

# Ōhiwa Harbour Implementation Forum

## Ngā Meneti Open Minutes

**Commencing:** Thursday 8 September 2022, 9.30 am

**Venue:** Ōpōtiki District Council Chambers, 108 St John Street, Ōpōtiki

### Heamana Tuarua

**Deputy Chairperson:** Mayor Lyn Riesterer - Ōpōtiki District Council

### Ngā Kopounga

**Members:** Cr Bill Clark, Alternate - Bay of Plenty Regional Council Toi Moana (BOPRC), Charlie Bluett - Te Runanga o Ngāti Awa, Trevor Ransfield - Te Upokorehe, Karen Mokokoko - Whakatōhea Māori Trust Board

### Te Hunga i Tae Ake In Attendance:

Pim de Monchy - Coastal Catchments Manager, Tim Senior - Land Management Officer, Gemma Moleta - Senior Planner, Water Policy (via Zoom), Reuben Gardiner - Senior Advisor, Toni Briggs - Senior Project Manager, Erin Fox - Environmental Scientist, Amanda Namana - Committee Advisor

External: Mike Jones - Department of Conservation, Ian Molony - Open Spaces Operations Manager, Whakatāne District Council

### Ngā Hōnea

#### Apologies:

Chair Cr Toi Kai Rākau Iti - BOPRC, Deputy Mayor Andrew Iles - Whakatāne District Council (WDC), Cr Nándor Táncoz - Alternate, WDC

#### 1. Karakia Whakatuwhera Opening Karakia

A karakia was provided by Trevor Ransfield.

#### 2. Ngā Hōnea Apologies

## Resolved

### That the Ōhiwa Harbour Implementation Forum:

- 1 **Accepts the apologies from Cr Toil Kai Rākau Iti, Deputy Mayor Andrew Iles and Cr Nándor Táncoz tendered at the meeting.**

Clark/Bluett  
CARRIED

## 3. Wāhanga Tūmatanui Public Forum

### 3.1 Coral Reeve

#### Key Points:

- Expressed concern from Ōhiwa residents over fireworks displays in the harbour, particularly from visitors during peak times. These were set at the edge of the harbour and aimed out into the water, leaving behind rubbish and debris
- Suggested a ban on fireworks in the harbour, except for managed council displays.

#### Key Points - Members:

- Educating locals around environmental outcomes so they can pass knowledge onto visitors to the harbour was an option
- Upokorehe supported finding further options for a solution to this issue.

#### Item for Staff Follow Up:

- Regional Council staff to consider whether action could be taken due to the environmental consequences
- Ōpōtiki District Council staff to look into the possibility of limiting fireworks displays to certain occasions e.g. Guy Fawkes and New Year's Eve, or if there was an applicable bylaw to address the situation.

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

None declared.

## 5. Ngā Meneti Minutes

### Kia Whakaūngia Ngā Meneti Minutes to be Confirmed

### 5.1 Ōhiwa Harbour Implementation Forum Minutes - 26 April 2022

#### Resolved

**That the Ōhiwa Harbour Implementation Forum:**

- 1 Confirms the Ōhiwa Harbour Implementation Forum Minutes - 26 April 2022 as a true and correct record.**

**Riesterer/Bluett  
CARRIED**

## **6. Whakahoutanga Kōrero Verbal Updates**

### **6.1 Chair and Host Verbal Update from Ōpōtiki District Council**

Deputy Chair Mayor Lyn Riesterer provided a verbal update.

#### **Key Points:**

- Acknowledged the work of retiring regional councillor Bill Clark and his special connection to the area
- Drew members attention to the map of the Ōpōtiki District on the wall of Chambers and highlighted that 75% of the district was Department of Conservation land, and the district contained 50% of the Bay of Plenty coastline
- Current growth was also attributed to a large economic push, including successful applications for the Provincial Growth Fund and post Covid-19 economic funding
- In the current triennium, Ōpōtiki District Council had received the equivalent of \$126M in funding, on behalf of the district
- With the assistance of the Mayors Taskforce for Jobs, many rangatahi in the Ōpōtiki District were being placed in new jobs and careers:
  - In 2021/22 there were 55 new apprenticeships to date within 25 businesses
  - Over 100 people had been helped into new positions, with a 91% retention rate
  - Most of these positions were within the Primary Industries including mussel processing
  - The taskforce had been focused on the age range of under-30 years, and would expand in 2023 to include all ages
- Highlighted the upcoming aquaculture industry abilities and possibilities within Ōpōtiki
- Acknowledged the ongoing work of iwi/hapū over many years on their aspirations, for which the achievements benefitted the entire district
- Focus in the upcoming triennium would be around housing and how climate change effects would be addressed to future-proof the community.

