

# Rangitāiki River Forum

## Ngā Meneti Open Minutes

**Commencing:** Friday 15 November 2024, 10:00 AM

**Venue:** Mataatua Room, Bay of Plenty Regional Council Building, 5 Quay Street, Whakatāne and via Zoom (Audiovisual 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 (BOPRC)  
Cr Ken Shirley (Bay of Plenty Regional Council)  
Cr Kevin Winters (Bay of Plenty Regional Council)

Te Rūnanga o Ngāti Manawa:  
Alternate Karito Paul

Ngāti Tūwharetoa (BOP) Settlement Trust  
Katishe McCauley

Hineuru Iwi Trust:  
Koriiiana Hooker

Whakatāne District Council (WDC)  
Cr Tuwhakairiora O'Brien

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

BOPRC: Chris Ingle – General Manager Integrated Catchments, Kataraina O'Brien – General Manager Strategic Engagement, Manini Abernethy – Spatial Planning Team Leader, Ella Tennent – Consents Manager, Michelle Lee – Planner (Water Policy), Davor Bejakovich – Wallaby Programme Leader, Tone Nerdrum Smith – Committee Advisor

Jane Waldon – Co-Governance Secretariat

Presenters: As listed in the minutes

## Ngā Hōnea

## Apologies:

Cr Malcolm Campbell (Bay of Plenty Regional Council), Cr Toi Kai Rākau Iti (Bay of Plenty Regional Council), Ngapera Rangiaho (Tūhoe Te Uru Taumatua), Miro Araroa (Te Rūnanga o Ngāti Awa), Cr Malcolm Campbell (Bay of Plenty Regional Council), Cr Kat Macmillan (Bay of Plenty Regional Council), Cr John Williamson (Taupō District Council), Wilson James (Whakatāne District Council Alternate), Janice Wall (Hineuru Iwi Trust)

## Opening Statement by Chairperson Terewai Kalman

Noted that until a quorum was reached, which it was not by 10.00 am, the hui could not formally commence. However, as Members were on their way, it was agreed that the hui would commence informally with presentations only until such time that a quorum was achieved, and the formal hui could commence.

The Chair welcomed back Koriiana Hooker - Hineuru Iwi Trust; recognised that Shari Kameta – Governance Advisor was not supporting the Forum today due to the passing of her mother; and noted the hikoi currently on its way to Parliament as part of a peaceful protest against the Treaty Principles Bill.

### 1. Karakia Whakatuwhera Opening Karakia

A karakia was provided by Cr Tuwhakairiora O'Brien

### 2. Whakaaturanga Presentations

#### 2.1 PhD Research Project

*Presentation - Jacqui Mccord - RRF 15 November 2024 pdf: Objective ID A4831070*



Presented by: Jacqui Mccord - PhD Candidate – Geography and Gary Brierly - Professor, Physician Geography, School of Environment, University of Auckland

Introduced by Chris Ingle – General Manager Integrated Catchments.

#### **Key Points:**

- A move towards living with living rivers
- What is 'Room to move'?
- Every River is Unique – Geography and History Matters
- Human impacts to rivers
- River management in NZ
- Research objectives
- The rivers of the Rangitāiki Plains

10.17 am – Te Taute Taiepa **entered** the meeting, and a quorum was achieved. The formal meeting could now commence.

- Part 1 – Diversity of the rivers

- Part 2 - how the rivers have moved through time
- Geomorphic river stories
- Summary.

#### **Key Points:**

- Intended to make the research and findings public once completed, including an on-line story map (yet to be developed)
- The connectivity of the various rivers and the impact of the dams was being researched
- Big picture/catchment scale approach had shown to be the best practice for recovery mahi to create healthier futures
- Noted the changes in thinking at the University of Auckland to a more holistic approach to its research and learnings.

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

- Recognised the importance of protecting the mauri of the awa and minimise any 'hard engineering' solutions
- Concerned regarding a perceived lack of engagement with Iwi by BOPRC in the commissioning of this piece of work
- Recognised the importance of appropriate notification, engagement, and co-operation as it was an essential component of the research/mahi
- Important to consider the economic aspects/value of 'man-made' interventions, as well as environmental/cultural/ecological impacts
- Important that any technical data was supported by due diligence research to recognise and incorporate the relationship between the people and the awa
- Studies of rivers needed to incorporate a number of approaches, i.e. technical as well as the Mātauranga māori lens
- Thanked the presenters and the valuable research that had been undertaken.

