

# Te Maru o Kaituna River Authority

## Ngā Meneti Open Minutes

**Commencing:** Friday 19 May 2023, 9.30 am

**Venue:** Council Chambers, Ground Floor, Regional House, 1 Elizabeth Street, Tauranga, and via Zoom

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

**Heamana Tuarua  
Deputy Chairperson:** Cr Matemoana McDonald (Bay of Plenty Regional Council Toi Moana) - elected at the meeting

**Ngā Kopounga  
Members:**

Bay of Plenty Regional Council Toi Moana  
Cr Te Taru White (Alternate) (via Zoom)

Tapuika Iwi Authority  
Geoff Rice (Alternate) (via Zoom)

Te Pumautanga o Te Arawa Trust  
Piki Thomas (via Zoom)  
Rawiri Kingi (Alternate)

Te Tahuhu o Tawakeheimoa Trust  
Nicki Douglas (via Zoom)

Rotorua Lakes Council  
Nick Chater (Lakes Community Board)

Western Bay of Plenty District Council  
Cr Andy Wichers  
Cr Grant Dally (Alternate)

Tauranga City Council  
Commissioner Bill Wasley (Alternate)

**Informal Members:** Te Komiti Nui o Ngāti Whakaue  
Maru Tapsell

**Te Hunga i Tae Ake  
In Attendance:** Co-governance Secretariat: Jane Waldon

Bay of Plenty Regional Council Toi Moana: Chris Ingle - General Manager Integrated Catchments; Pim de Monchy -

Coastal Catchments Manager; Jo Watts – Senior Planner (Water Policy); Margaret Courtney – Senior Advisor Te Amorangi; Nassah Rolleston-Steed – Principal Advisor, Policy and Planning; Jackson Efford – Principal Advisor, Land and Water; Anna Dawson – Land Management Officer; Kate Barnes – Communications Partner (via Zoom); Steve Groom – Governance Manager; Jenny Teeuwen – Committee Advisor

Western Bay of Plenty District Council: Deputy Mayor John Scrimgeour (via Zoom); Katy McGinity (via Zoom)

External: Peter Ellery; Mark Hatchman and Glenda Defaur – Quayside Holdings Ltd; Shadrach Rolleston, Rohario Murray (via Zoom), Isabella Wilson (via Zoom), David Haines (via Zoom), Harmony Karikari (via Zoom) – Ministry for the Environment; Rewi Henderson (via Zoom) – Te Arawhiti; Roana Bennett (via Zoom) – Ngāti Whakaue

## Ngā Hōnea Apologies:

Cr Lani Kereopa (Rotorua Lakes Council); Cr Jane Nees (Bay of Plenty Regional Council Toi Moana); Erin Thompson (Te Tahuhu o Tawakeheimoa Trust); Karena Bird (Te Komiti Nui o Ngāti Whakaue), and Commissioner Shadrach Rolleston (Tauranga City Council) for absence; Cr Matemoana McDonald (Bay of Plenty Regional Council Toi Moana) for late arrival; Commissioner Bill Wasley (Tauranga City Council) for absence from 10.20am to 12.00pm; Nick Chater (Lakes Community Board) for early departure.

### 1. Chair's Opening Statement

The Chair formally opened the hui and advised that the hui was being recorded and that the recording would be uploaded to the Bay of Plenty Regional Council website and could be accessed via this link:

[Te Maru o Kaituna - Zoom Video Recording 19 May 2023 - YouTube](#)

### 2. Karakia Whakatuwhera Opening Karakia

A karakia was provided by the Chair, Dean Flavell.

### 3. Ngā Hōnea Apologies

#### Resolved

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

- 1 Accepts the apologies from Cr Lani Kereopa, Cr Jane Nees, Commissioner Shadrach Rolleston, Erin Thompson and Karena Bird for absence; Cr Matemoana McDonald for late arrival; Nick Chater for early departure; and Commissioner Bill Wasley for absence from 10.20am to 12.00pm, tendered at the meeting.**

**Wasley/Chater  
CARRIED**

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

Cr Grant Dally declared an interest in Item 8.3, Presentation - Update on Lawrence Oliver Park wetland and Waiari bathing site.

