

Rangitāiki River Forum

Ngā Meneti Open Minutes

Commencing: Friday 7 June 2024, 10:30AM

Venue: Mataatua Room, Bay of Plenty Regional Council Building, 5 Quay Street, Whakatāne and via Zoom (Audio Visual Meeting)

Heamana

Chairperson: Terewai Kalman (Te Rūnanga o Ngāti Manawa)

Heamana Tuarua

Deputy Chairperson: Te Taute Taiepa (Te Rūnanga o Ngāti Whare)

Ngā Kopounga

Members:

Bay of Plenty Regional Council Toi Moana (BOPRC):

Cr Malcolm Campbell, Cr Kevin Winters
Cr Kat Macmillan (Via Zoom)

Ngāti Tūwharetoa (BOP) Settlement Trust:

Katishe McCauley

Whakatāne District Council:

Cr Tuwhakairiora O'Brien

Te Rūnanga o Ngāti Manawa:

Alternate Karito Paul

Te Kotahitanga o Ngāti Tūwharetoa:

Whakaeke Ritete (Via Zoom)

Taupō District Council:

Cr John Williamson (Via Zoom) and Cr Yvonne Westerman (Alternate) (Via Zoom)

Te Hunga i Tae Ake

In Attendance:

BOPRC: Chairman Doug Leeder (in part), Chris Ingle – General Manager Integrated Catchments, Staff Presenters – as listed in the minutes, Kerry Brown – Kaitohutohu Taiao Matua (Senior Advisor), Shari Kameta – Committee Advisor
Externals: Janice Wall – Hineuru Iwi Trust, Jane Waldon – Co-Governance Secretariat

Ngā Hōnea

Apologies:

Ngapera Rangiaho (Tūhoe Te Uru Taumatua), Miro Araroa and Mihipeka Sisley (Alternate) (Te Rūnanga o Ngāti Awa), Cr Wilson James (Alternate, Whakatāne District Council), Koriiana Hooker and Ngawai Crawford (Alternate) (Hineuru Iwi Trust)

1. Karakia Whakatuwhera Opening Karakia

A karakia was provided by Te Taute Taiepa.

Chairperson's Announcement

With the leave of the Forum, the Chair welcomed Hineuru Iwi Trustee Janice Wall (in the absence of Hineuru's appointed members) and BOPRC Chairman Doug Leeder to sit at the table and speak at the meeting.

2. Ngā Hōnea Apologies

Resolved

That the Rangitāiki River Forum:

- 1 Accepts the apologies from Ngawai Crawford, Koriiana Hooker, Cr Wilson James, Ngapera Rangiaho, Miro Araroa and Mihipeka Sisley tendered at the meeting.**

**Campbell/Winters
CARRIED**

3. Wāhanga Tūmatanui Public Forum

3.1 Scotty Muir - Lake Aniwhenua Hydraulic Modelling

Tabled Document 1 - Lake Aniwhenua sedimentation maps, monitoring and hydraulic model: Objective ID A4689598

Tabled Document 2 - Aerial map 1941: Objective ID A4696539

Mr Scotty Muir's public forum address followed the address provided to the Forum's meeting held on 16 November 2023 regarding sedimentation buildup at Lake Aniwhenua delta above Rabbit Bridge, Galatea.

Key Points:

- Referred to aerial maps taken in 1987 at the top end of the dam, following the dam's commencement, through to June 2024 alongside monitoring and hydraulic modelling information (refer Tabled Document 1)
- Sedimentation buildup had allowed willows to fully establish and degrade the main channel in the delta
- Although sedimentation buildup had created 7-hectares of wetland and biodiversity habitat for tuna, fish species, wildlife and recreational fishing, there were a number of disadvantages, i.e.:
 - Approximately 15,000 m³ of lost water storage for electricity generation. Noted that drawdown testing carried out in circa. 2000 by Graeme O'Rourke, (Regional Council) and Craig Rowe (Aniwhenua dam) had not alleviated the issue at Rabbit Bridge
 - Instead of gravel being evenly distributed, buildup was stockpiling from Rabbit Bridge to the Horomanga confluence

