so that Technical Alliance members are available at key times to support the meetings.

Process
The Technical Alliance process will be designed to provide maximum transparency for stakeholders and decision makers. In addition to the reporting and linkages above, transparency will be achieved through a number of methods including:
  a) prompt public reporting of meeting outcomes and discussions (onto WRC website)
  b) providing opportunities for observers at Technical Alliance discussions
  c) creating mechanism for external questions/feedback (via the Chair)

The process will also recognise that there will be times when closed specialist discussions may be more effective, but that the outcomes of these should still be publicly available.

It is expected that the TLG will meet regularly, sufficient to adequately respond to requests from the Collaborative Stakeholder Group and Joint Steering Group/Te Rōpū Hautū and to deliver outputs that meet the project timeframes.

Once the TLG is established, members will work with Waikato Regional Council staff and partners to determine the process to be followed, including the expected timing, number and format of meetings or workshops, provision of briefing materials including relevant background papers and reports, and establishing how the briefing material will be used to identify and understand gaps or areas of disagreement in the evidence base and to establish modelling methodology to be used and reasons for its use.

The TSG may be commissioned individually or in subgroups and be expected to attend meetings or workshops, as required, with or without members of the TLG present.

Project partners will provide to and advise the Technical Alliance on legislation and policy that needs to be taken into account in deliberations.