

**Dated 1 August 2004**

**MEMORANDUM OF UNDERSTANDING**

(Control of *Lagarosiphon* in Lake Wanaka)

**Land Information New Zealand**

**Department of Conservation**

**Otago Regional Council**

**Queenstown Lakes District Council**

**Guardians of Lake Wanaka**

# MEMORANDUM OF UNDERSTANDING

DATED the 1<sup>st</sup> day of August 2004

## BACKGROUND

This Memorandum of Understanding (MOU) arises from the stated intention of the Minister for Land Information to bring together the agencies involved to agree an integrated approach to the management, control and funding for the control of the aquatic plant *Lagarosiphon major* (Lagarosiphon) in Lake Wanaka. The Minister also stated that "there are real benefits to be gained by all the various agencies working together."

Whilst the Minister of Land Information has taken the lead in what is a "whole of Government" initiative, the Minister of Conservation and Minister for the Environment have expressed their support for the approach and their views about policy and funding matters that are an integral part of this initiative.

The Minister of Conservation agrees that "Lake Wanaka clearly qualifies as a water body of national importance, deserving of the special attention of government, including any remedial action to secure its natural heritage and amenity values" and further, that "any Crown-funded lakeweed control programme should be designed to secure all of the important values, including biodiversity and natural heritage values." He also writes "I support your objective to claw back the recent expansion in the range of Lagarosiphon to a smaller and more manageable core area," and states that "additional funding would be needed to implement such a programme over the next few years." The Minister concludes with "When a new draft management plan has been prepared and costed then Ministers may need to review the availability of funding and any requirement for supplementation."

The Minister for the Environment supports central government and district and regional councils working together to control the aquatic weed. In particular the Guardians were identified as having "a key role in facilitating and working with local and central government agencies to ensure that a clear plan of action and budget is secured for controlling Lagarosiphon in Lake Wanaka and surrounding water bodies."

MfE has responsibility for developing a strategy for water bodies of national importance set out in the Sustainable Development Programme of Action.

MfE has also been the lead agency in government decisions about remedial action for the Rotorua lakes and Lake Taupo.

All Parties to this MOU recognise the following central and local government positions and strategies:

- Lagarosiphon is an unwanted organism under the Biosecurity Act
- The management of Lagarosiphon is included in Otago Regional Council's Pest Management Strategy
- The government's Biodiversity Strategy
- The government's process for developing a strategy for waterbodies of national importance set out in the Sustainable Development Programme of Action.
- Lake Wanaka qualifies as a water body of national importance.

## **MEMORANDUM OF UNDERSTANDING**

### **1. THE PARTIES**

- A. Land Information New Zealand (LINZ)
- B. Department of Conservation (DOC)
- C. Otago Regional Council (ORC)
- D. Queenstown Lakes District Council (QLDC)
- E. Guardians of Lake Wanaka (Guardians)

### **2. REVIEW OF MEMORANDUM OF UNDERSTANDING**

- 2.1** The Parties shall review this MOU every three years from commencement of this MOU.
- 2.2** Either Party may bring forward recommended changes or enhancements to the MOU which in the opinion of that Party will lead to an improved understanding between the Parties and the practical implementations of the intent of this MOU.

### **3. RESPONSIBILITIES OF THE PARTIES**

#### **3.1 Land Information New Zealand**

LINZ is the lead government agency in this MOU and is responsible for the management of the bed of Lake Wanaka and associated weed and pest control programmes.

LINZ represents the Crown as owner of the lakebed pursuant to the Land Act 1948.

#### **3.2 Department of Conservation**

DOC is responsible for implementing the government's Biodiversity Strategy. DOC currently has a key role in central government for managing internal biosecurity in freshwater, and this is exercised under both the aquatic life transfer controls under the Conservation Act and by the Chief Technical Officers (Conservation) appointed under the Biosecurity Act. These responsibilities are primarily about the containment and exclusion of risk species, rather than site based pest control.

The Wanaka Area Office services the Guardians of Lake Wanaka.

