



Te Maru o Kaituna River Authority Rārangi Take Agenda

NOTICE IS GIVEN that the next meeting of Te Maru o Kaituna River Authority will be held in Council Chambers, Western Bay of Plenty District Council, 1484 Cameron Road, Greerton, Tauranga on:

FRIDAY 27 AUGUST 2021 COMMENCING AT 9.30 AM

If Covid-19 Alert Levels are at 3 or 4, this meeting will be held via Zoom only.

Dean Flavell
Chairman, Te Maru o Kaituna River Authority
19 August 2021

Te Maru o Kaituna River Authority

Membership

Chairperson	To be appointed (Tapuika Authority Trust)
Deputy Chairperson	Cr Matemoana McDonald (Bay of Plenty Regional Council)
Iwi Members One representative each appointed by: Tapuika Iwi Authority Trust Te Tāhuhu o Tawakeheimoa Trust Te Pumautanga o Te Arawa Trust One member jointly appointed by: Tapuika Iwi Authority Trust and Te Kapu o Waitaha	Geoff Rice (Alternate) Nicki Douglas Erin Thompson (Alternate) Piki Thomas Rawiri Kingi (Alternate) Vacant
Council Members One representative each appointed by: Bay of Plenty Regional Council Rotorua Lakes Council Western Bay of Plenty District Council Tauranga City Council	Cr Jane Nees (Alternate) Mr Nick Chater (Lakes Community Board) Cr Tania Tapsell (Alternate) Cr Grant Dally Deputy Mayor John Scrimgeour (Alternate) Commissioner Shadrach Rolleston Commissioner Bill Wasley (Alternate)
Informal Members Two informal members with voting rights appointed by: Te Komiti Nui o Ngāti Whakaue Bay of Plenty Regional Council	Maru Tapsell Manu Pene (Alternate) Cr Te Taru White
Quorum	The chairperson or deputy chairperson and two members appointed by iwi and two members appointed by the local authority appointing organisations
Meeting frequency	Quarterly

Purpose

The purpose of the Authority as set out in the Tapuika Claims Settlement Act 2014 is the restoration, protection and enhancement of the environmental, cultural and spiritual health and wellbeing of the geographical area of the Kaituna River Catchment as shown on deed plan OTS-209-79.

This is a permanent joint committee under the Local Government Act 2002 and co-governance partnership between local authorities and iwi that share an interest in the Kaituna River and must not be discharged unless all of the appointing organisations agree to the discharge.

Role

- To prepare and approve the Kaituna River document in accordance with sections 125 and 127 of the Act.
- To monitor the implementation and effectiveness of the Kaituna River document.
- To support integrated and collaborative management of the river.
- To work with local authorities and crown agencies that exercise functions in relation to the Kaituna River:
 - to monitor the state of the river environment
 - to monitor the effectiveness of the management of the river
 - to engage with iwi in relation to their interests in the river and to consult them on how to manage the river.
- To provide advice and recommendations to local authorities:
 - relating to projects, action or research designed to restore, protect or enhance the health and wellbeing of the river
 - on appointment of commissioners to hear and decide applications for resource consents under the Resource Management Act 1991 that affect the river.
- To facilitate the participation of iwi in the management of the river.
- To monitor the extent to which the purpose of the Authority is being achieved, including the implementation and effectiveness of the Kaituna River document.
- To gather information, to disseminate information and to hold meetings.
- To take any action that the Authority considers is appropriate to achieve its purpose.
- The Authority may seek to obtain funds to enable it to perform its functions.
- Other iwi and local authorities may join the Authority through consensus of the Authority or through legislation.

Decision Making

The Authority must make its decisions by a vote at a meeting and must seek to achieve consensus, be consistent with and reflect the purpose of the Authority and acknowledge the interests of iwi in particular parts of the Kaituna and its catchments.

If the Chair or Deputy Chair considers that the meeting is unlikely to achieve consensus on a matter, the decision on the matter may be made only by a 70% majority of those present. The Chair and the Deputy Chair of the Authority may vote but do not have a casting vote.

Power to Act

The Authority has discretion except as provided for in section 116(2) (a) of the Tapuika Claims Settlement Act to determine in any particular circumstances whether to perform any function specified and how and to what extent any function specified is performed.

Power to Recommend

To the partner organisations on any matters within the Authority's delegated functions as it deems appropriate.

The Te Maru o Kaituna River Authority members report directly to their respective organisations.

Recommendations in reports are not to be construed as policy until adopted.

Rārangi Take

Agenda

- 1. Karakia Whakatuwhera
Opening Prayer**
- 2. Ngā Hōnea
Apologies**
- 3. Wāhanga Tūmatanui
Public Forum**
- 4. Ngā Take Tōmuri
Items not on the Agenda**
- 5. Raupapa o Ngā Take
Order of Business**
- 6. Whakapuakanga o Ngā Take Whai Taha-Rua
Declaration of Conflicts of Interest**
- 7. Ngā Take Tūmataiti Hei Whakapuaki Tūmatanui
Public Excluded Business to be Transferred into the Open**
- 8. Ngā Meneti
Minutes**

**Kia Whakaūngia Ngā Meneti
Minutes to be Confirmed**
- 8.1 Te Maru o Kaituna River Authority Minutes - 21 May 2021 8**
- 9. Whakahoutanga Kōrero
Verbal Updates**
- 9.1 Presiding Chairperson's Verbal Report**

Verbal update by the presiding Chairperson for this meeting.
- 10. Ngā Pūrongo
Reports**

**Ngā Whakatau e Hiahiatia Ana
Decisions Required**

10.1	Membership Appointments	18
10.2	Te Maru o Kaituna River Authority Annual Report and Budget	22
	Attachment 1 - 2021-08-27 Te Maru o Kaituna River Authority Draft Annual Activity Report 2020 2021	26
	Hei Pānui Anake Information Only	
10.3	Otaiparia Reserve Concept Plan and Name Change	29
10.4	Te Puke Wastewater Treatment Plant Reports 2021	34
10.5	Update on Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement	67
11.	Wāhanga Tūmataiti Public Excluded Section	

Resolution to exclude the public

Excludes the public from the following parts of the proceedings of this meeting as set out below:

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No.	Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution	When the item can be released into the public
11.1	Tangata Whenua nominations for the Freshwater Hearings Panel to hear Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement	Withholding the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.	48(1)(a)(i) Section 7 (2)(a).	To remain in public excluded.

Ngā Whakataua e Hiahiatia Ana Decisions Required

**11.1 Tangata Whenua nominations for the Freshwater Hearings
Panel to hear Proposed Change 5 (Kaituna River) to the Bay of
Plenty Regional Policy Statement**

Attachment 1 - Combined resumes of potential Tangata Whenua nominees

- 12. Ngā Take Tūmataiti Hei Whakapuaki Tūmatanui
Public Excluded Business to be Transferred into the Open**
- 13. Whakahoki mai i te iwi whānui
Readmit the Public**
- 14. Ngā Take Tōmuri Hei Whakaaroaro
Consideration of Items not on the Agenda**
- 15. Karakia Kati
Closing Prayer**

Te Maru o Kaituna River Authority

Ngā Meneti Open Minutes

Commencing: Friday 21 May 2021, 10.30 am

Venue: Nukuteapiapi Room, Te Arawa Lakes Trust, 1194 Haupapa Street, Rotorua

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

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

**Ngā Kopounga
Members:**

- Tapuika Iwi Authority Trust
Geoff Rice (Alternate)
- Bay of Plenty Regional Council (BOPRC)
Cr Te Taru White (Informal Member)
- Te Tahuhu o Tawakeheimoa Trust
Nicki Douglas
Erin Thompson (Alternate)
- Te Pumautanga o Te Arawa
Piki Thomas
Rawiri Kingi (Alternate)
- Rotorua Lakes Council (RLC)
Nick Chater (Lakes Community Board)
- Western Bay of Plenty District Council (WBOPDC)
Cr Grant Dally
Deputy Mayor John Scrimgeour (Alternate)
- Tauranga City Council
Commissioner Shadrach Rolleston
Commissioner Bill Wasley (Alternate)
- Te Komiti Nui o Ngati Whakaue
Maru Tapsell (Informal Member)
Manu Pene (Alternate Informal Member)

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

BOPRC: Pim De Monchy - Coastal Catchments Manager; Nassah Rolleston-Steed - Principal Advisor, Policy & Planning; Jo Watts - Senior Planner, Water Policy; Moana Boyd - Senior Planner; Clarke Koopu - Senior Advisor, Treaty; Reuben Gardiner - Senior Planner, Water Policy; Rawiri Bhana - Māori Policy Advisor; Jessica Durham - Committee Advisor.

Other: Matt Leighton - Senior Policy Analyst, WBOPDC; Jenny Riini - Te Tatau; Tom Abbott - Beca; Emma Stiven - Beca; Mihaere Kirby - Te Karangi A 3D 2B Ahu Whenua Trust; Elva Conroy - Conroy & Donald Consultants Ltd

Ngā Hōnea**Apologies:**

Cr Jane Nees, Cr Tania Tapsell

1. Karakia Whakatuwhera/Mihi Whakatau Opening Prayer and Welcome

A mihi whakatau and opening karakia was provided by Chairperson Dean Flavell.

2. Ngā Pūrongo Reports

2.1 Governance Update

Tabled Document 1 - Confirmation of Appointment - Te Tahuhu o Tawakeheimoa Trust: Objective ID A3797586

Presented by: Jessica Durham

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Governance Update.**
- 2 Confirms the appointments of Commissioners Shadrach Rolleston and Bill Wasley (Alternate) representing Tauranga City Council**
- 3 Confirms the appointments of informal members Maru Tapsell and Manu Pene (Alternate) representing Te Komiti Nui o Ngāti Whakaue.**
- 4 Confirms the appointment of Erin Thompson (Alternate) representing Te Tāhuhu o Tawakeheimoa Trust.**
- 5 Directs each Member of the Authority to complete Attachment 3, Declaration of Interests.**

**Thomas/Douglas
CARRIED**

3. Ngā Hōnea Apologies

Resolved

That the Te Maru o Kaituna River Authority:

- 1 Accepts the apologies from Cr Te Taru White for early departure, and from Cr Jane Nees and Cr Tania Tapsell tendered at the meeting.

Douglas/Chater
CARRIED

4. Ngā Meneti Minutes

Kia Whakaūngia Ngā Meneti Minutes to be Confirmed

4.1 Te Maru o Kaituna River Authority Minutes - 5 February 2021

Matters Arising

In relation to Minute Item 15.1, NIWA/BOPRC/Te Maru o Kaituna River Authority Collaboration, members received an update on progress of the funding application; which had been successful in the first phase of applications and would be further considered in September 2021.

Resolved

That the Te Maru o Kaituna River Authority:

- 1 Confirms the Te Maru o Kaituna River Authority Minutes - 5 February 2021 as a true and correct record.

McDonald/Flavell
CARRIED

5. Whakaaturanga Presentations

5.1 Rotorua Waste Water Treatment Plant 5-year continued spraying Bridging Consent

Presentation: Bridging and Kawenata Process: Objective ID A3801913

Presented by: Jenny Riini on behalf of Rotorua Lakes Council

Key Points:

- Provided background issues around how and when Rotorua's wastewater came to be discharged in Whakarewarewa Forest by Rotorua Lakes Council, and the process to identify and evaluate alternative options so far.
- Explained that the previously preferred alternative of upgrading the Waste Water Treatment Plant (WWTP) and then discharging the treated water to a 'land treatment bed' and then into Lake Rotorua was opposed by the local

hapū and then by Te Arawa Lakes Trust after lengthy investigations and consultation.

- The method of applying wastewater to land at Whakarewarewa Forest initially provided good levels of nutrient removal, but over the years this reduced in effectiveness for various reasons.
- A bridging consent for five years was deemed necessary to identify and evaluate further alternative options for disposal of the wastewater as well as upgrading the WWTP.
- Over the five year bridging consent period, consents for necessary upgrades and consideration of alternative options would be pursued in order to find a long-term solution.
- In recent years, the science on emerging contaminants such as hormones and micro-plastics had grown.
- Cultural impact assessments should consider the mauri of the wai right the way through from the WWTP through to the receiving land or water, and then down to the moana.
- Engagement with iwi and hapū would be done in ever-widening circles, beginning with the most affected parties.
- The Authority requested ongoing progress updates.

5.2 Masterplan outcomes developed between Beca and Te Karangi A 3D 2B Ahu Whenua Trust

Presentation: Karangi Masterplan: Objective ID A3801734

Presented by: Tom Abbott, Emma Stiven, and Mihaere Kirby

Key Points:

- Introduced the background, history, and whakapapa of the block.
- The Trust's objectives were to derive income from the block in an ongoing, sustainable, and culturally sensitive manner.
- The project and investigation began in March 2020 Covid-19 lockdown, undertaking desktop research.
- Part of that research led to their discovery of Te Tini a Tuna Kaituna Action Plan (Te Tini a Tuna).
- After considering risks and hazards in the area, eight options were developed which were further whittled down to a final development plan.
- Stage 1 of the development would be horticulture and nursery planting.
- Further stages would be funded from reinvesting income derived from existing stages.
- Stage 2 would be further horticulture and nursery planting.

- Stage 3 would be riparian planting in wetland and drain areas.
- Stage 4 would be the inclusion of a tourism opportunity.
- The Trust was considering opportunities to feed into achieving Te Tini a Tuna.
- Members supported the development and ongoing discussion towards achieving Te Tini a Tuna.

5.3 Wai Ora funding application for Kaituna Pataka Kai Project

Presentation: Pataka Kai Project: Objective ID A3802157

Presented by: Elva Conroy

Key Points:

- Outlined background and process in developing Te Tini a Tuna.
- The Pataka Kai project gave action to Te Tini a Tuna.
- Pataka Kai increased and enhanced kai awa habitats, and enabled hapū and iwi to demonstrate kaitiakitanga.
- The project was within stage 1, which incorporated identifying where kai awa are, where they used to be, and prioritised efforts.
- Stage 1 objectives would research species, develop a monitoring plan, create a baseline, engage and connect hapū and iwi to the project, and prioritise restoration efforts.
- Ms Conroy was exploring funding for the project team from various mechanisms and entities on behalf of the Authority.
- Timeframes were subject to funding.
- The Authority would assist with seeking funding where possible.

12:00pm – Cr Te Taru White **withdrew** from the meeting.

6. Ngā Pūrongo Reports Continued

6.1 Updates from Members

Chairperson's Update

Presented by: Chairperson Dean Flavell

Key Points:

- Highlighted a request from the Ministry for the Environment (MFE) to hold a hui with iwi members via Zoom regarding the Freshwater Implementation Programme.

Western Bay of Plenty District Council Update

Presented by: Cr Grant Dally and Matt Leighton

Key Points:

- Ongoing engagement was taking place with tangata whenua and KiwiRail regarding cycleways.
- Work was underway on the Ford Road reserve, with a concept plan having been developed.
- Investigations were in progress into funding marae wastewater reticulation upgrades.

12:07pm – Nick Chater **withdrew** from the meeting.**Te Tahuu o Tawakeheimoa Trust Update**

Presented by: Nicki Douglas

Key Points:

- Working with WBOPDC on scoping and prioritising \$50k of funding for Te Tini a Tuna.

Tauranga City Council

Presented by: Commissioner Shadrach Rolleston

Key Points:

- Commissioners were appointed in February 2021 and were focussed on ensuring TCC's LTP provided for infrastructure and urban development.
- Working closely with WBOPDC and BOPRC.
- Providing for communities and ensuring ongoing provision of services.

Bay of Plenty Regional Council

Presented by: Pim De Monchy

Key Points:

- Pursuing best practice management of assets, including fencing all lowland drains and waterways, which would contribute to Te Tini a Tuna.
- Scoping Ford Road Pump Station upgrade. The preferred option of relocating the pump station upstream would reduce the percentage of the drain discharge entering Te Awa o Ngatoroirangi / Maketū Estuary from about 86% to about 29%, thereby decreasing the ecological and cultural effects (the rest of the discharge would flow out to sea at Te Tumu Cut).
- Flow levels, surface water, and aquifer recharge was at low levels, with the Kaituna River sitting at its lowest flow since continuous records began in 1986 for much of the past two years.
- Funding sought within the Long Term Plan for driving and enacting relevant BOPRC-led kaupapa identified in Te Tini a Tuna. This would be confirmed or amended by 30 June.

Items for Staff Follow Up:

- Brief TCC commissioners on the Authority's purpose and Te Tini a Tuna.
- Authority workshop to be held to discuss impacts of RMA reforms and Three Waters, consequent strategic planning, Treaty settlement implications, and to receive advice from MFE on the same matters.