#### **5. Ngā Meneti Minutes**

##### **Kia Whakaūngia Ngā Meneti Minutes to be Confirmed**

##### **5.1 Te Maru o Kaituna River Authority Minutes - 19 August 2022**

###### **Resolved**

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

- 1 Confirms the Te Maru o Kaituna River Authority Minutes - 19 August 2022 as a true and correct record.**

**Flavell/Wasley  
CARRIED**

#### **6. Raupapa o Ngā Take Order of Business**

The Chair advised that due to the late arrival of the presenter for Item 8.1 - Presentation - Constructed habitat for our Ikawai/Translocation of Giant Kokopu, Items 9.1 - Change of membership - Te Maru o Kaituna River Authority, and 9.2 - Appointment of Te Maru o Kaituna River Authority Deputy Chairperson, would be taken next.

9.39am - Cr McDonald **entered** the meeting

#### **7. Ngā Pūrongo Reports**

##### **Ngā Whakatau e Hiahiatia Ana Decisions Required**

##### **7.1 Change of Membership - Te Maru o Kaituna River Authority**

Presented by: Dean Flavell - Chair  
Pim De Monchy - Coastal Catchments Manager

###### **Resolved**

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

- 1 **Receives the report, Change of Membership - Te Maru o Kaituna River Authority.**
- 2 **Notes the appointments of Cr Matemoana McDonald as the appointed member for Bay of Plenty Regional Council, Cr Te Taru White as the alternate member and Cr Jane Nees as the informal member.**
- 3 **Notes the appointments of Mr Nick Chater (Lakes Community Board) as the appointed member for Rotorua Lakes Council and Cr Lani Kereopa as the alternate member.**
- 4 **Notes the appointments of Cr Andy Wichers as the appointed member for Western Bay of Plenty District Council and Cr Grant Dally as the alternate member.**
- 5 **Notes the appointments of Commissioner Shadrach Rolleston as the appointed member for Tauranga City Council and Commissioner Bill Wasley as the alternate member.**
- 6 **Notes the reappointments of Piki Thomas as the appointed member for Te Pumautanga o Te Arawa Trust and Rawiri Kingi as the alternate member.**
- 7 **Notes the reappointment of Nicki Douglas as the appointed member of Te Tahuhu o Tawakeheimoa Trust.**

**McDonald/Dally  
CARRIED**

## **7.2 Appointment of Te Maru o Kaituna River Authority Deputy Chairperson**

Presented by: Dean Flavell - Chair  
Pim De Monchy - Coastal Catchments Manager

### **Resolved**

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

- 1 **Receives the report, Appointment of Te Maru o Kaituna River Authority Deputy Chairperson.**

**Thomas/Wasley  
CARRIED**

The Chair advised that Te Maru o Kaituna River Authority was required to decide on the voting system before the Deputy Chairperson election process could commence.

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

- 2 **Resolves to use System B in electing a Deputy Chairperson.**

**Flavell/Douglas  
CARRIED**

The Chair then called for nominations for the position of Deputy Chairperson.

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

- 3 **Receives the nomination of Cr Matemoana McDonald as the Deputy Chairperson of the Bay of Plenty Regional Council Toi Moana.**

**White/Thomas  
CARRIED**

There were no further nominations.

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

- 4 Appoints Cr Matemoana McDonald as Deputy Chairperson of Te Maru o Kaituna River Authority for a period of three years pursuant to Schedule 5, section (1) of the Tapuika Claims Settlement Act (2014).**

**Chater/Tapsell  
CARRIED**

## **8. Whakaaturanga Presentations**

### **8.1 Presentation - Constructed habitat for our Ikawai/Translocation of Giant Kokopu**

Presented by: Peter Ellery

*Presentation: Constructed habitat for our Ikawai/Translocation of Giant Kokopu:  
Objective ID A4374812 [⇒](#)*

10.20am – Commissioner Bill Wasley **left** the meeting.

