

Te Maru o Kaituna River Authority

Ngā Meneti Open Minutes

Commencing: Friday 5 February 2021, 10:40 am

Venue: Zoom Video Conference Room ([Zoom Recording](#))

**Heamana
Chairperson:** Dean Flavell (Tapuika Iwi Authority Trust)

**Heamana Tuarua
Deputy Chairperson:** Cr Matemoana McDonald (Bay of Plenty Regional Council)

**Ngā Kopounga
Members:**

Te Tāhuhu o Tawakeheimoa Trust
Nicki Douglas

Rotorua Lakes Council (RLC)
Nick Chater (Lakes Community Board)
Cr Tania Tapsell (Alternate)

Western Bay of Plenty District Council (WBOPDC)
Cr Grant Dally

Te Pumautanga o Te Arawa Trust
Rawiri Kingi (Alternate)

Bay of Plenty Regional Council (BOPRC)
Cr Jane Nees (Alternate)

Informal Members

Te Komiti Nui o Ngāti Whakaue
Joe Edwards
Kingi Biddle

Bay of Plenty Regional Council
Cr Te Taru White

**Te Hunga i Tae Ake
In Attendance:**

BOPRC Staff: Pim De Monchy (Coastal Catchments Manager), Nassah Rolleston-Steed (Principal Advisor, Policy & Planning), Moana Boyd (Senior Planner), Brad Harburn (Environmental Engineer), Jessica Durham (Committee Advisor)

WBOPDC Staff: Peter Watson (Reserves and Facilities Manager), Matt Leighton (Senior Policy Analyst)

TCC Staff: Campbell Larking (Senior Planner)

Ngā Hōnea Apologies:

Kiharoa Milroy (Te Komiti Nui o Ngāti Whakaue)
Vincent Brown (Te Tāhuhu o Tawakeheimoa Trust)
Deputy Mayor John Scrimgeour (WBOPDC) (Alternate)
Geoff Rice (Tapuika Iwi Authority Trust) (Alternate)
Piki Thomas (Te Pumautanga o Te Arawa)
Tauranga City Council representation

1. Karakia Whakatuwhera Opening Karakia

A karakia was provided by Kingi Biddle, and a mihi whakatau was provided by Dean Flavell.

2. Chair's Announcement

This meeting was recorded as noted within the agenda and uploaded to the BOPRC website in accordance with BOPRC Policy.

3. Items not on the Agenda

At the conclusion of agenda items, there would be a discussion on a NIWA/ BOPRC/ Te Maru o Kaituna River Authority (Authority) collaboration regarding an MBIE case study and research proposal on "Transforming coastal lowland systems threatened by sea-level-rise into prosperous communities".

4. Welcome to Informal Members

Welcomed informal members representing Te Komiti Nui o Ngāti Whakaue at the hui, Joe Edwards and Chairman Kingi Biddle.

5. Ngā Hōnea Apologies

Resolved

That Te Maru o Kaituna River Authority:

- 1 Accepts the apologies from Kiharoa Milroy, Deputy Mayor John Scrimgeour, Vincent Brown, Geoff Rice, Piki Thomas and Tauranga City Council representation, and for early departure from Kingi Biddle, Cr Te Taru White and Nicki Douglas tendered at the meeting.**

**McDonald/Kingi
CARRIED**

6. Raupapa o Ngā Take Order of Business

The Chair announced Agenda Item 2.2, Direction on Proposed Changes in Response to Comments Received on Draft Proposed Change 5 (Kaituna River) to the Regional Policy Statement would be considered first.

7. Whakapuakanga o Ngā Take Whai Taha-Rua Declaration of Conflicts of Interest

No conflicts were declared.

8. Ngā Whakatau e Hiahiatia Ana Ngā Pūrongo Decisions Required Reports

8.1 Direction on Proposed Changes in Response to Comments Received on Draft Proposed Change 5 (Kaituna River) to the Regional Policy Statement

Presentation: Draft Proposed Change 5 Comments: Objective ID A3732410

Presented by: Nassah Rolleston-Steed (Principal Advisor, Policy & Planning),
BOPRC

Key Points:

- Moana Boyd (Senior Planner, BOPRC) would be taking over work on the plan change in the future.
- Outlined the plan change process and feedback received.
- BOPRC's Strategy and Policy Committee reviewed the proposed plan change in December 2020 and provided comment.
- Staff sought further direction from the Authority on the comments provided as outlined in the report attachments and presentation.
- Strategy and Policy Committee would further review any changes at their 23 March 2021 workshop, then Proposed Change 5 would go to BOPRC's Council meeting on 21 April 2021 for approval to notify and commence the Schedule 1 submissions process.
- Because Proposed Change 5 related primarily to water, it would be subject to the new Freshwater Planning Process which included restricted appeal rights.