10.5 0am - Katishe McCauley **entered** the meeting.

### **3. Ngā Hōnea Apologies**

#### **Resolved**

#### **That the Rangitāiki River Forum:**

- 1 Accepts the apologies from Cr Malcolm Campbell (Bay of Plenty Regional Council), Cr Toi Kai Rākau Iti (Bay of Plenty Regional Council), Ngapera Rangiaho (Tūhoe Te Uru Taumatua), Miro Araroa (Te Rūnanga o Ngāti Awa), , Cr Kat Macmillan (Bay of Plenty Regional Council), Cr John Williamson (Taupō District Council), Wilson James (Whakatāne District Council Alternate), Janice Wall (Hineuru Iwi Trust) at the meeting.**

**Winters/Hooker  
CARRIED**

## 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 Rangitāiki River Forum Minutes - 30 August 2024

#### Matters Arising

#### Item 8.2 Rangitāiki Catchment Programme: Annual Plan 2024/2025

Update regarding any pump stations on the Rangitāiki Plans [Galatea area] to be discussed at the next hui. Noted that concerns regarding a need for new RMA consents might best be addressed through the Te Ara Whānui o Rangitāiki River Document Review which is about to commence.

#### Item 11.1 Chairperson's Report

A copy of Pioneer Energy's recent resource consent for gravel removal below rabbit bridge be provided to Members.

Noted that Iwi members were still awaiting response from BOPRC on their Long Term Plan (LTP) 2024-2034 submissions.

#### Resolved

#### That the Rangitāiki River Forum:

- 1 Confirms the Rangitāiki River Forum Minutes - 30 August 2024 as a true and correct record.

Winters/Taiepa  
CARRIED

## 6. Presentations - Continued

### 6.1 Eastern Bay Spatial Plan

*Presentation - Manini Abernethy - RRF 15 November 2024 pdf: Objective ID  
A4818054 [⇨](#)*

Presented by: Manini Abernethy – Team Leader Spatial Planning, Nicholas Woodley  
- Planning Manager WDC

#### Key Points:

- Was creating a plan to set a vision for the future of Eastern Bay of Plenty

- Developed by Whakatāne District Council (WDC), Ōpōtiki District Council (ODC) and Kawerau District Council (KDC), supported by BOPRC, Iwi and central government
- The draft plan was currently out for public consultation
- Although the formal feedback period would close 17 November 2024, communication with affected and interested parties would continue beyond this
- Final plan would be adopted in the later part of 2025
- Noted that there were a number of processes/consultations currently taking place, which added pressure for all involved
- A copy of the presentation would be shared with all members after the hui
- Recognised that this was a high level/strategic plan, with detail level discussions yet to be initiated.

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

- Noted that rangatahi had been contracted to conduct community engagement in some areas, and expressed concerns regarding the potential physical/emotional risk of entering properties, knocking on doors, engaging with strangers etc.
- There was a 'larger picture' with regards who led engagement, and different rohe had different approaches.

## **6.2 Dama Wallaby Programme Progress Update**

*Presentation - Davor Bejakovich - Matahina Forest aerial wallaby control - RRF 15 November 2024 pdf: Objective ID A4831074 [↗](#)*

Presented by: Davor Bejakovich - Wallaby Programme Leader, Biosecurity

#### **Key Points:**

- Provided an outline of the North Island Wallaby Eradication Programme
- Displayed the containment area map
- Wallabies do not swim, which limited some spread
- Had not been able to eliminate the population spread in Matahina Forest
- Highlighted areas where wallabies had been sighted in the Matahina Forest
- The extent and type of eradication/management that was carried out was subject to fiscal responsibilities and permission, as well as the approval of local iwi
- The aerial operation in Matahina Forest would be carefully monitored
- Department of Conservation (DOC) would survey areas in the Galatea district to monitor the effectiveness of the aerial operation
- Recognised the positive effect of proactive pest management on native plants and wildlife.

## **7. Ngā Whakamārama a Ngā Rōpū Update from Partners**

### **7.1 Hineuru Iwi Trust**

Presented By: Koriiana Hooker.

