

Minutes of the Te Maru o Kaituna River Authority Meeting held in Suite 4, ASB Arena, Baypark, 81 Truman Lane, Mount Maunganui on Wednesday, 8 November 2017 commencing at 9.40 a.m.

Present:

Chairman: D Flavell (Tapuika Iwi Authority Trust)

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

Appointees: Councillor K Marsh (Western Bay of Plenty District Council), Councillor J Scrimgeour (Alternate, Western Bay of Plenty District Council), S Morris (Tauranga City Council), H Paul (Te Pumautanga o Te Arawa), Councillor J Nees (Bay of Plenty Regional Council), M Horne (Te Komiti Nui o Ngati Whakaue), Dr B Kihirini (Alternate, Tapuika Iwi Authority), Councillor M McDonald (Alternate, Bay of Plenty Regional Council), R Hancock (Te Tahuhu o Tawakeheimoa Trust).

In Attendance: Bay of Plenty Regional Council Toi Moana: N Poutasi (Water Policy Manager); K O'Brien (Strategic Engagement Manager); A Vercoe (Maori Policy Team Leader); J Watts (Senior Planner (Water policy)); C Koopu (Maori Policy Advisor); K Pihera-Ridge (Maori Policy Advisor); R Gardiner (Maori Policy Advisor); R Garrett (Committee Advisor).

Tauranga City Council: N Osmers (3 Waters Project Manager); J Pearson (Zest Consulting); C Larking (Consultant Planner).

Public: A Potiki

Apologies: R Pou Poasa, P Thomas, E Grogan; R Hancock (lateness).

1 **Opening Karakia**

Provided by H Paul.

2 **Apologies**

Resolved

That Te Maru o Kaituna River Authority:

- 1 Accepts the apologies tendered from R Pou Poasa, P Thomas and E Grogan; and R Hancock for lateness.**

**Marsh/Flavell
CARRIED**

3 **Declaration of conflicts of interest**

No conflicts of interest were declared.

4 **Previous Minutes**

4.1 **Te Maru o Kaituna River Authority minutes - 11 August 2017**

Clarification around the joint Tapuika Iwi Authority Trust/Te Kapu o Waitaha appointment was sought; it was confirmed that no member had been appointed and the seat remained vacant. Members were advised that Tapuika and Waitaha had not reached agreement on the management of the joint seat, and the Chairman noted that he would follow up with both appointing organisations.

Concern was expressed regarding the imbalance created by the Tapuika/Waitaha vacancy between local authority and iwi members currently represented on the Authority. It was acknowledged that the extra Regional Council appointment was triggered by the admission of Ngāti Whakaeu with an informal voting seat and was not related to the Tapuika/Waitaha statutory appointment. However, it was suggested that an imbalance in favour of local authority representation was contrary to the intent of the settlement legislation. Staff advised that the legislation was silent on any priority or balance of representation, and that the Authority could only act within the parameters of the legislation and should not infer intent. It was noted that the effects of the imbalance were mitigated by the requirement that the Authority's decision-making be by consensus or 70% majority. Further legal advice on options available to the Authority might be sought.

Resolved

That the Te Maru o Kaituna River Authority:

- 1 Confirms the minutes of the Te Maru o Kaituna River Authority meeting held on 11 August 2017 as a true and correct record.**

**Flavell/Tahana
CARRIED**

Attendance

R Hancock joined the meeting at 10am.

5 **Reports**

5.1 **Waiāri Water Supply Scheme Update October 2017**

Refer PowerPoint Objective ID: A27369253

Tauranga City Council 3 Waters Project Manager Neels Osmers updated members on recent progress with the Waiāri Water Supply Scheme and iwi consultation undertaken. Mr Osmers clarified that the current consent for extraction had a 10-year term and would expire in 2020.

Members discussed the varying views held by their appointing organisations regarding the extraction of water from the Waiāri Stream for urban water supply and the taking of water from one area to supply a different area. It was suggested that tribal boundaries should also be considered in allocation decisions as well as local authority boundaries.

Members were reminded that the Waiāri Kaitiaki Advisory Group was the appropriate consultative group for this project, and the project update was to provide information to the Authority to inform its decision making for the Kaituna River. It was suggested that the scheme monitoring programme include monitoring at the confluence of the Waiāri and the Kaituna to understand any impacts on Kaituna River flow.

Resolved

That the Te Maru o Kaituna River Authority:

- 1 Receives the report, Waiāri Water Supply Scheme Update October 2017**

**Flavell/Nees
CARRIED**

5.2 Freshwater Update

Senior Planner (Water Policy) Jo Watts updated members on key national and regional freshwater activity relevant to the Kaituna catchment. Ms Watts outlined recent progress with the Kaituna/Pongakawa/Waitahanui Water Management Area and summarised the current status of Plan Changes 9 and 10 and Change 3 (Rangitāiki River) to the Regional Policy Statement. Ms Watts drew members' attention to Change 3 as it effects the Rangitāiki River Forum river document, and noted that the decision on Change 3 was publicly notified on 17 October.

Resolved

That the Te Maru o Kaituna River Authority:

- 1 Receives the report, Freshwater Update.**

**Flavell/Tahana
CARRIED**

5.3 Governance Update

Committee Advisor Robyn Garrett updated members on various governance and administrative matters, including membership, 2018 meeting schedule, expenditure and financial status at the end of the 2017 financial year and annual reporting requirements. Ms Garrett also sought direction from members to review the Authority's Terms of Reference and Standing Orders.

Members asked various questions of clarification around the use of the Ministry for the Environment (MfE) funds provided to the Authority, and requested that staff consider and report back on possible future use of these funds; and also that a long-term budget be prepared for the Authority. Members noted that the development of the river document action plan may have implications for Authority expenditure.

Resolved

That the Te Maru o Kaituna River Authority:

- 1 Receives the report, Governance Update;**

- 2 Confirms the appointments of Rikihana Hancock as the appointed member and Nicki Douglas as the alternate member for the Te Tahuhu o Tawakeheimoa Trust;**
- 3 Directs staff to review the Terms of Reference and Standing Orders of the Authority and the Authority Finance Subcommittee for currency and relevance, and report back to the Authority in 2018 with any recommendations for amendment;**
- 4 Approves the proposed 2018 meeting dates for the Authority, being: early March (date to be advised), 27 April, 22 June, 24 August, 19 October and 14 December;**
- 5 Notes the financial position of the Authority at the end of the 2016/17 financial year;**
- 6 Notes the requirement under the Tapuika Claims Settlement Act 2014 (the Act) to report to appointing organisations annually;**
- 7 Directs staff to prepare the annual report to appointing organisations required by the Act and authorises the Authority Chairman to approve the report for submission to the appointing organisations; and**
- 8 Notes the Ministry for the Environment letter of 25 August 2017 in support of 'Kaituna, he taonga tuku Iho- a treasure gifted to us', the Proposed Kaituna River Document, and the Ministry's offer to provide ongoing advice and technical support.**

**Horne/Flavell
CARRIED**

The meeting closed at 10.35 am.