



# 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 at Makahae Marae Te Kahika Pā, Te Kahika Road West, Te Puke on:

FRIDAY 3 MAY 2024 COMMENCING AT 9.30 AM

**Please note:** A pōwhiri will take place at 9:30 am followed by a short kapu ti. The meeting proper will commence at approximately 10.30 am.

Dean Flavell  
Chairperson, Te Maru o Kaituna River Authority  
22 April 2024

# Te Maru o Kaituna River Authority

## Membership

<b>Chairperson</b>	Dean Flavell (Tapuika Authority Trust)
<b>Deputy Chairperson</b>	Cr Matemoana McDonald (Bay of Plenty Regional Council Toi Moana)
<b>Iwi Members</b> 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
<b>Council Members</b> One representative each appointed by: Bay of Plenty Regional Council Toi Moana  Rotorua Lakes Council  Western Bay of Plenty District Council  Tauranga City Council	Cr Te Taru White (Alternate)  Mr Nick Chater (Lakes Community Board) Cr Lani Kereopa (Alternate)  Cr Andy Wichers Cr Grant Dally (Alternate)  Commissioner Shadrach Rolleston Commissioner Bill Wasley (Alternate)
<b>Informal Members</b> Two informal members with voting rights appointed by: Te Komiti Nui o Ngāti Whakaue  Bay of Plenty Regional Council Toi Moana	Maru Tapsell Karena Bird (Alternate)  Cr Jane Nees
<b>Quorum</b>	The Chairperson or Deputy Chairperson and two members appointed by iwi and two members appointed by the local authority appointing organisations
<b>Meeting frequency</b>	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. Whakapuakanga o Ngā Take Whai Taha-Rua  
Declaration of Conflicts of Interest**

**4. Ngā Meneti  
Minutes**

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

**4.1 Te Maru o Kaituna River Authority Minutes - 23 February 2024 7**

**5. Whakaaturanga  
Presentations**

**5.1 Project Support for Te Maru o Kaituna River Authority**

Presented by: Raponi Wilson - Tapuika Iwi Authority.

**5.2 Bluehaven Development at Wairakei South**

Presented by: Nathan York - Bluehaven

**6. Whakahoutanga Kōrero  
Verbal Updates**

**6.1 Chairperson's Update**

Presented by: Dean Flavell

**7. Tuwhera ki te Iwi Whānui  
Open Forum**

A short period of time will be set aside at the conclusion of the meeting to enable tangata whenua and members of the public present to raise matters. Any matters raised and the time allowed for each speaker will be at the discretion of the Chairperson.

No decisions can be made from matters raised in the Open Forum.

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

# Te Maru o Kaituna River Authority

## Ngā Meneti Open Minutes

**Commencing:** Friday 23 February 2024, 9.30am

**Venue:** Council Chambers, Ground Floor, Regional House, 1 Elizabeth Street, Tauranga, and via Zoom (audio visual meeting)

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

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

**Ngā Kopounga  
Members:**

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

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

Te Pumautanga o Te Arawa Trust  
Rawiri Kingi (Alternate)

Te Tahuhu o Tawakeheimoa Trust  
Nicki Douglas (via Zoom)

Rotorua Lakes Council (RLC)  
Nick Chater (Lakes Community Board)  
Cr Lani Kereopa (Alternate) (via Zoom)

Western Bay of Plenty District Council (WBOPDC)  
Cr Andy Wichers

Tauranga City Council (TCC)  
Commissioner Bill Wasley (Alternate)

**Informal Members:**

Te Komiti Nui o Ngāti Whakaue  
Maru Tapsell

Bay of Plenty Regional Council Toi Moana  
Cr Jane Nees

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

BOPRC: Pim de Monchy - Coastal Catchments Manager; Merehine Waiari - Senior Advisor; Herewini Simpson - Kaihautu (Te Amorangi Lead) (via Zoom); Jo Watts - Senior Planner (Water Policy); Jenny Teeuwen - Committee Advisor

WBOPDC: Deputy Mayor John Scrimgeour (via Zoom); Jason Crummer - Recreation Planner (via Zoom)

External: Roana Bennett - Ngāti Whakaue (via Zoom); Raponi Wilson - Tapuika Iwi Authority (via Zoom)

## Ngā Hōnea Apologies:

Commissioner Shad Rolleston - TCC, Erin Thompson - Te Tahuhu o Tawakeheimoa Trust (Alternate), for absence, and Cr Te Taru White - BOPRC (Alternate), for early departure.

### 1. Chairperson's Opening Statement

Dean Flavell, Chairperson, 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 - 23 February 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

### 2. Karakia Whakatuwhera Opening Karakia

A karakia was provided by Dean Flavell.

