

Minutes of the Ōhiwa Harbour Implementation Forum Meeting held in Council Chambers, Ōpōtiki District Council, 108 St John Street, Ōpōtiki on Tuesday, 25 September 2018 commencing at 9.30 a.m.

Present:

Chairman: Councillor T Marr (Bay of Plenty Regional Council)

Deputy Chairman: Councillor L Riesterer (Ōpōtiki District Council)

Appointees: Councillor A Iles - Whakatane District Council; Te Runanga o Ngati Awa: Charlie Bluett, T O'Brien – Alternate; Gaylene Tuari-Kohunui - Whakatōhea Maori Trust Board; Te Upokorehe: Trevor Ransfield, Maui Manuel – Alternate.

Attendance in part: Rachel Korā, Kero Te Pou (Alternate) - Te Waimana Kaaku (Ngāi Tūhoe).

In Attendance: Bay of Plenty Regional Council Toi Moana: Simon Stokes – Eastern Catchments Manager, Tim Senior – Land Management Officer, Lisa Bevan – Environmental Data Officer, S Kameta – Committee Advisor; Mike Houghton, Manager Places and Open Spaces – Whakatāne District Council; Gerard McCormack – Planning and Regulatory Group Manager, Ōpōtiki District Council; Department of Conservation Te Papa Atawhai: Mike Jones - Senior Community Ranger, Nikora Heitia – Community Ranger; Tanja Rother – Contractor; External Presenter: Dr Kura Paul-Burke – NIWA: Taihoro Nukurangi, Joe Burke – MUSA Dive Marine & Environmental Services.

Apologies: Councillor W Clark (Alternate) - Bay of Plenty Regional Council.

1 **Karakia**

Provided by Trevor Ransfield.

2 **Apologies**

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Accepts the apology from Cr Bill Clark tendered at the meeting.**

**Iles/Marr
CARRIED**

3 **Public Forum**

Nil

4 **Acceptance of Late Items**

Nil

5 **General Business**

Nil

6 **Confidential Business to be Transferred into the Open**

Nil

7 **Declaration of Conflicts of Interest**

Nil

8 **Previous Minutes**

8.1 **Ōhiwa Harbour Implementation Forum minutes - 19 March 2018**

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Confirms the Ōhiwa Harbour Implementation Forum minutes - 19 March 2018, as a true and correct record.**

**Marr/G Kohunui
CARRIED**

9 **Ōpōtiki District Council Verbal Update**

Councillor Lyn Riesterer provided an update on matters of interest for Ōpōtiki District Council.

Key points:

- Introduced new Planning and Regulatory Group Manager Gerard McCormack and advised that the Parks & Reserves Manager Garry Page would be working with the Forum;
- The proposed Ōpōtiki District Plan was at the appeal stage with no significant points raised for the Ōhiwa zone. The proposed plan aligned with the Ōhiwa Harbour Strategy, with protection of the Ōhiwa zone strengthened, stronger emphasis placed on harbour values, more consistency of boundary lines, setbacks and ridgeline controls and a managed approach taken to rural production activities;
- Maintenance was underway on walking and cycle paths around the eastern side of the harbour in readiness for summer season.

- Ōpōtiki District Council had provided funding for planting and trap placements to assist care group work under the umbrella of the Ōhiwa Harbour Strategy.
- Vehicles seen on mudflats and beaches around the Ōhiwa spit was still an ongoing concern, with publicity being undertaken to discourage bylaw breaches.
- Noted attendance at the blessing for installation of harbour signage at Ōhiwa spit and pending release of the Ōhiwa Harbour Trail pamphlets at information i-sites.

In response to Questions:

- Ōpōtiki District Council and other coastal territorial authorities were responsible for compliance monitoring and enforcement of the Vehicles on Beaches Bylaw.
- Noted Ōpōtiki District Council sent follow-up letters to vehicle owners who breached the bylaw, with records maintained followed by enforcement taken for repeat offenders.

10 Reports

10.1 Ōhiwa Harbour Integrated Catchment Programme Annual Work Plan results for 2017-18 and update to September 2018

Refer PowerPoint Presentation (Objective ID A2975792).

Land Management Officer Tim Senior presented the item.