**Key Points:**

- Noted that resource consent had been granted to Pioneer Energy and that a hui to discuss the implications would take place
- The Trust was considering potential consequences of the Treaty Principles Bill.

## **7.2 Te Rūnanga o Ngāti Whare**

Presented By: Te Taute Taiepa

**Key Points:**

- Recognised the national hikoi to Parliament as a peaceful protest against the Treaty Principles Bill
- Important to consider how the Bill could impact on the mahi and responsibilities of the Rangitāiki River Forum and other co-governance entities established under Treaty settlements
- Noted the central government announcement regarding freshwater and the potential impact on the River Document development. Considered there was a level of urgency to address this as part of the review to ensure the Document would be fit for purpose.

## **7.3 Te Rūnanga o Ngāti Manawa**

Presented By: Terewai Kalman

**Key Points:**

- Was co-operating with WDC regarding the development of the Eastern Bay of Plenty Spatial Plan
- Expressed concerns that communities might have aspirations that were not reflected in the direction/actions of local/central government, and recognised the need for further discussions/alignment to occur
- Residents/ratepayers should be viewed as investors in the past, current, future use of the land and there should be discussions regarding what this approach could mean in a spatial plan context
- Was actively interacting with the BOPRC rivers and drainage team regarding the scope of work along the Rangitāiki River.

## **7.4 Ngāti Tūwharetoa (BOP) Settlement Trust**

Presented By: Katishe McCauley

**Key Points:**

- Had actively engaged in the development of the Eastern Bay of Plenty Spatial Plan alongside KDC
- Noted the attendance at the World Indigenous Peoples' Conference on Education (WIPCE) and recognised how Te Tiriti o Waitangi had a positive

impact on the relationship/rights in Aotearoa, compared to the situation in many other countries

- Noted the ongoing mahi in the thermal areas around Kawerau.

## 7.5 Whakatāne District Council

Presented By: Tuwhakairiora O'Brien

### Key Points:

- Highlighted the current progress on the Eastern Bay of Plenty Spatial Plan engagement, noting the continued need for iwi/hapū input
- Recognised the current volatile political environment the Forum and councils were operating in
- Suggested the Forum write a submission opposing the Treaty Principles Bill, and - if supported - encourage WDC and BOPRC to make their own submissions in opposition to that Bill.

### Key Points - Forum Members:

- Recognised the reasoning for suggesting a submission, however there may not be general support within the Forum to undertake such action.
- Suggested there was a wider political discussion regarding Te Tiriti o Waitangi currently taking place, and that the Treaty Principles Bill was one component only of this
- Suggested that as a multi-agency Forum, writing a submission could be considered inappropriate as the individual members may not have authority to do so on behalf of their organisations
- Concerned regarding government agencies not recognising/including the Treaty Principles in its business and thinking
- Did not take comfort in the suggestion by Prime Minister Chris Luxton and MP Winston Peters that the Bill would not progress past its second reading, as there were clear indications that MP David Seymour had significant support/audience.

### Action Points:

- Noted that the support from Ngāti Tūwharetoa (BOP) Settlement Trust would be dependent on discussion with the Trust and report back by member Katishe McCauley
- Noted that the submission would be prepared by Jane Waldon for the Chair's approval.

## Resolved

**That the Rangitāiki River Forum:**

- 1 Prepares a submission opposing the Treaty Principles Bill;**
- 2 Advises BOPRC of its intention to make a submission in opposition;**
- 3 Encourages BOPRC and WDC to prepare similar submissions in opposition to the Treaty Principles Bill.**

**O'Brien/Taiepa**

**A show of hands to confirm the motion was called for:**

<b>For</b>	<b>Against</b>	<b>Abstained</b>
Hooker Kalman McCauley O'Brien Taiepa	Shirley	Winters

The motion was **CARRIED**

**7.6 Bay of Plenty Regional Council Toi Moana**

Presented By: Cr Kevin Winters

**Key Points:**

- Noted the recent announcement by Central Government regarding freshwater planning that had stalled the Council's intent to notify its draft freshwater plan change for informal consultation.