Resolved**That Te Maru o Kaituna River Authority:**

- 1 Receives the report, Update from Members.**

**Douglas/Rolleston
CARRIED**

6.2 Operations Update

Presented by: Pim De Monchy

Key Points:

- The Kaituna Mole Upgrade would require closure of the mole from June 2021, looking to reopen by Labour Weekend in late October 2021.
- Te Arawa Management Ltd and Otama Marere Trust were pursuing best practice farm management, creating wetlands and planting kauri. Homman Tapsell from Otama Marere invited the Authority on-site to see the work if they were interested.

Resolved**That Te Maru o Kaituna River Authority:**

- 1 Receives the report, Operations Update.**

**Thomas/McDonald
CARRIED**

**Ngā Whakatau e Hiahiatia Ana
Decisions Required**

6.3 Implementing the National Policy Statement for Freshwater Management*Presentation: Implementing the NPSFM: Objective ID A3801749*

Presented by: Jo Watts and Reuben Gardiner

Key Points:

- Updated progress on BOPRC's Essential Freshwater Policy Programme.
- Sought input from the Authority on engagement methods.
- Considering ways to engage with tangata whenua meaningfully, particularly given implementation timeframes.

- Iwi were at different capability and capacity levels, and required different support and engagement mechanisms.
- BOPRC sought to work with whatever best suited iwi and make engagement as accessible as possible.

Key Points – Members:

- Extend invites and seek nominations for paid roles on the technical roopu (being established by BOPRC's water policy team) from interested members, while acknowledging that this could be quite a lot of work.
- Keep engagement with Te Maru o Kaituna River Authority as a whole at the governance level, with a particular focus on ensuring that "Kaituna, He Taonga Tuku Iho" and "Te Tini a Tuna" are front and centre in the Kaituna-specific provisions of any plan change for the NPSFM.
- Encouraged BOPRC to engage with iwi, hapū and land trusts within the catchment for their specific feedback.
- Encouragement from some members for staff to look at Treaty Settlement legislation for guidance.

Items for Staff Follow Up:

- Authority workshop to be held to further understand the Authority's role, separating out governance functions, and discuss engagement options, including any groups that could be established through which to engage with tangata whenua.

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report Implementing the National Policy Statement for Freshwater Management.**
- 2 Considers how and to what extent TMoK wish to be involved in implementing the NPSFM for the Kaituna River and its tributaries.**
- 3 Considers how the implementation of the NPSFM 2020 will recognise and provide for the vision, objectives and desired outcomes in *Kaituna, he taonga tuku iho* – the Kaituna River Document.**

Flavell/Douglas
CARRIED

1:22pm - Erin Thompson **withdrew** from the meeting.

Hei Pānui Anake Information Only

6.4 Update on Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement

Presentation: Freshwater Planning Process: Objective ID A3802280

Presented by: Moana Boyd and Nassah Rolleston-Steed

Key Points:

- Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement (PC5) would be following the new Freshwater Planning Process.
- Outlined the process and limitations on rights of appeal.
- Freshwater hearing panel appointments are made by the Chief Freshwater Commissioner and will include a tangata whenua member.
- Nominees must have an MFE Making Good Decisions certification.
- Reiterated the importance of making a submission in order to be involved and influence ongoing discussions and decisions surrounding PC5.
- The panel would look to resolve areas of dispute prior to the hearing phase.
- The tangata whenua nominee would be nominated by tangata whenua and, via BOPRC be, passed onto the Chief Commissioner.
- The Authority would need to endorse a nominee at the next Authority meeting on Friday, 27 August 2021.

1:38pm - Erin Thompson **entered** the meeting.

- Members could submit individually as well as the Authority as a whole.
- Individual submissions would allow submitters autonomy of opinion on matters.

Items for Staff Follow Up:

- Provide a list of potential tangata whenua MFE certified commissioners.

Resolved**That Te Maru o Kaituna River Authority:**

- 1 Receives the report, Update on Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement.**
- 2 Delegates authority to Chairperson Dean Flavell to lodge a submission on behalf of Te Maru o Kaituna River Authority with input and agreement from members via email.**

**Flavell/Douglas
CARRIED**

7. Karakia Kati Closing Karakia

A closing karakia was provided by Piki Thomas.

1:44pm – the meeting closed.

CONFIRMED

Dean Flavell
Chairperson, Te Maru o Kaituna River Authority



Pūrongo Ki: Te Maru o Kaituna River Authority
Report To:

Rā Hui: 27 August 2021
Meeting Date:

Kaituhi Pūrongo: Tone Nerdrum Smith, Committee Advisor
Report Writer:

Kaiwhakamana Pūrongo: Pim De Monchy, Coastal Catchments Manager
Report Authoriser:

Kaupapa: To appoint/re-appoint Members and the Chairperson
Purpose:

Membership Appointments

Whakarāpopototanga Executive Summary

This report summarises legislative requirements under the Local Government Act (2002) (LGA) and the Tapuika Claims Settlement Act (2014) (the Settlement Act) regarding Te Maru o Kaituna River Authority (the Authority) and the appointments of Members and the Chairperson.

Confirmation has been sought from Tapuika Iwi Authority regarding its appointments to the Authority. If not received by the time of the meeting, this report will be deferred to the next meeting of the River Authority.

Ngā tūtohutanga Recommendations

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Membership Appointments;**
- 2 Confirms the appointment of representing Tapuika Iwi Authority Trust;**
- 3 Selects System B voting system for appointing a Chairperson;**
- 4 Appoints as Chairperson of the Authority for a term of three years pursuant to the Act.**

1. **He Whakamārama Background**

There are appointments and administrative matters that require decision by the Authority as set out by the Local Government Act 2002 and the Settlement Act.

2. **Membership Appointments**

Membership appointments to the Authority as defined in the Settlement Act are for a term of three years, and Members may be reappointed. Appointments made at today's meeting will be due for review at the third meeting of 2024.

Advice on the appointment by Tapuika Iwi Authority has been sought, but not yet received. If received by the time of the meeting, it will be tabled on the day. If no confirmation has been received, this report will be deferred to the next meeting of the Authority.

Deputy Chairperson, Cr Matemoana McDonald, will then be required to Chair the meeting until the Chairperson can be appointed.

2.1 **Te Pumautanga o Te Arawa Trust**

Piki Thomas and Rawiri Kingi (Alternate) due last meeting of 2021.

2.2 **Tapuika Iwi Authority Trust**

Geoff Rice (Alternate) due first meeting of 2022.

2.3 **Te Tāhuhu o Tawakeheimoa Trust**

Nicki Douglas due first meeting of 2023 and Erin Thompson (Alternate) due second meeting of 2024.

2.4 **Territorial Authorities (BOPRC, RLC, WBOPDC, TCC)**

Appointed at the beginning of each triennium, due first meeting of 2023.

2.5 **Informal Appointments by Te Komiti Nui o Ngāti Whakaue**

Maru Tapsell and Manu Pene (Alternate) due second meeting of 2024.

2.6 **Tapuika Iwi Authority Trust and Te Kapu o Waitaha**

Remains vacant.

3. **Appointment of Chair**

Chairman Dean Flavell's term as Chairperson of the Authority has lapsed. Chairperson appointments to the Authority are for a term of three years, and Chairpersons may be reappointed.

Below are the recommended voting systems, steps, and ground rules to be used when appointing a Chairperson as identified in the Schedule 7 of the LGA and Schedule 5 of the Settlement Act.

3.1 Voting Systems

When electing a Chairperson, the Authority must resolve to use a voting system set out under the LGA. There are two systems to choose between:

System A

(a) Requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and

(b) Has the following characteristics:

(i) there is a first round of voting for all candidates; and

(ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and

(iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and

(iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

System B

(a) Requires that a person is elected or appointed if he or she receives more votes than any other candidate; and

(b) Has the following characteristics:

(i) there is only 1 round of voting; and

(ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

Staff recommend the Authority uses **System B** as the voting system.

3.2 The voting process steps

1. The Chairperson vacates the Chair, and the Deputy Chairperson assumes the Chair.
2. The Authority resolves to adopt a voting system and the procedure in the event of a tie.
3. Nominations for Chairperson are called for (nominated and seconded).
4. Nominees may be allowed up to 10 minutes to make a presentation.
5. Voting for the election of the Chairperson as per agreed system.
6. Chairperson declared elected and assumes the Chair.

3.3 Ground rules

1. A member may nominate or second themselves.
2. Any member can call for a Division.

3. Standing Orders apply – Divisions will be carried out with names called in random order.
4. Any member can abstain from voting.

4. **Ngā Whakaarohanga Considerations**

4.1 **Ngā Mōrea me Ngā Whakangāwaritanga Risks and Mitigations**

There are no significant risks associated with this matter.

4.2 **Huringa Āhuarangi Climate Change**

The matters addressed in this report are of a procedural nature and there is no need to consider climate change impacts.

4.3 **Ngā Pānga ki te Māori Implications for Māori**

There are no significant implications for Māori with this matter, although the longer the vacancy in the seat to be jointly appointed by Tapuika Iwi Authority and Te Kapu o Waitaha persists, the greater the risk of disengagement by Waitaha may grow. Resolution of this matter lies with the two iwi involved.

4.4 **Whakawhitiwhiti ā-Hapori Community Engagement**



Engagement with the community is not required as the recommended decisions relate to administrative matters only.

4.5 **Ngā Pānga ā-Pūtea Financial Implications**

There are no unbudgeted financial implications and this fits within the allocated budget.

5. **Ngā Mahi Whai Ake Next Steps**

There will be ongoing Governance Update reports and appointment reviews as they fall due.



Pūrongo Ki: Report To:	Te Maru o Kaituna River Authority
Rā Hui: Meeting Date:	27 August 2021
Kaituhi Pūrongo: Report Writer:	Pim De Monchy, Coastal Catchments Manager
Kaiwhakamana Pūrongo: Report Authoriser:	Chris Ingle, General Manager, Integrated Catchments
Kaupapa: Purpose:	To report the Authority's 2020/2021 financial position and propose the Authority's 2021/2022 budget.

Te Maru o Kaituna River Authority Annual Report and Budget

Whakarāpopototanga Executive Summary

This report summarises the financial position of Te Maru o Kaituna River Authority (the Authority), provides a draft Annual Report for the 2020/21 year, and presents a draft 2021/22 Annual Budget for consideration.

Ngā tūtohutanga Recommendations

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Te Maru o Kaituna River Authority Annual Report and Budget;**
- 2 Adopts the attached 2020/21 Annual Report, while noting that better status reporting focussed on Te Tini a Tuna's implementation will be available from this year;**
- 3 Notes the current balance set out in the Te Maru o Kaituna River Authority Statement of Financial Position;**
- 4 Adopts the Annual Budget for 2021/22 to achieve its priorities, while considering the role of the new Secretariat.**

1. He Whakamārama Background

As part of the Cultural Redress under the Tapuika Deed of Settlement, Te Maru o Kaituna River Authority was provided with funding of \$250,000 as a contribution to the operations of Te Maru o Kaituna River Authority and preparation of the River Document.

The purpose of the funds is set out in the Tapuika Claims Settlement Act as follows:

Administrative and technical support of Kaituna River Authority

5.54 On the effective date, the Crown will provide \$250,000 to the Kaituna River Authority as a contribution to the costs of:

5.54.1 the initial operation of the Kaituna River Authority; and

5.54.2 the preparation and approval of the first Kaituna River Document.

The Bay of Plenty Regional Council (BOPRC) is responsible for the administrative support of the Authority and must hold account separately and spend the funds as directed by the Authority.

BOPRC must complete an annual report each year ending 30 June for the preceding 12 months, describing the Authority's activities and explaining the relevance of the activities to the Authority's purpose and functions, this is said report.

2. 2020/21 Annual Report

2.1 Financial Report – 1 July 2020 – 30 June 2021

Te Maru o Kaituna River Authority Funds

Opening Bank Balance – as at 1 July 2020		\$187,985.76
	Plus receipts	
	Interest Credit	\$3,373.97
		\$3,373.97
	Less expenditure	
Marshall Planning; Policy and Planning Services	-\$1,500.00	
	-\$1,500.00	
Closing Bank Balance – as at 30 June 2021		\$189,859.73

For the period 1 July 2020 until 30 June 2021, the Authority made a profit after expenses of \$1,873.97 from the accrual of interest.

2.2 Activity Report

The Authority had a relatively quiet year. Actions are summarised in the attached Annual Report.

3. 2021/22 Annual Budget

Noting the funds available, the Authority may wish to identify actions during 2021/22 that require funding, and then approve a budget for the year to achieve them. For example, the items listed in Table 1 below. However, there is the potential for overlap with the role of the 'Co-governance Secretariat' funded by Bay of Plenty Regional Council through its Long Term Plan 2021-31, whose scope has not been finalised (but includes providing independent support to the work of Rangitāiki River Forum and Te Maru o Kaituna River Authority).

Table 1: Potential budget items for consideration by TMoK

Item	Potential cost	Secretariat role?
Involvement in hearings process for Change 5 to the Regional Policy Statement	\$10,000	?
Involvement in hearings process for resource consents such as AFFCO that TMoK has submitted on	\$5,000	?
Implementation of Project 3: Consented takes and discharges	\$5,000	?
Implementation of Project 9: Pataka Kai (noting co-funding available)	\$5,000	?
Implementation of Project 10: Community Connection	\$5,000	?
Implementation of Project 13: Kaituna Cultural and Historic Heritage	\$5,000	?
Implementation of other projects in Te Tini a Tuna	\$0	?
Other?	\$0	?
Total	\$35,000	

Note that costs borne by member organisations in their work to support the Authority are not included in this budget as they are expected to lie where they fall.

4. Ngā Whakaarohanga Considerations

4.1 Ngā Mōrea me Ngā Whakangāwaritanga Risks and Mitigations

There are no significant risks associated with this matter.

4.2 Huringa Āhuarangi Climate Change

The matters addressed in this report are of a procedural nature and there is no need to consider climate change impacts.

4.3 Ngā Pānga ki te Māori Implications for Māori

There are positive significant implications for Māori associated with this matter, as it gives effect to a co-governance entity's action plan arising out of a treaty settlement.

4.4 Whakawhitiwhiti ā-Hapori Community Engagement



Engagement with the community is not required as the recommended decisions relate to administrative matters only.

4.5 Ngā Pānga ā-Pūtea Financial Implications

There are no material unbudgeted financial implications and this fits within the allocated budget.

5. Ngā Mahi Whai Ake Next Steps

The next annual report and budget will be completed following the June 2022 year-end and presented to the Authority.

Tuhinga Tautoko Attachments

Attachment 1 - 2021-08-27 Te Maru o Kaituna River Authority Draft Annual Activity Report 2020 2021 [↓](#)

Te Maru o Kaituna River Authority

Annual Activity Report for the 2020/21 year



INTRODUCTION

[Te Maru o Kaituna River Authority](#) (TMoK) was established in 2014 as a co-governance entity in accordance with its enabling legislation, the Tapuika Claims Settlement Act 2014 (the Act). The Authority is made up of members drawn from both local government and Te Arawa iwi organisations, as defined in s118 of the Act.

Schedule 5 Clause 10 of the Act states that TMoK: "...must report to the appointing organisations after the end of each financial year." The report must:

- (a) describe the activities of the Authority for the financial year it covers; and
- (b) explain how the activities relate to the Authority's purpose and functions.

This report is intended to fulfil those requirements in a brief and functional manner for the 1 July 2020 to 30 June 2021 period, building on the mahi outlined in last years Annual Activity Report. The Act requires appointing organisations with TMoK membership to review the performance of the Authority not later than one year after the Kaituna River Document is approved for the first time. Appointing organisations may make recommendations to the Authority. Schedule 5 Clause 11 of the Act specifies the scope of such reviews.

[Kaituna, he taonga tuku iho](#) – a treasure handed down (the Kaituna River Document) was approved 22 June 2018 and came into effect on 1 August 2018. [Te Tini a Tuna](#) (the Kaituna Action Plan) was approved in September 2019.

