

Minutes of the Te Maru o Kaituna River Authority Meeting held in Te Puke War Memorial Hall, Te Puke Hall, 130 Jellicoe Street, Te Puke on Friday, 11 August 2017 commencing at 9.30 a.m.

Present:

Chairman: D Flavell (Tapuika Iwi Authority Trust)

Deputy Chairman: A Tahana (Bay of Plenty Regional Council)

Appointees: K Marsh (Western Bay of Plenty District Council), S Morris (Tauranga City Council), T Tapsell (Rotorua Lakes Council), J Nees (Bay of Plenty Regional Council), M Horne (Te Komiti Nui o Ngati Whakauae), R Hancock (Alternate, Ngati Rangiwewehi), Dr B Kihirini (Alternate, Tapuika Iwi Authority), M McDonald (Alternate, Bay of Plenty Regional Council)

In Attendance: M Tapsell (Tapuika/Waitaha); J Fitter (Maketū Ongatoro Wetland Society, Kaituna Freshwater Futures Group); BOPRC: Councillor S Crosby, N Zaman (Acting General Manager, Regulatory Services), P de Monchy (Kaituna Catchments Manager), P Howe (Senior Advisor (Treaty)), A Vercoe (Māori Policy Team Leader), C Koopu (Senior Treaty Advisor), A Fort (Senior Planner), J Watts (Senior Water Policy Planner), K O'Brien (Strategic Engagement Manager), N Poutasi (Water Policy Manager), S Macdonald (Senior Community Engagement Advisor), G Kroon (Senior Water Policy Analyst), M Stensness (Committee Advisor), J Durham (Committee Advisor), S Bermeo (Senior Planner), R Lyons (Land Management Officer), R Garrett (Committee Advisor).

Apologies: H Paul (Te Pumautanga o Te Arawa)

1 Opening Karakia

The meeting opened at 9.40am with a karakia by Teia Williams.

2 Apologies

Resolved:

That the Te Maru o Kaituna River Authority under its delegated authority:

1. Accepts the apology from H Paul.

Tahana/Horne
CARRIED

3 General Business and Tabled Items

Nil.

4 Declaration of Conflicts of Interest

No conflicts of interest were declared.

5 Previous Minutes

5.1 Te Maru o Kaituna River Authority minutes - 14 June 2017

Resolved:

That the Te Maru o Kaituna River Authority under its delegated authority:

1. Confirms the minutes of the Te Maru o Kaituna River Authority meeting held 14 June 2017

Marsh/Tahana
CARRIED

In relation to item 3.2 of the Minutes of 14 June 2017, staff clarified that, under Proposed Plan Change 9, Council's policy in relation to resource consent applications to take water in already over-allocated catchments was to generally decline the application. However, as this is not a prohibited activity, Council would still have to consider applications.

6 Election of Chairperson and Deputy Chair

Chairman Flavell vacated the Chair, and Acting General Manager Regulatory Services Nick Zaman assumed the Chair for the item.

Mr Zaman called for nominations for Chairperson. Mr Flavell was nominated, with no further nominations received.

Resolved:

That the Te Maru o Kaituna River Authority under its delegated authority:

1. Reappoints Dean Flavell as Chairperson of Te Maru o Kaituna River Authority.

Marsh/Tahana
CARRIED

Mr Flavell resumed the Chair and thanked members for their continued support.

Chairman Flavell called for nominations for Deputy Chair. Councillor Tahana was nominated, with no further nominations received.

Resolved:

That the Te Maru o Kaituna River Authority under its delegated authority:

- 1. Reappoints Councillor Tahana as Deputy Chair of Te Maru o Kaituna River Authority.**

**Hancock/Morris
CARRIED**

7 Reports

7.1 Change of membership

Members were advised that the Authority had yet to be notified of an agreed appointment to the joint Tapuika/Waitaha membership, therefore no formal representative was in place at this stage. Once Tapuika Iwi Authority Trust and Te Kapu o Waitaha had had the opportunity to meet and agree a joint appointment, then the Authority would be advised, and the vacancy filled. Members acknowledged the mahi completed by Mr M Tapsell as the previous joint representative and agreed that Mr Tapsell could sit at the table as an observer but not participate in discussion or decisions.