**8. Ngā Pūrongo Reports****Ngā Whakatau e Hiahiatia Ana Decisions Required****8.1 Chairperson's Report****Key Points:**

- Provided an outline of the key points of the report
- Would establish a project team for the River Document review to ensure the Document reflected the wishes and views of the Forum
- Had asked BOPRC to follow up on the current status of the Lake Āniwaniwa weed management
- Noted the discussion with affected farmers due to the Pioneer Energy dam/flooding risks
- Noted the suggestion to create a support group for affected farmers regarding flood mitigation as part of the consent process. A support group would require Terms of Reference; be Forum/BOPRC led etc. Discussions regarding what such support group would look like would also be required
- Recognised the upcoming opportunity for Forum members to speak with Pioneer Energy representatives
- The proposed Forum field trips would be iwi led and organised by Jane Waldon, with some BOPRC support.



**Action Points:**

- The option of seeking charitable trust status would be brought back to the next hui, with an issues/option, pro/cons outline. Jane Waldon and Chair Kalman to lead this piece of work.

**Resolved****That the Rangitāiki River Forum:**

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

**Kalman/Taiepa  
CARRIED**

## **9. Whakahoutanga Kōrero Verbal Updates**

### **9.1 Resource Consents Update**

Presented by: Ella Tennant, Consents Manager (via Zoom) and Michelle Lee - Planner, Bay of Plenty Regional Council Toi Moana

**Key Points:**

- Recognised the ongoing and valued support by the Forum
- Anticipated the Fast-track Approvals Bill to be enacted relatively soon
- Noted that Manawa Energy was on the fast track project list
- Noted the draft change that any final decision on whether a particular project would proceed or not would be made by an Expert Panel, rather than Members of Parliament
- Any regional/national benefits of a fast track project would be part of the Expert Panel's consideration.

### **9.2 Te Ara Whānui o Rangitāiki River Document - Formal Resolution to Commence Review**

Presented by: Nassah Rolleston-Steed – Principal Advisor, Bay of Plenty Regional Council Toi Moana

**Key Points:**

- Provided a brief outline of the process to date and the next steps, following the formal resolution to notify
- The workshop on 11 October 2024 had provided a deeper dive into the content of the River Document, and recognised that it had been challenging to have sufficient time to discuss all aspects
- A project plan was yet to be developed, as well as the establishment of the project steering group
- There were different approaches to the review and the wishes of the Forum on how it best be carried out were essential
- The review project would commence in the new year

- Envisaged the tikanga Māori expert (ref recommendation 5) for appointment to the Expert Panel would be local, however this was not specified in the resolution
- Expert Panels would be established for each fast track consent application
- Forum/Council could put forward suggested candidates for the Expert Panels.

## Resolved

### That the Rangitāiki River Forum:

- 1 **Receives the report, Te Ara Whānui o Rangitāiki River Document - Formal Resolution to Commence Review**
- 2 **Resolves pursuant to Section 124(2)(a) of the Ngāti Manawa Claims Settlement Act 2012 and Section 128(2)(a) Ngāti Whare Claims Settlement Act 2012 to commence the formal 10-year review of Te Ara Whānui o Rangitāiki - The Rangitāiki River Document.**
- 3 **Notes the nature of feedback received from Rangitāiki River Forum members collective at the Friday 11 October workshop and individually via email affects both material and non-material contents indicating the review will invoke the special consultative process under the Local Government Act 2002 involving public notification, submissions, and a hearing process.**
- 4 **Provide staff with clarification on the scope of contents subject to review, members' resourcing commitments and broad review timeframes so there is sufficient information for staff to develop a project plan and communication and engagement strategy for consideration at the first Rangitāiki River Forum hui in 2025.**
- 5 **Notes that at the 11 October 2024 workshop, the Rangitāiki River Forum endorsed the Chair, on behalf of the Forum, writing to Ministers Bishop and Jones to raise concerns about the Wheao Hydro Electric Power Scheme Reconsenting being included in the list of Fast-track Schedule 2 projects and seeking assurance Crown will uphold its obligations under the Treaty of Waitangi that require consultation with iwi; and request iwi appoint a person with expertise in tikanga Māori, Te Tiriti o Waitangi and Māori culture and traditions to the Expert Panel.**
- 6 **Notes the risks and assumptions identified in section 5.1 that need to be actively managed during the formal review process.**

**Taiepa/McCauley  
CARRIED**

## 9.3 Amendment to Standing Orders: Virtual Attendance at Meetings

Presented by: Tone Nerdrum Smith – Senior Advisor Governance

### Key Points:

- Noted that the amendments would allow members to count towards a quorum when attending hui virtually
- Noted that the same amendments were being presented to other co-governance forums for adoption
- Noted that Council had resolved that a Chair could attend virtually, yet chair a meeting when it was a physical/virtual mix of attendees. However,

Tarawera Awa Restoration Strategy Group had agreed that that the Chair had to be physically present in the room to carry out the chairing duties.