PURPOSE AND FUNCTIONS

TMoK's purpose, as defined in s115 of the Act, is:

- (1) *The purpose of the Authority is the restoration, protection, and enhancement of the environmental, cultural, and spiritual health and well-being of the Kaituna River.*
- (2) *In seeking to achieve its purpose, the Authority may have regard to the social and economic well-being of people and communities.*

TMoK's functions, as defined in s116 of the Act, are:

- (1) *The principal function of the Authority is to achieve its purpose.*
- (2) *In seeking to achieve its purpose, the other functions of the Authority are—*
 - (a) *to prepare and approve the Kaituna River document in accordance with sections 125 and 127:*
 - (b) *to monitor the implementation and effectiveness of the Kaituna River document:*
 - (c) *to support the integrated and collaborative management of the river:*
 - (d) *to work with the local authorities and Crown agencies that exercise functions in relation to the Kaituna River—*
 - (i) *to monitor the state of the river environment:*
 - (ii) *to monitor the effectiveness of the management of the river:*
 - (iii) *to engage with iwi in relation to their interests in the river and to consult them on how to manage the river:*
 - (e) *to provide advice and recommendations to local authorities—*
 - (i) *relating to projects, action, or research designed to restore, protect, or enhance the health and well-being of the river:*



- (ii) on the appointment of commissioners to hear and decide applications for resource consents under the Resource Management Act 1991 that affect the river:
- (f) to facilitate the participation of iwi in the management of the river:
- (g) to monitor the extent to which the purpose of the Authority is being achieved, including the implementation and effectiveness of the Kaituna River document:
- (h) to gather information, to disseminate information, and to hold meetings:
- (i) to take any other action that the Authority considers is appropriate to achieve its purpose.
- (3) The Authority may seek to obtain funds to enable it to perform its functions.
- (4) To avoid doubt, except as provided for in subsection (2)(a), the Authority has discretion to determine in any particular circumstances—
 - (a) whether to perform any function specified in subsection (2); and
 - (b) how, and to what extent, any function specified in subsection (2) is performed.

HIGHLIGHTS AND KEY ACTIONS

This report outlines key activities fulfilled by Te Maru o Kaituna River Authority during the period 1 July 2020 to 30 June 2021.

- Te Maru o Kaituna hui held on 26 June 2020 (workshop), 28 August 2020 (zoom hui), 5 February 2021 and 21 May 2020 (meeting - Nukuteapiapi), – [agenda and minutes available here](#)
- TMoK commissioned an independent review of draft Proposed Change 5 (Kaituna River) to the Regional Policy Statement (RPS) to ensure it appropriately and fully recognises and provides for the vision, objectives and desired outcomes of Kaituna, he taonga tuku iho – a treasure handed down (the Kaituna River Document (KRD)) in the RPS.
- Upgrade of www.kaituna.org.nz TMoK's independent website.
- TMoK recommendations to BOP Regional Council's Strategy & Policy Committee to strengthening wording of the Change so it more closely aligned with the wording in the KRD.
- Adopted TMoK's 2020/21 budget.
- Receive and consider regular papers on:
 - Implementing the National Policy Statement for Freshwater Management 2020 (NPSFM) and Te Hononga: The Regional Māori Engagement Plan for implementing the NPSFM
 - Operations report about mahi being undertaken in the Kaituna catchment
 - RPS Proposed Change 5 (Kaituna River)
 - Updates from partners relevant to the Kaituna
- Received presentations from Kaituna kaitiaki including: Masterplan developed by 3D 2B Ahu Whenua Trust and mahi NIWA are undertaking in partnership with iwi
- TMoK's Pataka Kai project – Wai Ora funding application
- Te Maru o Kaituna Annual Report 2020/2021 approved and released to TMoK appointing organisations for feedback (Aug 2021)
- Submissions, feedback and recommendations made about mahi relevant to the Kaituna including:
 - Recommended to BOPRC changes to strengthen the wording of RPS draft Proposed Change 5 (Kaituna River)
 - Submission in support of Proposed Change 5 to the RPS (Aug 2021)
 - Submission to notified resource consent applications RM-160160, RM17-0084 and RM19-0782 by AFFCO New Zealand Limited (Aug 2020)
- Welcomed and confirmed new appointments – Te Tāhuhu o Tawakeheimoa Trust – Erin Thompson (alternate), Te Komiti Nui o Ngāti Whakaue informal members Maru Tapsell and Manu

Penu (alternate) and Tauranga City Council members Commissioners Shadrach Rolleston and Bill Wasley (alternate)

The 2021/22 year's key focus is on:

- Progressing implementation of Te Tini a Tuna – the Kaituna Action Plan 2019 - 2029.
- Put in place a dash board to drive and monitor Kaituna Action Plan progress.
- Actively progressing TMOK led Kaituna Action Plan projects:
 - Project 3. Consented takes and discharges project (co-led with council's)
 - Project 9. Pataka kai project
 - Project 10. Kaituna community connection project
 - Project 13. Kaituna cultural and historical heritage project.
- Continued involvement in RPS Proposed Change 5 (Kaituna River) process. TMOK have lodged a submission in support and have indicated we wish to be heard at the Freshwater Hearing.
- Continued governance role in the Kaituna freshwater policy work Toi Moana are progressing to implement the NPSFM.

FINANCIAL PERFORMANCE

As part of its establishment, TMOK was provided a putea of \$250,000 by the Crown to fulfil its purpose and functions, particularly the preparation and approval of the Kaituna River Document.

Schedule 5 Clause 9(3) of the Act states that the Bay of Plenty Regional Council must, on behalf of the Authority,—

- (a) hold any funds belonging to the Authority; and
- (b) account for the funds in a separate and identifiable manner; and
- (c) spend the funds in accordance with any direction given by the Authority.

A summary of financial transactions for the period 1 July 2020 to 30 June 2021 is included below, in accordance with the budgeted items approved by TMOK for the 2020/21 financial year:

Summary of financial transactions for the period 1 July 2020 to 30 June 2021

	Amount (\$) excl GST
Opening Balance - 1 July 2020	\$187,985.76
Consultant fees: Independent review and advice on draft Proposed Change 5 Writing submissions - AFFCO	1,500.00
Interest received	3,373.97 (income)
Closing Balance – 30 June 2021	\$189,859.73

Bay of Plenty Regional Council covered the administrative costs for the 4 meetings and one workshop held for the period 1 July 2020 to 30 June 2021. Bay of Plenty Regional Council also contributed staff time (committee champion, governance, water policy, maori policy, communications and engagement as well as design and publication of Te Tini a Tuna) not including in the costs above. Western Bay of Plenty District Council, Tauranga City Council and Rotorua Lakes Council have also contributed policy staff time.

Dean Flavell

Te Maru O Kaituna River Authority Chairman

On behalf of Te Maru o Kaituna River Authority

Te Maru o Kaituna Meeting Agenda

27 August 2021

REPORT TO TE MARU O KAITUNA RIVER AUTHORITY ON THE ADOPTION OF THE CONCEPT PLAN AND NAME CHANGE TO OTAIPARIA RESERVE, MAKETU

Author: Katy McGinity, Senior Recreation Planner

EXECUTIVE SUMMARY

1. Western Bay of Plenty District Council's Policy Committee adopted the concept plan (Attachment A) and name change proposal (to *Otaiparia Reserve*) for the site located at 83 Ford Road, Maketu on 27 July 2021. This report provides an update on this process for receipt by Te Maru o Kaituna River Authority.

RECOMMENDATION

1. That the report titled 'Report to Te Maru o Kaituna River Authority on the adoption of the concept plan and name change to Otaiparia Reserve, Maketu' be received by Te Maru o Kaituna River Authority.

BACKGROUND

1. The site at 83 Ford Road comprises of 3 hectares of fee simple land in Maketu and was purchased by Council for community use in June 2016. The land includes the Tukotahi Marae, a boat ramp, jetty and a carpark area. Its strategic location provides connections to land owned by Bay of Plenty Regional Council along Kaituna River to Te Pourepo O Kaituna and the Tauranga Eastern Link Cycleway.
2. The land was historically Maori Customary Land known as 'Te Tumu Kaituna No. 11A No1. Block', however through the Native Land Court process on 7 July 1982 it ceased to be Māori land.
3. Bay of Plenty Regional Council currently has a designation over part of the site. This follows its purchase of the land from the previous owners for the Kaituna River re-diversion project. BOPRC has confirmed its intent to transfer it to Council for use as a local purpose reserve. This is currently pending.
4. The site is currently used by a number of groups and this continued use is outlined reflected in the concept plan:
 - (a) The Maketu Coastguard are acting as interim caretaker/building manager of the Tukotahi Marae and have undertaken significant maintenance to the site in this capacity.
 - (b) The Maketu Hoe Waka Club utilise the site to practice and have a shipping container located there to store their waka.
 - (c) The Motiti Island stock barge use the wharf at the site.
 - (d) There is an existing carpark at the site which is used by recreational boaties from throughout the district and beyond.
 - (e) The adjoining neighbour is an operating dairy farm, with farm access through the site. Council is continuing to engage with the farmer on the future use of this access way.

Te Maru o Kaituna Meeting Agenda

27 August 2021

ENGAGEMENT ON THE CONCEPT PLAN AND PROPOSED NAME CHANGE

5. Pre-engagement was undertaken in August/September 2020 which informed the development of the draft concept plan used for formal consultation.
6. Formal consultation and engagement was successfully undertaken with the key outcomes of this set out below:
 - (a) The Have Your Say open Day (to enable spoken interaction) was attended by approximately 30 people visiting on the day and a total of 26 pieces of feedback received.
 - (b) The online engagement resulted in 407 visits to the Have Your Say website and 53 pieces of feedback being received through the online form. Visitors to the site were directed to answer three questions relating to the key aspects of the concept plan and proposed name change.
 - (c) Three pieces of feedback relating to 83 Ford Road, Maketu were received through the Have Your Say mailbox.
 - (d) Two pieces of feedback relating to 83 Ford Road, Maketu as received via diversions from Council's 2021-2031 Long Term plan consultation process.
 - (e) A letter was sent to the adjoining neighbours and Tangata Whenua referring those interested to go to the Council's Have Your Say site to provide feedback. They were also invited to attend the Have Your Say Open Day.

KEY DECISIONS MADE

7. That the concept plan was adopted by the Policy Committee as the level of service for recreation and open space facilities provided by the Council, subject to formal leases being entered into with the user groups for the use of this site.
8. That the Policy Committee approved the proposed name change to Otaiparia Reserve.

NEXT STEPS

9. Implementation funding is already included in the adopted 2021-2031 Long Term Plan so development will begin this financial year.



Te Maru o Kaituna Meeting Agenda

27 August 2021

Attachment B

83 Ford Road, Maketu (Otaiparia Reserve) Concept Plan – Indicative costings						
Concept Plan #	Details – 2021 - 2031	21/22	22/23	23/24	24/25	26/27
	Site clean up, toilet removal, fence removal, tyre removal	20,000				
	Pouwhenua, waharoa and Te Reo signage design/planning	10,000				
	Pouwhenua, waharoa and Te Reo signage construction		50,000			
	Community signage board		10,000			
	Existing road upgrade				40,000	
	CCTV Camera	10,000				
1	Cycleway				2,000	
2	Maketu Hoe Waka Club Area	17,000				
3	Overflow/Events Parking		20,000			25,000
4	Native Planting	20,000				
5	Concession Spaces			30,000		

Te Maru o Kaituna Meeting Agenda

27 August 2021

6	Ablutions Facility - power, septic tank consent and construction	50,000	180,000			
7	Bicycle Parking			10,000		
8	Waka Launching Facility				20,000	130,000
9	Elevated Picnic Area		15,000			
9	Site and park furniture for elevated picnic area			15,000		15,000
10	Multi –use open space development		10,000			
11	Amenity trees and perimeter planting around pedestrian paths	20,000			10,000	
11	Pedestrian Paths		25,000			
13	Tukotahi Marae Visitor Parking		25,000			
15	Shared service lane and parking	13,000				
	Total – \$792,000	160,000	335,000	55,000	72,000	170,000

report



April 2021

Western Bay of Plenty District Council Waiari Stream Environmental Monitoring Plan

Submitted to:
Western Bay of Plenty District Council





Quality Assurance

This report has been prepared and reviewed by the following:

Prepared by: Phil Taylor
Freshwater Ecologist

Reviewed by: Richard Montgomerie
Director

Status: Final **Issued:** 12 April 2021

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1.0 Introduction

1.1 Background

The Western Bay of Plenty District Council (WBOPDC) have resource consent to discharge treated municipal wastewater to land, where it may enter the Waiari Stream, from the wastewater treatment plant in Te Puke.

The resource consent RM16-0204-DC.04 (the 'consent') requires WBOPDC to carry out to carry out environmental monitoring to assess the effects of the discharged wastewater from the site to the Waiari Stream and give consideration to both mātauranga Māori and scientific methods.

This document presents a Waiari Stream Environmental Monitoring Plan (WSEMP) for certification by the Bay of Plenty Regional Council (BOPRC) to meet Conditions 8.1 of the consent for preparation of the EMP to meet Conditions 9.8 and 19.9 of the consent for implantation of the plan and follows comments from Erin Bocker from BOPRC on the draft WSEMP.

1.2 Relevant Resource Consent Conditions

The relevant Resource Consent RM16-0204-DC.04 conditions are set out below;

- 8.1 The discharge of treated wastewater through the outfall shall not cause any of the following effects outside of the reasonable mixing zone:
 1. A change in the natural temperature of the receiving water by more than 3 degrees Celsius.
 2. Any significant adverse effects on aquatic like as assessed by the stream surveys required by conditions 9.9 and 9.10 of this consent. A significant adverse effect is a 20% reduction in the quantitative MCI score between the upstream and downstream monitoring points or a downstream MCI score of less than 80, unless the upstream MCI's are lower than 80.
 3. There shall be no production of conspicuous oil or grease films, scums or foams, or floatable suspended materials.
 4. A concentration of dissolved oxygen in the receiving water of below 80 percent of the saturation concentration, unless upstream levels are lower.

The reasonable mixing zone is defined as 60 metres downstream or any alternative zone identified through a report provided under condition 15.10 and certified by the Regional Council.
- 9.8 An Ecological Monitoring Plan (EMP) shall be prepared that covers macroinvertebrate communities, fish communities, macrophyte cover and Mātauranga Māori indices. The consent holder shall liaise with the Kaitiaki Group to identify appropriate Mātauranga Māori indices. The EMP shall provide an appropriate methodology for monitoring in a non-wadeable stream, along with the location (upstream and downstream) and the number of monitoring points (accounting for the WWTP mixing zone and other point source discharges). The EMP shall be provided to the Regional Council before the first study is undertaken for certification by the Regional Council Ecologist. The certified EMP shall form the basis of all future studies for comparative purposes.

WAIARI STREAM ENVIRONMENTAL MONITORING PLAN



- 9.9 The consent holder shall undertake surveys as described in the EMP within 12 months of the grant of this consent, as a baseline, then in 2022 to coincide with the monitoring undertaken for Consent 65637 and every 5 years thereafter.

1.3 Objectives of the Plan

The key objectives of this plan are to:

- Assess and evaluate the effects of the municipal wastewater discharge from the Te Puke WWTP on the water quality and aquatic biota of the Waiari Stream in accordance with the resource consent.
- Describe the roles and responsibilities.
- Describe the stream sampling locations.
- Discuss the timing of the ecological surveys.
- Describe the stream sampling and data analysis procedures for habitat, water quality, aquatic plant and benthic invertebrates.
- Describe the methods for analysing and reporting the data.

2.0 Roles and Responsibilities

Freshwater Solutions Ltd are responsible for the preparation and implementation of the WSEMP to satisfy Conditions 8.1, 9.8 and 9.9 of the consent.

The work will be managed by Phil Taylor. The field survey, data analysis and reporting will be undertaken by Richard Montgomerie and Phil Taylor.

WBOPDC will be responsible for the water quality monitoring requirements set out in Condition 9 and water quality associated with other relevant conditions of the consents.

The BOPRC are responsible for certifying this plan and any future amendments to it.

3.0 Ecological Survey

3.1 Sampling Sites

To meet the requirements of Conditions 8.1 and 9.8, the plan is to collect biological and water samples from four stream sites (Table 1; Figure 1).

Sites upstream of the discharge are located 100 m (US-1) and approximately 500 m upstream of the discharge point (US-2). The downstream sites are located 500 m (DS-2) and 100 m (DS-1) downstream of the discharge point. The reasonable mixing zone is defined as 60 m downstream of the discharge point according to item 8.14 of the consent, so DS-1 has been located at a distance of 100 m downstream so it is in the fully mixed section of the Waiari Stream.

Two data logging d-opto sondes will be installed immediately upstream of the WWTP and downstream, near the confluence of the Kaituna River (Figure 1) to assess the effects of the WWTP on dissolved oxygen in the receiving environment.