#### **3.3 Otago Regional Council**

ORC has planning and regulatory functions under the Resource Management Act for takes and uses of water, discharges to water and works in the beds of rivers. ORC administers the Otago Regional Pest Management Strategy (RPMS) that includes provisions for Lagarosiphon control. Monitoring the distribution of Lagarosiphon throughout the lake is a major function. Monitoring requirements under the Biosecurity Act 1993 are also an ORC role. Informing and educating lake-users about the Lagarosiphon issue and carrying out activities (such as checking vessels) aimed at controlling the spread within Lake Wanaka and to other lakes is another ORC function.

#### **3.4 Queenstown Lakes District Council**

QLDC administers the District Plan that regulates land use activities including activities on the shoreline, bed and surface of Lake Wanaka. Together with ORC, QLDC is responsible for RMA bylaws and consents in relation to activities and structures such as jetties, water intakes and reclamations.

#### **3.5 Guardians of Lake Wanaka**

The Lake Wanaka Preservation Act 1973 defines the Guardians responsibilities. These include, but are not confined to, the maintenance and improvement of water quality, protection of the shoreline and matters associated with the use of the lake for recreation.

## 4. RESPONSIBILITY FOR IMPLEMENTING THIS MOU

### 4.1 Overall Responsibility

Responsibility for implementing this MOU ultimately rests with senior managers from each Party. For LINZ and DOC these are respectively the Chief Executive and Director General and for ORC and QLDC, the Chief Executives. The Guardians' Chairman will fulfil this function.

The Parties shall meet at least annually as the LINZ/DOC/ORC/QLDC/Guardians Lake Wanaka Lagarosiphon Managers' Committee (*Managers' Committee*)

### 4.2 Wanaka Lagarosiphon Managers' Committee

To achieve an integrated management approach each of LINZ, DOC, ORC, QLDC and Guardians shall identify one or more individuals within their organisation who will be responsible for and authorised to progress the implementation of this MOU.

- *The Managers Committee representative for LINZ shall be:*

**David Morgan;** or such other LINZ personnel time to time notified by LINZ to DOC, ORC, QLDC and the Guardians.

- *The Managers Committee representative for DOC shall be:*

**Paul Hellebrekers;** or such other DOC personnel from time to time notified by DOC to LINZ, ORC, QLDC and the Guardians.

- *The Managers Committee representative for ORC shall be:*

**Jeff Donaldson;** or such other ORC personnel from time to time notified by ORC to LINZ, DOC, QLDC and the Guardians

- *The Managers Committee representative for QLDC shall be:*

**Chris Hawker;** or such other QLDC personnel from time to time notified by QLDC to LINZ, DOC, ORC and the Guardians.

- *The Managers Committee representative for the Guardians shall be:*

**Laurel Teirney;** or such other Guardians from time to time notified by the Guardians to LINZ, DOC, ORC, QLDC and LINZ.

## **5. ROLE OF THE MANAGERS COMMITTEE**

The Managers Committee has overall responsibility for developing and implementing a comprehensive Lagarosiphon management strategy whereby the distribution of Lagarosiphon will be contained and reduced to progress the following objectives for Lake Wanaka:

- Protect and rehabilitate indigenous aquatic plant communities (biodiversity)
- Maintain natural heritage values
- Maintain and improve amenity values (including access)
- Minimise the risk of transfer to other lakes

### **5.1 Components of a comprehensive management strategy**

1. Prepare a 10 Year Lagarosiphon Management Plan for Lake Wanaka that incorporates objectives for the containment and reduction of Lagarosiphon in Lake Wanaka
2. Design a programme that will effectively deliver on the long-term objectives. Priorities for selecting and treating Lagarosiphon beds in different parts of the lake and selecting suitable types of controls including education and management of lake-users will be included.
3. Develop Annual Operational Plans including performance criteria.
4. Control activities (for Lagarosiphon and lake users) to be carried out each year will be specified for different parts of the lake according to the nature and extent of Lagarosiphon and the suitability of control methods.
5. Implement the Lagarosiphon control programme.
6. Monitor the effectiveness of control activities and compliance with the performance criteria.
7. Monitor the nature and extent of Lagarosiphon in Lake Wanaka (requirement of the Otago RPMS)
8. Review and update the long-term management plan.