Key points:

- 39 deliverables from the 2017-18 work programme had been completed with six still in progress and three incomplete;
- There was increased focus in water quality within the Nukuhou catchment, with over half of the catchment's land use in dairy.
- Fonterra had offered to fund the preparation of 10 farm environment plans. Once the farm plans were complete, Regional Council staff would arrange follow-up discussions with the respective farmers;
- Pest control undertaken by local volunteers continued to grow around the harbour margins;
- The submission made on behalf of the Forum to the Whakatāne District Bylaw review had been assisted with guidance of the Ōhiwa Harbour Recreation Strategy;
- Ministry for Primary Industries (MPI) staff had attended the OHSCG hui in May and were keen to engage with the Forum's work.
- Summarised the MPI compliance report and 2016 intertidal shellfish monitoring noting: impacts from sediment sizing was still unknown, starfish had not been considered, with the next MPI survey would be undertaken sometime in 2019;
- Removal of the Tuck house at Te Onekawa Te Mawhai Regional Park completed. The area has been incorporated into sheep pasture and transformed the park, with subsequent opportunity to transform the space into a picnic area.

- Provided a brief overview of the draft Ōhiwa Harbour website;

In response to questions:

- Farm environment plans being prepared by Fonterra were estimated to cost between \$2,500-5,000 per plan, which would include staff time and consideration of farm size and complexity;
- Commercial fishing quotas were held in perpetuity, could be transferred or retired by the quota holder, or ceased, subject to due diligence by authority of the Minister of Primary Industries. Quota holder information was public knowledge and could be obtained.
- Archaeological sites within Te Onekawa Te Mawhai Regional Park were mapped to ensure they were managed appropriately.

Members' Comments:

- Ngati Awa issued customary permits for pipi that were in excess of recreational takes however, were being more proactive to ensure takes were not excessive.
- Personal observations of pipi and cockle numbers reflected that reported within the MPI report;

10:21 am – Rachel Kora and Kero Te Pou **entered** the meeting.

- The Ōhiwa Wharf was progressing well with the toilet block to be installed and the Lions' shed extended for a period of two years.

Follow-up Action:

- Request that staff provide further information on commercial fishing quota holders.
- Request the proposed website replace use of "Jewel" with "Taonga".

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Ōhiwa Harbour Integrated Catchment Programme Annual Work Plan results for 2017-18 and update to September 2018;**
- 2 Requests a letter of appreciation to be sent to Fonterra for supporting the preparation of 10 farm environment plans for dairy farmers in the Nukuhou catchment.**

**Iles/Riesterer
CARRIED**

Order of Business

With the leave of the Forum, the Chairman asked that Agenda item 10.3 'Shellfish Restoration Trial in Ōhiwa Harbour 2018-2019' be taken next to accommodate the departure of the presenter.

10.2 Shellfish Restoration Trial in Ōhiwa Harbour 2018-2019

Refer PowerPoint Presentation (Objective ID A2981402).

Dr Kura Paul-Burke from NIWA was accompanied by her husband and MUSA expert diver Mr Joe Burke and were in attendance to present the item.

Key points:

- Outlined the project aims and actions to trial growing and restoring mussel spat on lines in Ōhiwa harbour for recruitment into the substrate;
- The trial would be a first of its kind to trial different design methods and natural (Mātauranga Māori) and artificial materials. Cage designs would allow for water flow and trial how mussel and starfish would react;
- Consultation with Ngati Awa, Upokorehe, the Harbour Master and maritime staff had been undertaken for the selection of four restoration sites at remaining mussel beds;
- Co-funding had been provided by Bay of Plenty Regional Council and NIWA over two financial years;
- Stage 1 and 2 would commence in October 2018 when water conditions were clear. Monitoring and maintenance would start in November 2018 and continue through 2019, with reporting and recommendations completed in March 2020.
- Acknowledged the support of those who had assisted with the project, noting NIWA was open to collaborate and assist the Forum on this work.
- Hoped the trial would provide answers to a number of questions, including mussel restoration success, level of seastar predation, how collective ideas worked, level of resourcing and options for biodiversity moving forward;

In response to questions:

- Mrs Paul-Burke and Mr Burke had worked closely with the harbour master to ensure the trial was protected, away from recreational users and navigation lanes;
- Sites were adjacent to the swimming area on the western side of the harbour, parallel to the shore and shallow in depth at low tide;
- It was hoped that control sites would identify levels of starfish predation, which would be beneficial to the study;
- Origin of spat from the sea was unknown and overseas studies had reported that the transfer of spat was low;
- Funding from Auckland University had been unsuccessful, however the trial would look at other options moving forward.

Comments:

- Eastern Catchments Manager Mr Simon Stokes acknowledged the Forum's patience and perseverance regarding seastar concerns and the importance of the trial. Mr Stokes expressed appreciation to Mrs Paul-Burke and Mr Burke for their continued support, in anticipation of the progress that would be made.

