

Minutes of a meeting of the Maungatautari Reserve Committee held in the Committee Room, Cambridge Service Centre, 23 Wilson Street, Cambridge on Wednesday 8 June 2005 commencing at 9.00am.

1 PRESENT

Councillor RJ Cooper - Chairperson

Members

Councillor GC Flay (Waipa District Council), S Mackinder (Landowner representative) – from item 7, JB Mylchreest (Maungatautari Ecological Island Trust) – from item 7, R Smith (Parawera Marae) – from item 7, B Townend (Landowner representative)

In Attendance

His Worship the Mayor AD Livingston – from item 7, Community Planning and Liaison Manager (A McFarlane), Asset Manager Recreation (M Ward) – until item 8, Committee Secretary (C Plowright)

2 APOLOGIES

RESOLVED

10/05/17

That an apology for absence be received from Tony Roxburgh.

Cr Flay/B Townend

3 LATE ITEMS

Nil.

4 CONFIRMATION OF ORDER OF MEETING

File: 01-85-26

RESOLVED

10/05/18

That the order of the meeting be confirmed.

B Townend/Cr Flay

5 VISITORS

Nil.

6 MINUTES OF PREVIOUS MEETINGS

File: 01-85-26

Minutes of meeting held on 13 April 2005 were included in the agenda.

RESOLVED

10/05/19

That the minutes of the meeting of the Maungatautari Reserve Committee held on 13 April 2005 be received.

Cr Flay/B Townend

[Rose Smith joined the meeting at 9.12am.]

7 MAUNGATAUTARI RESERVE COMMITTEE – OFFICER’S REPORT

File: 01-85-26

Report of Community Planning and Liaison Manager dated 23 May 2005 was included in the agenda.

Community Planning and Liaison Manager, Andrew McFarlane, said the submission period for the draft Maungatautari Reserve Management Plan closed on 27 May and two submissions had been received. He said the submissions were both very constructive and helpful, with good feedback on the Iwi aspects of the draft Plan. He said the draft Plan would be discussed by the Executive Management team and, if approved, referred to the July Policy Committee meeting.

Andrew reminded the Committee that it had considered a draft Memorandum of Understanding (MOU) at its April meeting together with another version of the MOU from Maungatautari Ecological Island Trust (MEIT). He said aspects of MEIT’s MOU had been incorporated into the Council document and Council’s Executive Management team had discussed it.

Andrew said he understood Jim Mylchreest was concerned about the tone of the MOU and the level of detail it contains. He said there was also concern from the Trust that the MOU could compromise MEIT’s eligibility to attract central government funding because it implies that MEIT is an agent of Council. However, he said Council management feel the level of detail is justified because it is a unique situation and it is important to clearly spell out what the expectations of the project are for both parties to the MOU. He said Council staff receive calls from the public asking about Council’s involvement in the project and it was felt the MOU would provide them with a degree of transparency.

Andrew said Council's solicitor has seen the revised MOU and agrees with the way it has been framed. Councillor Flay and Barry Townend said they were reluctant to approve the MOU without first hearing Jim's view on it. Discussion on the MOU continued when Jim and Selwyn joined the meeting.

Andrew advised that Stage 1 of the Brown Subdivision on Maru Road has now proceeded.

Asset Manager Recreation, Max Ward, updated the Committee on the tracking work that has taken place on Maungatautari.

[Selwyn Mackinder joined the meeting at 9.26am.]

Returning to discussion on the MOU, Selwyn said he was concerned that if there was a perception MEIT is tied to Council in some way it would jeopardise funding from central government. He asked if the MOU could be given a less detailed emphasis. Andrew said he recalled that when Tony Roxburgh commented on the first draft of the MOU he said transparency was really important, even if it was stating the obvious, because the project is unique. He said he thought the MOU would have quite a short life because it would be superseded by an operational contract once MEIT starts charging for the added value experiences that will be available.

[Jim Mylchreest joined the meeting at 9.40am.]

Jim said it was important that MEIT does not appear to be controlled by any other organisation, as it would affect its eligibility for funding from a number of sources. It must be seen to be totally independent and not an agent, as referred to in the MOU. He said MEIT would be seeking legal advice on the issue and he suggested the following amendments to the draft MOU which he said would be checked by a solicitor.