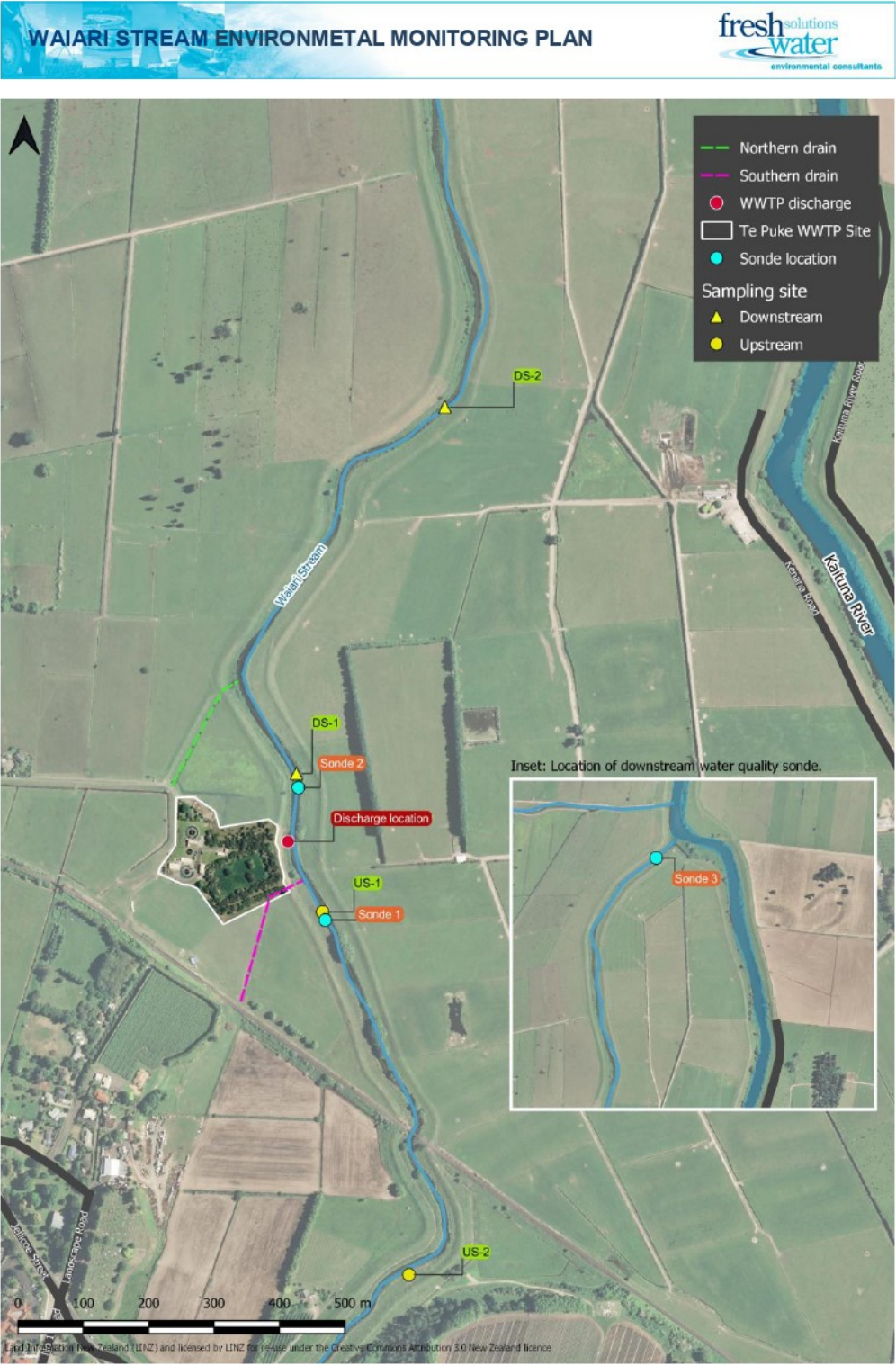


3.2 Timing of Sampling

The consent requires that biological effects monitoring will be carried out within 12 months of granting the consent as a baseline, then again in 2022 to coincide with monitoring undertaken for Consent 65637 and then every 5 years thereafter. Where possible, sampling should be undertaken between the months of December and March inclusive in accordance with the national macroinvertebrate sampling protocols (NEMS 2020).

Table 1: Sampling locations in the Waiari Stream.

Location	Site code	Distance from discharge (m)	NZTM	
			Easting	Northing
Upstream	US-1	100 m upstream of the discharge	1894101	5812976
Upstream	US-2	500 m upstream of the discharge	1894233	5812421
Downstream	DS-1	100 m downstream of the discharge	1894069	5813181
Downstream	DS-2	500 m downstream of the discharge	1894333	5813968





3.3 Water Quality

Water Physiochemistry

Spot measurements of dissolved oxygen (percent saturation, concentration), pH, conductivity and temperature will be made at each of the four sampling sites using calibrated handheld YSI meters. The time at which measurements are made will be noted.

Continuous Water Quality Monitoring

Calibrated sondes will be deployed at three sites including an upstream site (US-1) and two downstream sites, located at DS-1 and just upstream of the confluence with the Kaituna River (Figure 1), to continuously log dissolved oxygen and temperature over a minimum 7-day period at 15-minute intervals. The sondes will be securely attached to waratahs driven into the riverbed and within 5 m of the bank in wadable water. The sondes will be installed in similar habitats (e.g., shade, water depth, flow velocity) at both sites and at similar locations in the water column. The time at which sondes are deployed will be noted.

3.4 Habitat Description

In-stream and riparian habitat data will be collected on field survey sheets. Habitat data collected will include the following:

- Water depth.
- Flow velocity.
- Riverbed composition (percent boulder, cobble, gravel, sand/silt).
- Organic matter content (percent logs, branches, leaves, detritus).
- Channel shade (%).
- Streambank erosion (%).

3.5 Aquatic Plants

Visual assessments of macrophyte cover will be undertaken at each site at five points along four transects. Estimates of percent cover of emergent, submergent and floating macrophytes will be made along each transect.

The following macrophyte indices will be calculated from the macrophyte data:

- **Macrophyte Total Cover (MTC).** This index is a measure of the total cover of macrophytes over the streambed at a site.
- **Macrophyte Channel Clogginess (MCC).** This index is a measure of the total cover of macrophytes through the water column at a site.
- **Macrophyte Native Cover (MNC).** This index is a measure of the naturalness of the community at a site.

3.6 Benthic Invertebrates

Benthic invertebrates will be sampled using a sweep-net (mesh 0.5 mm) and following the semi-quantitative soft-bottomed protocol (NEMS 2020) (Protocol C2 in Stark et al. (2001)). Samples will be collected from similar habitat types (e.g., macrophytes, woody debris) across sites and with similar effort to ensure upstream and downstream comparisons can be made.



Benthic invertebrate samples will be sorted using Protocol P3 (full count with sub-sampling option) by an experienced taxonomist (Stark et al. 2001). Ten percent of the sample will be sent to an independent and experienced taxonomist to undergo quality control following Protocol QC3 (Stark et al. 2001) to meet a requirement of Condition 8.1.

Benthic macroinvertebrate taxa number, Macroinvertebrate Community Index (MCI-sb), Quantitative Macroinvertebrate Community Index (QMCI-sb), EPT taxa number and percent EPT abundance (%EPT) will be calculated and used to assess benthic macroinvertebrate community health, habitat and water quality.

3.7 Fish Fauna

Freshwater Solutions have considered surveying fish the Waiari Stream as part of monitoring the effects of the wastewater treatment plant, and following feedback from BOPRC, have concluded that owing to the depth and velocity of the stream, the standard survey methods (Joy et al 2013) can not be applied to the monitoring sites. Further, as fish are very mobile, and move readily to avoid disturbances, the use of fish as indicators of a point source discharge will unlikely provide meaningful results or contribute to the overall objectives of the monitoring programme.

4.0 Reporting

A report presenting results of the scientific component of the WSEMP will be prepared and include analysis and interpretation of the continuous dissolved oxygen and temperature data, water quality data, habitat and aquatic plant data and benthic invertebrate data to meet the requirements of Conditions 8.1.

The report for the scientific component of the WREMP will cover the following:

- Brief outline of the relevant site operation details in relation to wastewater discharge in the 12 months prior to the ecological survey.
- A description of the sites and study methods.
- Description and analysis of continuous dissolved oxygen, temperature and pH data, water quality data, periphyton and aquatic plant data and benthic invertebrate
- Interpretation of results including comparison with past surveys, current consent limits and national and regional guidelines.
- Recommendations for any changes, if any are identified, to the WSEMP.

5.0 Mātauranga Māori Survey

5.1 Introduction

We recognise that the Mātauranga Māori Survey is an integral part of the of the Resource Consent, but at this stage and before initial consultation is had with Kaitiaki Groups it is not possible to develop and implement the matauranga Maori component of the monitoring programme.

The following sets out in broad terms of how Freshwater Solutions has successfully developed and implemented a matauranga Maori assessments for Fonterra in the Waikato and is based on a consent condition that aims for the consent holder to develop and



implement a CHI monitoring programme lead by Kaitiaki.

Freshwater Solutions is familiar with the matauranga Maori approach to water quality assessments having sat on the Waikato River Authority Restoration Fund panel and evaluated over 100 funding applications many of which had a strong matauranga Maori element. Freshwater Solutions has worked with Gail Tipa and others in this area (Tipa and Tierney 2006 and MfE 2006). Freshwater Solutions has successfully led the development and implementation of the Cultural Health Index (CHI) for monitoring of the Pokaiwhenua and Ngutuwhera Streams at Fonterra Lichfield and is currently working with a similar project with Fonterra Te Awamutu and Fonterra Tirau.

It is important not pre judge what roles that Kaitiaki would take, the process or outcomes of the consultation with Kaitiaki in order that the good relationship that WBOPDC has fostered is maintained and enhanced.

Our proposed approach to consultation with Kaitiaki and the preparation of the CHI assessment is based on the presumption that Kaitiaki are willing and able to participate and preferably lead the development and implementation of a CHI assessment.

Once initial consultation is had with the Kaitiaki Groups a separate monitoring plan for the Mātauranga Māori Survey component of the resource consent will be developed. The plan will detail the timing, survey methodology and reporting requirements

6.0 References

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Annual Monitoring Report to Bay of Plenty Regional Council

Condition 15.6 of RM16-0204-DC.04

Te Puke Wastewater Treatment Plant

July 2021



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1. Purpose of this Report/Background

Western Bay of Plenty District Council (WBOPDC) holds the consent to operate a wastewater treatment plant located North East of Te Puke on Gordon Street.

In May 2019, Bay of Plenty Regional Council (BOPRC) granted WBOPDC three new consents relating to the Te Puke WWTP:

1. Resource Consent 16-0204.DC.04 - To discharge treated municipal wastewater to land, where it may enter the Waiari Stream and for the temporary discharge of sediment contaminated water to the Waiari Stream during installation of the diffuser pipe and rock chamber and during maintenance activities.
2. Consent RM16-0204-DC.01 – To discharge contaminants into air associated with the operation of the wastewater treatment plant.
3. Consent RM16-0204-BC.02 – To carry out disturbance and modification of a riparian wetland associated with the installation of a diffuser pipe and any associated maintenance and enhancement of work.

The Consents have been granted for a period of 35 years and expire in April 2054.

WBOPDC is required to provide all sampling and monitoring results to BOPRC, the Kaitiaki Group and Te Maru O Kaituna which is outlined in Condition 15.6 of resource consent RM16-0204-DC.04.

Resource Consent 16-0204.DC.04 was granted by Bay of Plenty Regional Council (BOPRC) on the 17th May 2019. This report is the first annual report completed under Resource Consent 16-0204.DC.04.

The Te Puke Wastewater Treatment Plant (WWTP) currently comprises of primary treatment including screens and grit removal, secondary treatment which includes two Reactor Clarifiers, from here the liquid is separated from the solids – the solids are separated into a dense cake which are transported to a worm farm. The remainder of water then goes through the final UV treatment for disinfection before irrigated into the wetland that is then discharged into Waiari Stream.

2. Annual Assessment

The assessment of results and consent compliance provided in this report is for the period of 1 July 2019 to 30 June 2020. Condition 15.6 of Consent RM16-0204-DC.04 states:

All sampling and monitoring results and records as required by the SMP and conditions of this consent from 1 July to 30 June of each year shall be compiled into an annual report. The annual report shall be submitted (in writing) to the Regional Council, the Kaitiaki Group and Te Maru O Kaituna before the 31 August each year (first report due in 2020). The annual report shall include, but not be limited to:

- Operational performance (Section 2.1 of this report);
- All discharge quality monitoring (Section 2.2 of this report);
- All environmental monitoring (in accordance with condition 9) (Section 2.2 of this report);
- Discharged nutrient loads compared to previous years (Section 2.2 of this report);
- An analysis of sampling and monitoring results, exceedances and actions taken (Section 2.2 of this report);
- Incidents, complaints, non-compliance reporting and mitigation (including actions taken in accordance with condition 9.14 and 9.15) (Section 2.3 of this report);
- Operational Site management and any proposed changes to the SMP (Section 2.4 of this report);
- Maintenance undertaken (Section 2.5 of this report);
- Identifies any areas where improvement or upgrades are required and the plan and timeframes for implementing the necessary improvements or upgrades (Section 2.6 of this report).

The below sections present responses to each of the key areas above with reference to specific consent conditions where applicable. For reference the consent conditions are provided in Appendix B.

2.1 Operational Performance

Overall, the operational performance of the WWTP is considered good. This assessment is based on the general compliance with a majority of the consent conditions and the results of the discharge quantity and quality monitoring. The operational performance can be summarised with reference to the Plants compliance against the main activities detailed in Consent RM16-0204-DC.04:

- Notifying Regional Council (Conditions 5.1 to 5.4) – Compliant with these conditions as spills and overflows within the wastewater reticulation network were appropriately reported to Regional Council within the required timeframes, refer to Section 2.3 for more detail.
- General operation (conditions 6.1 to 6.5) – Compliant with all applicable conditions in this category. Refer to Section 2.4.1.
- Discharge quantity (conditions 7.1 to 7.2) – Compliant with regards to the allowable instantaneous discharge rate and daily volume during this monitoring period, refer to Section 2.2.1.
- Discharge quality (conditions 8.1 to 8.8) – Compliant with majority of the conditions. The Plant was only non-compliant with the consent limits for the maximum value of E.coli in one occasion.
- Receiving environment monitoring (conditions 9.1 to 9.17) – Partially compliant with these conditions. Noncompliance has been noted with regards to the Ecological Monitoring Plan. The Ecological Monitoring Plan has recently (March 2021) been submitted to Regional Council for certification. Refer to Section 2.2.6. The monitoring work has been carried out by Freshwater Solutions, results will be included in this assessment as soon as it is completed by Freshwater Solutions.
- Site Management Plan (conditions 10.1 to 10.7) – Partially compliant with these conditions as a draft Operations Plan (which WBOPDC consider fulfils the requirements of the SMP) has been prepared and is in the process of being finalised, covering the required items. The development of this plan is however overdue for submission to Regional Council for certification, refer to Section 2.4.2. A draft of the Plan is provided in Appendix A.
- Maintenance (conditions 11.1 to 11.3) – Compliant with all applicable conditions in this category. Refer to Section 2.5
- Signage (conditions 12.1 to 12.4) – Compliant with all applicable conditions in this category as appropriate signage is in place. Refer to Section 2.4.3.
- Complaints (conditions 13.1 to 13.3) – Compliant with these conditions as no complaints have been received during this monitoring period. Refer to Section 2.3 for more detail.

The consent conditions relating to the Kaitiaki Group (conditions 14.1 to 14.7) and Investigations of Alternatives (conditions 16.1 to 16.3) have not been included above as they do not directly influence the operational performance of the Plant. These two items are discussed in more detail in Section 2.6.

2.2 Discharge Monitoring

Monitoring is undertaken as per the requirements under the RC 16-0204 and the Operations and Management Plan. Monitoring results have been provided to BOPRC on a monthly basis as per the provided template for capturing the testing results.

The wastewater is sampled by the Western Bay of Plenty District Council's trained wastewater treatment plant operators. Sampling, handling, storing and transporting of samples are done under direction of the IANZ accredited laboratory, Tauranga City Council Laboratory (TCC lab). Samples are transported by the operators to the TCC Lab located on Chapel Street in Tauranga. Subcontracted tests are couriered by New Zealand Couriers either same day or following morning to Hill Laboratory in Frankton, Hamilton.

2.2.1 Discharge Quantity

Conditions 7.1 and 7.2 of Consent RM16-0204-DC.04 refer to discharge quantity monitoring. The flow discharged from the WWTP is automatically measured every minute through a telemetered system, which is sent through to WBOPDC's SCADA system. The SCADA is configured with an alarm system to warn if flow rates or quantities are nearing the maximum allowances.

The daily flow discharged from the WWTP must not exceed the maximum daily value of 9,000 m³/d. During this monitoring period the daily discharged volume has not exceeded this limit, Figure 2.1. The maximum discharge recorded during this monitoring period was 2,944 m³/d on the 6th of July 2020.

