

Te Maru o Kaituna River Authority

NOTICE IS GIVEN

that the next meeting of **Te Maru o Kaituna River Authority** will be held in **Council Chamber, Tauranga City Council, Administration Building, 91 Willow Street, Tauranga** on:

Friday, 27 September 2019 commencing at 10.30 am.

Dean Flavell
Chairman
Te Maru o Kaituna River Authority

Te Maru o Kaituna River Authority is a co-governance partnership made up of iwi representatives from Tapuika Iwi Authority Trust, Te Kapu Ō Waitaha, Te Pumautanga o Te Arawa Trust, Te Tāhuhu o Tawakeheimoa Trust, Ngāti Whakaue, and council representatives from the Bay of Plenty Regional Council Toi Moana, Rotorua Lakes Council, Western Bay of Plenty District Council and Tauranga City Council. It is a permanent joint committee of the four councils.

The purpose of Te Maru o Kaituna is the restoration, protection, and enhancement of the environmental, cultural and spiritual health and well-being of the Kaituna River and its tributaries.



Te Maru
o Kaituna

Te Maru o Kaituna (Kaituna River Authority) Terms of Reference

Interpretation

“Act” means the Tapuika Claims Settlement Act 2014.

“Appointing organisation” means an organisation that appoints a member of the Kaituna River Authority under section 118 of the Act.

“Authority” means Te Maru o Kaituna / the Kaituna River Authority.

“Iwi” means each iwi represented by an iwi appointing organisation.

“Iwi appointing organisation” means:

- the Te Tāhuhu o Tawakeheimoa Trust.
- the Tapuika Iwi Authority Trust.
- Te Kapu o Waitaha.
- the Te Pumautanga o Te Arawa Trust.

“Joint committee” means a joint committee within the meaning of clause 30(1)(b) of Schedule 7 of the Local Government Act 2002.

“Kaituna River or river” means the Kaituna River, including its tributaries within the catchment areas shown on deed plan OTS-209-79.

“Kaituna River document” means the document approved under section 127 of the Act.

“Local authority” means the Bay of Plenty Regional Council, the Rotorua District Council, the Tauranga City Council or the Western Bay of Plenty District Council – and “local authorities” shall have a corresponding meaning.

“Te Pumautanga o Te Arawa Trust” has the meaning given in section 10 of the Affiliate Te Arawa Iwi and Hapu Claims Settlement Act 2008.

The scope and delegation of this Authority covers the geographical area of the Kaituna River catchment as shown on deed plan OTS-209-79.

Establishment

The Act provides for the establishment of Te Maru o Kaituna, a co-governance partnership between local authorities and iwi that share an interest in the Kaituna river.

Despite the composition of the Authority as described in section 118 of the Act, Te Maru o Kaituna is a joint committee of the Bay of Plenty Regional Council, the Rotorua District Council, the Tauranga City Council and the Western Bay of Plenty District Council.

Despite Schedule 7 of the Local Government Act 2002, the Authority:

- is a permanent joint committee; and

- must not be discharged unless all of the appointing organisations agree to the discharge.

Purpose

The purpose of the Authority is as set out in Tapuika Claims Settlement Act 2014.

The purpose of the Authority is the restoration, protection and enhancement of the environmental, cultural and spiritual health and well-being of the Kaituna River.

In seeking to achieve its purpose, the Authority may have regard to the social and economic well-being of people and communities.

Functions

- The principal function of the Authority is to achieve its purpose.
- In seeking to achieve its purpose, the other functions of the Authority are:
 - to prepare and approve the Kaituna River document in accordance with sections 125 and 127 of the Act
 - to monitor the implementation and effectiveness of the Kaituna River document
 - to support the integrated and collaborative management of the river
 - to work with the local authorities and Crown agencies that exercise functions in relation to the Kaituna River:
 - to monitor the state of the river environment
 - to monitor the effectiveness of the management of the river
 - to engage with iwi in relation to their interests in the river and to consult them on how to manage the river
 - to provide advice and recommendations to local authorities:
 - relating to projects, action, or research designed to restore, protect, or enhance the health and well-being of the river
 - on the appointment of commissioners to hear and decide applications for resource consents under the Resource Management Act 1991 that affect the river
 - to facilitate the participation of iwi in the management of the river
 - to monitor the extent to which the purpose of the Authority is being achieved, including the implementation and effectiveness of the Kaituna River document
 - to gather information, to disseminate information, and to hold meetings
 - to take any other action that the Authority considers is appropriate to achieve its purpose.
- The Authority may seek to obtain funds to enable it to perform its functions.

Membership

Under section 118 of Tapuika Claims Settlement Act 2014, the Authority consists of 8 members:

- one member appointed by the Tapuika Iwi Authority Trust; and
- one member jointly appointed by the Tapuika Iwi Authority Trust and Te Kapu o Waitaha; and
- one member appointed by the Te Pumautanga o Te Arawa Trust; and
- one member appointed by the Te Tāhuhu o Tawakeheimoa Trust; and
- one member appointed by the Bay of Plenty Regional Council; and
- one member appointed by the Rotorua District Council; and

- one member appointed by the Tauranga City Council; and
- one member appointed by the Western Bay of Plenty District Council

As per resolution by Te Maru o Kaituna River Authority on 14 June 2017, two informal members with voting rights:

- one informal member appointed by Te Komiti Nui o Ngāti Whakāue; and
- one informal member appointed by the Bay of Plenty Regional Council.