Sec 3 Purpose

Jim said the second bullet point indicates that MEIT is assisting Council with the operational needs of the reserve rather than acting independently. He suggested that it be replaced with "To recognise the MEIT project is beyond the scope of any restoration project that would be attempted by Waipa District Council and exceeds the statutory responsibilities of Waipa District Council".

He suggested an additional bullet point stating "To recognise MEIT is a totally independent community charitable trust and for the avoidance of doubt is not controlled by central or local government."

He suggested the replacement of the words “to specify” with “to record” in the third and fourth bullet points.

Sec 4 Understanding

Jim suggested that the first paragraph be reworded to read “The parties to this MOU intend to work together to enable the removal for ever of exotic flora and fauna from Maungatautari and to restore to the forest a health diversity of indigenous plants and animals.”

Sec 5 Responsibilities – Waipa District Council

Jim suggested the amendment of the first bullet point, in the second set of bullet points, to read “Working with MEIT in some capacity for the proper operational and management needs of Maungatautari.”

The Chairman asked if the last bullet point referred to an additional member of Council as an MEIT trustee. Jim said that referred to the existing member. He said it was possible that Environment Waikato might also wish to have a member on the Trust.

[Mayor Livingston joined the meeting at 9.50am.]

Sec 5 Responsibilities – MEIT

There was discussion about the second to last bullet point (in the first set of bullet points) concerning the need for removal of fencing in the event that the enclosures or the ring fencing is no longer deemed appropriate or necessary. Jim said he felt that clause was pointless as the perimeter fence is a good, stock proof fence, and there would be no point in taking it down. Andrew asked what would happen if some of the properties changed hands and if the fence was not on the boundary. Mayor Livingston said he understood the fence would be **protected by the QEII Covenant and therefore is unlikely to be able to be moved anyway.**

Jim said he felt the next bullet point “The provision of staff resources necessary to achieve the above” was unnecessary and should be removed.

Jim suggested that the word “propagated” in the next paragraph should be replaced with “established”. Mayor Livingston suggested that the word should have been “promulgated”. Jim asked that the last sentence of the paragraph “As an agent of Council, MEIT will also be responsible for” be replaced with “MEIT would also be responsible for:”

Jim suggested that the second bullet point on page 20 of the agenda be replaced with “Coordinating the reintroduction of native flora and fauna in accordance with the Wildlife Act and other statutory controls.” He also asked that an additional bullet point be added stating “The control of invasive plant species and noxious weeds” and that the fourth bullet point be removed.

Sec 6 Expectations – Waipa District Council

Jim asked that the words “operational management” be replaced with the word “governance” in the last bullet point.

Jim said he saw little point in including the second to last bullet point “That added-value development promoted or undertaken by MEIT is economically self-sustaining”. Andrew said that had been included because it had been suggested by some members of the public that the project would not pay for itself.

Sec 6 Expectations - MEIT

Jim suggested removal of the words “reserve portion of” from the last bullet point because the income would be used to maintain the whole of the scenic reserve, not just that part of it.

Sec 7 Communication

Jim said he questioned the need to state in this section that “MEIT will provide a written operational report a minimum 14 days before the close of every Reserve Committee agenda” because all the other members of the Committee had as much right to have reports included in the agenda. He said the same rules should apply to everyone on the Committee, not just MEIT.

It was suggested that this statement be replaced with “All items to be discussed at the meeting should be forwarded to the secretary a minimum of 14 days before the close of the Reserve Committee agenda”. Mayor Livingston said he disagreed with Jim’s suggestion because the MOU is referring to the relationship between Council and MEIT. Jim said he was concerned that it would appear, to an outside organisation, that MEIT is working on behalf of Council and he was trying to extract any inference that this was the case from the MOU.

Sec 8 Operational Reporting

Jim said that the other Committee Members should be provided in the box in this diagram as well as MEIT for the same reasons as detailed above. He questioned the need to include the final paragraph in this section because it infers that Council has a controlling influence over what MEIT does. He said that whilst MEIT is happy to let Council have copies of its minutes and annual accounts this does not need to be specified in the MOU.

Sec 9 Term of this Document

Jim said he felt the MOU would be an ongoing document that could be changed at any time with the agreement of both parties. He said he saw no need for it to be linked to Council’s Long Term Council Community Plan (LTCCP) and suggested that this paragraph be replaced with “This MOU is intended to be ongoing but recognises that changes may be required from time to time with the agreement of both parties.”