#### **Key Points**

- Provided background to the Ikawai project including how the borrow pits (new ponds) were formed at Kaituna River and when it was first identified that inanga were using the ponds as a spawning area.
- Trapping numbers indicated that inanga preferred the off-river habitat to the main stem.
- Awareness of how important the ponds were to regenerating fish habitat was growing.
- Work was now underway on new ponds where the Pongakawa and Pukehina canals met, just above the Waihi estuary.
- Provided overview of giant kokopu which were considered to be chronically threatened and in decline. While the Bay of Plenty was described as having a major population of giant kokopu, there were actually very few of them.
- The tidal wetland ponds that had been constructed to enhance inanga habitat were potentially an ideal habitat for giant kokopu. It was proposed that of mix of kokopu whitebait and well-developed juveniles be sourced and translocated to this habitat to seed the base kokopu population.

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

- The giant kokopu would come from a captive facility in Warkworth, but the origin of the fish in the facility had not been identified.

#### **Key Points Members**

- New environments needed to be created in response to the movement of the fish, not just rely on statistics.
- It was important to know where the translocated fish were coming from. Fish being translocated from a manufactured source (fish farm) would need to be carefully considered.

- This was an exciting proposal which would push the boundaries of old policy and could create space for innovation and new policy.

## 8.2 Presentation - Rangiuru Business Park Update

Presented by: Mark Hatchman and Rawiri Waru - Quayside Holdings Ltd

Presentation: *Rangiuru Business Park: Objective ID A4378152* [↗](#)

### Key Points

- Provided an overview of the Rangiuru Business Park and the Business Park's wider environmental factors which were focussed on economic, social, environmental, and cultural wellbeing.

### In Response to Questions

- A large pond had been developed at the Business Park to keep the discharge out to the Kaituna River as low as possible.

### Key Points Members

- More consideration needed to be given to the social capital aspect of the Business Park.
- Acknowledged Quayside's thinking around wastewater, stormwater and the supply of water to the Park's development, in both the pre-development and post-development stages.

11.02am - the meeting **adjourned**.

11.20am - the meeting **reconvened**.

## 9. Whakahoutanga Kōrero Verbal Updates

### 9.1 Chairperson's Report - Verbal Update

The Chair advised that there was no Chairperson's update.

### 9.2 Te Maru o Kaituna River Authority Secretariat - Verbal Update

Presented by: Jane Waldon - Co-governance Secretariat

#### Key Points

- Provided an update on activities since February 2023.
- The symposium scheduled to be held in April 2023 had been postponed. It was now planned for 2025.
- The Rangitāiki River Forum would be appointing a new Chairperson at their meeting on 2 June 2023.
- A new co-governance committee had been formed as a result of the Ngāti Rangitahi Treaty settlement - Tarawera Awa Restoration Strategy Group.

- Currently seeking legal advice regarding forming a charitable trust to manage external funding received by Te Maru o Kaituna River Authority for environmental projects on the Kaituna River. This would come back to Te Maru o Kaituna River Authority for approval.

#### **Key Points Members**

- Te Arawa Lakes Trust would be hosting the 2024 Te Wai Māori Conference in Rotorua and it was suggested that Te Maru o Kaituna River Authority may wish to approach Te Arawa Lakes Trust regarding having a spot on the conference agenda.

### **Resolved**

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

- 1 Receives the attachment Te Maru o Kaituna Secretariat February 2023 Update Report.**

**Flavell/McDonald  
CARRIED**

## **7. Ngā Pūrongo Reports (Continued)**

### **Ngā Whakatau e Hiahiatia Ana Decisions Required**

#### **7.3 December 2022 - April 2023 Te Maru o Kaituna Quarterly Report**

Presented by: Chris Ingle – General Manager Integrated Catchments  
Pim De Monchy - Coastal Catchments Manager

#### **Key Points**

- Introduced Anna Dawson – Land Management Officer. Anna worked with landowners within the Kaituna catchment.
- Update provided for project 1B – Upgraded pump station at Ford Road, noting the change in the consenting strategy for the pump station upgrade.
- Update provided for project 14 – Upper Catchment ‘Gateway’. Significant funding had been received from Rotorua Trust to continue the work in to the Ōkere Falls area.