The following motion was PUT and CARRIED:

Resolved:

That Te Maru o Kaituna River Authority under its delegated authority:

- 1. Amends the recommendations contained in Agenda Report 7.2 *Change of membership* by removing Recommendation 3: *“Confirms the appointments of Maru Tapsell as the appointed member and Punohu McCausland as the alternate member for Te Kapu o Waitaha”*.**

**Tahana/Flavell
CARRIED**

The following motion was PUT and CARRIED:

Resolved:

That Te Maru o Kaituna River Authority under its delegated authority:

- 1. Receives the report, Change of membership;**
- 2. Confirms the appointments of Dean Flavell as the appointed member and Dr Bryce Kihirini as the alternate member for Tapuika Iwi Authority;**
- 3. Confirms the appointments of Hakopa Paul as the appointed member and Piki Thomas as the alternate member for the Te Pumautanga o Te Arawa Trust;**
- 4. Confirms the appointments of Maria Horne as the appointed member and Raymond Pou Poasa as the alternate member for Te Komiti Nui o Ngati Whakaue;**

5. **Confirms the appointments of Councillor Jane Nees as a second appointed member and Councillor Matemoana McDonald as the alternate member for the Bay of Plenty Regional Council.**
6. **Directs staff to review the Te Maru o Kaituna River Authority Terms of Reference in light of the expanded Authority membership.**

**Tahana/Morris
CARRIED**

7.2 **Next Steps towards approval of the Kaituna River Document**

Refer Powerpoint presentation Obj reference: A2668134

Water Policy Manager Namouta Poutasi and Senior Planner Adam Fort explained to members the current stage of development of the Kaituna River Document, outlined the submissions received, and set out the remaining process until final approval.

Members acknowledged the work required to get the document to this stage and thanked staff for their efforts.

The composition of the hearing panel was clarified, being nine rather than ten primary members, due to the vacant joint Tapuika/Waitaha appointment; and the importance of having consistency of members on the hearing panel and involved in deliberations was noted.

Resolved:

That the Te Maru o Kaituna River Authority under its delegated authority:

1. **Receives the report, Next Steps towards approval of the Kaituna River Document;**
2. **Agrees that the Hearing Panel will be required to hold a Deliberations meeting, which involves the making of decisions on submissions and directing any amendments to be made to the proposed version of the Kaituna River Document so that staff can prepare a final version.**
3. **Notes that the Deliberations meeting of the Hearing Panel will be held in September 2017, on a date to be confirmed.**

**Tahana/Hancock
CARRIED**

7.3 **Freshwater Update**

Refer Powerpoint presentation Obj reference: A2669990

Water Policy Manager Namouta Poutasi, Senior Water Policy Analyst Glenys Kroon and Senior Water Policy Planner Jo Watts updated members on recent freshwater management developments.

Ms Kroon explained the process to date for Proposed Plan Change 9, outlined key points of submissions received and noted that the hearing stage had been reached. Hearings were scheduled for 20-23 November 2017, with a five-member hearing panel

comprised of two independent commissioners and three Regional Councillors; and a decision was expected to be notified in December 2018.

Ms Watts updated members on three Council Plan Change processes:

- Plan Change 10 – Ms Watts outlined Council's recent decision in relation to Plan Change 10 and noted there would be a 30 working day appeal period to the Environment Court from 15 August 2017.
- Regional Policy Statement (RPS) Change 3 – Change 3 amends the RPS to incorporate the Rangitāiki River Document developed by the Rangitāiki River Forum and will create a precedent for how the Kaituna River Document could also be treated.
- Plan Change 12 (PC12) – Ms Watts outlined the objectives and process of PC12 and the community consultation and iwi engagement work undertaken in the Kaituna-Pongakawa-Waitahanui water management areas. Ms Watts noted that the initial values and desired in-river states identified by the community groups aligned well with the vision and objectives of the Kaituna River Document. It was clarified that once the Kaituna River Document was approved, Council must recognise and provide for the Document each time it changes its RPS or Regional or District Plans. Staff requested that any iwi who had not been contacted by Council to date to contact Council to agree an engagement process.

