

Te Maru o Kaituna River Authority

Ngā Meneti Open Minutes

Commencing: Friday 15 November 2024, 9.30am

Venue: Council Chambers, Regional House, 1 Elizabeth Street, Tauranga and via Zoom (Audio Visual Meeting)

**Heamana
Chairperson:** Jo'el Komene - Tapuika Iwi Authority

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

**Ngā Kopounga
Members:**

- Tapuika Iwi Authority
Dean Flavell (Alternate)
- Te Pumautanga o Te Arawa Trust
Rawiri Kingi (Alternate)
- Rotorua Lakes Council (RLC)
Nick Chater (Lakes Community Board)
- Western Bay of Plenty District Council (WBOPDC)
Cr Grant Dally (Alternate)
- Tauranga City Council (TCC)
Cr Rick Curach (Alternate)

Informal Members:

- Te Komiti Nui o Ngāti Whakaue
Maru Tapsell
- Toi Moana Bay of Plenty Regional Council (BOPRC)
Cr Jane Nees (via Zoom)

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

BOPRC: Charles Harley - Coastal Catchments Manager; Ella Tennent - Consents Manager; Steve Groom - Governance Manager; Jo Watts - Senior Planner (Water Policy); Jenny Teeuwen - Committee Advisor;

WBOPDC: Jason Crummer - Senior Recreation Planner (via Zoom); Mokoera Te Amo - Senior Kaupapa Māori Engagement Specialist

External: Stephen Daysh - Partner, Mitchell Daysh Limited; Mark Henry - Associate, Mitchell Daysh Limited; Aroha Campbell - Director, Taheke 8C Limited; Loretta Lovell - Legal Counsel, Taheke 8C Limited

Ngā Hōnea Apologies:

Cr Steve Morris (TCC), Cr Andy Wichers (WBOPDC), Cr Lani Kereopa (Alternate) (RLC), Cr Te Taru White (Alternate) (BOPRC), Nicki Douglas (Te Tāhuhu o Tawakeheimoa Trust)

1. Karakia Whakatuwhera Opening Karakia

A karakia was provided by Jo'el Komene.

2. Opening Statement

Chairperson Jo'el Komene 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 River Authority - 15 November 2024](#).

Introduced Charles Harley - Coastal Catchments Manager (BOPRC), the new Committee Champion for Te Maru o Kaituna River Authority (the Authority), filling in for Pim De Monchy who was on sabbatical for 14 months.

3. Ngā Hōnea Apologies

Resolved

That Te Maru o Kaituna River Authority:

- 1 Accepts the apologies from Cr Steve Morris, Cr Andy Wichers, Cr Lani Kereopa, Cr Te Taru White, and Nicki Douglas tendered at the meeting.**

**Curach/McDonald
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 Te Maru o Kaituna River Authority Minutes - 16 August 2024

Resolved

That Te Maru o Kaituna River Authority:

- 1 Confirms the Te Maru o Kaituna River Authority Minutes - 16 August 2024 as a true and correct record.

Tapsell/McDonald
CARRIED

6. Whakaaturanga Presentations

6.1 Taheke 8C - Proposed hydro project

Presentation: Taheke 8C - Proposed hydro project: Objective ID A4820383 [↗](#)

Presented by: Stephen Daysh - Partner, Mitchell Daysh Limited
Mark Henry - Associate, Mitchell Daysh Limited
Aroha Campbell - Director, Taheke 8C Limited
Loretta Lovell - Legal Counsel, Taheke 8C Limited

Key Points

- Extended apologies from Tawhiri Morehu, Taheke 8C Chair, who was unable to be present at the meeting.
- Taheke 8C had a working plan to develop their land as a green energy hub. Resource consent for a 38 megawatt geothermal plant had been granted last week.
- The scheme involved a canal where water would be diverted onto Taheke 8C land in an approximate three kilometre stretch; water used for renewable energy production through the hydro scheme and then returned to the river in its same form. Provided topography graphics of options A and B for the project.
- Provided orientation graphic of the whole river which outlined exactly where Taheke 8C land and the hydro scheme were situated (last slide of presentation).
- Outlined the nine effects assessment being undertaken which included hydrology, geomorphology, landscape and visual assessment, ecology, archaeology, recreation, cultural, planning, and benefits.
- Provided overview of potential enhancement projects within the design i.e. the island project and mahinga kai projects.
- Outlined next steps:
 - Consulting directly with iwi, local and regional authorities, and other key stakeholders.

- Finalising the design options and effects assessments taking consultation feedback into consideration.
- Finalising the consenting approach and application.
- Continuing to engage with this Authority as opportunities for enhancing the ecosystem of the awa and its mauri were developed.