- During high rainfall events, the shallow levity of Aniwhenua dam caused the dam to fill quickly resulting in farmland flooding above Rabbit Bridge taking longer to recede
- Intended to seek an updated hydraulic model of the delta at the meeting; however, BOPRC staff had since advised this had been completed
- Wished for BOPRC and the Forum to bring interested parties together to collaborate and prepare for the Aniwhenua dam consent renewal in 2026
- Wished to seek the run of the river during low floods, no raising of existing generation level and for all eventualities to be considered in the consent renewal and submission process, including the need for an expert ecologist and low flow modelling above Rabbit Bridge
- Referred to the Van Voorthuysen report (August 2014) regarding Council roles in Resource Management Act (RMA) consenting processes.

In Response to Questions:

- Regarding an aerial map that had been taken in 1941 pre-dam construction (refer Tabled Document 2) did not consider that the buildup was nature taking its natural course as it was being caused by the existence of the dam.

Key Points - Members:

- A recent meeting had been held between BOPRC, Ngāti Manawa and Waiotahi Contractors regarding the prospect of gravel extraction with a view to providing for iwi cultural monitoring. Further discussions were to be held with affected parties and community noting that cultural aspects, including the potential impact on tuna heke would be considered in any approach that would be taken
- Ngāti Manawa had a vested interest in the matter and may be able to assist with collaboration of interested parties.

Key Points - Staff:

- Due to BOPRC's dual role as a consenting regulator, Council needed to navigate carefully and remain impartial in the submission process; however, the Forum had the autonomy to engage and collaborate as it wished.

Items for Staff Follow Up:

- Secretariat to follow-up with the Chair regarding organising a proposed meeting with interested parties to further discuss the matters raised
- Circulate the Van Voorthuysen report to Forum members for information.

11:07 am - Chairman Doug Leeder **withdrew** from the meeting.

4. Raupapa o Ngā Take Order of Business

Item 7.1 - Ministry for Primary Industries - Commercial Tuna Quota Management System Presentation withdrawn. Postponed to a future date.

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

None declared.

6. Ngā Meneti Minutes

Kia Whakaūngia Ngā Meneti Minutes to be Confirmed

6.1 Rangitāiki River Forum Minutes - 15 March 2024

Resolved

That the Rangitāiki River Forum:

- 1 Confirms the Rangitāiki River Forum Minutes - 15 March 2024 as a true and correct record.**

**Taiepa/Campbell
CARRIED**

7. Whakaaturanga Presentations

7.1 Ministry for Primary Industries - Commercial Tuna Quota Management System

The item was withdrawn from the agenda to allow the presenters to meet with the Forum's iwi members first and defer the presentation to a subsequent meeting.

8. Ngā Whakamārama a Ngā Rōpū Update from Partners

8.1 Hineuru Iwi Trust

- Reaffirmed the earlier advice that appointed member Koriiana Hooker was currently on maternity leave and that Ngawai Crawford (alternate) and Janice Wall would be attending Forum meetings in her absence.

8.2 Te Kotahitanga o Ngāti Tūwharetoa

- A lot of activity was taking place including Te Kotahitanga o Ngāti Tūwharetoa lodging a claim for tributaries and geothermal waters around Lake Taupō.

8.3 Taupō District Council

- Plan Change 38 (Strategic Directions) had been adopted
- Submissions to Council's draft Long Term Plan (LTP) were open until 5 July 2024 and decisions would be adopted in October 2024. Key LTP focus areas: essential services, wastewater, waste management, housing, Local Government Act (LGA) Māori Wards Amendment Bill
- Council's draft Waste Management and Minimisation Plan was open for submission until 5 July 2024 and proposed significant changes for how waste would be managed.

8.4 Te Rūnanga o Ngāti Whare

- Focused on the current position of the Government and the impacts of legislative reforms, consent process/policy changes and how this may impact the Forum.

8.5 Te Rūnanga o Ngāti Manawa

- No updates to provide, but noted Ngāti Manawa had the same concerns as raised by Ngāti Whare.