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

- Cultural impact assessments associated with the Ford Road pump station upgrade had been commissioned but not all reports had been received.
- The discharge from the proposed new pump station would be a similar volume to the existing, but have a reduced impact on cultural and ecological values compared with the current situation as around 80% of the pumped discharge would avoid the estuary and flow out to sea at Te Tumu Cut instead.
- The uptake of best practice drain management was voluntary; however, the demand from landowners was high with around two kilometres planned for this financial year.

- There were a number of funders involved with the different projects within Te Tini a Tuna Kaituna Action Plan including individual councils and iwi members, as well as co-funding from central government e.g. Ministry for the Environment (MfE) and the Ministry for Primary Industries (MPI).
- The Compliance Rating Count in Project 3 – Consented Takes and Discharges, referred to the total number of compliance monitoring actions, not the number of consents. An explanation was provided for the three levels of compliance rating risks – low risk, moderate non-compliance, and significant non-compliance.

## Resolved

### That Te Maru o Kaituna River Authority:

- 1 Receives the report, December 2022 - April 2023 Te Maru o Kaituna Quarterly Report.**
- 2 Notes the change in consenting strategy for the Ford Road pump station upgrade project as detailed in Project 1B.**
- 3 Agrees to reduce the frequency of full status reporting to the February and August hui and to receive presentations on selected projects as requested by TMoK at the May and November hui.**
- 4 Supports the translocation of giant kokopu into the Kaituna River catchment as proposed by Peter Ellery in his presentation to the Authority at today's meeting, to bolster the small existing population, and requests that the Regional Council works with Peter on the planning and implementation of such a project.**

**Douglas/McDonald  
CARRIED**

## Hei Pānui Anake Information Only

### 7.4 Freshwater Hearing Panel Recommendations for Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement

Presented by: Nassah Rolleston-Steed – Principal Advisor, Policy and Planning

#### Key Points

- The recommendations of the Independent Freshwater Hearing Panel for Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement had been presented to Regional Council and adopted at their meeting on 4 May 2023. The decisions had now been notified.
- The ability of submitters to make appeals was limited. Submitters could only appeal to the High Court on a point of law. If no High Court appeals were received, staff would prepare a report to Regional Council seeking to make Proposed Change 5 operative.
- Te Maru o Kaituna River Authority would be able to utilise the provisions within the plan change to support their actions or projects within the Kaituna catchment.
- Acknowledged the first anniversary of the passing of Moana Boyd, Regional Council staff member. Moana had been a key part of the earlier stages of the Plan Change 5 process and her work and effort was acknowledged.



**Key Points Members**

- Appreciation was expressed to the Chair for making and presenting the Te Maru o Kaituna River Authority submission to the Independent Freshwater Hearing Panel on behalf of the members.
- The Chair acknowledged the members of Te Maru o Kaituna River Authority, especially iwi members, who continued to sacrifice part of their normal daily lives to ensure the protection of the Kaituna River.
- All staff who had worked with Te Maru o Kaituna River Authority to achieve the plan change were also acknowledged.

12.06pm – Commissioner Bill Wasley **re-entered** the meeting.

**Resolved**

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

- 1 Receives the report, Freshwater Hearing Panel Recommendations for Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement.**

**Chater/Douglas  
CARRIED**

**7.5 Essential Freshwater Policy update - engagement in Kaituna**

Presented by: Jo Watts - Senior Planner (Water Policy)  
Margaret Courtney - Senior Advisor Te Amorangi

**Key Points**

- Freshwater community engagement sessions were well underway.
- Provided update on drop-in sessions that had already been held and the dates for upcoming drop-in sessions and hui ā rohe.
- An electronic version of The Kaituna Freshwater Management Unit (FMU) Story booklet had been circulated to members.