In Response to Questions

- Many people had cultural connections to the awa and this would be taken into consideration. Taheke 8C were committed to having the project designed and aligned from the outset to reflect better outcomes.
- A conversation was occurring around whether the power (geothermal and hydro) would go to the national grid or if there was opportunity for the power to go to local lines, enabling electricity and energy security for the region. Both options offered the wider economical benefits of electricity security, along with employment and wider commercial opportunities that came with any project of this size.
- Still looking at final designs which included understanding what the power generation would be. It was expected that the hydro install capacity would be around 100,000 to 150,000 average homes; geothermal would be added to that.
- Provided observation that Taheke could not and would not leave its land so therefore it was important to do the work upfront to ensure the right people were engaged with. It was a hard process to get right and Taheke were cognisant of this.
- Unaware of the historic power site just below Ōkere Falls; would look into this.
- Looked forward to having ongoing conversations; requested an operational team contact. Already working with Paula Golsby – Principal Advisor Consents. Charles Harley – Coastal Catchments Manager and Jo’el Komene – Authority Chair, would be contacts for Taheke 8C in the first instance.

Key Points - Members

- Would like to see more input into the social capital, not just looking at the economic benefits.
- Expressed concern about the effects of the project on the lower regions of the Kaituna River.
- Cr Nick Chater (RLC) offered assistance as a contact with the rafting community.
- Applauded the project while acknowledging that what was most important for the Authority was the protection of the Kaituna and the implications of this project for the Kaituna.
- Inspirational to see tangata whenua with these types of projects that increased the Māori economy. Acknowledged the struggle to get support (own whānau, financial) and local and central government buy-in.
- Would like to be kept updated with progress so that the Authority could monitor whether there were impacts for the awa and how those could be addressed.
- The Authority was not the one and only group and “one-stop shop” for consultation; consultation needed to happen with all the various iwi along the river.

6.2 Fast track consenting legislation update

Presented by: Ella Tennent - Consents Manager (BOPRC)

Key Points

- Noted that BOPRC was not the decision-maker on fast-track consents.
- Some Covid fast-track projects had been approved in the Bay of Plenty including the Taheke geothermal power station. The Covid fast-track process was no longer available to new projects.
- The Fast-track Approvals Bill (the Bill) was similar to other fast-track processes but provided for other approvals e.g. Wildlife Act, Conservation Act and archaeological authorities approvals. The Bill was still subject to change but it was expected that the government would proceed with it prior to the end of 2024.
- There were two ways a project could get in to be considered through fast-track:
 - Listed projects – the list was decided by Ministers and had been released recently: <https://www.beehive.govt.nz/release/fast-track-projects-released>.
 - o Referred projects – this was also to be decided by a Minister but Iwi authorities and Councils were expected to have the opportunity to comment on whether they thought the project was appropriate for fast-track or not.
- Key messages about fast-track were that timeframes would be tight for providing comments, the usual appeal rights would not apply (appeals would be limited to points of law only), and there was likely to be limited ability to decline.
- The Select Committee report had been released. Outlined some changes that had been suggested. Link below: <https://selectcommittees.parliament.nz/v/SelectCommitteeReport/71eb1c85-d5ea-4006-4936-08dceefd594f>.
- There were 12 Listed Projects in the Bay of Plenty including the Bell Road development of 2,000-3,000 homes and 60-80 hectares of industrial land, and the Tara Road Ngā Potiki proposal for 605 homes and 2.5 hectares of commercial land.
- Projects that had applied to be listed but did not make the list included the Taheke hydro-power scheme, Kaituna stormwater overflow, Ford block urban development, Rangiuru 100 hectare mixed use housing, rural industrial and Papakāinga, and Papamoa East Te Okuroa Drive 200 plus homes and recreation centre.

In Response to Questions

- Fast-track would benefit those applicants who were expecting to go to appeal.
- Once a project was in the fast-track process, it was likely to be granted. If opposed to the project, some influence over conditions might still be possible (20 working day period to comment on draft conditions).
- The Bill would give recognition to treaty settlements. For those not yet settled, the Bill did not recognise the treaty to the same extent.
- The opportunity for influence over the bill was now over. BOPRC had submitted on several aspects including the inequity between settled and non-settled entities.

10.58am – the meeting **adjourned**.

11.15am – the meeting **reconvened**.

6.3 Kaituna Re-diversion Annual Report

Presentation: Kaituna Re-diversion Annual Report: Objective ID A4820388 [↗](#)

Presented by: Charles Harley – Coastal Catchments Manager
Jo Watts - Senior Planner (Water Policy)

Key Points

- Provided brief overview of the background to the project, showing the original concept drawing.
- The annual report covered updates on yearly works and monitoring that had been undertaken.
- Presented before and after photographs illustrating the progress made.
- Provided graphs showing testing/monitoring results for macroalgae, water column salinity, water column dissolved oxygen (DO), nutrients and bacteria, shellfish bacteria, and pipi numbers and size.
- Outlined the risk of wave overtopping from the ocean side.
- Provided overview of the proposed trial to close the control gates during large floods:
 - sent water back down through the river and over the bar instead of sending water through the estuary.
 - would reduce sediment while maintaining flushing benefits.
 - trigger level of 70 cubic metres flow rate at Te Matai for gate closure.
- A copy of the full annual report was available as an attachment to this item in the agenda (Page 20).