8.6 Ngāti Tūwharetoa (BOP) Settlement Trust

- Ngāti Tūwharetoa held the same view as Ngāti Whare and Ngāti Manawa regarding the current Government's position
- A draft geothermal regional plan change (Plan Change 11) was due to be released by BOPRC in September 2024 and a number of preliminary hui were being held with affected groups regarding its potential impact. The Board had met with BOPRC staff to discuss how it could contribute to the process, which would inform the development of the Trust's draft iwi management plan (anticipated for completion at the end of 2024) and build meaningful relationships for the benefit of the Trust's beneficiaries, iwi and taiao
- Election results were in the process of being finalised for the replacement of outgoing trustees Graham Te Rire and Ani Wickliffe.

8.7 Whakatāne District Council (WDC)

- WDC's Long Term Plan (LTP) had been submitted for approval to Audit NZ and would be adopted by Council on 20 June 2024
- A number of submissions had been made to various Government legislative changes, including the LGA (Māori Wards) Amendment Bill
- Council's Māori Relationship Strategy '*Te Toi Waka Whakarei*' had been presented to Council recently and demonstrated a firm commitment to foster/build relationships and partnerships with local iwi/hapū
- Applications for the following community funding were currently open until 5pm, Friday 21 June 2024 and information was available on Council's website:
 - Reorua ki Whakatāne Fund (to support bilingual events and activities);
 - Te Pūaha Fund (to support projects or events directly related to water activities).

8.8 Bay of Plenty Regional Council Toi Moana

- Focused on legislative changes, i.e. RMA reform, freshwater farm plans
- Emphasized the importance of Council's relationships with iwi/hapū/Māori which would not diminish despite changes by Central Government
- LTP hearings and deliberations had concluded:
 - Nearly 400 submissions had been received with 79 high calibre submissions received from iwi/hapū/Māori
 - A lot of submissions had supported taiao restoration and climate resilience with indications of considerable impact to iwi/hapū/Māori from current legislative changes
 - Council had endorsed the following funding be approved as part of adopting its LTP on 26 June 2024:

- Co-governance secretariat funding, however this would be spread across the four current co-governance committees (administered by Council) and would include three other co-governance committees anticipated to be established over the next two to three years
- Establishment of a Māori Incentives Fund – policy criteria for the fund was still to be developed and approved by Council
- Confirmation was pending on securing of regional infrastructure funding from the Government's Kanoa Fund to assist with flood protection work for the Whakatāne, Kaituna and Waioeka-Otara river schemes
- Rangitāiki river flood protection stage 7 construction had been completed and radial gates were progressing well within timeframe for completion in December 2024/January 2025.

9. Whakahoutanga Kōrero Verbal Updates

9.1 Resource Consents Update

Presented by: Ella Tennant, Consents Manager, BOPRC

Key Points:

- Southern Generation Limited Partnership had been granted consent to extract gravel and sediment debris from Lake Aniwanuiwa in May 2024
- Outlined matters regarding the Fast Track Approvals Bill (FTA):
 - The Bill was proceeding quickly and anticipated that changes may be made to it
 - A ministerial letter had been sent to various stakeholders advising them of the Bill, which had included hydro-electric dams and Iwi Authorities
 - BOPRC was currently not party to FTA Schedule 2 listed projects that have gone directly to the Minister for approval to use the Fast-track process
 - Other consent applications not on the list could apply for a referral, with some consultation required with iwi authorities and post-treaty settlement entities at various stages in the process
 - Iwi authorities had the ability to nominate someone to sit on the panel
 - Approximately 27,000 submissions had been lodged to the FTA Bill with substantial interest and opposition from the general public
 - BOPRC's submission to the FTA had raised a point on the consultation process and that it needed to be further defined
 - The FTA was expected to be passed later this year. Once operative, responding to consultation requests quickly would be important and timeframes for comments would be tight.

11:50 am - Cr Westerman **withdrew** from the meeting.