**Key Points - Members:**

- Recognised the practicalities of the amendments, but considered that chairing a hui when attending virtually was not ideal in a hybrid hui
- Noted that the Chair could hand over the chairing duties to the Deputy Chair (or another member) who was physically present.

**Resolved**

**That the Rangitāiki River Forum:**

- 1 Receives the report, Amendment to Standing Orders: Virtual Attendance at Meetings.**
- 2 Approves the following amendments to the Rangitāiki River Forum's Standing Orders (refer Attachment 1):**
  - a) Amend section 1.2 Statutory References to remove references of the COVID-19 Response \*Urgent Management Measures) Act 2020**
  - b) Amend the following Definition to read: "Present at the meeting to constitute quorum means the member is to be present (in person or via audio/audiovisual link)";**
  - c) A correction to Standing Order 14.6 (Right to attend by audio or audio-visual link) to amend/replace standing order references 13.11 and 13.12 with 14.10 and 14.11 respectively;**
  - d) Amend Standing Order 14.7 (Member's status: quorum) to read "Members who attend meetings by electronic link will be counted as present for the purposes of a quorum.";**
  - e) Amend Standing Order 14.8 (Member's status: voting) to read "Where a meeting has a quorum, determined by the number present (in person or via audio/audiovisual link), the members attending by electronic link can vote on any matters raised at the meeting.";**
  - f) Amend Standing Order 14.10 (Conditions for attending by audio or audio-visual link) to read: "Noting standing order 13.7, members may attend meetings by electronic link, either generally or for a specific meeting, if the technology allows";**
  - g) Amend Standing Order 14.11 (Request to attend by audio or audio visual link) by replacing the word 'request' with 'notification';**
  - h) Retain the current Standing Order 14.9 (Chairperson's duties) and the requirement that the Chairperson must be physically present [in the event of a hybrid meeting].**

**Kalman/Taiepa  
CARRIED**

**Hei Pānui Anake  
Information Only**

**9.4 September - November 2024 Rangitāiki Catchment Programme  
Dashboard**

Presented by: Chris Ingle – General Manager Integrated Catchments;

**Key Points:**

- Provided a brief outline of the Catchment Programme update, but otherwise took the report as read
- Noted apology from Charles Harley – Coastal Catchments Manager who was attending today's Te Maru o Kaituna River Authority hui in Tauranga.

**Resolved**

**That the Rangitāiki River Forum:**

- 1 Receives the report, September - November 2024 Rangitāiki Catchment Programme Dashboard.**

**O'Brien/Taiepa  
CARRIED**

## **10. Ngā Take Tōmuri Hei Whakaaroaro Consideration of Items not on the Agenda**

### **Co-Governance Secretariat Funding / Long Term Plan 2024-2034 (LTP) Requests**

**Key Points - Staff:**

- Regional Co-Governance secretariat fund had been approved by BOPRC, as had the Māori Initiatives Fund
- Noted that TARSG and RRF had made comprehensive LTP submissions to retain the Co-Governance secretariat. With funding approved and in place, the specific requests within the submissions could now be considered
- Noted that the various requests might be considered under different budgets
- Confirmed that Jane Waldon's mahi would continue in its current form
- The adoption of funding policies meant criteria were well defined and that requests for funding could be assessed against these criteria in a contestable setting.

**Key Points - Members:**

- Queried how entities who had not submitted to the LTP for funding for a specific purpose, e.g. a co-governance secretariat, could still be considered for funding once the funds were established.
- Suggested that the principle of contestable funding was fair and positive, and that when a 'great idea' was put forward, it could favourably be applied to more than one forum.

## **11. Karakia Kati Closing Karakia**

A karakia was provided by Tu O'Brien.

**1.01 pm - the meeting closed.**

**CONFIRMED**

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Terewai Kalman  
Chairperson, Rangitāiki River Forum