10:53am – Kingi Biddle **withdrew** from the meeting.

Key Points - Members:

Members agreed with most Strategy and Policy Committee comments and tracked changes, however made the following further amendments:

- Removed references to 'tributaries' throughout Proposed Change 5 because they were included in the legislative definition of Kaituna River.
- Objective 40 and Policy KR 1B were amended to state "The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are recognised, strengthened, enhanced, and provided for."
- Objective 44 and Policy KR 5B were amended to replace "good management practices" with "best management practices". Members

recognised Proposed Change 5 should be aspirational when it came to management practices.

- Staff to work with Authority members (particularly Cr White) on developing additional explanatory text for Policy KR 8B to recognise the existence of waahi tapu (including burial caves) in the Kaituna River and its margins. This would acknowledge their cultural significance and the metaphysical and spiritual dimension associated with their existence and recognising the tapu element associated with protecting them and ensuring cultural safety.
- Members acknowledged the Freshwater Planning Process would involve consideration and nomination of a Commissioner with expertise in tikanga Māori to be appointed to the Freshwater Hearings Panel. This would be considered at a future Authority hui.

Resolved

That Te Maru o Kaituna River Authority:

- 1 **Receives the report, Direction on Proposed Changes in Response to Comments Received on Draft Proposed Change 5 (Kaituna River) to the Regional Policy Statement.**
- 2 **Generally endorses the amendments made to Draft Proposed Change 5 (Kaituna River) to the Regional Policy Statement in response to comments received.**
- 3 **Provides direction on alternative wording to provisions where TMoK members disagree with proposed amendments.**
- 4 **Notes Toi Moana staff will seek Regional Council approval to commence the formal RMA Schedule 1 submissions process by mid-2021.**
- 5 **Notes Draft Proposed Change 5 (Kaituna River) to the Regional Policy Statement will be subject to the new Freshwater Planning Process (FPP) set out in s80A (2)(c)(ii) of the Resource Management Act 1991 (RMA). A tangata whenua nominee with tikanga Māori and mātauranga Māori experience must be appointed to the Freshwater Hearings Panel.**

Douglas/Chater
CARRIED

9. Whakahoutanga Kōrero Verbal Updates

9.1 Chairperson's Report

Presentation: Te Karaka Property Listing: Objective ID A3736331

Presentation: Te Maru o Kaituna River Authority Website (www.kaituna.org.nz)

Presented by: Dean Flavell

Key Points:

- Highlighted the benefits of the Authority's website, which was now live and gave members a brief tour through the site's pages.
- Outlined the prospective opportunities that a piece of land for sale on Bell Road (known as Te Karaka) had to the Authority and its partners. Te Karaka was a Pā site of significant historical and cultural value that was listed for \$895k.

- Securing Te Karaka would present wetland opportunities and contribute towards the Authority's Action Plan.
- The Authority's partner organisations would be invited by letter from the Chair to review the details of Te Karaka and communicate with the Chairman or Pim De Monchy regarding their interest. Members indicated support for Te Maru o Kaituna River Authority to advocate for the site's purchase and protection.
- Sam Sutton's sky walkway project over the Kaituna River now had consent and ongoing updates would be provided to the Authority.

12:26pm – Cr Te Taru White and Nicki Douglas **withdrew** from the meeting.

10. Kia Whakaūngia Ngā Meneti Minutes to be Confirmed

10.1 Te Maru o Kaituna River Authority Minutes - 28 August 2020

Matters Arising

In relation to Minute Item 6.1, Proposed Flood Protection and Drainage Bylaws 2020, following discussion with Dr Kura Paul-Burke, erosion at Tūhourangi Marae could be a potential issue.

Resolved

That Te Maru o Kaituna River Authority:

- 1 Confirms Te Maru o Kaituna River Authority Minutes - 28 August 2020 as a true and correct record.**

**Flavell/Kingi
CARRIED**

11. Ngā Whakatau e Hiahiatia Ana Ngā Pūrongo Decisions Required Reports Continued

11.1 Committee Membership Update

Presented by: Pim De Monchy (Coastal Catchments Manager), BOPRC

Key Points:

- Tapuika Iwi Authority Trust/Te Kapu o Waitaha joint seat discussions were ongoing, so could not yet be appointed.
- TCC Commissioners had been appointed, however TCC representation on the Authority was still to be advised.

