

Minutes of the Rangitāiki River Forum Meeting held at Waiohau Marae, 2495 Galatea Road, Waiohau on Friday, 16 March 2018 commencing at 10.45 a.m.

Present:

Chairman: M Vercoe (Te Rūnanga o Ngāti Manawa)

Deputy Chairman: E Rewi (Te Rūnanga o Ngāti Whare)

Appointees: Councillors: D Love, K Winters, W Clark (Bay of Plenty Regional Council), Rev G Te Rire (Ngāti Tuwharetoa (BOP) Settlement Trust), N Rangiaho (Tūhoe), M Araroa (Te Rūnanga o Ngāti Awa), Councillor G Johnston (Whakatāne District Council), I Kahukiwa Smith (Hineuru), Councillor T Kingi (Taupō District Council), Alternates: W Rangiwai (Te Rūnanga o Ngāti Whare), T O'Brien (Te Rūnanga o Ngāti Awa)

In Attendance: Bay of Plenty Regional Council: S Stokes (Eastern Catchments Manager), K O'Brien (Strategic Engagement Manager), H Simpson (Senior Advisor Treaty), S Omundsen (General Manager Catchment Management), I Morton (Strategy & Science Manager), N Green (Senior Planner Water Policy), N Willems (Team Leader Eastern & Rangitāiki Catchments), P Chapman (Project Manager), M Lee (Planner Water Policy), M Kapa (Land Management Officer), S Kameta (Committee Advisor); C Bluett (Te Rūnanga o Ngāti Awa), A Riwaka (Te Ohu Kaimoana), R Piddington, C Fern (Trustpower), Cr A Silcock, S McGhie, N Woodley (Whakatāne District Council); S Keane; D Kohai (Ngāti Patuheuheu), N Kohai (Ngāti Haka), J Tupe (Ngāti Koro, Patuheuheu, Ngāti Haka), R Tupe, C Savage (Ngāti Haka Patuheuheu), T Akuhata (Ngāti Rongo/Ngāti Haka), M Te Pou (Te Whare Kura Māori-a-rohe o Waiohau), T Tupe (Waiohau)

Apologies: Councillor R Harvey (Alternate, Taupo District Council), E August (Alternate, Ngāti Tuwharetoa (BOP) Settlement Trust), Councillor T Marr (Bay of Plenty Regional Council), Councillor M McDonald (Alternate, Bay of Plenty Regional Council)

1 Pōwhiri/Welcome

A pōwhiri took place at 9.30 am prior to commencement of the meeting at 10:45 am.

2 Karakia

Kaumātua Te Taahe Akuhata opened the meeting with a karakia.

3 **Verbal Update from Ngāti Haka/Patuheuheu Hapū**

A mihi was given by Mr Matutaera Te Pou pertaining to how the meeting would be conducted on tikanga and kawa of Patuheuheu and Ngāti Haka within Tama-ki-Hikurangi. Mr Te Pou expressed his political views, which were acknowledged and gave a report on the education of their tamariki and the importance of their waterways in relation to the whenua and people.

School Principal Mr Te Taahae Akuhata reflected on community past practices and knowledge as a platform to resurrect both old and new knowledge with the assistance of new technology, learning together as a community.

Reverend Te Rire responded with a mihi that acknowledged Mr Te Pou and Mr Akuhata's korero.

4 **Apologies**

Resolved

That the Rangitāiki River Forum:

- 1 Accepts the apologies from Councillor Rosie Harvey, Elaine August, Councillor Matemoana McDonald and Councillor Tiipene Marr tendered at the meeting.**

**Te Rire/Johnston
CARRIED**

5 **Declaration of Conflicts of Interest**

No conflicts of interest were declared.

6 **Previous Minutes**

6.1 **Rangitāiki River Forum Minutes - 10 November 2017**

Corrections

A member noted that some discussion points were omitted from the minutes and requested that they be included, with the following amendments to be made:

1. Minute Item 7: Rangitāiki River Scheme Review (agenda page 21) – amend third paragraph to read: “Sir Michael responded to questions. Comment was raised that direct engagement with Ngāti Awa was needed when the Regional Council proposed to undertake consent activities that were the subject of the Review findings, that the consents would be referred to the respective Iwi affected by the proposed consent activities and that a report on such activities would go to the Forum. Sir Michael advised that consultation with respective Iwi post-review was outside the bounds of the Review Panel’s responsibilities and would be a matter for the Regional Council to consider. In regard to river ramping, while this was not within the scope of the Review, the report had noted that ramping may have had a role in undermining bank stability and that reference had been made to a study currently underway on ramping.”