12.26pm – Nick Chater **left** the meeting.

**Key Points Members**

- It was suggested that Te Maru o Kaituna iwi members met with appropriate Regional Council staff with a view to providing strategic guidance around the application of mātauranga Māori into the freshwater process, and guidance around how to start the conversation with iwi/hapū at that point. The Secretariat role undertook to organise the hui and would liaise with the appropriate Regional Council staff.

**Resolved**

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

- 1 Receives the report, Essential Freshwater Policy update - engagement in Kaituna.**

**Wasley/Wichers  
CARRIED**

## 8. Whakaaturanga Presentations (Continued)

### 8.3 Presentation - Update on Lawrence Oliver Park wetland and Waiari bathing site

Presented by: Jackson Efford – Principal Advisor, Land and Water and Cr Grant Dally

*Presentation:* *Lawrence Oliver Park wetland and Waiari bathing site: Objective ID A4377975* [⇒](#)

#### **Key Points**

- Provided an update for the Lawrence Oliver Park wetland project.
- Provided overview of the proposed project to enhance the Waiari swimming area currently known as Waiari Landing.
- Seeking Te Maru o Kaituna River Authority endorsement for the Waiari swimming area project.

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

- Overall support was expressed for both the Lawrence Oliver Park wetland proposal, and the Waiari swimming area enhancement project.

### 8.4 Presentation - Crown commitments to upholding Treaty settlement arrangements in the new Resource Management system

Presented by: Shadrach Rolleston, Rohario Murray (via Zoom), Isabella Wilson (via Zoom), David Haines (via Zoom), Harmony Karikari (via Zoom) – Ministry for the Environment  
Rewi Henderson (via Zoom) – Te Arawhiti

*Presentation:* *RM Reform and Te Maru o Kaituna: Objective ID A4377769* [⇒](#)

#### **Key Points**

- Set context of the resource management reforms and provided overview of the new legislation.
- Outlined the process to transition Te Maru o Kaituna to the new resource management system including what was required in terms of amending the Tapuika Claims Settlement Act 2014.
- Changes could not be imposed on Post Settlement Governance Entities (PSGEs) and would be by mutual agreement.
- The Crown had 18 months from enactment to work through the process with PSGEs – expected to be completed by mid 2024.

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

- The Crown was obligated to assist PSGEs through this process and they were mindful of the PSGE commitment and resource that would be required. Any requests from PSGEs for extra resource would be taken back to the Ministry for the Environment (MfE) for consideration.

- The direct relationship between the Regional Planning Committee (RPC) and Regional Council would remain, however, it was intended that the RPC would enter into a relationship agreement with Te Maru o Kaituna River Authority.
- It was intended that established action plans would be maintained through the relationship agreement between Te Maru o Kaituna River Authority and the RPC, but how that was framed was still to be determined. The challenge would be how to move forward without the loss of momentum and progress that Te Maru o Kaituna had already made.
- Arrangements for Te Maru o Kaituna River Authority would be the same as for the Rangitāiki River Forum and Tauranga Moana Advisory Group. The intent was to uphold the current status in the new system.

#### **Key Points Members**

- Needed to ensure there were no disadvantages or changes to the fundamentals of the existing Settlement Agreement through the amendment and replacement of the Resource Management Act.
- Care was needed to ensure the essence of the Settlement Agreement and what had already been built and developed by Te Maru o Kaituna River Authority would not be lost, noting that the Authority and partners had (with the development and implementation of Te Tini a Tuna and the projects within it) made significant progress since the 2014 settlement legislation.

## **10. Karakia Kati Closing Karakia**

A closing karakia was provided by Piki Thomas.

**1.30 pm – the meeting closed.**

**CONFIRMED 4 AUGUST 2023**

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Dean Flavell  
Chairperson, Te Maru o Kaituna River Authority