- Forum partners were asked to communicate to their organisation and wider networks the importance and need for support and awareness of the project.
- Noted several Iwi from the North Island had visited Ōpōtiki to discuss spat and that the Ōpōtiki mussel marine area maybe a potential option for consideration in the future.

Follow-up Action:

- Requested Mrs Paul-Burke present to the Whakatōhea Māori Trust Board, which she acknowledged and supported.
- Staff to provide public communication to bring awareness of the project.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Shellfish Restoration Trial in Ōhiwa Harbour 2018-2019.**
- 2 Endorse the proposed actions.**

**Marr/Kora
CARRIED**

11.00am – The meeting **adjourned** and **reconvened** at 11:16 am.

10.3 **State of Environment Report for Ōhiwa Harbour and Catchment**

Refer PowerPoint Presentation (Objective ID A2977880).

Environmental Data Officer Lisa Bevan gave an update on the current State of Ōhiwa Harbour and Catchment since the previous report in 2013.

Key points:

- State of the Environment Report provided an important role of collating information from various sources and identifying negative changes;
- Nukuhou River water quality trends were significantly improving over time and ecosystem health was good however, water temperature levels could be assisted with more riparian planting to reduce stress on aquatic life;
- Estuary water quality overall was good in comparison to similar estuaries around New Zealand and was safe for swimming and kaimoana gathering;
- Threat of myrtle rust was predicted to have a severe impact on two plant species;
- Pest control was important to safeguard threatened plant and bird species. It was noted that NZ Dotterel, North Island Fernbird and Pimelea tomentosa had increased because of pest control operations.
- Faecal contamination indicator levels on the eastern side of the harbour had showed an increasing trend, however work was occurring to help improve water quality;

In response to Questions:

- Six parameters had been used in comparing Ōhiwa harbour water quality with other estuaries, of which Ōhiwa Harbour was in the top half;
- Faecal source tracking hadn't been undertaken in the Nukuhou catchment, but tracking carried out in the Waioatahe catchment had found a vast majority of faecal contamination was from cows with some from avian sources and it was suspected that similar findings would be present in other tributaries like the Nukuhou River, possibly with some presence of human influence from septic tanks;
- Staff would continue to work with landowners and industry to mitigate and minimise contaminants entering the river and harbour system;
- Combining climatic condition impacts for water temperature levels would be difficult with sampling occurring on an annual basis only;
- Bank stability along the Nukuhou River made revegetation difficult, but planting of shrub willows was occurring to help improve water temperatures over time;
- Under the National Policy Statement for Freshwater Management (NPS-FM) the Nukuhou River at the Glenholme monitoring site rated in the highest band for nitrate levels, meaning this was unlikely to affect the river's ecosystem. However, the indicator for ecosystem health, macroinvertebrate indices had showed possible degradation and was unlikely to improve to an excellent state. As there were multiple factors that could affect ecosystem health (such as substrate, temperature and riparian planting), these other factors could be affecting the health of the ecosystem.
- Mr Stokes advised that land management staff had been asked to put greater effort into the nutrient management trends with Nukuhou landowners;
- Farm environment plans were between Fonterra and the landowners however, collaboration was occurring with Bay of Plenty Regional Council staff; and a summary of issues and recommendation could be reported back to the Forum.

Members' Comments:

- Over August, Ōpōtiki had recorded more rainfall compared to the last two years and with climate change, anticipated more intense rain events;
- Considered faecal contamination was a key indicator over time that should be monitored as an ongoing measure. It was noted that the State of Environment report had a recommendation for respective councils to action;
- Requested more detailed information on monitoring trends in the State of Environment report;

11:55 am – Cr Lyn Riesterer **withdrew** from the meeting.

- Queried progress made on reducing swan numbers in Ōhiwa harbour.
- Supported the continuation of State of Environment reporting and implementation of the recommendations contained under Part 7 of the State of Environment report.

Staff Follow-up Action:

- Investigate ways to manage swans in Ōhiwa Harbour. Department of Conservation Senior Community Ranger Mike Jones advised the Department would assist with multi-agency coordination.

Resolved**That the Ōhiwa Harbour Implementation Forum:**

- 1 Receives the report, State of Environment Report for Ōhiwa Harbour and Catchment;**
- 2 Notes the importance of the monitoring programme and supports the ongoing implementation of the monitoring programme.**
- 3 Supports the implementation of the recommendations contained within Part 7 of the State of Environment Report for Ōhiwa Harbour and Catchment 2018.**

Iles/Tuari-Kohunui
CARRIED

10.4 Mangrove management in the Ōhiwa Harbour 2011 - 2018

Refer PowerPoint Presentation (Objective ID A2976163).

