



# **MEMORANDUM OF UNDERSTANDING**

## **BETWEEN**

### **THE MINISTRY OF INFRASTRUCTURE AND PLANNING**

#### **AND**

### **THE PENRHYN ISLAND LOCAL GOVERNMENT**

#### **INTRODUCTION**

This is a Memorandum of Understanding (MOU) which provides an Agreement set out below between

- i) Her Majesty, the Queen in Right of the Government of the Cook Islands through **Ms. Donye Numa, the Acting Secretary of the Ministry of Infrastructure and Planning (MOIP)**, and;
- ii) The **Penrhyn Island Council**, through the **Deputy Mayor Mr Jacob Ivirangi** and;
- iii) Her Majesty, the Queen in Right of the Government of the Cook Islands through **Mr Andrew Vaeau, Acting Island Secretary, Penrhyn Island Administration**.

#### **PURPOSE**

The purpose of this MOU is to affirm the responsibilities of MOIP and the respective Islands local Governments (*Island Councils and Island Administrations*) during the implementation of the New Zealand Government-funded Northern Group Water Project on the islands of Penrhyn, Rakahanga, Pukapuka, Nassau and Manihiki.

#### **BACKGROUND**

1. During the 2004-2005 cyclone season, five cyclones struck the Cook Islands causing widespread damage to infrastructure on most islands. This led to the \$10-million NZAID-funded 2007-2010 Cyclone Recovery and Reconstruction Programme (CRRP).
2. A sustainable water supply system underlies the viability of communities in the Outer Islands of the Cook Islands. The limited economic opportunities on the Outer Islands together with isolation and the migration in population have been attributed in part to the lack of sustained potable water supply systems domestically and within the community. Each island has unique resources and local governance arrangements.
3. Rainwater is the main source of potable water supply for Penrhyn, Rakahanga, Pukapuka, Nassau and Manihiki and collected from roofs of residential houses and community buildings using purpose-built collection and storage systems. The stock of tanks, guttering, downpipes and roofing on these islands are in diverse conditions, from functional to a state of disrepair.

4. Groundwater from open wells is a supplement to rainwater and primarily used for non-potable purposes. Since many groundwater wells are within village areas, these are likely to be subjected to pollution and contamination from septic tanks and other sources and require boiling to be potable.
5. The aim of the Northern Group Water Project is to improve the adequacy and reliability of supply and foster a sustainable system and safety of potable water by increasing rainwater collection and storage capacity in order to improve the resilience to natural disasters (including droughts) and strengthening disaster management capabilities. Along with capacity building, a flexible contract approach (i.e. supply and install, measure and value) has been chosen to allow improvements to be adapted to specific situational need.
6. In order to stretch the Project funds available (\$2,200,000) across the five islands of Penrhyn, Rakahanga, Pukapuka, Nassau and Manihiki, the Project has prioritised islands in terms of their relative water needs.
7. The minimum water service standard is based on water storage allocation of 1,000-litres per person and a baseline number of occupants of 6 per household. This is set at 6,000-litres of storage per eligible household. This 6,000-litres storage can either be in the form of a single 6,000-litre polyethylene tank or double 3,000-litre polyethylene tanks.
8. Those eligible households with over 6 persons above the baseline number of occupants may be entitled to an additional 3,000-litre storage.
9. The Islands local Governments are key stakeholders in optimising the impact and benefit of Project activities on each island. Conditions of funding require that arrangements for future repairs and maintenance of these rainwater collection and storage systems is agreed in writing for each island, before materials get delivered and the Project implemented by the Contractor.

## **THE AGREEMENT**

### **The Responsibilities of the Penrhyn Island Local Government & Island Administration**

1. Consult and advise island residents and also non-residents as necessary on the Project goals and entitlements.
2. Foster scaling up of water improvements by advocating for homeowner's contribution to the costs of improvements, particularly on roof structures (i.e. rafters, purlins and claddings).
3. Broker arrangements with households and communities to clarify ownership and responsibility for future maintenance of these improved rainwater systems.

4. Facilitate the work of Romanidesigns Ltd, MOIP's appointed Project Manager, to set up community awareness and training, groundwater monitoring, assess and contract works and oversee the works of the contractor. The contractor shall be fully responsible to MOIP through its appointed Project Manager.
5. Waive literage, provide local transportation to Contractor, plant, equipment and machineries including operators related to the supply of local materials for tank bases (sand, gravel and rocks) when required as part of the Cook Islands Government 'in-kind' contribution to the Project. The Contractor will provide diesel fuel.
6. Provide input into the renovation work-plan and budget for community rainwater tanks improvements.
7. Fund and perform all future maintenance of all community rainwater systems improved by this Project through the normal Operational and CAPEX budgeting process of the Penrhyn Island local Government.
8. Develop and implement Water Safety Plans (assisted by the Ministry of Health – Public Health Division) and local rain and groundwater monitoring systems in a manner to sustain local data collection after Project completion.

#### **The Responsibilities of the Ministry of Infrastructure and Planning**

1. Responsible for the process of developing a National Water Policy for all the Cook Islands in consultation with all relevant stakeholders.
2. Provide a Technical Assistant (Ngateina Rani, ph 20321 / 78599) based in the MOIP, to manage the CRRP Programme including this Project.
3. Support the Penrhyn Island local Government with budget estimates and survey data relevant to decision making.
4. Finance and manage the Contractors to deliver all approved improvements under this Project within the 2011 calendar year and prior to the 2011-2012 cyclone season.
5. Approve and finance improvements on existing community rainwater systems according to negotiated and approved Penrhyn Island local Government work-plans and budget estimates.

6. Provide a Project Manager (Romanidesigns Ltd) to oversee the Project implementation and report back on the progress.
7. Provide funding to deliver educational and awareness training activities such as Water Safety Plans (i.e. Ministry of Health, Ministry of Internal Affairs and Ministry of Education) and basic maintenance of rainwater systems (i.e. contractor/plumbers).
8. Manage the Project using an open and transparent decision-making process with the inclusion of local communities and their representatives.

#### **GENERAL TERMS AND CONDITIONS**

1. Any variation to this Agreement shall be made in writing and with the agreement of both parties.
2. Eligible households are considered only those currently occupied that do not meet the minimum water service standard.
3. All approved households are listed in the Approved Household Listing attached to this MOU as Appendix 1.

**EXECUTION**

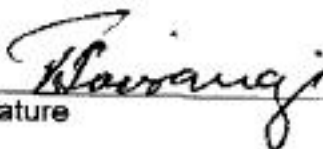
**IN WITNESS WHEREOF**, the undersigned, being duly authorised to act for and on behalf of their respective Organisations, have signed this Arrangement as follows:

Signed for and on behalf of Her Majesty the Queen in right of the Government of the Cook Islands by Ms. Donye Numa, as Acting Secretary of the Ministry of Infrastructure and Planning

Signed for and on behalf of the Penrhyn Island Council by the Deputy Mayor, Mr Jacob Ivirangi

Signature

Signature



Witness

Witness

*Whatapuria - Councillor*  
x *[Signature]* (Councillor)  
x *[Signature]* (Councillor)

Signed for and on behalf of Her Majesty the Queen in right of the Government of the Cook Islands by Mr. Andrew Vaeau, as Acting Island Secretary, Penrhyn Island Administration

Signature



GR.

Witness

**APPENDIX 1**  
**APPROVED HOUSEHOLDS LISTING**

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*John J. Secretary, Pasadena, CA*