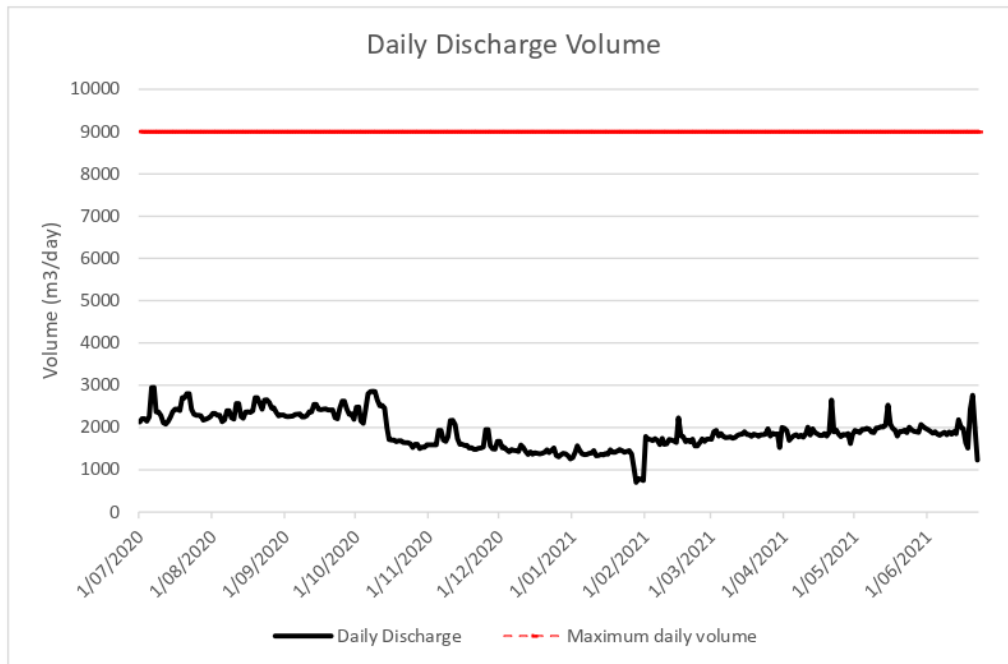
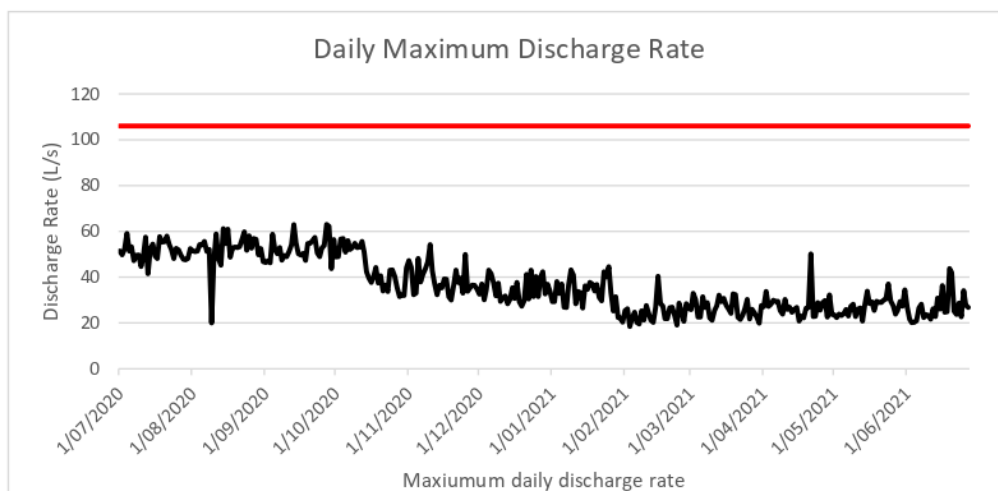


Figure 2.1 Daily discharge from the WWTP

The maximum instantaneous discharge rate from the WWTP cannot exceed 106 L/s. During the monitoring period the peak discharge rate was 63 L/s, on the 13th of September and the 27th of September 2020, Figure 2.2.



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Figure 2.2 Maximum instantaneous discharge rate from the WWTP**2.2.2 Discharge Quality**

Conditions 8.2 – 8.8 and 9.2 – 9.4 of Consent RM16-0204-DC.04 require treated wastewater discharged from the Plant to be sampled weekly for the constituents outlined in Table 2.1 to ensure they are within the associated allowable limits. The Operations team at the Plant collect samples after the UV treatment system, using a proportioned composite sampler, once per week. Samples are stored and preserved appropriately before being sent to either Tauranga City Council (TCC) Laboratory or RJ Hill Laboratory for analysis. The results of this sampling are detailed in Appendix C.

Table 2.1. Constituents that must be sampled for weekly, from the treated wastewater discharged, and the associated limits.

Constituent (unit)	Minimum	Maximum	Median Value *	Maximum for 10 out of 12 consecutive samples
pH (-)	6.5	8.5	N/A	N/A
E. Coli (CFU/100 mL)	N/A	1,000	150	200
Total Nitrogen (kg/d)**	N/A	90	N/A	N/A

Constituent (unit)	Minimum	Maximum	Median value*	Maximum for 10 out of 12 consecutive samples
Total ammoniacal nitrogen (g/m3)	N/A	N/A	5	15
Annual median total phosphorus (kg/d)	N/A	12	N/A	N/A
Total phosphorus (g/m3)	N/A	N/A	5	8
Total suspended solids (g/m3)	N/A	N/A	15	20
Biochemical oxygen demand (g/m3)	N/A	N/A	15	20

*The rolling median constituent value cannot exceed median limit.

**The limits apply for the first 6 years; thereafter new limits apply.

The pH, total nitrogen, total ammoniacal nitrogen, total phosphorous, total suspended solids and total biochemical oxygen demand (BOD5) levels meet all allowable limits during this monitoring period. The E.coli discharged exceeded a maximum of 1000 CFU/100ml on 15 July 2020, with a maximum value of 1300 CFU/100ml. Heavy rainfall could be associated with the high E.coli result. However, the E.coli in the discharge demonstrated compliance for both median value of 150 CFU/100ml and 200 CFU/100ml for 10 out of 12 consecutive samples. Refer to Appendix C for weekly effluent monitoring graphs.

2.2.3 Nutrient Loads

As required by Condition 15.6, nitrogen and phosphorous loads will be compared to the results from previous years to assess emerging trends. A statistical summary of nutrient loads from the 2020 to 2021 monitoring period is presented in Table 2.2. This is the second year that the nutrient loads have been monitored, for comparison this table also contains the median Total Nitrogen detailed in the Assessment of Environmental Effects (AEE) Report, prepared by Aecom in 2015. The median total phosphorous cannot be compared to any other results at this time as the AEE considered dissolved reactive phosphorous loads not total phosphorous.

In comparison to the Aecom data, there is an increase in the median load of 2 kg/day for total nitrogen between 2012-2015 and 2019-2020 monitoring periods. However, data from 2020-2021 indicates a significant decrease in nutrient loads comparing to the previous monitoring year. Both average and median loads of Total Nitrogen have been reduced by more than 20kg/d, while both average and median loads of Total Phosphorous have been reduced by about 3kg/day. Moreover, there is a consistent decline in the Total Phosphorous annual median load throughout the 2020-2021 monitoring year, refer to Figure C.4 in Appendix C.

Table 2.2 Statistical summary of total nitrogen and total phosphorous loads from the treated effluent (post the UV system).

Year	Statistic	Total Nitrogen (kg/d)	Total Phosphorous (kg/d)
2012 to 2015	Median	34.31	
2019-2020	Average	38.6	10.6
	Median	36.2	10.7
	Count	45	39
2020-2021	Average	15.9	7.8
	Median	15.2	7.4
	Count	53	53

2.2.4 Waiari Stream Quality

Condition 9.5 of Consent RM16-0204-DC.04 requires grab samples of the Waiari Stream, upstream and downstream of the discharge after reasonable mixing, be tested for E.coli, total nitrogen, total phosphorous, total suspended solids, biochemical oxygen demand and pH once per month. The Operations team at the Plant collect the grab samples and send them to either Tauranga City Council (TCC) Laboratory or RJ Hill Laboratory for analysis. The results are presented in Appendix D.

There are no consent limits associated with the samples collected from the upstream and downstream Waiari Stream sites. Given this is the first monitoring report prepared since the commencement of the consent, the data has been compared to the monitoring data detailed in the Assessment of Environmental Effects (AEE) Report, prepared by Aecom in 2015.

During the 2015 monitoring the pH levels in the Waiari Stream ranged from 6.5 to 7.5, with the downstream samples being slightly higher than the upstream samples. The AEE document concluded this range was neutral and indicated excellent water quality with regards to pH levels. The samples from the 2019 to 2021 monitoring periods are consistent with these results with a range of pH levels between 6.9 and 7.4, with the downstream samples occasionally being higher than the upstream samples. These results indicate no change has occurred in the pH levels during the past 6 years.

In 2015 one off samples of suspended solids were measured. The concentration was 5 g/m³ at the upstream site and below the detection limit of 3 g/m³ at the downstream site. The samples from the current monitoring period showed the upstream site ranged between 1 to 4 g/m³. The concentration at the downstream site also ranged from 1 to 4 g/m³ during this monitoring period except for a sample collected on 4 May 2021 when the concentration reached 6 g/m³. Overall, the concentration of total suspended solids was consistent between the upstream and downstream sites.

Total nitrogen and total phosphorous concentrations were taken from the Waiari Stream upstream and downstream of the discharge between 2012 to 2015 and reported in the AEE. The results from the 2019 to 2020 and 2020 to 2021 monitoring periods have been compared to this range and are presented in Table 2.3. A comparison of the data indicates that the median concentration and range of total nitrogen upstream and downstream has not varied considerably between the previous and current monitoring period. Historically the median concentration of total nitrogen upstream was 1.18 g/m³, with a slightly increased median concentration downstream, 1.47 g/m³. A similar observation has been made during 2020-2021 monitoring period with the total nitrogen concentrations upstream and downstream being 1.09 g/m³ and 1.12 g/m³ respectively. These results indicate there is a slight increase in total nitrogen

downstream of the discharge point, but no emerging temporal trend in total nitrogen concentrations has been observed at this time.

The concentrations of total phosphorous were previously observed to also increase slightly downstream of the discharge point with the median concentration upstream and downstream recorded as 0.05 and 0.143 g/m³ respectively. The data from the 2020-2021 monitoring period exhibits the same increase with the median concentrations being 0.037 and 0.08 g/m³, respectively. These results indicate there is a slight increase in total phosphorous concentrations downstream of the discharge point, but due to the limited results available no comments can be made with regards to trends or changes in the concentrations at this time.

The 2015 monitoring period did not monitor biochemical oxygen demand. The samples from the 2020-2021 monitoring period however indicate no change temporally or spatially, indicating the discharge from the Plant is having no influence on the instream biochemical oxygen demand.

Likewise, E. coli was not sampled during the 2015-monitoring period, at the time faecal coliform was recorded instead. The 2015 faecal coliform results indicated the count recorded downstream in the Waiari stream was greater than the upstream count. During this monitoring period, there are 7 out of 12 occasions where the E.coli concentration upstream were higher than the downstream sites. This indicates factors, other than the Plant discharge, may be resulting in variations in E. coli concentrations upstream of the discharge. However, the largest increase in E.coli downstream observed on 14 October 2020 when the concentration increased by 120 cfu/100mL. No conclusions regarding trends can be made at this time.

Table 2.3 Summary statistics of total nitrogen and total phosphorous concentrations of the Waiari Stream upstream and downstream of the discharge point.

	2012 – 2015 (from AEE)		July 2019 – June 2020		July 2020 – June 2021	
	Total Nitrogen (g/m ³)	Total Phosphorous (g/m ³)	Total Nitrogen (g/m ³)	Total Phosphorous (g/m ³)	Total Nitrogen (g/m ³)	Total Phosphorous (g/m ³)
Upstream (Approximately 30 m upstream of the WWTP outfall)						
Average	1.305	0.08	1.25	0.035	1.1	0.037
Median	1.175	0.05	1.13	0.036	1.09	0.037
Minimum	0.109	0.033	1.07	0.021	0.98	0.029
Maximum	3.44	0.226	2.6	0.044	1.19	0.048
Count	36	36	12	12	12	12
Downstream (Approximately 30 m downstream of the WWTP outfall)						
Average	1.502	0.162	1.25	0.097	1.14	0.146
Median	1.47	0.143	1.26	0.093	1.12	0.08
Minimum	1.05	0.043	1.13	0.07	1.06	0.053
Maximum	2.4	0.438	1.39	0.134	1.27	0.84
Count	36	36	12	12	12	12

2.2.5 Groundwater Quality

Conditions 9.15 to 9.17 of Consent RM16-0204-DC.04 require water levels and groundwater samples to be taken every six months from four existing monitoring bores within the wetland. These are referred to as Piezometers 1 – 4, as shown in Figure 2.3 and Figure 2.4 below. Piezometer 1 to 3 are positioned between the wetland and the Waiari Stream and are hydraulically down-gradient of the wetland. Piezometer 4 is not positioned between the wetland and the stream but is within the radius of influence of the wetland. The samples are to be analysed for total nitrogen, total ammoniacal nitrogen, total phosphorus, and E. coli.



Figure 2.3 Groundwater monitoring piezometer locations (Items 9 to 12).



Figure 2.4 Photographs of the groundwater monitoring piezometers.

Groundwater sampling is carried out in June and December. This annual report considers the samples collected from December 2020 and June 2021, Table 2.4. The results have been compared to the monitoring data from the previous monitoring year and the 2007 - 2015 reported in the AEE Report, where applicable.

The results from this monitoring period indicate there is evidence of elevated *E. coli* concentrations in Piezometer 3 and 4, suggesting a potential influence of wastewater. This is consistent with the AEE, which identified evidence of wastewater influence in piezometer 4, based on elevated faecal coliform concentrations. Due to limited data, it is important to note that there may also be an influence from other factors including environmental influence or sampling errors.

The total nitrogen concentrations are consistent in piezometer 1 and 2 and are in line with the median total nitrogen reported in the AEE for these sites. Nitrogen was elevated in both piezometer 3 and 4 during the June 2019 monitoring and appears to then drop and be consistent through the three subsequent sampling rounds, in line with the AEE reported medians. Then a significant increase in Total Nitrogen concentration

in both piezometers 3 and 4 was observed on 16 June 2021. The AEE identified the nitrogen concentrations do fluctuate and the surrounding landuses, which comprise of farming activities, are likely to contribute to the nutrient loading in the groundwater.

The total ammoniacal-N concentrations appear consistent across all four piezometers and with the median values reported in the AEE except for an increase in both piezometers 3 and 4 was observed on 15 December 2021.

The total phosphorus concentrations are relatively low, with the highest values recorded in piezometer 2, consistent with the observations reported in the AEE with regards to dissolved reactive phosphorous.

There is currently insufficient data to determine if there are emerging trends in the constituent concentrations of the groundwater bores at this time. There are no limits associated with the constituents measured.

Table 2.4 Groundwater quality results for monitoring period July 2020 to June 2021

Date	E.coli (cfu/100mL)	Total Nitrogen (g/m3)	Total Ammoniacal-N (g/m3)	Total Phosphorous (g/m3)	Water Level (m)
Wetland Piezometer 1					
26/06/2019*	<4	1.87	1.5	<0.004	
05/12/2019	<4	1.81	1.41	0.111	
30/06/2020	<4	2.1	1.78	0.112	
15/12/2020	<4	2.4	1.64	0.089	1.76
16/06/2021	<4	2.5	1.57	0.079	1.09
2007 – 2015 median**		1.83	1.89		
Wetland Piezometer 2					
26/06/2019*	<4	5.4	3.1	0.157	
05/12/2019	11	5.9	2.9	0.43	
30/06/2020	<4	5.1	3.5	0.61	
15/12/2020	<4	5.5	3	0.5	1
16/06/2021	8	4.9	3.3	0.51	0.55
2007 – 2015 median**		3.72	3.07		
Wetland Piezometer 3					
26/06/2019*	200	12.9	0.024	<0.004	
05/12/2019	25	1.45	0.053	0.17	
30/06/2020	90	3.6	0.012	0.049	
15/12/2020	320	2.1	0.46	0.167	1.84
16/06/2021	23	19.4	<0.01	0.009	1.55
2007 – 2015 median**		3.72	<0.05		
Wetland Piezometer 4					
26/06/2019*	23	11.5	<0.01	<0.004	
05/12/2019	2300	0.79	0.122	0.03	
30/06/2020	75	1.84	0.024	0.031	
15/12/2020	350	1.02	0.37	0.052	1.78
16/06/2021	740	8	0.046	0.02	0.8
2007 – 2015 median**		1.62	0.05		
* During this sampling round Faecal coliform (not E. coli) and dissolved reactive phosphorous (not total phosphorous) were analysed and have been reported here. This analysis issue was corrected from the December 2020 sampling round.					