Land Management Officer Tim Senior was accompanied by contractor Tanja Rother and presented the item on the Ohiwa mangrove management project.

Key points:

- Outlined the spread and extent of mangroves since 2008 and work undertaken by the Regional Council and Te Upokorehe to gain resource consent for removal;
- The consent referred to mangrove coverage recorded in 2007, allowed for removal on the seaward side of the consent boundary to avoid biodiversity areas and DOC reserves with hand-held tools only, which required hard intensive labour;
- Observations showed mangroves had not expanded from the 2011 map extents;
- Next steps would involve revisiting mangrove removal around the islands, requiring boats, which would present some challenges;
- The current consent would expire in 2020, which would require coastal planner input, consideration of renewal and public engagement. An update on this matter would be provided to the next Forum meeting;
- Acknowledged the support of Te Upokorehe who had led and obtained consent and provided voluntary labour;
- Sought feedback from members on next steps and their desire to support consent renewal and the opportunity to engage the wider community on the removal or retention of mangroves;

- Considered a mana whenua-led consent application would go a long way to gain and develop support from the community;

In response to Questions:

- Utilising periodic detention workers had been trialled previously without success, with the current crew established and working well;
- Access to Department of Conservation reserve would be difficult and removal of native plants from reserves was illegal;
- Mangrove removal as a commercial venture had been considered however, noted current costs, including providing participants with a koha was \$10,000 and provided volunteers with additional income.

Members' Comments:

- Recognised the labour intensive work of removing mangroves however, supported the renewal of consent, which needed to be considered;
- Tūhoe members would take the matter back to their Iwi/hapū for consideration.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Mangrove management in the Ōhiwa Harbour 2011 – 2018.**

Iles/Ransfield
CARRIED

10.5 **An introduction to the draft Bay of Plenty Conservation Management Strategy**

Refer PowerPoint Presentation (Objective ID A2981403).

Department of Conservation Senior Community Ranger Mike Jones provided a summary of the report.

Key points:

- Provided background on the statutory framework and Conservation Management Strategy (CMS) proposed new structure, which would be out for consultation;
- The new CMS was currently at the pre-notification stage for drafting, with conversations initiated with Iwi partners across the Bay of Plenty region;
- Outlined the outcome statement and proposed wording currently within the working draft CMS.

Members' Comments:

- Supported the suggestion made by Eastern Catchments Manager Simon Stokes for the CMS to align with the Ōhiwa Harbour Strategy objectives as a starting point;

- Sought recognition of the relationship of Ōhiwa and its association with a number of people and tangata whenua affiliations, which was noted and acknowledged.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, An introduction to the draft Bay of Plenty Conservation Management Strategy.**

Iles/Ransfield
CARRIED

10.6 Business Case: Western Coastal Cycle Trail Extension

Refer PowerPoint Presentation (Objective ID A2977663).

Whakatane District Council Manager Places and Open Spaces Mike Houghton outlined the the Western Coastal Cycle Trail Extension joint project between Whakatane and Ōpōtiki District Councils.

Key points:

- Stage 1 concept proposal had been completed with support indicated from the Ministry of Business, Innovation & Employment (MBIE) for a Mōtū trail extension from Ōpōtiki to Whakatāne Airport;
- Stage 2 Business Case had been lodged with MBIE to request funding to proceed to Stage 3 with more detailed work, costings and consenting required;
- Outlined the proposed area of interest to the Forum within the Ōhiwa Harbour catchment and the impacts on the harbour from the trail at the Ōhiwa Loop Road and Port Ōhope boat ramps or wharf where ferry services were proposed.
- The proposal had been previously reported to the Forum in 2017 and aligned with the Ōhiwa Harbour Strategy and Ōhiwa Recreation Strategy;
- Independent Cost Benefit Analysis undertaken by Martin Jenkins Consultant outlined forecasted economic growth and contribution to local economy;
- The business case was seeking funding of approximately \$18M however, cost estimates for a new walking and cycling bridge over Whakatane River had come down to \$14M for the total trail.

In Response to Questions:

- The potential funding split being sought from MBIE was 90 percent of the cost, with 10 percent to come from the two councils at a cost of \$2 million each;
- MBIE did not support applications being made to both the Provincial Growth Fund and New Zealand Cycle Trail: Enhancement and Extension Fund;
- Further consultation with the Forum partners would be needed, and it was noted that separate consultation with Iwi partners was still to come;
- The full business case was available to Forum members on request.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Business Case: Western Coastal Cycle Trail Extension.**

**Iles/Kora
CARRIED**

The meeting closed at 1:11 pm.

CONFIRMED DATE

Councillor Tīpene Marr, Chairperson