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Committee Membership Update.**
- 2 Notes the Minister of Local Government has confirmed a Commission will be appointed to manage Tauranga City Council's elected representative function**

which may affect Tauranga City Council's representative on Te Maru o Kaituna River Authority.

**Chater/Flavell
CARRIED**

12. Whakaaturanga Presentations

12.1 Progress Update on 83 Ford Rd Concept Plan Process

Presentation: 83 Ford Road Concept Plan Update: Objective ID A3732411

Presented by: Peter Watson (Reserves and Facilities Manager), WBOPDC

Key Points:

- WBOPDC and BOPRC each acquired parts of the land for community use.
- BOPRC used the site for the Kaituna River Re-diversion Project between 2018 and 2020.
- Since the last update to the Authority in May 2020, pre-engagement had been undertaken and feedback incorporated into the proposed draft concept plan.
- WBOPDC proposed a name change to Otaiparia based on research and feedback from mana whenua.
- Next steps would include formal consultation from 12 April to 12 May 2021.

13. Hei Pānui Anake Ngā Pūrongo Information Only Reports

13.1 Kaituna Mole Maintenance

Presentation: Kaituna Mole Concept Plan: Objective ID A3732412

Presented by: Brad Harburn (Environmental Engineer), BOPRC

Key Points - Staff:

- Outlined background to the project and next steps.
- Noted closure of Kaituna Mole to the public for approximately 4 months from April 2021 for construction.

Key Points - Members:

- Create synergy with design and construction at other nearby sites within Maketū, including Otaiparia.
- Stage 2 aesthetics of the project could include a sculpture between the ramps and steps and sand blasted designs could incorporate Authority designs.
- Waste management needed close consideration.

Resolved

That Te Maru o Kaituna River Authority:

- 1 **Receives the report, Kaituna Mole Maintenance.**

Flavell/Dally
CARRIED

13.2 Toi Moana Kaituna Catchment - Report on Operations since 28 August 2020

Presented by: Pim De Monchy (Coastal Catchments Manager), BOPRC

Key Points - Staff:

- Highlighted jet-boat and jet-ski speed concerns and the work underway to address them.
- There would be ongoing engagement with tangata whenua regarding Ford Road maintenance, prior to any works commencing.

Items for Staff Follow Up:

- Provide an update on timing of consent processing.

Resolved

That Te Maru o Kaituna River Authority:

- 1 **Receives the report, Toi Moana Kaituna Catchment - Report on Operations since 28 August 2020.**

Flavell/Kingi
CARRIED

14. Whakahoutanga Kōrero Verbal Updates Continued

14.1 Western Bay of Plenty District Council

Presented by: Cr Grant Dally

Key Points:

- WBOPDC were investigating marae wastewater needs across the district.
- Investigations within the Western Bay had been completed, with the Eastern Bay starting next.
- Onsite and offsite reticulation options would be considered.
- WBOPDC was engaging with tangata whenua on wastewater options.

15. Ngā Take Tōmuri Hei Whakaaroaro Consideration of Items not on the Agenda

15.1 NIWA/BOPRC/Te Maru o Kaituna River Authority Collaboration

Presentation: Transforming coastal lowland systems threatened by sea-level-rise into prosperous communities: Objective ID A3732400

Presented by: Niketi Toataua, Scott Stephens and Darcel Rickard, NIWA

Key Points:

- NIWA would be submitting to MBIE in 2021 for research funding on transforming coastal lowland systems threatened by sea-level-rise into prosperous communities.
- NIWA would be working with hapū and iwi partners in co-developing research components.
- The final research proposal was due 28 February 2021.
- The funding was highly contested, with a 15% success rate.
- If funding was approved, the research would take place from October 2021 to September 2026.
- NIWA sought the Authority's interest and support in the research proposal.

Key Points - Members:

- The Chairman would write a letter of support on behalf of the Authority supporting NIWA's research proposal.

16. Karakia Kati Closing Karakia

A karakia was provided by Dean Flavell.

1.42pm - the meeting closed.

CONFIRMED 21 MAY 2021

Dean Flavell
Chairperson, Te Maru o Kaituna River Authority