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Report 01.798

19 November 2001

File: X/23/5/7

Env Comm Report 01.798.TP.sw

Report to Environment Committee
from Tim Porteous, Biodiversity Co-ordinator

Pauatahanui Inlet Project: Review of Progress and Proposed Community Trust

1. Purpose

The purpose of this report is to:

- a) provide the Committee with a review of progress with this project since its inception two years ago; and
- b) inform the Committee of progress towards establishing the Pauatahanui Inlet Community Trust.

2. Background

In August 1999, the Pauatahanui Inlet Advisory Group (PIAG) was established with the brief to prepare a Vision Statement and Action Plan for the Pauatahanui Inlet (the Action Plan). Following extensive consultation and the receipt of submissions from the public, the Action Plan was finalised and subsequently adopted by both Porirua City Council and Wellington Regional Council in late 2000.

Over the course of the 2000/01 financial year both the Wellington Regional Council and Porirua City Council committed funds toward the progressive implementation of this action plan. In total \$80,000 (including \$40,000 from PCC) was specifically earmarked for this purpose, representing a collaborative effort by both Council's to collectively implement the Action Plan and resolve some of the issues identified.

Following the official launch of the Pauatahanui Inlet Action Plan in November of 2000, the PIAG turned its attention to the matters of:

- the identification of appropriate (and integrated) projects from the Action Plan that Porirua City Council and Wellington Regional Council could collectively implement; and

- the establishment of what was to be the Community "*Liaison Group*" (the Community entity) for monitoring and assisting with the implementation of the PIAP. (See 4 below).

3. **Projects**

A summary of some of the projects identified by the PIAG, and approved by the relevant Council, for implementation between July 2000 and June 2001 is detailed in Attachment 1.

In addition to the above work, Attachment 2 lists other Inlet related projects, performed outside of the umbrella of the Pauatahanui Inlet Action Plan Implementation programme, that were separately initiated by PCC and WRC during 2000/01. Each of these has had, or will have, some form of direct benefit to the Inlet and its environmental health.

Progress on all projects commissioned for the 2001/02 year will be reported to the February meeting of the Committee.

4. **Overseeing Implementation of the Action Plan**

One of the recommendations contained within the Action Plan (Action point 7.1) is:

*".. the establishment of a .. liaison group with responsibility for:
Overseeing the implementation of the Action Plan
Providing feedback to management agencies on the rate of progress of
implementing their stated actions engendering community support".*

The Action Plan identifies that the outcome sought from establishing such a group is:

*"[The] Action Plan is implemented and there is on-going
commitment to the integrated management of the inlet from
the management agencies and the community".*

After considerable deliberation, including consultation with interest groups and the community, the PIAG identified the need for two separate but inter-related groups.

The first, an *Inter-Agency Liaison Committee*, would be established to ensure communication and co-ordination between the various management agencies with responsibilities within inlet and/or its catchment. These include, for example, the Department of Conservation, Transit New Zealand, Wellington Regional Council and Porirua City Council. This group has already formed and held its inaugural meeting.

The second, a *community trust*, would provide the community with a vehicle to promote and support the implementation of the Action Plan.

The relationship between these two entities was discussed in the report "*Pauatahanui Inlet*" presented to the Environment Committee in May 2001 (Report 01.301). Council subsequently indicated its support for the establishment of this Community Trust.

5. Pauatahanui Inlet Community Trust

The PIAG has recently completed a draft of a proposed Pauatahanui Inlet Community Trust Deed. This incorporates the elements that were discussed in the officer report presented to this Committee in June of this year. At the time of drafting this report the draft deed was subject to a final legal review. It will be tabled at the Environment Committee.

The key components of the proposed Trust Deed are:

a. *Founding Trustees*

The proposed Trust Deed identifies the Chairperson of the Wellington Regional Council as a Founding Trustee of the Pauatahanui Inlet Community trust, along with the Mayor of Porirua City, the Chair of Te Runanga o Toa Rangatira and the three community members of the PIAG. Porirua City Council, at the meeting of their Environment Committee held on 20 November 2001, have resolved to be a party to the Community Trust.