#### **Key Points - Members:**

- Members also thanked Cr Clark for his years of involvement in the Forum and his mahi in planting and other contributions to achieving their goals.

## 7. Ngā Pūrongo Reports

### Hei Pānui Anake Information Only

#### 7.1 2022 Local Government Elections Update

##### Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, 2022 Local Government Elections Update.

Clark/Riesterer  
CARRIED

#### 7.2 Essential Freshwater Policy Programme Update

*Tabled Document 1 - Ōhiwa Harbour values, visions and environmental outcomes:  
Objective ID A4211015*

*Presentation: Essential Freshwater Policy Programme Update: Objective ID  
A4211024*

Senior Planner (Water Policy) Gemma Moleta presented this item (via Zoom).

##### **Key Points:**

- Highlighted the draft policy options available within the Regional Policy Statement (RPS) and the Regional Natural Resources Plan (RNRP)
- Outlined the shorter version first draft of values, visions and environmental outcomes that had been tabled to members - there would be opportunity for feedback before the end of 2022. This document primarily evolved from the Ōhiwa Harbour Strategy, reference to freshwater ecosystems had been added to ensure that all values present within the Freshwater Management Unit (FMU) were implicitly or explicitly covered. A timeframe needed to be added, and potentially key goals to be met within the FMU. Queried whether there were freshwater values missing that needed to be added
- Engagement to date included eight contributions for Ōhiwa Harbour FMU which covered recreation, natural character, mahinga kai, fishing, animal drinking water supply, ecosystem health, traditional resources, taonga species, wāhi tapu, Te Mana o Te Wai (TMoTW) and culturally significant sites. Concerns raised included mangrove control and implications, water quality, siltation, over-fishing, recreational activities disturbing bird species, freedom campers and lack of access for boating.

##### **Key Points - Members:**

- Considered there was a great amount of involvement and expertise required in this mahi, and it was important that everyone was involved to gain the outcomes desired. Noted that iwi/hapū also had members with more specialised knowledge in some of the subject matter, therefore a wide range of engagement was required to capture this
- Input should be gained from the Forum as well as separately from iwi/hapū to capture all perspectives

- Requested further information on when and how engagement with individual hapū would occur and that background information also be provided to them prior to visits
- One way to look at reinvigorating an area or species in decline was the ability to implement fisheries management through establishing a rohe moana that enabled operating under kaimoana regulations.

#### **In Response to Questions:**

- Feedback was not being sought at this meeting but members were requested to consider the tabled document for providing their thoughts to a future workshop
- Tangata whenua engagement was expected to begin in October 2022
- The Ōhiwa Harbour Strategy had been used as a baseline and tangata whenua were encouraged to provide further specifics and consider points such as freshwater values. Consider whether freshwater was being treated purely to look after the harbour or if there were specific improvements that needed to be made in the freshwater bodies e.g. Nukuhou river
- The green field in the table of the tabled document had 'H' and 'M' and 'L' to indicate high, medium and low values, where a question mark indicated that there was not enough information available to be certain whether these values existed in the harbour
- There was a separate workstream on threatened fish species around the Bay of Plenty, of which there were several in Ōhiwa Harbour and staff would provide further information to a future meeting once available.

#### **Items for Staff Follow Up:**

- All environmental management policy and regulatory functions were not in the same place, therefore achieving integrated outcomes meant engaging separately with all the different providers. Ensure that members were made aware of all options available and which parts of the environmental scope each related to.

## **Resolved**

### **That the Ōhiwa Harbour Implementation Forum:**

- 1 Receives the report, Essential Freshwater Policy Programme Update.**

**[Mokomoko/Bluett]  
[CARRIED]**

10.27 am – The meeting **adjourned.**

10.49 am – The meeting **resumed.**

## **7.3 Review of the Bay of Plenty Regional Navigation Safety Bylaws**

*Presentation: Navigation Safety Bylaws Review: Objective ID A4209407*

Senior Projects Manager Toni Briggs presented this item (via Zoom).