Ms Poutasi outlined recent national freshwater management initiatives and summarised the key points from the Ministry for the Environment's (MFE) Clean Water package. Ms Poutasi noted that MFE had received over 10,000 submissions on the Clean Water discussion document, and highlighted to members that one proposed change to the National Policy Statement for Freshwater Management (NPS-FM) was to clarify the meaning and priority of the concept of Te Mana o te Wai. Staff were assessing the implications of the Clean Water document on Council freshwater work already underway.

Resolved:

That the Te Maru o Kaituna River Authority under its delegated authority:

1. **Receives the report, Freshwater Update.**

**Flavell/Tapsell
CARRIED**

7.4 **Update on catchment modelling and scenarios for the Kaituna catchment**

Refer Powerpoint presentation Obj reference: A2669990

Senior Water Policy Planner Santiago Bermeo presented to members on catchment modelling work being undertaken for the Kaituna catchment to support objective and limit setting. The model developed would show water quality and sources of contaminants, and would be based around different future scenarios of land and water use and management and mitigation practices. Projections of how land use might change in the future would be modelled, and feedback was welcomed from members regarding current land use and any expected changes.

Staff clarified that this model dealt only with surface water and land use and did not include underground water sources, but that information was provided via a sub-model.

The need to engage with iwi and other Māori landowning entities (land trusts as well as settlement entities) and to take into account their aspirations for future development, land use, and water needs, was noted.

Resolved:

That Te Maru o Kaituna River Authority under its delegated authority:

- 1. Receives and notes the contents of the report, *Update on catchment modelling and scenarios for the Kaituna catchment*.**

**Flavell/Tapsell
CARRIED**

7.5 **Kaituna Catchment Operations Update to 21 July 2017**

Refer Powerpoint presentation Obj reference: A2680825

Kaituna Catchments Manager Pim de Monchy updated members on progress with the Kaituna River re-diversion and Maketū Estuary enhancement project. Key points included the completion of the Papahikahawai Bridge, the removal of two causeways and the resultant successful algal flushing, the continued work on the southern shoreline chenier on Papahikahawai Island to create a natural ecozone, and continued progress on Tangata Whenua Collaboration and Mauri Monitoring Plans. Mr de Monchy also noted that the construction tender process was underway.

Mr de Monchy outlined the process and objectives of the Ford Road pump station upgrade project. The pumps served two main functions, land drainage for pastoral production, and flood mitigation. Upgrading was required to maintain levels of service, address health and safety issues, improve the discharge water quality and reduce adverse effects on the Kaituna River, and to future proof for climate and land change. Different scenarios were being modelled including the status quo, naturalised land use, and “credible futures” (future options modelled with different variables).

Mr de Monchy advised members that 14 options had been considered and narrowed down to seven, and the seven options would be discussed with stakeholders in order to finalise a preferred option. Staff were confirming the framework for consultation and engagement with stakeholders, including iwi. Council would then be looking to finalise the design and obtain resource consent in 2018, with construction to begin in 2019.

Comments by members included; concern about the quality of the discharge from the pump station, ensuring the modelling included best use of land and the effects of climate change, inclusion of iwi aspirations, effects on fish species, importance of connecting with Māori recreational and customary users, and that citizen-science and public observations should be taken into account to inform the modelling process.

Resolved:

That the Te Maru o Kaituna River Authority under its delegated authority:

- 1. Receives the report, *Kaituna Catchment Operations Update to 21 July 2017*;**
- 2. Approves the proposed approach to stakeholder engagement for the Ford Road Pump Station Upgrade Project.**

**Flavell/Tahana
CARRIED**

8 **Consideration of General Business**

There was no General Business to be considered.

The meeting closed with a karakia at 10.55 am.