This proposed role appropriately recognises, in a symbolic way, the collective interest of these parties in facilitating the creation of a community entity (the Trust) for the Inlet.

b. *The Trust Board*

The term of the Founding Trustees on the Trust Board is 12 months from the creation of the Trust. During this period, Founding Trustees will appoint appropriate members of the community to bring the Trust Board up to a full strength. It should be noted that the Trust Deed requires that in making appointments to the Trust, a balance of interests must be maintained on the Trust. It is intended that the Trust be as representative as possible of the community that lives near, recreates on, and values, for whatever reason, the Inlet and its catchment.

An ongoing role for the Regional Council (and Porirua City Council and Ngati Toa) is ensures beyond the twelve month period by the provision in the Trust Deed of three positions “reserved” for representatives of these organisations. It is at this time (twelve months after the establishment of the Trust) that Council will need to consider who from the Council would best represent it on the Trust.

c. *Objects (What will the Trust actually do?)*

The objects of the proposed Trust Deed will define the scope of the Trust’s business. The proposed Trust Deed will contain objects relating to:

- promoting and facilitating the implementation of the Pauatahanui Inlet Action, and any related actions required to achieve these ends;
- supporting the development and implementation of an action plan for the Porirua Harbour, due to the intimate relationship between this water body and the Pauatahanui Inlet; and
- enabling the Trust to engage in any other activities and processes that may have relevance to the activities outlined above.

These objects will ensure that the core function of the Pauatahanui Inlet Community Trust will be to promote and support the implementation of the Pauatahanui Inlet Action Plan and its vision for the Inlet. However, the relationship of the Inlet to its catchment and the Porirua Harbour, and adjacent land, will be recognised with the Trust being provided with scope to actively involve itself in relevant issues relating to these areas and their potential impact on the Inlet and the Trust's interests.

6. **What are the Implications for the Council?**

The Pauatahanui Inlet Community Trust Deed has been drawn up with input from the legal advisors to both the Regional Council and Porirua City Council. The Deed has been drawn up in such a way to ensure that the Council is neither exposed to liability nor bound to commit resources to the Trust.

Budgetary provision was made in the current Long Term Financial Strategy for the overall Pauatahanui Project. The Pauatahanui Inlet Advisory Group has provided advice to the Council on expenditure priorities in the light of its community feedback and knowledge of issues affecting the Inlet. This role will be continued by the Pauatahanui Inlet Community Trust. However, the funding of, and accountability for Council funded projects remains with the Council.

Porirua City Council has made budgetary provision for costs associated with the establishment of the Trust. If the Trust chooses to apply this to engaging a part-time co-ordinator, it is likely that the Biodiversity Co-ordinator will be relieved of some of the more routine tasks associate with running the Pauatahanui Project.

7. **Communications**

The launch of the Pauatahanui Inlet Community Trust will take place in February 2002 and will be a significant milestone in achieving greater community involvement in, and better management of, Pauatahanui Inlet. A public function and associated publicity are planned for its launch early next year.

8. **Recommendations**

It is recommended that the Committee:

- (1) *receives the report;*
- (2) *recommends that Council approves the Council Chairperson as a Founding Trustee of the Pauatahanui Inlet Community Trust; and*
- (3) *delegates to the Chairperson of the Environment Committee authority to approve the final content and workings of the Pauatahanui Inlet Community Trust Deed on the advice of the Divisional Manager, Environment.*

Report prepared by:

Approved for submission:

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Attachments -

1. Pauatahanui Inlet Action Plan Implementation Projects
2. Projects undertaken or proposed by WRC and PCC that support the implementation of the Action Plan

Tabled Document -

1. Draft - Pauatahanui Inlet Community Trust Deed