#### **Key Points:**

- Outlined the significance of the review of the navigational safety bylaws, the impacts to Ōhiwa Harbour and the water activities therein

- The fundamental premise of navigational safety bylaws was to ensure the safety of all participants on the water engaging in a wide range of activities
- Many of the existing regulations were driven by previous significant safety events, both nationally and internationally
- All regulation within the bylaws document needed to be for the purpose of ensuring maritime safety
- The bylaws were reviewed every five years and were made up of wide ranging legislation, including the Civil Aviation Act 1990, as seaplanes also needed to heed the bylaws
- Outlined the jurisdiction of the bylaws and the purpose of the Bay of Plenty Regional Navigation Safety Bylaws Review Committee
- Legacy issues existed within the bylaws that continued to be challenging in managing particularly busy areas, including the use of jet skis in Ōhiwa Harbour
- Currently jet skis were not allowed in most areas of the harbour – specific exclusion rules came into effect in 1998. At the time, the bylaws came under the Local Government Act 1974 – since the Act was amended in 2004 and maritime rules were updated, some of the supporting legislation for this exclusion had been repealed
- Under maritime rules, no vessel (including jet skis) could go more than five knots within 200m from shore
- There were many avenues to provide feedback to the navigational safety bylaws review, which were still being considered.

#### **Key Points - Members:**

- Raised the issue of drones used for fishing and other activities around the harbour, and whether these could be applicable to the bylaws
- The current status needed to be maintained to first and foremost look after the food source.

#### **Key Points - Pim de Monchy, Coastal Catchments Manager**

- The Forum could consider creating similar restrictions through the Regional Coastal Environment Plan (RCEP) on ecological and cultural grounds. A submission to the Navigation Safety Bylaws Review Committee could include a request that if the change was made to the current jet ski restrictions in Ōhiwa Harbour, that it be phased over a period of time until the review of the RCEP, which would allow for replacement provisions to be included.

#### **In Response to Questions:**

- The Harbourmaster held responsibility for the airspace over the water, therefore drone activity may be relevant
- Where mussel spat lines were in place, the five knot speed limit would apply and there could be further conditions put in place around structures which would provide additional protection
- The use of jet skis drove a complicated community debate as most people were either strongly for or against the issue
- Although there was a substantial infringement fine, this relied upon people being caught breaching the bylaws
- Turning education around to protection of the harbour and gaining community buy-in may be another solution to prevent breaches.

#### **Items for Staff Follow Up:**

- Consider alternative regulations and ways to protect the harbour outside of the bylaws - what other instruments, legislation and avenues were available to take to maintain the current status
- Look into funding options for creating an brochure for Upokorehe kaitiaki monitors (consider summer tourism funding), similar to the pipi monitoring brochure, as this was a good option for educating people visiting the harbour. These brochures and information could also been given out by the relevant councils and through visitor centres, campsites etc.

## Resolved

### That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, Review of the Bay of Plenty Regional Navigation Safety Bylaws;**
- 2 **Writes a submission to the Bay of Plenty Regional Navigation Safety Bylaws Review Committee in opposition to any changes to current jet ski bylaws in Ōhiwa Harbour.**

[Mokomoko/Ransfield]  
[CARRIED]

## 7.4 Ōhiwa fish passage project

*Presentation: Ōhiwa Fish Passage: Objective ID A4209405*

Environmental Scientist Erin Fox presented this item.

### **Key Points:**

- The project and purpose of alleviating barriers was taken from the Ōhiwa Harbour Strategy
- Outlined the lifecycle of eels and inanga, and that they used both saline and freshwater environments during different parts of their lifecycle
- Approximately 70% of all New Zealand freshwater fish species were migratory, this percentage was higher in Ōhiwa Harbour
- Highlighted fish passage barriers and the reasons they provided challenges to fish in a modified habitat. There were a number of different factors that contributed to structures being difficult for fish to navigate
- Explained the ways to increase stream connectivity for fish and mitigate these challenges
- Outlined the key outcomes the project sought to achieve
- 554 potential barriers were identified in the Ōhiwa catchment, with a total of 370 sites surveyed so far and 107 of these confirmed as barriers to fish passage
- Remediation options needed to find a balance between providing for the fish, whilst maintaining the structure
- Monitoring fish and the effects of the remediations was achieved through trapping, electrofishing and spotlighting, all of which were resource intensive and put a level of strain of the fish. eDNA was an upcoming resource to add to the fish monitoring toolbox
- Outlined how eDNA worked, the outcomes of eDNA method trials and the process for sampling
- eDNA sampling would be undertaken in 20 sites across the Ōhiwa catchment.

### **Key Points - Members:**

- Suggested an initiative for people to sponsor a fish remediation project to achieve quicker gains in this area. Care Groups may also be interested in assisting with fish passage remediation.