2. Minute Item 8.2: Matahina HEPS: Certified Fish Passage Options Report (agenda page 22-23):
 - a) Replace second sentence in fourth paragraph with: “Consideration was sought that fish passage design be undertaken in close cooperation with river Iwi, who relied on the expert advice of Mr Bill Kerrison. Concern was also raised that succession planning and the improved infrastructure design to support the current trap and transfer method had been slow to come and that it remained dangerous to use by an elder person.”
 - b) Amend second sentence in fifth paragraph to read: “In response to questions raised, Mr Piddington advised that Trustpower was committed to consulting with and considering feedback from Iwi in relation to fish passage design, that they were currently discussing succession plans with Mr Kerrison and that in comparison to alternative methods, the current trap and transfer method provided the benefit of transferring elvers further upstream past Aniwhenua Dam.”

Resolved

That the Rangitāiki River Forum:

- 1 **Confirms the Rangitāiki River Forum minutes of 10 November 2017, as a true and correct record, with the foregoing corrections.**

Clark/Love
CARRIED

7 Reports

7.1 Consultation on the proposed Long Term Plan 2018-2028

Refer PowerPoint Presentation Objective ID zA209701.

General Manager Catchment Management Sarah Omundsen informed of Regional Council’s Long Term Plan 2018-2028 (LTP) that was out for consultation and submissions. Ms Omundsen advised of LTP budget spends over the next 10 years, the continuation of projects of interest within the catchment, apportioning of rates funding and key consultation topics that Council was seeking feedback on.

The following matters were clarified in response to questions:

1. Regarding opportunities and matters worthwhile submitting on, Council was looking for submissions on all parts of the LTP. Submissions lodged a few days past the closing date for submissions would be considered;
2. In regard to Civil Defence Emergency Management (CDEM), Council was awaiting a report on the National CDEM review and recognised that CDEM needed to be strengthened;
3. The Regional Council was progressing its way through recommendations from the Rangitāiki Independent Review, with budget captured within the LTP. An update on implementation and progress would be reported to the Forum. It was noted that the Forum wished to be proactive and provide feedback on how implementation progressed. The need to keep local communities updated on progress was also noted.

4. Waiohau School Principal Te Taahae Akuhata expanded on some of the projects that local students were engaged with and advised he would like to engage with the Regional Council regarding access to resources and funding to support some of their school projects.

Ms Omundsen advised that while not highlighted in the LTP Consultation Document, community aspirations were supported in the LTP, with Environmental Enhancement Funding of \$500K available, which local catchment managers could further assist with enquiries.

5. Flood Recovery Project Manager Paula Chapman advised work was occurring on flood recovery work across the region, including the Edgecumbe flood recovery work. She advised 20 sites within the Rangitāiki Catchment had significant damage, which Council was working with various agencies to support associated recovery projects. Comment was raised regarding flood damaged farmland, which staff undertook to follow-up. It was noted that investigation into river ramping was pending and would be addressed by the Cardno report.

Resolved

That the Rangitāiki River Forum:

- 1 **Receives the report, Consultation on the proposed Long Term Plan 2018-2028.**

**Winters/Love
CARRIED**

7.2 **Update on the 2017/2018 Annual Work Plan for Rangitāiki Catchment Programme**

Eastern Catchments Manager Simon Stokes provided an update on progress and key highlights for the first six months of the 2017/2018 Annual Work Plan for the Rangitāiki Catchment Programme, with the following matters noted:

1. Progress on the community plan for Aniwaniwa had been delayed due to post-flood recovery work and other issues that had arisen, with completion anticipated by end of June 2018.
2. The Whakatāne District Recovery Project was still underway and being led by Whakatane District Council. Some flood affected residents were still out of their homes with 65% returned. Key goals for the project were getting people back home, continuation of Navigator support and Rivers & Drainage recovery as a major piece of work.
3. While flood recovery works could be impacted by a current lack of availability of contractors, a good project management structure was in place to prioritise work.

Clarification was provided in response to questions:

4. Support for new community initiatives could be explored by contacting Mr Stokes, Land Management Team Leader Nancy Willems or Land Management Officer Mieke Kapa.
5. Grant funding for the Rangitāiki Wetland Restoration Project totalled \$1.5M over five years with 50 percent shared by the Ministry for the Environment and the

Bay of Plenty Regional Council. Members were advised all but one landowner had given their support for the project, with Southern Generation awaiting progress and completion of the Lake Aniwanuiwa community plan.

Flood Recovery Project Manager Paula Chapman confirmed that the Reids Canal Floodway Project was about to go through a resource consent variation process. Further details were not available for the meeting, but would be reported to the Forum at a future date.

6. Concern was raised with gravel and weed issues at Lake Aniwanuiwa. Mr Stokes advised a further meeting at the marae would be arranged for the Waiohau community on various matters including work activities, consultation timeframes and next steps.