## **5.2 Delivery of a comprehensive management strategy**

Nothing in this document will affect the rights and obligations of each Party to meet and fulfil their statutory and regulatory obligations for managing, administering or planning for the control of Lagarosiphon in Lake Wanaka. Ministers have accepted that these obligations can be fulfilled most effectively by an integrated management approach. The Managers Committee will work together to deliver all the functions listed above. Sharing information and discussing every aspect of the process is more likely to result in agreement and the delivery of each organisation's statutory and regulatory functions than relying on dispute resolution approaches.

### **5.2.1 Required skills and expertise**

Managing Lagarosiphon requires scientific and technical skills that are not likely to be adequately represented on the Managers Committee. It is recognised that specialist skills will need to be contracted in as necessary.

Advice and reports from those with specific skills will inform the Managers Committee and decision making process. Confidence that the data are robust leaves the Committee free to focus on management aspects of the programme.

LINZ is responsible for procuring the necessary contracts to implement the requirements of the Managers Committee's approved annual plan.

ORC is responsible for monitoring the distribution of Lagarosiphon within the Lake.

## **5.3 Managers Committee Operations**

Managers Committee meeting schedules will be defined by the process and timing required of the programme.

Two meetings shall be held each year during the months of May and August. The meetings shall be held at the offices of QLDC in Wanaka.

The purpose of the meeting held in May shall be to review the annual programme reports for that seasons control programme and to commence planning for control programme for the forthcoming season.

The purpose of the meeting held in August shall be to receive and agree the programme for the proposed control works for that season.

## **6 RECORD KEEPING**

QLDC shall be responsible for keeping detailed and accurate records in respect of the meetings held by the Parties in connection with this MOU.

LINZ will make available to the Parties, when requested, relevant reports generated from LINZ biosecurity database to enable the Parties to fulfil the requirements of this MOU and the control programmes.

## **7 COSTS AND FUNDING**

The cost of developing a 10 Year Management Plan and an annual operational plan will be based on cost estimates for each contributing component listed in clause 5.1.

The selection of all methods used in the comprehensive management programme, whether these are for direct Lagarosiphon control, monitoring or community/lake user activities, will be based first on how effective and environmentally sound they are and second on how cost effective.

The cost of the Managers Committee operations will be estimated on the basis of number of meetings and other functions as defined in clause 5.3. Each Party will provide funding for their respective representative.

## **8 ACCOUNTABILITY OF THE MANAGERS COMMITTEE**

Given Managers Committee members will be assigned certain authorities and delegations from their respective organisations to undertake the comprehensive Lagarosiphon control programme the Managers Committee will have the following accountabilities:

- i. the respective roles and responsibilities of each Party will be clearly defined once the 10 Year Management Programme is prepared. Should confusion or disagreement arise about any aspect of the programme it will be resolved by discussion involving Managers Committee members and Manager's Committee members; and
- ii. the Managers Committee will submit a report summarising activities, progress and financial aspects of the programme to the respective Party each year.



## 9 PUBLIC STATEMENTS/MEDIA RELEASES

Each Party may issue public statements or respond to media enquiries.

Where a Party intends to issue a public statement it shall provide a draft to the other Parties prior to issuing the public statement. The other Parties receiving the public statement shall have reasonable time to provide comments or amendments to the public statement prior to its release.

**SIGNED** for and on behalf of

**LAND INFORMATION NEW ZEALAND** by

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**Paul Jackson**

**SIGNED** for and on behalf of

**DEPARTMENT OF CONSERVATION** by

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**Jeff Connell**

**SIGNED** for and on behalf of

**OTAGO REGIONAL COUNCIL** by

\_\_\_\_\_  
**Graeme Martin**

**SIGNED** for and on behalf of

**QUEENSTOWN LAKES DISTRICT COUNCIL** by

\_\_\_\_\_  
**Duncan Field**

**SIGNED** for and on behalf of

**THE GUARDIANS OF LAKE WANAKA** by

\_\_\_\_\_  
**Bill Hislop**