** E. coli and total phosphorous were not monitored during the 2007 to 2015 monitoring (Faecal coliform and dissolved reactive phosphorous were monitored instead and cannot be used for comparative purposes).	
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2.2.6 Ecological Health

Within the first 12 months of Consent RM 16-0204-DC.04 being granted the development and implementation of an Ecological Monitoring Plan (EMP) that covers monitoring of macroinvertebrate communities, fish communities, macrophyte cover and Maturanga Maori indices is required to characterise the ecological health of Waiari Stream, as per consent conditions 9.7 to 9.9. The EMP needs to consider the methodology to carry out assessments of the required ecological communities, where the assessments will take place and how monitoring will be conducted in non-wadable conditions. In addition to assessments of the aquatic life, Condition 8.1 of the consent requires monitoring of temperature and dissolved oxygen levels outside of the reasonable mixing zone to ensure the discharged treated water is not causing an effect.

As part of the EMP preparation WBOPDC is required to liaise with the Kaitiaki Group to identify appropriate Maturanga Maori indices. It has taken some time for WBOPDC to successfully establish the Kaitiaki Group, refer to Section 2.6.2 for more detail, and as a result the engagement process regarding identification of Maturanga Maori indices has been delayed.

In March 2021 an EMP, developed by Freshwater Solutions on behalf of WBOPDC, was submitted to Regional Council for review. Due to the missing Maturanga Maori indices, official certification of the EMP was not granted. However, this EMP was approved as an incomplete version which allowed the required monitoring to commence. Refer to Appendix E for the EMP.

2.3 Incidents and complaints

Conditions 5.2 to 5.4 of the consent relate to notifying appropriate parties of incidents associated with the network and WWTP. During the monitoring period no malfunctions of the WWTP were recorded. There were 5 instances when sewer spills and overflow events were recorded, as detailed in Table 2.5 below. As a result, the Regional Council and Toi Te Ora were informed of the sewer spills / overflows when necessary.

In accordance with condition 5.2, there were no accidental discharges from the plant, plant breakdown or other incident relating to the WWTP during the monitoring period that resulted in the requirement to notify the Medical Officer of Health or make a public notification.

Table 2.5: Sewer spills and overflow events reported during this monitoring period.

Date of Event	Location	Effect of Overflow / Spill	Asset(s) Involved	Affected Area	Toi Te Ora and BOPRC Informed?
03/07/2020	Queen Street	Private Property, Stream	Manhole	Concrete	Yes
23/07/2020	Queen Street	Private Property, Stream	Manhole	Concrete	Yes
05/10/2020	George Street	Private Property	Manhole	Grass, Water, Land	Yes
05/04/2021	Queen Street	Private Property	Manhole	Concrete	N/A
11/04/2021	George Street	Private Property	Manhole	Grass	N/A

WBOPDC maintain a complaints register for Consent RM 16-0204-DC.04 (conditions 13.1 to 13.3) and RM 16-0204-DC.01 (conditions 7.1 to 7.3). No complaints were received during this monitoring period with A4099245

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regards to either consent. The complaints register is available for review by the Regional Council at any time, upon request.

2.4 Operational Site Management

2.4.1 General Operation

Conditions 6.1 to 6.5 of Consent RM 16-0204-DC.04 specify general operations requirements.

In accordance with condition 6.1 WBOPDC have two generators available, one currently located at the Te Puke WWTP, in event of a power failure to ensure the Plant is back online within 24 hours.

The perforated diffuser pipe and rock passage system are not schedule for construction currently, therefore the associated consent condition is not applicable (Condition 6.2).

The existing wetland is still in place and is not scheduled to be decommissioned at this time, therefore the associated consent conditions (6.3 to 6.5) are not applicable.

Prior to receiving any wastewater from Rangiuru Business Park WBOPDC must demonstrate the WWTP has sufficient capacity for the additional volume, as per condition 6.4. Receiving wastewater from the Business Park is not scheduled to occur yet, therefore this consent condition is also not applicable.

2.4.2 Site Management Plan

A draft Operations Manual has been developed by WBOPDC which acts as the Site Management Plan (SMP). The Operational Manual is attached in Appendix A. Conditions 10.1 to 10.7 specify the required SMP objectives, what must be included in the Plan and the review and submission process. The Operations Manual is still under development. A finalised version is anticipated to be submitted to Regional Council in the 2021/2022 monitoring period.

2.4.3 Signage

As specified in consent conditions 12.1 to 12.4 the WWTP must be fenced and appropriate signage at formal access points must be displayed. Signage is also required along the banks of the Waiari Stream, identifying the wetland and discharge point, and upstream and downstream of the discharge location.

Signage has been erected in the required locations. During this monitoring period, no additional signage was required due to incidents or untreated discharge overflows.

2.4.4 Odour Management Plan

Condition 6.1 of resource consent RM16-0204-DC.01 (Discharge contaminants to air) requires the consent holder to prepare an Odour Management Plan (OMP) as part of the SMP required under consent RM16-0204. An OMP was prepared and submitted to Regional Council for certification in November 2019 which was updated in May 2021, refer to Appendix G. The OMP will be reviewed and updated at least every three years in the month of May. The next review is due in 2024.

2.5 Maintenance

Consent conditions 11.1 to 11.3 of Consent RM 16-0204-DC.04 outline the requirements for maintenance at the WWTP. The Operations team have a schedule for calibrations, maintenance, and replacement for all equipment on site. The Operations staff must also fill in the Operator Daily Log Sheet which includes questions relating to:

- Inflow and outflow,

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- The clarifiers,
- The process blowers,
- Inlet and operating pressure,
- Lubrication,
- The centrifuge unit, including the centrifuge polymer,
- The digester,
- Weather conditions, and
- If the effluent is substantially free from oil and grease.

Copies of these can be provided upon request.

The Operation staff hold the necessary qualifications for their roles, in accordance with condition 11.3. In addition to qualifications, they undergo induction and training as required by the WBOPDC Standard Operating Procedures. There is also a SCADA engineer onboard who monitors the recording and alarm system to ensure performance requirements are being met. All contractors are vetted for competency levels during the engagement process and are inducted to site before they undertake any work. Induction records can be provided upon request.

2.6 Improvements/Upgrades

At this time there is no immediate improvements or upgrades planned for the WWTP that will come into effect in the coming monitoring period. The following work is scheduled to take place in the next 2 – 3 years to meet the requirement to have this work commenced in the first five years of the consent:

- Technical Operational Capacity Report to demonstrate the WWTP has sufficient capacity to receive wastewater from the proposed Rangiuru Business Park.
- Construction of a bank-side perforated diffuser piper and a rock passage system.
- Decommission of the existing wetland. When this work is carried out it will be in line with the construction of the bank-side perforated diffuser piper and a rock passage system.
- Ongoing work with regards to the Investigation of Alternatives (refer to Section 2.6.1 below).

2.6.1 Investigations of Alternatives

Condition 16 relates to the establishment and retention of a Wastewater Advisory Group (WWAG) to complete the Investigation of an Alternative Disposal Option Study. The WWAG was established in November 2015 and has been retained during the approval and commencement of resource consent RM 16-0204-DC.04. The WWAG has representatives from each of the required groups and has been meeting on a regular basis.

The Investigation of an Alternative Disposal Option Study was broken down into three stages:

- Stage 1: Alternative Disposal Options Selection using a Multi Criteria Analysis (MCA) tool to score and rank disposal options.
- Stage 2: Alternative Disposal Site Selection GIS based constraints analysis for the top four ranked options from Stage 1.
- Stage 3: Alternative Disposal Option Scheme Selection involving confirmation of a preferred scheme(s) based on the Stage 2 final list of potential site(s).

Stage 1 was carried out in 2015 and from 2016 onward the WWAG have started working through Stage 2, with works being put on hold in late 2019 due to the pending local council elections. At this time four alternative disposal options are being considered and the next step for the WWAG, once their work is re-initiated, will be starting the consultation process and moving towards Stage 3.

2.6.2 Kaitiaki Group

Within the first six months of the resource consent RM 16-0204-DC.04 being issued WBOPDC was required to establish a Kaitiaki Group, consent conditions 14.1 to 14.7. The Kaitiaki Group is to be liaised with to A4099245

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provide advice and recommendations in relation to activities authorised by the consent. The Kaitiaki Group should have representatives from WBOPDC, Local Iwi/ Hapu and Regional Council.

During the first six months of the resource consent, WBOPDC made attempts to establish and engage with a Kaitiaki Group. However due to issues with getting responses and engagement from some of the necessary participants, this process has been considerably delayed. Consequently, the requirement to hold meetings with the Kaitiaki Group on a regular basis has not been met and WBOPDC is non-compliant with the associated consent conditions (Conditions 14.1 to 14.7).

These delays have had a flow on effect and impacted the ability of WBOPDC to meet other consent conditions which require input from the Kaitiaki Group, such as the development of an EMP. The difficulties associated with the establishment of the Kaitiaki Group have been communicated to Regional Council, and it is anticipated the Group will gain more traction and engagement will progress more regularly in the 2021/2022 monitoring periods.

3. Conclusions

The annual assessment of the Te Puke WWTP, in accordance with condition 15.6 of resource consent RM16-0204-DC.04, has concluded the Plant performed well during the 2020-2021 monitoring period, based on the general compliance achieved with a majority of the consent conditions and the results of the discharge quantity and quality monitoring.

The daily flow discharged from the WWTP did not exceed the daily discharge limit of 9,000 m³/d or the instantaneous discharge rate of 106 L/s during the monitoring period. The weekly discharge monitoring indicated the treated effluent, immediately after the UV treatment system, is compliant with the limits associated with total nitrogen, total ammoniacal nitrogen, annual median total phosphorous, pH, total phosphorous, total suspended solids, and total biochemical oxygen demand (BOD₅) levels. One occasion non-compliance was noted with regards to E.coli.

The monthly assessment of the water quality in the Waiari Stream was carried out in accordance with the consent conditions. A comparison of the data to the AEE (2015) and previous monitoring year indicated there is no noticeable changes in the concentrations recorded.

WBOPDC keep key records of the maintenance carried out on the Plant, details of spills incidents and mitigation options, disposal documentation, wastewater and receiving environment analysis results, complaints, and management plans. Where required this information is submitted to Regional Council and any of these records can be provided to Regional Council on request.

No incidents or complaints were received during this monitoring period. All signage is in place and meets the requirements of the resource consent conditions. All maintenance was carried out by qualified operational staff or contractors and all maintenance records and schedules are maintained by WBOPDC. The WWAG has been established and retained during the approval and commencement of the resource consent. The WWAG have completed Stage 1 of the Alternative Disposal Options Study and Stage 2 is underway.

An Odour Management Plan and an Operational Manual, which aims to meet the requirements of a SMP, have been prepared. The Odour Management Plan has been submitted to the Regional Council and Certified. The Operational Manual is in a draft state.

There is no immediate improvements or upgrades planned for the WWTP that will come into effect in the coming monitoring period.

Appendix A

Te Puke WWTP Operations Manual

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Appendix B

Te Puke WWTP associated consents

Appendix C

Weekly effluent monitoring results 1 July 2020 to 30 June 2021.

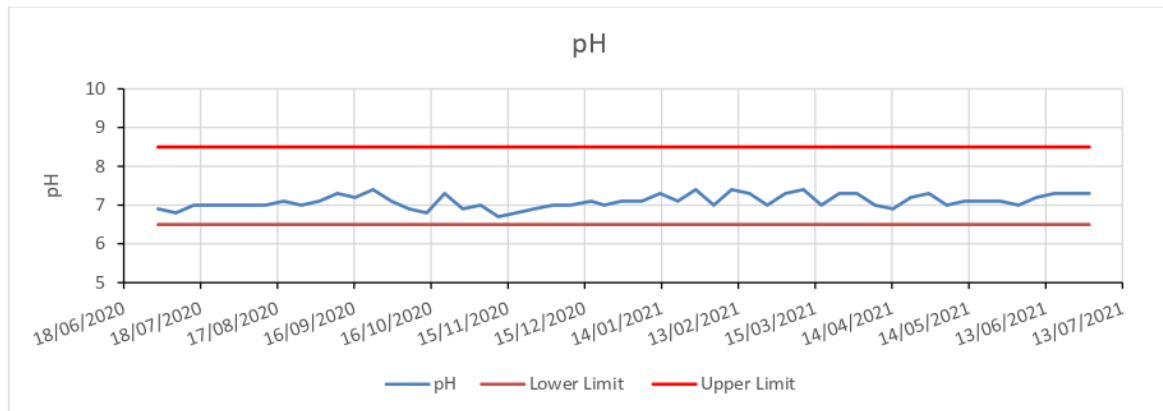


Figure C.1 pH levels and the associated consent limits

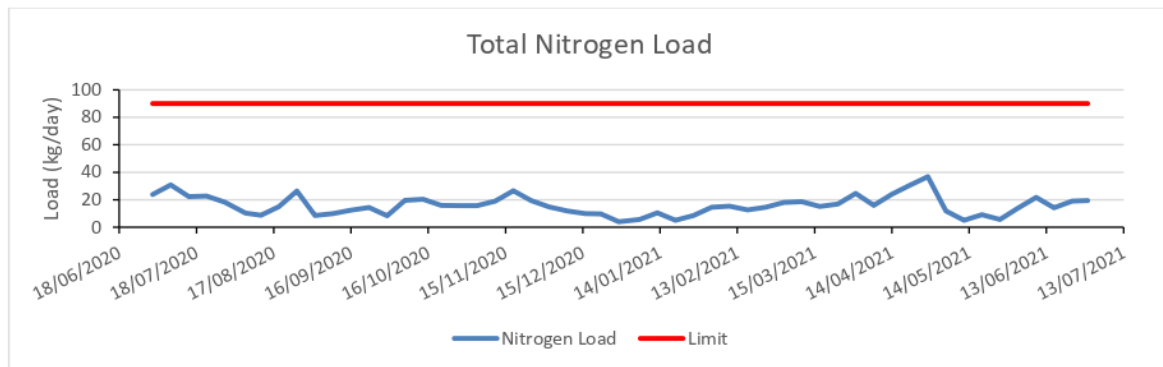


Figure C.2 Nitrogen daily load and associated consent limit.

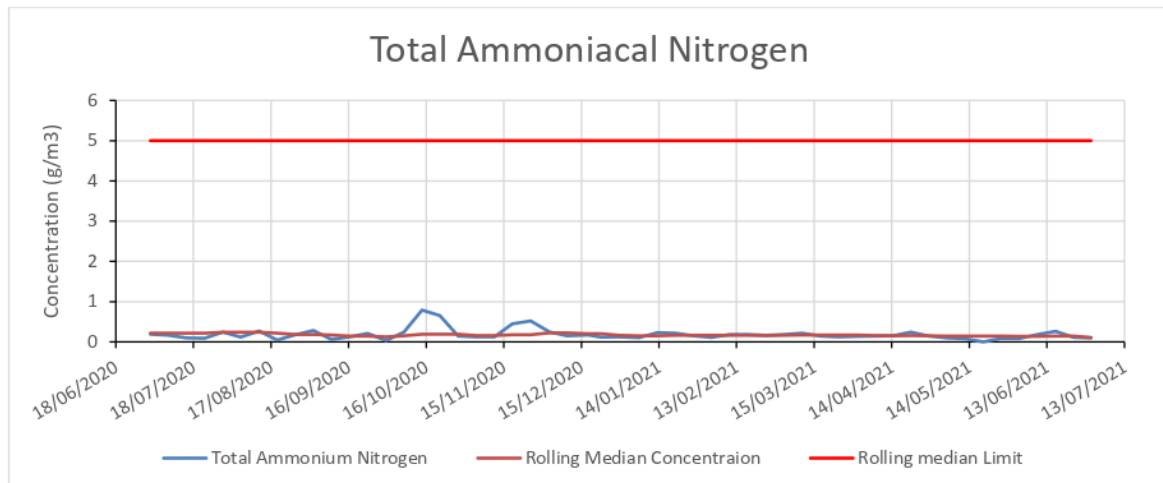


Figure C.3 Total ammoniacal nitrogen concentration, rolling median concentration and the associated consent limit.

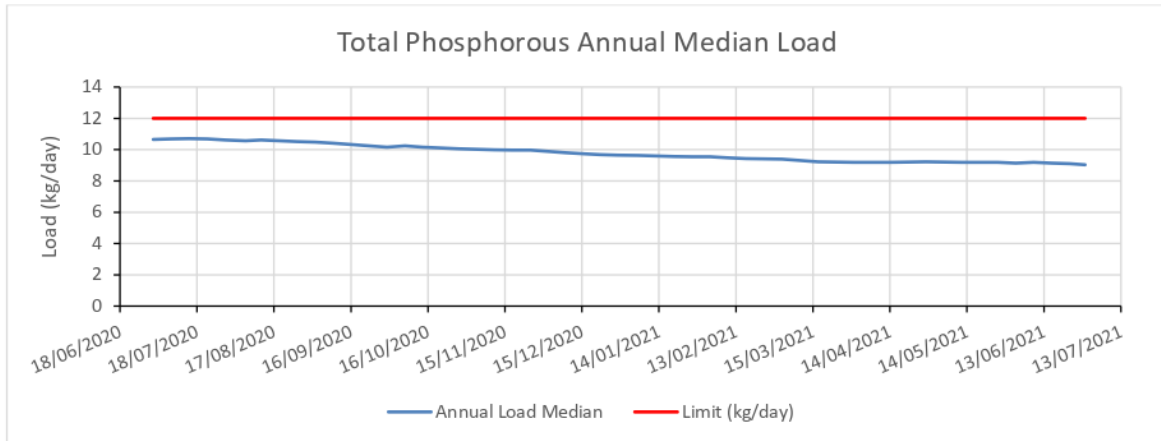


Figure C.4 Annual median total phosphorous load and associated consent limit.