### 3. Ngā Hōnea Apologies

#### Resolved

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

- 1 Accepts the apologies from Commissioner Shad Rolleston and Erin Thompson for absence, and Cr Te Taru White for early departure, tendered at the meeting.**

**Wasley/Nees  
CARRIED**

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

The following declarations of conflicts of interest were noted:

- Cr Jane Nees for Item 5.1 Confirmation of Minutes, Matters Arising - Bay of Plenty Navigation Safety Bylaws Review, as member of the BOPRC Navigation Safety Bylaws Hearings Panel, and Item 6.1 Chairperson's report - Bell Road Proposal, as a member of the SmartGrowth Leadership Group.
- Commissioner Bill Wasley for Item 6.1 Chairperson's report - Bell Road Proposal, as a member of the SmartGrowth Strategy Hearings Panel.



## 5. Ngā Meneti Minutes

### Kia Whakaūngia Ngā Meneti Minutes to be Confirmed

#### 5.1 Te Maru o Kaituna River Authority Minutes - 24 November 2023

##### Resolved

That the Te Maru o Kaituna River Authority:

- 1 Confirms the Te Maru o Kaituna River Authority Minutes - 24 November 2023 as a true and correct record.

McDonald/Kingi  
CARRIED

##### Matters Arising

##### Navigation Safety Bylaws Review

Cr Nees declared a conflict of interest for this item as a member of the Regional Council Navigation Safety Bylaws Hearings Panel.

- Members were reminded that submissions closed on Thursday 29 February 2024.
- Copies of the consultation document and submission forms were made available in chambers for Te Maru o Kaituna River Authority (TMoK) members present. The documents could also be found on Bay of Plenty Regional Council's (BOPRC) Participate webpage, link: [Navigation Safety Bylaws | Participate BOPRC](#).
- Members were reminded of the four options for proposed speed limit changes for the Kaituna River.
- Western Bay of Plenty District Council (WBOPDC) had submitted supporting Option 4: Remove Speed Uplifting on lower river (from river mouth to Mangorewa River confluence), based on the alignment with access to the Kaituna River.

## 6. Whakahoutanga Kōrero Verbal Updates

### 6.1 Chairperson's Verbal Update

*Presentation: Wairakei South Bell Road Proposal: Objective ID A4608425*

Presented by: Dean Flavell – Chairperson  
Pim De Monchy – Coastal Catchments Manager

Bell Road Proposal – Pim De Monchy – Coastal Catchments Manager

Conflicts of interests for this item were declared by Commissioner Bill Wasley as a member of the SmartGrowth Strategy Hearings Panel, and Cr Jane Nees as a member of the SmartGrowth Leadership Group (SLG).

**Key Points**

- Provided a brief outline of the proposal to develop an area of land near Bell Road on the Southern side of the Tauranga Eastern Link (TEL). The land fell inside TMoK's rohe.
- Submissions on the proposal had already been heard by the SmartGrowth Strategy Hearings Panel. The Panel's recommendations would be considered by the SLG at their meeting on 23 April.
- It was suggested that TMoK might want to engage with SmartGrowth to see if there was an opportunity to learn more about the proposal and get involved.

**Key points - Members**

- It was important that the proposed development was assessed against the Kaituna River Document and what TMoK was trying to achieve and what the impacts/implications might be, before deciding on whether the voice of the Kaituna River needed to be heard in this case.
- Suggested that the developer, Blue Haven Limited, be invited to present at the next TMoK meeting in early May 2024.

Bathing Water Quality – Pim De Monchy – Coastal Catchments Manager

**Key Points**

Water samples were taken from bathing sites around the region from Labour Weekend to Easter every year. This summer, no criterion exceedances had been recorded for the E.coli or Enterococci bacteria at Te Matai and Waiari bathing sample sites, which meant that both sites had been in the green zone all summer and people had been swimming safely.

Ministry for the Environment (MfE) update regarding new Government 100 day plan – Dean Flavell

**Key Points**

- MfE had met with the Chairs of TMoK, Rangitāiki River Forum (RRF), Tarawera Awa Restoration Strategy Group (TARSG), and the Tauranga Moana Advisory Group (TMAG) to provide an update on the intention of the new Government's 100 day plan. It had been requested that MfE meet with BOPRC's co-governance Chairs' together to ensure everyone received the same message at the same time.
- There was still little clarity around proposed changes; however, it was reported that the co-governance arrangements currently in place arising out of treaty settlements were not expected to be affected.

Offer from New Zealand Transport Agency (NZTA) Waka Kotahi - Pim De Monchy – Coastal Catchments Manager

**Key Points**

Members were made aware of an offer made to BOPRC from NZTA Waka Kotahi to consider the purchase of a piece of land adjacent to the Bell Road boat ramp. The land had been acquired via the Public Works Act for the TEL development, but NZTA Waka Kotahi had now declared the land as surplus and no longer required.

## 7. Ngā Pūrongo Reports

### 7.1 New contract to support Te Maru o Kaituna River Authority

Presented by: Pim de Monchy - Coastal Catchments Manager  
Raponi Wilson - Taiao Operations Manager, Tapuika Iwi Authority

#### Key Points

- Introduced Raponi Wilson.
- Provided explanation for why changes to the delivery of TMoK's secretariat services were being made and how these services would be delivered going forward.
- A contract had been negotiated with Tapuika Iwi Authority to provide support and project delivery for the unfunded or underfunded kaupapa within Te Tini a Tuna (TMoK's Action Plan) rather than for a more generic secretariat approach. The scope of the contract was outlined on page 15 of the Agenda.
- BOPRC had \$100,000 budget available for this work spread over two financial years ending 30 June 2025. The contract was for \$110,000. Rather than reduce the scope of the work to be delivered, it was recommended that TMoK consider meeting the \$10,000 shortfall from its own budget split over 2023/24 (\$3,000) and 2024/25 (\$7,000).
- The contract would be administered by BOPRC.