In Response to Questions

- An update on pipi numbers for Maketū, little Waihi, and other monitored sites in the area (if any) would be provided to the Authority at the next hui, following monitoring over the summer holiday period.
- Closing the gates would have no effect upstream; it did not hinder or back up flow of the river.
- Increased nutrient levels were rainfall related due to the flushing effect of large rainfall events.
- Erosion was a natural occurring process and was accelerated in areas where there was more influence on it e.g. tree/log removal.
- Climate change, increased sea level rise, and severe weather events having an influence on the Kaituna River and estuary was being considered as part of the draft freshwater plan change work currently being undertaken.
- A “dune re-nourishment” or “beach push up” had recently been completed on the Maketū spit.
- There was a brief discussion around the southern oscillation of El Nino and La Nina weather patterns and the effects of this on the environment.

7. Ngā Pūrongo Reports

7.1 Amendments to Standing Orders: Virtual Attendance at Meetings

Presented by: Steve Groom – Governance Manager

The Recommendations were taken in parts.

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Amendments to Standing Orders: Virtual Attendance at Meetings.**
- 2 Approves the following amendments to Te Maru o Kaituna River Authority's Standing Orders (refer Attachment 1):**
 - (a) Add Definition: Present at the meeting to constitute quorum means the member may be present in person or by electronic (audio/audio-visual) link.**
 - (b) Amend 2.4.1: Requirement for a quorum - "A meeting is duly constituted if a quorum is present, whether or not all of the members are voting or entitled to vote. Members who attend meetings by electronic link will be counted as present for the purposes of a quorum."**
 - (c) Amend 2.5.1 : Decisions by vote at meetings - (1) "The Authority must make its decisions by a vote at a meeting. Members attending by electronic link can vote on any matters raised at the meeting.**
 - (d) Amend 2.12.2 Right to attend meetings - "A member of the Authority, or of a committee of the Authority, has, unless lawfully excluded, the right to attend any meeting of the Authority in person, or by electronic link if the technology allows."**

**Chater/Curach
CARRIED**

Recommendation options 2 (e) or (f) were discussed, noting that (f) was incorrectly numbered as (g) in the Agenda (Page 115). Recommendation (f) was chosen and became 2 (e) of this Resolution.

Resolved

That Te Maru o Kaituna River Authority:

- 2 (e) Amend 2.3.1: Chairperson of Authority to preside - "The chairperson of the Authority must preside at each meeting of the committee in person, unless the chairperson vacates the chair for a particular meeting"**

**McDonald/Chater
CARRIED**

7.2 Tapuika Iwi Authority Update Report

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Tapuika Iwi Authority Update Report.

Chater/Dally
CARRIED

8. Whakahoutanga Kōrero Verbal Updates

8.1 Updates from Partners

Western Bay of Plenty District Council (Cr Grant Dally)

Tabled Document - Bell Road - former NZTA (Waka Kotahi) land: Objective ID A4820400 [⇒](#)

- Bell Road boat ramp area - WBOPDC had recently purchased the land outlined in yellow in the picture provided (tabled document) from the New Zealand Transport Agency Waka Kotahi (NZTA). NZTA had originally purchased the land for Tauranga Eastern Link (TEL) construction purposes and was now surplus to requirements. A concept plan for the use of the area would be produced in consultation with tangata whenua and the community. No formal discussions had yet taken place with iwi/hapū. WBOPDC staff would update the Authority on the project as it progressed.
- Lawrence Oliver Park Wetland Project (Te Puke) - \$5,000 had been provided in the Authority's 2024/25 annual budget for this project. Further funding of \$30,000 had been obtained from Tauranga Energy Community Trust (TECT) and WBOPDC and BOPRC had committed funding over the next three years for the construction as well as for ongoing maintenance. The project was progressing with a fully engineered plan created and it was hoped that construction of the wetland would begin over the coming summer.

Tapuika Iwi Authority (Dean Flavell)

Further to the update on Te Ngaio o Kaituna Project - building waka tete (river canoes) provided to the Authority at the 16 August 2024 meeting, stage one of the project had now been completed. The waka was launched on 30 August 2024 at the boat ramp at Maketū. It was the first waka built and launched on the Kaituna River in 100 years. Stage two of the project had now begun with the building of two further waka. The project saw waka building knowledge and skills being handed down to the next generation. \$5,000 had been provided in the Te Maru o Kaituna 2024/25 annual budget for this project.

9. Karakia Kati Closing Karakia

A karakia was provided by Jo'el Komene.

12.35pm - the meeting closed.

CONFIRMED

Jo'el Komene
Chairperson, Te Maru o Kaituna River Authority