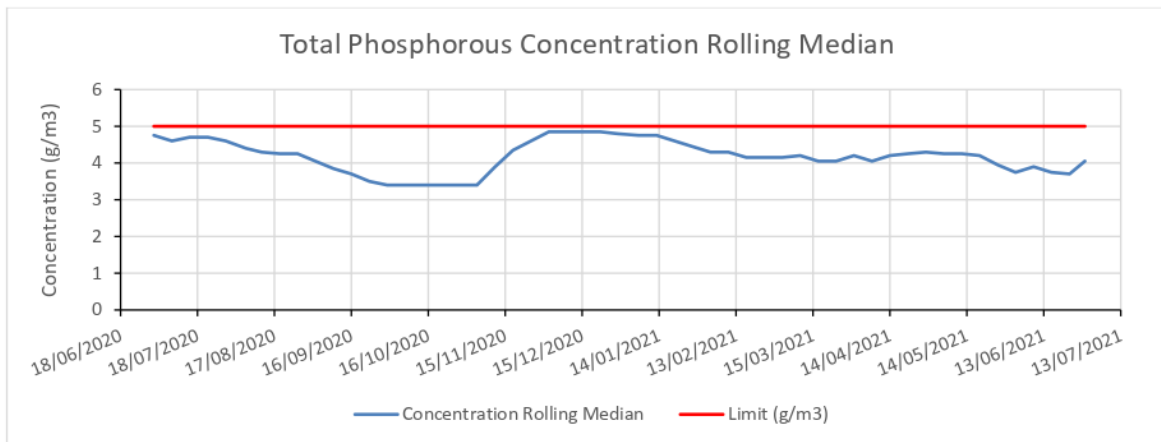


Figure C.5 Total phosphorous rolling median concentration and the associated consent limit.

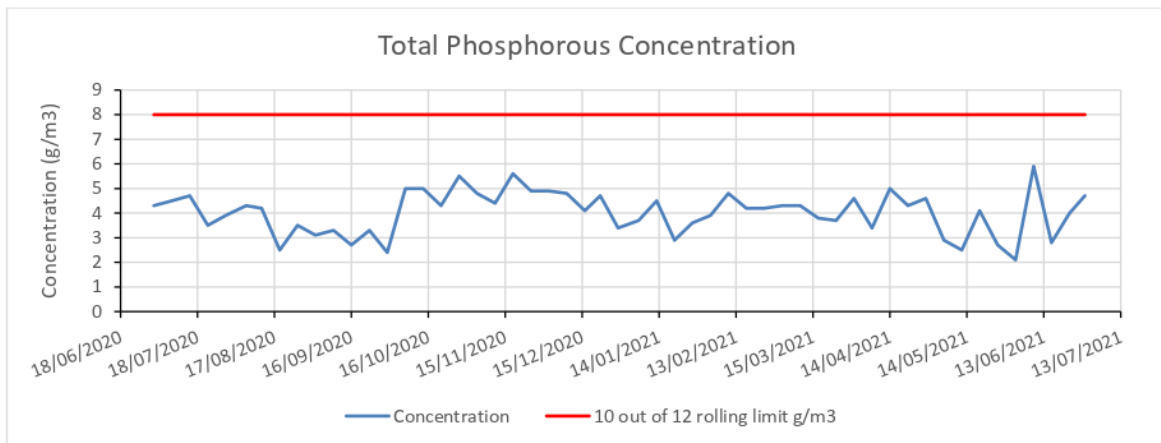


Figure C.6 Total phosphorous concentration and the associated consent limit.

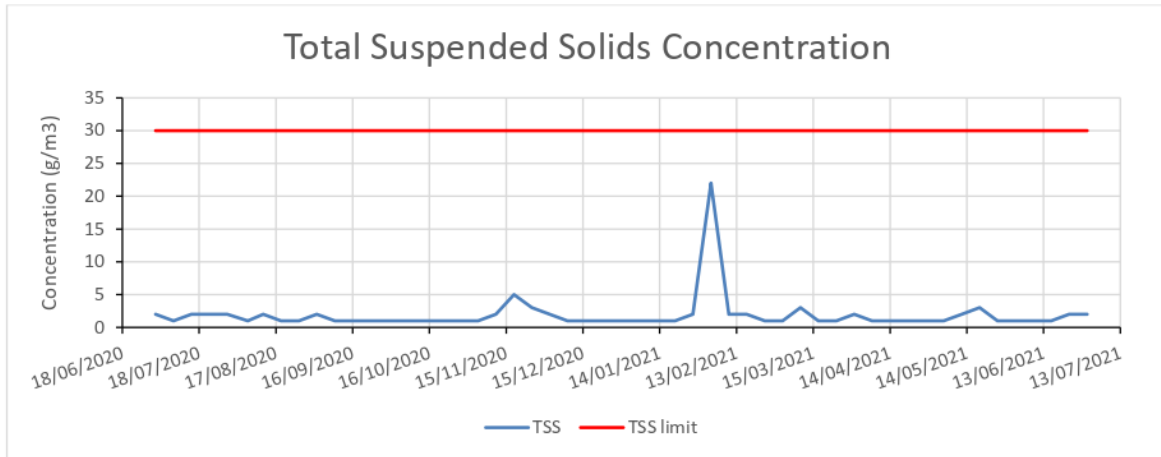


Figure C.7 Total suspended solid concentration and the associated consent limit.

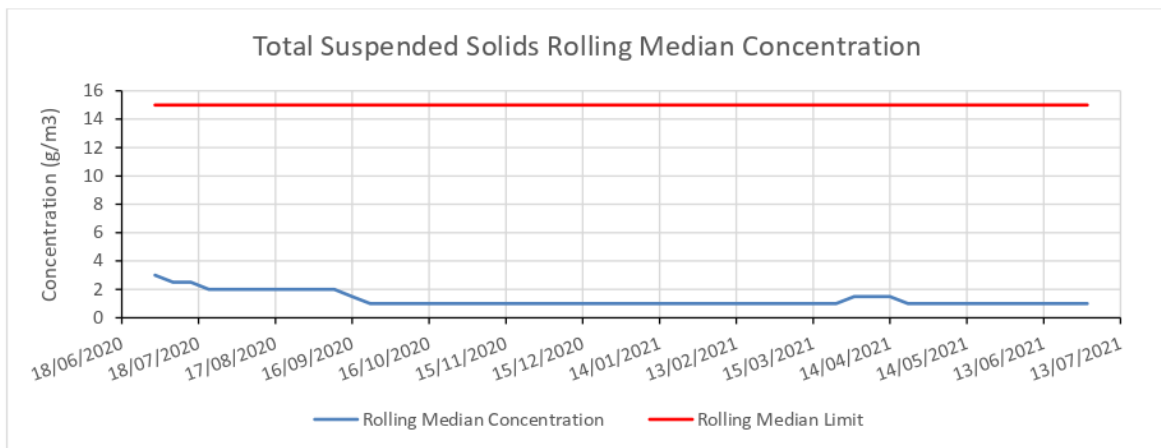


Figure C.8 Total suspended solid rolling median concentration and the associated consent limit.

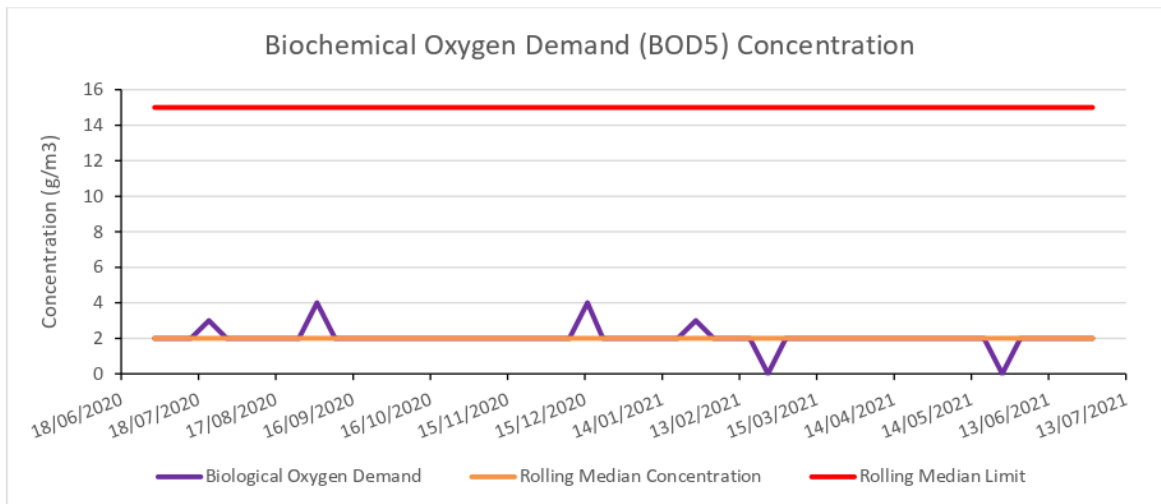


Figure C.9 Biochemical oxygen demand (BOD5) concentration, rolling median concentration and the associated consent limit.

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Appendix D Waiari Stream Water Quality

Date	Upstream						Downstream					
	pH	Suspended Solids (g/m3)	BOD5 (g/m3)	Total Phosphorus (g/m3)	Total Nitrogen (g/m3)	E.Coli (CFU/100mL)	pH	Suspended Solids (g/m3)	BOD5 (g/m3)	Total Phosphorus (g/m3)	Total Nitrogen (g/m3)	E.Coli (CFU/100mL)
#####	7.1	2	<2	0.036	1.12	170	7.1	2	<2	0.13	1.33	230
#####	7	3	<2	0.048	1.08	200	7.1	3	<2	0.071	1.13	130
#####	7.2	1	<2	0.037	1.12	44	7.2	2	<2	0.076	1.13	47
7/09/2020	7.2	1	<2	0.039	1.17	190	7.1	4	<2	0.141	1.27	230
#####	7.2	<1	<2	0.035	1.19	170	7.1	2	<2	0.102	1.23	290
7/11/2020	7	4	<2	0.04	1.06	600	7	4	<2	0.84	1.12	220
#####	7.3	<1	<2	0.029	0.98	110	7.3	<1	<2	0.077	1.09	150
#####	7.4	<1	<2	0.035	1.05	160	7.3	1	<2	0.09	1.09	150
2/02/2021	7.4	1	2	0.036	1.01	80	7.4	1	2	0.084	1.06	100
2/03/2021	7.4	1	2	0.037	1.1	370	7.3	1	2	0.092	1.16	420
6/04/2021	7.3	1	2	0.032	1.07	200	7.3	2	2	0.065	1.11	190
4/05/2021	7.3	1	2	0.038	1.14	250	7.2	6	2	0.059	1.09	300
1/06/2021	7.2	3	2	0.035	1.19	180	7.2	1	2	0.053	1.15	150

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The following figures present the results from the monthly water quality sampling of Waiari Stream, upstream and downstream of the discharge point, accounting for a reasonable mixing zone.

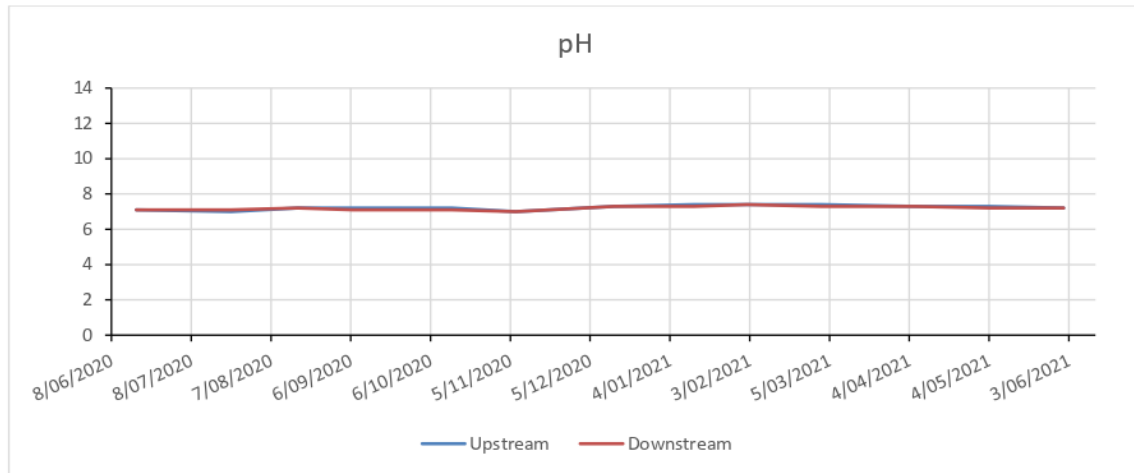


Figure D.1 pH levels of the Waiari Stream, upstream and downstream of the discharge point.

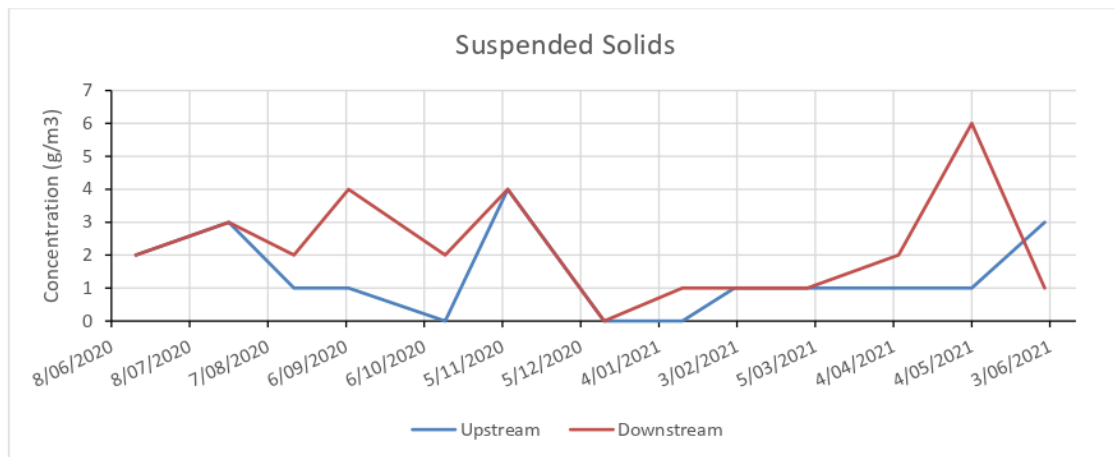


Figure D.2 Total suspended solids concentration of the Waiari Stream, upstream and downstream of the discharge point.

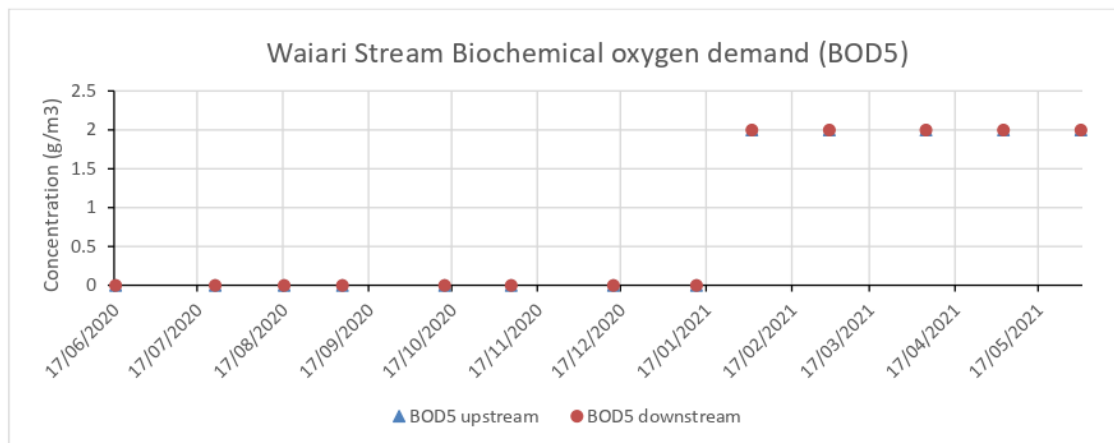


Figure D.3 Biochemical oxygen demand (BOD5) concentration of the Waiari Stream, upstream and downstream of the discharge point.