10.11am - Cr White **withdrew** from the meeting.

#### **Resolved**

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

- 1 Receives the report, New contract to support Te Maru o Kaituna River Authority; and**
- 2 Approves the allocation of \$10,000 from Te Maru o Kaituna River Authority's (TMoK) funds to add to the Bay of Plenty Regional Council (BOPRC) budget for the work within the TMoK support contract, spread over the 2023/24 and 2024/25 financial years.**

**Chater/Douglas  
CARRIED**

### 7.2 August 2023 - January 2024 TMoK Biannual Report

Presented by: Pim de Monchy - Coastal Catchments Manager

It was noted that a verbal update on the Freshwater Policy Programme timeframes and the implications for Project 2 of the Action Plan, would be provided under Item 6.2.

#### **Resolved**

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

- 1 Receives the report, August 2023 - January 2024 TMoK Biannual Report.**

**Chater/Douglas  
CARRIED**

### 7.3 Long Term Plan 2024-2034 Consultation

*Presentation: LTP Consultation: Objective ID A4608421*

Presented by: Merehine Waiari – Senior Advisor

#### Key Points

- Provided an update on the Long Term Plan 2024-2034 (LTP) process and how BOPRC would be consulting with tangata whenua over the next two months.
- Provided overview of the new community outcome - Te Ara Poutama; tangata whenua feedback on the new outcome welcomed.
- Consulting on three key issues – regional transport, the staged sell down of Port of Tauranga shares, and regional parks.
- Acknowledged the present high demands on tangata whenua to respond to various kaupapa and juggle competing priorities, but it was important that there were opportunities for tangata whenua to be informed on the LTP and provide feedback.
- Outlined BOPRC’s plan for direct engagement with Māori. More detail for this engagement would be available on BOPRC’s Participate webpage over the next two weeks – link: [Home | Participate BOPRC](#).
- Separate meetings could be set up for TMoK members who would like to discuss the LTP in further detail.
- Key LTP dates:
  - Consultation period - 8 March to 9 April 2024
  - Submission hearings and deliberations - May 2024
  - Adoption of final LTP 2024-2034 – June 2024

#### In Response to Questions

- BOPRC were currently looking at proposals for two new regional parks. Because regional parks had an ongoing operating cost, BOPRC wanted to gauge from the community if they valued regional parks and if they would support BOPRC’s investment in more regional parks.
- TMoK’s Contracted Support (through Tapuika Iwi Authority) would look to assist with/coordinate TMoK’s input into the LTP.

#### Key Points - Members

- TMoK iwi reps were encouraged to touch base with BOPRC staff as a collective, and/or separately if required.

### Resolved

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

- 1 Receives the report, Long Term Plan 2024-2034 Consultation.**

**Wasley/McDonald  
CARRIED**

## 6. Whakahoutanga Kōrero Verbal Updates (Continued)

### 6.2 Freshwater Policy Programmes - Timeframes

Presented by: Jo Watts - Senior Planner (Water Policy)

#### Key Points

- Provided an overview of the Resource Management and Freshwater reforms currently underway as part of the new Government's 100 plan.
- The statutory deadline for notifying regional plan changes to implement the National Policy Statement for Freshwater Management 2020 (NPS-FM) had been extended from December 2024 to December 2027.
- In December 2023, BOPRC had postponed making a decision to release the draft proposed Regional Policy Statement (RPS) Change 7 (Freshwater) and the Regional Natural Resources Plan (RNRP) Change 19 (Freshwater), pending clarification of the new Government's direction for the NPS-FM.
- A report had been presented to the 20 February 2024 Strategy and Policy Committee to revisit the timeframe for notification of the changes. The Strategy and Policy Committee resolved "*to extend the timeframe for notifying proposed RPS Change 7 (Freshwater) and proposed RNRP Change 19 (Freshwater) from December 2024 to September 2025*".
- Staff would report back to the Strategy and Policy Committee in April 2024 with a revised Freshwater Policy work programme for consideration, which would include the timing for release of draft freshwater changes.
- The notification date change had a slippage implication for Project 2 in Te Tini a Tuna. This had been signalled in the biannual report.

#### In Response to Questions

- The option remained available to Council to further extend the notification deadline if, prior to the September 2025 notification date, it became obvious that NPS-FM changes would require significant amendments to the plan changes that would take more time.

## 8. Karakia Kati Closing Karakia

A karakia was provided by Geoff Rice.

**10.52am - the meeting closed.**

**CONFIRMED**

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Dean Flavell  
Chairperson, Te Maru o Kaituna River Authority