#### **In Response to Questions:**

- Square culverts were typically better for fish passage, although round culverts were less expensive
- The remediations used were designed to be low cost solutions so that they could be applied at scale
- Although trout ate native fish, the abundance of the population would need to be known in order to understand the impact of this
- A potential fish care programme to cover the Bay of Plenty region did not receive funding through the last Long Term Plan and Regional Council had been turned down twice from the Ministry for the Environment Freshwater Improvement Fund
- As remediations were relatively inexpensive, a large proportion could be completed within a few years if they were prioritised within the work programme.

#### **Items for Staff Follow Up:**

- Investigate alternative ways to accelerate the remediation for fish passage work - explore options for funding the work e.g. Submissions to BayTrust, Annual Plans and any other appropriate means.

## **Resolved**

### **That the Ōhiwa Harbour Implementation Forum:**

- 1 Receives the report, Ōhiwa fish passage project.**

**Riesterer/Ransfield  
CARRIED**

## **7.5 Ōhiwa Harbour Strategy annual work programme report for the 2021-22 year**

*Presentation: Annual Work Programme Report to 30 June 2022: Objective ID A4209403*

Land Management Officer Tim Senior presented this item.

#### **Key Points:**

- Provided highlights from the Ōhiwa catchment Progress Report Card
- It would take time for any of the work undertaken to start showing up in water quality
- It was important to remember that landowners contributed a similar amount of funding as Regional Council to this work
- Showed a map of all areas where Regional Council environmental programmes were underway
- Rabbits were a significant issue at Ōhope Spit, for which different methods of controlling them had been trialed
- Moth plant was an issue of concern in the dunes and the care group had removed many of the seed pods to prevent further spread
- A sign had been erected near where people parked to gather shellfish, to advise them of the significant bird nesting spot on the sand bar

- Department of Conservation had erected a chain at Tokitoki Historic Reserve to discourage vehicles and campers, which was cut shortly after being installed
- Provided an image of the new carpark for Onekawa Te Mawhai Regional Park
- The Regional Council biosecurity team had undertaken trapping of Asian Paddle crabs and caught eight in comparison to nine in 2021, which suggested there was not currently a rapid invasion in the harbour
- Kutarere works to address flooding issues had been undertaken by Waka Kotahi, Regional Council and Ōpōtiki District Council which appeared to be successful at this stage. Although some flooding occurred, it dissipated quickly as the water now had somewhere to go. The BOPRC engineering team would carry out further investigations
- Provided figures from the Land Cover Database about plantation forestry in the Ōhiwa catchment, but cautioned that the land use categories and data became more accurate over time
- There were other options than bylaws for addressing the complaints of vehicles on beaches e.g. through the RCEP, but all rules and regulations had the common problem of being able to police them.

#### **In Response to Questions:**

- Work had been undertaken in the past on what would happen in terms of sediment if the catchment had a large increase in forestry, although currently this did not appear to be the case.

## **Resolved**

### **That the Ōhiwa Harbour Implementation Forum:**

- 1 Receives the report, Ōhiwa Harbour Strategy annual work programme report for the 2021-22 year.**

**Ransfield/Bluett  
CARRIED**

## **Closing Comments of the Triennium from Members and Contributors to the Forum:**

- Thanked fellow members, staff and all who contributed to the mahi of the Forum
- The work to date in the Ōhiwa catchment was making a difference, which would continue to grow into a large improvement over time and return the catchment to its past beauty and abundance
- The fish barrier work was very positive - looked forward to progress being made with the data captured through eDNA
- Despite differences in perspectives, it was good to see people working well together towards a common cause. Expressed optimism for the future of the Ōhiwa taonga
- It was interesting to learn the many different components that came together and impacted upon the Forum, as well as the layers of council and government processes that needed to be worked through in order to achieve goals
- Acknowledged that with the end of a triennium came potential change although the kaupapa remained the overarching purpose. Every step achieved towards the goals made a difference - carry on the work because it is important. With time came growth, and with growth came impact

- Keeping with the tikanga of the harbour for the rohe, the kaitiakitanga within the harbour, and the resource management plans was important
- Staff greatly enjoyed their work in and around the harbour and witnessed positive change over a long period of time. Appreciated the opportunity to work in the social environment of the Forum, as well as the natural environment of Ōhiwa and contributing to make a difference.

## **8. Karakia Kati Closing Karakia**

A karakia was provided by Trevor Ransfield.

**12.52 pm - the meeting closed.**

**CONFIRMED**

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Cr Toi Kai Rākau Iti  
Chairperson, Ōhiwa Harbour Implementation  
Forum