- Summarised key proposals of the Resource Management Amendment Bill which proposed to:
 - Exclude Te Mana o te Wai obligations in resource consent decision-making processes
 - Remove stock exclusion requirements for low slope land for deer and dry stock
 - Remove intensive winter grazing standards
 - Expedite national directions under the RMA

- Another Bill that was open for submissions was the proposal to extend the consent duration for all marine farms by 20 years. Under that Bill, regional councils would need to apply to the Ministry for Primary Industries to review consent conditions. If a review was permitted to proceed, iwi authorities and customary marine title holders would then be notified. The Bill would not provide for involvement of customary marine title applicants and most hapū
- Preliminary targeted feedback was being sought by the Ministry of Transport on a similar proposal to extend the duration of pre-RMA port occupation consents.

Key Points - Members:

- Noted there were still a lot of grey areas in the FTA and little recognition of iwi/Māori and benefits to the taiao
- Concerned about the challenges for iwi authorities in the consultation process and the pressure which would be placed on iwi panel members.

9.2 Essential Freshwater Programme Timeframe

Presentation - Essential Freshwater Policy Program new timeframe: Objective ID A4689603 [↗](#)

Presented by: Michelle Lee - Planner (Water Policy)

Key Points:

- Outlined the amended timeline for BOPRC's Essential Freshwater Policy Programme which had been extended to September 2025
- Invited the Forum the opportunity to have an informal workshop in August 2024 to provide feedback on BOPRC's draft approach for the Rangitāiki catchment before October 2024 when Council would meet to approve a targeted release for the plan changes
- Topics would include: tuna habitat, fish passage, development of Māori land, availability for a region-wide approach to hydro-electric generation, draft rules for wastewater, cultural health indicators
- Discussions with the Forum would not replace engagement with tangata whenua which would be ongoing.

Key Points - Members:

- Supported an informal (confidential) workshop to follow the Forum's meeting on 30 August 2024
- Requested an update on any changes made to the National Policy Statement for Freshwater Management (NPS-FM) at the workshop
- A workshop would assist the Forum's pathway for reviewing Te Ara Whānui o Rangitāiki (Rangitāiki River Document) and its alignment with freshwater management.

10. Ngā Pūrongo Reports

Ngā Whakatau e Hiahiatia Ana Decisions Required

10.1 Chairperson's Report

Presented by: Chair Terewai Kalman

Key Points:

- The Forum's joint submission to BOPRC's Long Term Plan had been well received noting the opportunity to speak to the submission alongside the Tarawera Awa Restoration Strategy Group's Deputy Chair and project manager
- Further to the report, a meeting with Ministry for Primary Industries officials and iwi representatives was being arranged and encouraged the invitation be open to iwi authorities' fisheries representatives
- Regarding the capture of tuna at Fonterra's Edgecumbe wastewater discharge treatment site, Ngāti Awa had provided signage wording, however further information was still to come regarding migratory tuna/life cycle to educate and discourage local fishers from taking tuna at the site during tuna heke.

Key Points - Members:

- Requested a minor amendment to the draft Department of Conservation letter to remove the current operations manager's name following their recent resignation from the role.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Chairperson's Report.**

**O'Brien/McCauley
CARRIED**

- 2 Approves the attached draft letter to the Department of Conservation to send out, subject to the amendment requested at the meeting.**

**Kalman/O'Brien
CARRIED**

Hei Pānui Anake Information Only

10.2 March-May 2024 Rangitāiki Catchment Programme Dashboard

Presented by: Charles Harley – Team Leader, Coastal Catchments

Key Points:

- Took the Programme Dashboard as read
- Advised that the 2023/24 Annual Report and 2024/25 Annual Plan for the coming year would be reported to the Forum's next meeting
- Requested partner members' input to provide photo images of any key activities for including in reporting
- Provided clarification regarding the wilding conifer programme, which was funded by the National Wilding Conifer Fund.

Key Points - Secretariat:

- Noted that the contractor harvesting wilding conifer employed local rangatahi from along the Rangitāiki awa.

Resolved**That the Rangitāiki River Forum:**

- 1 Receives the report, March-May 2024 Rangitāiki Catchment Programme Dashboard.**

**Campbell/Taiepa
CARRIED**

**11. Karakia Kati
Closing Karakia**

A karakia was provided by Te Taute Taiepa.

12:20 pm - the meeting closed.

CONFIRMED

Terewai Kalman
Chairperson, Rangitāiki River Forum