Resolved

That the Rangitāiki River Forum:

- 1 **Receives the report, Update on the 2017/2018 Annual Work Plan for Rangitāiki Catchment Programme.**

**Araroa/Rangiaho
CARRIED**

7.3 Rangitāiki River catchment - Operations and General Update

Team Leader Eastern & Rangitāiki Catchments Nancy Willems highlighted key points from the report regarding operational activity and general matters occurring within the Rangitāiki River catchment.

7.3.1 Te Hekenga Nui o Te Tuna Plan

In relation to the Te Hekenga Nui o Te Tuna Plan, Ms Willems introduced Ngāti Awa Customary Fisheries Authority (NACFA) Representative Charlie Bluett who advised meetings had been held with Iwi Forum members, Te Ohu Kaimoana and quota management holders regarding Iwi and hapū concerns about the decline of long fin tuna populations and customary catches. Mr Bluett noted at a recent meeting with Iwi that NACFA had offered their services to contribute towards the issues raised. He advised that discussions had found the biggest impact was not only with commercial takes, but included barriers to migratory pathways, habitat and pollution.

Mr Bluett introduced Te Ohu Kaimoana (TOK) representative Mr Alan Riwaka who informed:

- Discussions with Iwi and hapū had provided the commercial industry with greater awareness and appreciation of the impacts, with positive discussions raised on the aspirations of Iwi and the fishing industry and similar issues occurring elsewhere.
- Quota management area (QMA) data on total allowable catch was less than 20% of the catchment (< 5 tonnes) however, noted that more discussion on this was needed.
- Duplication of work was occurring regarding the issues of commercial fishing, migration pathways, habitat and pollution.

- Respective agencies, Iwi and hapū supported putting forward a proposal to the Forum to combine and integrate resources into the work of the Te Hekenga Nui o Te Tuna Plan, noting involvement from NACFA, TOK and Te Wai Māori.

Mr Riwaka acknowledged Bill Kerrison's mahi along with Mr Bluett's and others at the table.

In response to questions, the following advice was provided:

1. Regarding the whereabouts of tuna, migratory paths in and out to sea were noted as being equally important with both needing to be addressed;
2. The Te Hekenga Nui o Te Tuna Steering Group would work with Mr Bluett and others on the Forum's behalf and report back to the Forum.
3. Mr Bluett and Mr Riwaka supported involving the Ministry for Primary Industries, as a statutory responsibility to Iwi and the Forum; and it was noted that Te Ara Whānui o Rangitāiki objectives had been well received by NACFA and TOK.
4. In regard to the impacts of climbing spindleberry, alligator weed and privet on the tuna lifecycle, river habitat and ecology, Ms Willems advised the extent of spindleberry was unconfirmed and would be monitored. Alligator weed died off in winter and renewed in spring, was a significant issue and rated high as a pest plant, with annual surveys conducted at existing and new sites.

7.3.2 Trustpower's Fish Passage Options and Implementation Recommendations

Forum members discussed the recommendations outlined in Trustpower's Fish Passage Options Implementation Table (refer Report Appendix 2) with clarification provided as follows:

1. In regard to Recommendation 4 – using commercial tuna from another catchment as an alternative source for spillway trials was proposed. It was explained that the permit process would require approval from Iwi. If the trials did not work, other options would be investigated.
2. A query was raised on the need for spillway trials to occur at Aniwhenua Dam. It was noted that while Aniwhenua Dam was also a significant barrier for downstream tuna migration, Southern Generation was not obligated to provide for tuna passage until renewal of their resource consent.

Forum members provided the following feedback:

3. Regarding Recommendation 4 - Comment was raised that it would be inappropriate to use tuna from another Iwi's catchment, regardless of being commercially sourced. Iwi members advised they required further time to discuss with their kaumātua and Iwi, the subject of sacrificing their own tuna for spillway trials.
4. Forum members delegated to Te Hekenga Nui o Te Tuna Steering Group members to progress Recommendations 3, 4 and 6 and to report back to the Forum.
5. In regard to Recommendation 11 – Members requested Trustpower provide further information on the special permit application process.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Rangitāiki River catchment - Operations and General Update.
- 2 In regard to Recommendation 3 contained in Appendix 2: Trustpower – Fish Passage Options Implementation Table:
 - a. Delegates to the Te Hekenga Nui o Te Tuna Steering Group to support Trustpower with progressing discussions with Bill Kerrison on succession planning.
- 3 In regard to Recommendations 4 and 6 contained in Appendix 2: Trustpower – Fish Passage Options Implementation Table:
 - a. Requests Te Hekenga Nui o Te Tuna Steering Group to report back to the Rangitāiki River Forum.
- 4 In regard to Recommendations 11 contained in Appendix 2: Trustpower – Fish Passage Options Implementation Table:
 - a. Requests Trustpower to provide the Rangitāiki River Forum with further information regarding Trustpower Limited's (TPL) application for Special Permit to undertake live tuna trials.