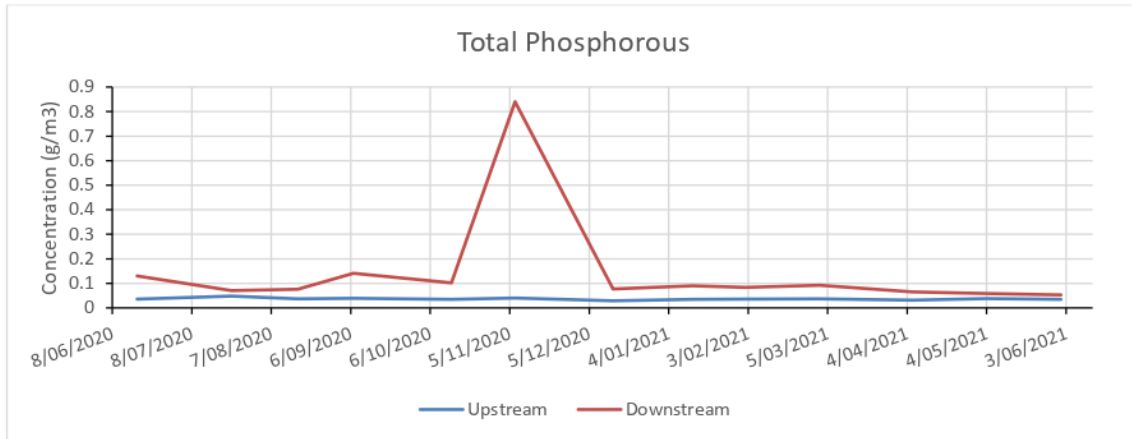


Figure D.4 Total phosphorous concentration of the Waiari Stream, upstream and downstream of the discharge point.

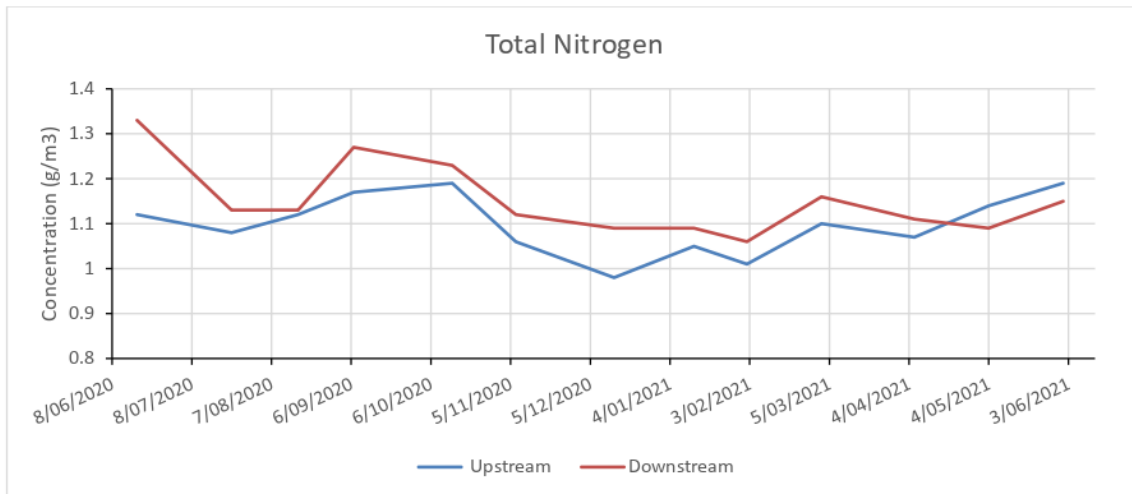


Figure D.5 Total nitrogen concentration of the Waiari Stream, upstream and downstream of the discharge point.

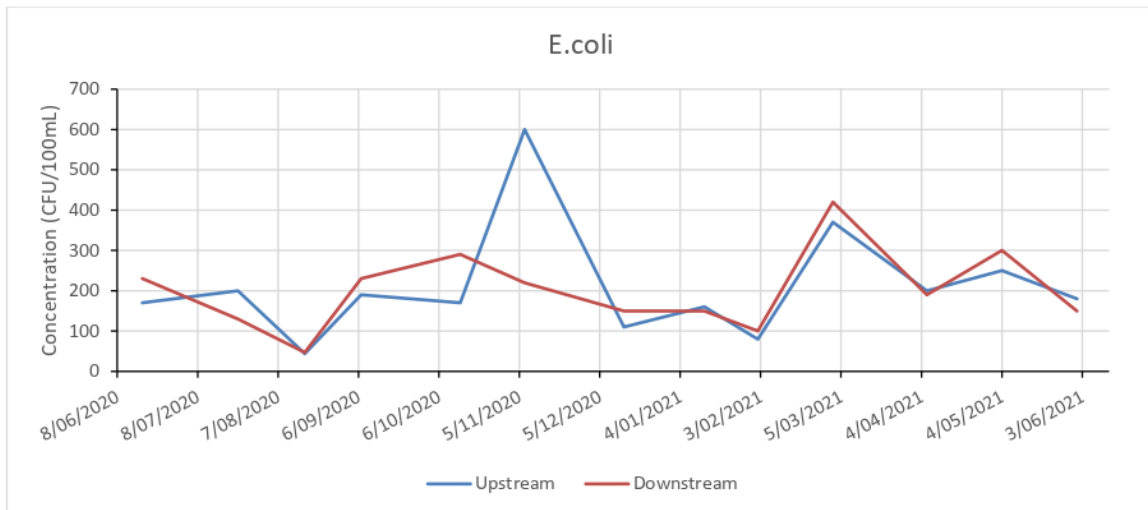


Figure D.6 E. coli concentration of the Waiari Stream, upstream and downstream of the discharge point.

Appendix E Ecological Monitoring Plan



Pūrongo Ki: Report To:	Te Maru o Kaituna River Authority
Rā Hui: Meeting Date:	27 August 2021
Kaituhi Pūrongo: Report Writer:	Moana Boyd, Senior Planner (RIN)
Kaiwhakamana Pūrongo: Report Authoriser:	Namouta Poutasi, General Manager, Strategy & Science Nassah Rolleston-Steed, Principal Advisor, Policy & Planning
Kaupapa: Purpose:	To provide a preliminary overview of matters raised in submissions to Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement

Update on Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement

Whakarāpopototanga Executive Summary

Proposed Change 5 (Kaituna River) (Proposed Change 5) to the Bay of Plenty Regional Policy Statement (RPS) seeks to fulfil Council's statutory obligation to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River Document – *Kaituna He Taonga Tuku Iho*.

Proposed Change 5 was publicly notified on Tuesday 29th of June 2021 in accord with Schedule 1 of the Resource Management Act 1991 (RMA). Submissions closed on Tuesday 10th of August 2021. A total of fifteen submissions have been received of these fourteen submissions were within time.

Submissions lodged generally support the intent of Proposed Change 5 but this support (and at times opposition) is subject to a range of amendments on every provision: Kaituna River background, issues, objectives, policies, methods, explanations and monitoring. This report provides a preliminary overview of matters raised in submissions on Proposed Change 5.

Ngā tūtohutanga Recommendations

That Te Maru o Kaituna River Authority:

1. **Receives the report, Update on Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement.**

1. He Whakamārama Background

The approval of Proposed Change 5 for public notification on 1 April 2021 followed a process which involved reporting to and workshopping with Te Maru o Kaituna River Authority (TMOK) members and the Strategy and Policy Committee (and its predecessor Regional Direction and Delivery Committee).

Proposed Change 5 as notified on 29 June 2021 incorporates amendments in response to comments received by 12 parties on Draft Change 5 (Kaituna River) (Draft Change 5) to the RPS. Draft Change 5 was open for comments from 18 August to 16 October 2020.

The policy framework for Proposed Change 5 relates to freshwater so it must follow the new Freshwater Planning Process (FPP). The FPP was introduced through the Resource Management Amendment Act 2020. Staff provided an overview of the FPP to TMOK on 21 May 2021 as part of an [Update on Proposed Change 5 report \(Item 9.4\)](#).

1.1 Legislative Framework

Proposed Change 5 seeks to fulfil Regional Council's responsibilities under the Tapuika Claims Settlement Act 2014 which requires the RPS to recognise and provide for the vision, objectives and desired outcomes of '*Kaituna He Taonga Tuku Iho – a treasure handed down*' (the Kaituna River Document). Section 123(4) of the Tapuika Act contains two conditions to this obligation being:

1. They apply only to the extent that the contents relate to the resource management issues of the region; and
2. Recognising and providing for these is the most appropriate way to achieve the purpose of the RMA in relation to the Kaituna River.

Proposed Change 5 introduces a new Kaituna River section into the Treaty Co-Governance section 2.12 of the RPS along with associated monitoring provisions (in section 4.2) and two new definitions (Appendix A). It includes:

- 6 significant resource management issues for the Kaituna River
- 7 Kaituna River objectives (supported by monitoring provisions)
- 9 Kaituna River policies
- 6 Kaituna River methods of implementation
- Expansion of 5 existing Rangitāiki River methods to also apply to the Kaituna River and;

- 2 new RPS definitions.

2. National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management (NPS-FM) 2020 came into effect on 3 September 2020. The NPS-FM 2020 requires a specific process for engagement and development of the RPS and regional plan changes to give effect to its directions. Proposed Change 5 does not seek to implement the NPS-FM 2020. The primary purpose of Proposed Change 5 is to recognise and provide for the Kaituna River Document in accordance with Tapuika Claims Settlement Act 2014.

3. Submissions

3.1 Submitters and receipt of submissions

Proposed Change 5 was publically notified for submissions on 29 June 2021. Submissions closed on 10 August 2021. A total of 15 submissions were received, including 1 submission which was received after the close of submission period.

Submitters:

- 1 Department of Conservation
- 2 Eastland Generation Limited
- 3 Carrus Corporation Limited
- 4 Western Bay of Plenty District Council
- 5 Heritage New Zealand Pouhere Taonga
- 6 AFFCO New Zealand Limited, Rangioru Plant
- 7 Te Tumu Landowners Group
- 8 Horticulture New Zealand
- 9 The Proprietors of Taheke 8C & Adjoining Blocks Incorporation (Taheke 8C)
- 10 Z Energy Limited & BP Oil New Zealand Limited
- 11 Tauranga City Council
- 12 Te Arawa Lakes Trust
- 13 Bay of Plenty Federated Farmers and Rotorua/Taupō Federated Farmers
- 14 Royal Forest and Bird Protection Society of NZ (Forest & Bird)

Late submissions

- 15 Te Maru o Kaituna River Authority (received on 13 August 2021)

Eight of the above submitters had previously provided comments on Draft Change 5 (submitters 2, 4, 7, 8, 9, 11, 13 and 14) and there are three submissions from organisations who represent tangata whenua interests: Taheke 8C, Te Arawa Lakes Trust and TMoK.

Note: The Freshwater Hearings Panel (FHP) once appointed by the Chief Freshwater Commissioner will¹ make the decision to accept or reject late submissions.

¹ RMA Schedule 1, Clause 40 (3)

3.2 Initial overview of matters raised in submissions

There are five submissions which support Proposed Change 5 being retained as notified². The remaining submissions generally support the intent of Proposed Change 5 but this support (and at times opposition) is subject to a range of amendments on every provision. These are some of the issues staff identified in a preliminary review of submissions seeking amendments:

- Alignment with the NPS-FM 2020 and Te Mana o te Wai including more emphasis on the well-being of the Kaituna River (a range of submission points on this).
- Alignment between the Kaituna River Document with Proposed Change 5.
- Enhance recognition of and/or refer to the impact of: urban growth areas (Te Tumu and Rangiuru), recreational use, rural and land intensification, economic development, climate change, farming, rural production activities and farm management plans.
- Consistency with existing RPS provisions for example urban growth provisions.
- Water quality, water quantity, sustainable allocation (or use) of water and, recognise differences between the upper and lower catchments for example in terms of water allocation.
- Protection of drinking water supplies, safe drinking sources with, more emphasis on health.
- Mātauranga Māori to inform resource management decision making.
- Provide definitions for: 'tangata whenua' (so inclusive of whānau, Māori and mana whenua), 'wider communities' (who does this include) and, the Kaituna River (consistent with the Tapuika Claims Settlement Act).
- Clarify why and how groundwater is included in Proposed Change 5.
- Support development of multiple owned Māori Land.
- Access (including the control of this) and recreational use is not always suitable along the Kaituna River.
- Removal of structures and who pays for this.
- Identification of safe recreational contact locations.
- Should consult on and classify sites for drinking water, kai awa, bathing and cultural ceremonies...
- 'Best management practice' should clarify the outcomes that are being sought, define what this is and, amend to 'good management practice'.
- A range of submissions on enabling economic development/employment for iwi and hapū to support cultural connections (including opposition to this).
- Generally supportive of a collaborative approach to restore, protect and enhance the Kaituna River but this should also include industry groups and Māori land holdings.

² Submissions in support of Proposed Change 5 provisions as notified are: Department of Conservation, Z Energy Limited & BP Oil New Zealand Ltd, Heritage New Zealand, Te Arawa Lakes Trust and TMOk.

4. Ngā Whakaarohanga Considerations

4.1 Ngā Mōrea me Ngā Whakangāwaritanga Risks and Mitigations

There are no significant risks associated with Proposed Change 5. As reported previously, staff have as part of the notification process sought to mitigate a potential risk to ensure that tangata whenua, the community and stakeholders in the Kaituna River catchment are aware that Proposed Change 5 does not seek to fully implement the NPS-FM.

Notification material advised that: the purpose of Proposed Change 5 is to fulfil requirements under Treaty legislation which is separate from the overarching *Essential Freshwater Policy Programme* for NPS-FM implementation.

4.2 Huringa Āhuarangi Climate Change

Proposed Change 5 seeks to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River Document. The Kaituna River Document lists as a key issue to respond to '*pressure on the Kaituna River due to land use intensification, urban growth and climate change*'. In addition, existing RPS provisions, will continue to apply to the Kaituna River catchment including RPS Policy NH 11B '*Providing for climate change*' and Policy IR 2B '*Having regard to the likely effects of climate change*'.

Staff note that there are submission points for Proposed Change 5 which request more emphasis on climate change.

4.3 Ngā Pānga ki te Māori Implications for Māori

Proposed Change 5 is the second RPS Treaty co-governance change. It has significant implications for Tapuika Iwi in particular as it relates to their Treaty settlement legislation and strategic cultural aspirations. It also has cultural significance to other Te Maru o Kaituna River Authority Iwi and tangata whenua.

Kaituna is considered a tupuna and is revered as a living entity. Statutory acknowledgements exist along the Kaituna River and its tributaries that recognise the mana of Waitaha, Tapuika and Ngāti Rangiwewehi Iwi and particularly the cultural, spiritual, historical and traditional associations they have with these specified areas. There are also numerous sites of significance to tangata whenua within and adjacent the Kaituna River and its tributaries many of which are described in rich detail in iwi and hapū resource management plans and the aforementioned statutory acknowledgements.

4.4 Whakawhitiwhiti ā-Hapori Community Engagement

Informal consultation and engagement occurred prior to the formal RMA Schedule 1 process commencing. This was carried out in accordance with the Communications and Engagement Plan, November 2019. Moving forward only submitters have rights to be involved in the formal FPP and Schedule 1 process. Further, only certain persons can make further submissions.

Proposed Change 5 and the submission process were publicised on Regional Council's [Proposed Change 5 \(Kaituna River\)](#) and [Participate](#) webpages. It was also referred to on the [Our plans - Te Maru o Kaituna River Authority](#) webpage.

4.5 **Te Hāngai ki te Pou Tarāwaho Rautaki Alignment with Strategic Framework**

Proposed Change 5 directly contributes to a Healthy Environment, Freshwater for Life, a Vibrant Region and The Way We Work Community Outcomes in the Council's Long Term Plan 2018 – 2028.

4.6 **Ngā Pānga ā-Pūtea Financial Implications**

The cost of developing Proposed Change 5 is budgeted in the Long Term Plan 2018 – 2028. Future costs will relate to public notification of further submissions and on-going training for staff to implement the ePlan and associated submissions management software. The other significant cost for Proposed Change 5 will relate to the Freshwater Hearings Panel (FHP) because regional councils are responsible for all costs incurred including remuneration and expenses of FHP members, any experts or mediators engaged by the panel, administrative costs for holding the hearing etc.

5. **Ngā Mahi Whai Ake Next Steps**

Staff will review the submissions and prepare a 'summary of decisions requested on submissions'. This will be notified with a call for further submissions in October 2021.

Council must provide the CFC with council and tangata whenua FHP nominations by late November 2021. Then, within 20 working days Council must provide the CFC with 'required documents' (no more than 6 months after public notification, by 28 December 2021).

After receiving the 'required documents' and nominations the CFC must convene a FHP 'as soon as practicable'.