Sec 10 Dispute Resolution

There was discussion about the need to include this statement in the MOU. Rose Smith said she felt there should be some provision for this.

Rose asked if MEIT would have a MOU with Tangata Whenua to clarify their involvement in the project. Jim said that was an issue that required further discussion and he agreed it was important to clarify the appropriate lines of communication in this respect.

Jim said he would like to have the above proposed changes to the MOU independently checked by a solicitor and they could then be circulated. He said MEIT was not intentionally seeking to distance itself from Council but had to ensure that it does not appear MEIT is controlled by Council because of the funding issues mentioned earlier. Andrew said that whilst some of the suggested changes might not be too big an issue, he felt Council's solicitor might not agree to all of them. Jim said it was up to Council and MEIT to keep chipping away at the MOU until it can come up with something that is satisfactory to both parties. He said that whilst it should protect Council's statutory responsibilities it should not cripple MEIT in terms of funding opportunities. Mayor Livingston said with Council and MEIT working towards a common goal the MOU should not be an insurmountable issue.

Andrew suggested a form of disclaimer statement being included in the MOU making it clear that MEIT is an independent body with its own operating procedures.

RESOLVED

10/05/20

That the report of the Community Planning and Liaison Manager dated 23 May 2005 be received.

Cr Flay/R Smith

RESOLVED

10/05/21

That the Maungatautari Reserve Committee agrees in principle with the framework of the Memorandum of Understanding subject to some amendments that accommodate the Trust's needs as far as they relate to independence from Council.

Cr Flay/S Mackinder

Jim said he hoped to have MEIT's proposed changes to the MOU available within two weeks. Andrew said it would be useful if he could meet with Jim after that time to work on bringing back a unified MOU to the next Reserve Committee meeting. He said it was intended to present the draft Maungatautari Reserve Management Plan to the July Policy Committee meeting and that it would be helpful if the MOU was available for that discussion. He said this was particularly important because the draft Reserve Management Plan referred to MEIT as an agent and, if this was considered to be inappropriate terminology, it would need to be addressed.

The Chairman said he felt the Reserve Committee should have the opportunity to see the MOU again before it is referred to the Policy Committee and this would give the Department of Conservation the opportunity to express its view.

RESOLVED

10/05/22

That an additional meeting of the Maungatautari Reserve Committee be held on Wednesday 6 July 2005 commencing at 9.00am in the Committee Room, Cambridge.

S Mackinder/Cr Flay

[The meeting adjourned at 10.45am and reconvened at 11.05am.]

8 PROGRESS REPORT FROM MAUNGATAUTARI ECOLOGICAL ISLAND TRUST

File: 01-85-26

Progress Report from the Maungatautari Ecological Island Trust dated 30 May 2005 was included in the agenda.

RESOLVED

10/05/23

That the progress report from the Maungatautari Ecological Island Trust dated 30 May 2005 be received.

B Townend/Cr Flay

Jim updated the Committee on pest eradication and monitoring that has been taking place in the enclosures. He said that whilst it appears there is still a mouse in the southern enclosure the northern enclosure has been clear for some months. He said this would not impact on the proposed release of Kiwi scheduled for July.

Jim said MEIT is working on a detailed tracking plan, as required by Council, although at this stage there are not a lot of walking tracks being planned. He said the main need was for tracks that will provide access for monitoring but these will not be public access tracks.

Jim said MEIT aims to have 20km of main perimeter fence built by the end of this construction season and he updated the Committee on progress with the work. He said if MEIT received funding from central government the fence would be finished during 2006 with the poison drop following that winter.

**MAUNGATAUTARI RESERVE
COMMITTEE MINUTES
8 JUNE 2005**

Jim said the release of four Kiwi on 2 July would be a major event. He said the birds, which have been in quarantine at Rainbow Springs, would have a new permanent home on Maungatautari in the northern enclosure and it is hoped they will start to breed soon. He said Kiwi from the Otorohanga Kiwi House would also be available at a later stage and it is possible that Takahe could be released later in the year.

There being no further business, the meeting was declared closed at 11.50am.

CONFIRMED

CHAIRPERSON

Next Meeting: 9.00 am Wednesday 6 July 2005 in the Committee Room,
Cambridge