Araroa/Love
CARRIED

Love/Rangiaho
CARRIED

Adjournment

The meeting adjourned at 1.25pm and reconvened at 1:57pm.

Order of Business

With the leave of the Forum, the Chair advised that Public Excluded Agenda Item 11.1 would be received next on the agenda.

7.4 Public Excluded Section

Resolved

Resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General Subject of Matter to be Considered	Reason for passing this resolution in relation to this matter	Grounds under Section 48(1) LGOIMA 1987 for passing this resolution
Proposed Change 3 Appeal: Joinder of Rangitāiki River Forum	To maintain legal professional privilege	Disclosing the information may constitute contempt of Court

Araroa/Johnston
CARRIED

7.5 Freshwater Futures Programme Update

Refer PowerPoint Presentation Objective ID A2828282.

Strategy & Science Manager Ian Morton and Senior Planner Nicola Green summarised matters from the report regarding regional and national activities focused on implementing the National Policy Statement for Freshwater Management (NPS-FM).

Discussion and advice was provided on the following matters:

- A member queried how Council intended to incorporate cultural aspects into NPS-FM monitoring. Staff advised that surface water catchment modelling was science-based only and that cultural monitoring was a matter for tangata whenua and that staff would seek their advice and involvement in the future. The recently approved Mātauranga Māori Framework – He Korowai Mātauranga would provide guidance for staff.
- It was noted that ‘He Korowai Mātauranga’ was an internal resource to assist Council staff with their work, with further edits required to it. Additionally, development of an implementation plan was needed and anticipated to be completed later in the year, at which time an update could be provided to the Forum.
- Ngāti Whare had engaged with Landcare Research who had developed a sustainable Mātauranga Māori model to research and monitor the state of the Whirinaki Forest, which may provide practical examples to assist with ‘He Korowai Mātauranga’ implementation work, which staff acknowledged for follow-up.
- Regarding surface water quantity and allocation, a modelling tool to indicate fish habitat protection levels called EFSAP, was being developed. It was confirmed that water consents were included in surface water modelling and could be demonstrated at a future time. Groundwater modelling was well underway for the lower Rangitāiki catchment, with mass modelling being initiated.
- Regarding national matters:
 - The Minister for the Environment had requested feedback from the Land & Water Forum (LAWF) to report by May 2018 on water degradation and what could be achieved by 2020.
 - A lot of work was occurring to link national Climate Change and Freshwater outcomes, with Regional Councils feeding into discussions on practical changes that could be made;
 - Draft regional swimmability targets required by the NPS-FM were due to be released at the end of March 2018. The national target required 80% of lakes and rivers to be swimmable by 2030 and 90% swimmable by 2040. Bay of Plenty region’s current classification was sitting high at 94.5% for rivers and 85% for lakes. It was noted that action plans were in place for lakes requiring improvement. Staff had recommended maintaining good management practices, while continuing discussions with local communities to look at community targeted standards.

- Havelock North inquiry had led to councils in the Bay of Plenty taking a cohesive joint risk assessment approach for municipal and groundwater bore supplies. In regard to private drinking water supplies, the Ministry of Health would be looking to educate communities of contamination risks, as it would be up to individuals to ensure against those risks.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Freshwater Futures Programme Update.**

**Love/Kingi
CARRIED**

7.6 Appeals to Proposed Change 3 (Rangitāiki River) to the Bay of Plenty Regional Policy Statement

The report informed the Forum of two appeals lodged with the Environment Court on Proposed Change 3 (Rangitāiki River) to the Bay of Plenty Regional Policy Statement. The report was taken as read and accepted with no further discussion raised.

Resolved

That the Rangitāiki River Forum:

- 1 Receives the report, Appeals to Proposed Change 3 (Rangitāiki River) to the Bay of Plenty Regional Policy Statement.**

**Rangiaho/Kingi
CARRIED**

Councillors Kevin Winters, David Love and Bill Clark ABSTAINED and requested that this be recorded.

7.7 Deferral of Item: Te Ara Whānui o Rangitāiki Implementation Workshop Summary

Due to timing, the Chair sought deferral of the item until the next Forum meeting, which members agreed.

The Chair noted the need for the Forum to review its Terms of Reference and to consider how to capture and include the views and input from new members.

Resolved

That the Rangitāiki River Forum:

- 1 Defers consideration of the report, Te Ara Whānui o Rangitāiki Implementation Workshop Summary to the next meeting of the Forum.**

**Vercoe/Winters
CARRIED**

8 **Closing Karakia**

The meeting closed with a karakia provided by Kaumātua Mr Cleve Savage.

The meeting closed at 3:02 pm.