Quorum at meetings

In accordance with Te Maru o Kaituna standing order 2.4.3, the quorum for a meeting of the Authority is—

- the chairperson or deputy chairperson; and
- two members appointed by the iwi appointing organisations; and
- two members appointed by the local authority appointing organisations.

Decision making

The Authority must make its decisions by a vote at a meeting.

However, the members of the Authority must approach decision making in a manner that—

- seeks to achieve consensus; and
- is consistent with, and reflects, the purpose of the Authority; and
- acknowledges as appropriate the interests of iwi in particular parts of the Kaituna River and its catchment.

If the chairperson (or deputy chairperson) considers that the meeting is unlikely to achieve a consensus on a matter, the decision on the matter may be made only by a 70% majority of those members present and voting at the meeting.

The chairperson and deputy chairperson of the Authority may vote on any matter but do not have a casting vote.

Specific responsibilities and delegations

To avoid doubt, except as provided for in section 116 (2)(a) of the Act, the Authority has discretion to determine in any particular circumstances:

- whether to perform any function specified.
- how, and to what extent, any function specified is performed.

Provision for other groups to join the Authority

Other iwi and local authorities may join the Authority through consensus of the Authority or through legislation.

Public Forum

1. A period of up to 15 minutes may be set aside near the beginning of the meeting to enable members of the public to make statements about any matter on the agenda of that meeting which is open to the public, but excluding any matter on which comment could prejudice any specified statutory process the council is required to follow.
2. The time allowed for each speaker will normally be up to 5 minutes but will be up to the discretion of the chair. A maximum of 3 public participants will be allowed per meeting.
3. No statements by public participants to the Council shall be allowed unless a written, electronic or oral application has been received by the Chief Executive (Governance Team) by 12.00 noon of the working day prior to the meeting and the Chair's approval has subsequently been obtained. The application shall include the following:
 - name of participant;
 - organisation represented (if any);
 - meeting at which they wish to participate; and matter on the agenda to be addressed.
4. Members of the meeting may put questions to any public participants, relevant to the matter being raised through the chair. Any questions must be asked and answered within the time period given to a public participant. The chair shall determine the number of questions.

Membership

Chairperson:	D Flavell (Tapuika Iwi Authority Trust)
Deputy Chairperson:	Councillor A Tahana (Bay of Plenty Regional Council)
Appointees:	R Hancock (Te Tāhuhu o Tawakeheimoa Trust), N Douglas (Alternate, Te Tāhuhu o Tawakeheimoa Trust), P Thomas (Te Pumautanga o Te Arawa), R Kingi (Alternate, Te Pumautanga a Te Arawa Trust), G Rice (Alternate, Tapuika Iwi Authority Trust), M Horne (Te Komiti Nui o Ngati Whakaeue), R Pou Poasa (Alternate, Te Komiti Nui o Ngati Whakaeue), Councillor K Marsh (Western Bay of Plenty District Council), Councillor J Scrimgeour (Alternate, Western Bay of Plenty District Council) Councillor S Morris (Tauranga City Council), Councillor T Molloy (Alternate, Tauranga City Council), Councillor T Tapsell (Rotorua Lakes Council), N Chater (Alternate, Lakes Community Board), Councillor M McDonald (Alternate, Bay of Plenty Regional Council), Councillor J Nees (Bay of Plenty Regional Council)
Committee Advisor:	A Namana

Recommendations in reports are not to be construed as policy until adopted.

Agenda

- 1 Opening Karakia**
- 2 Apologies**
- 3 Public Forum**
- 4 Acceptance of Late Items**
- 5 General Business**
- 6 Declarations of Conflicts of Interests**
- 7 Previous Minutes**
- 7.1 Te Maru o Kaituna River Authority Minutes - 28 June 2019 13
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9 Consideration of Late Items	
10 Consideration of General Business	
11 Closing Karakia	

Previous Minutes

Minutes of Te Maru o Kaituna River Authority Meeting held in The Council Chamber, Rotorua Lakes Council, Civic Administration Building, 1061 Haupapa Street, Rotorua on Friday, 28 June 2019 commencing at 10.30 a.m.

Present:

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

Appointees: Dean Flavell – Chairman (Tapuika Iwi Authority Trust), Councillor Kevin Marsh (Western Bay of Plenty District Council), Councillor Steve Morris (Tauranga City Council), Councillor Jane Nees (Bay of Plenty Regional Council), Maria Horne (Te Komiti Nui o Ngāti Whakaeue)

Alternate

Appointees: Councillor Matemoana McDonald (Bay of Plenty Regional Council), Rawiri Kingi (Te Pumautanga a Te Arawa Trust), Geoff Rice (Tapuika Iwi Authority Trust)

In Attendance:

Bay of Plenty Regional Council: Pim de Monchy – Coastal Catchments Manager (Committee Champion), Jo Watts – Senior Planner (Water Policy), Graeme O'Rourke – Survey Team Leader, Katrina Knill – Communications Partner, Aleisha Mitchell – Consents Officer, Amanda Namana – Committee Advisor
Western Bay of Plenty District Council: Matt Leighton – Senior Policy Analyst
Other: Rereamanu Wihapi, Maru Tapsell, Elva Conroy - Conroy Donald Consultants, Ariell King – AECOM NZ Ltd, Barry Roderick – Chairman Kaituna Maketū Freshwater Futures Community Group

Apologies:

Piki Thomas (Te Pumautanga o Te Arawa), Rikihana Hancock (Te Tāhuhu o Tawakeheimoa Trust), Nicki Douglas (Alternate, Te Tāhuhu o Tawakeheimoa Trust), Nick Chater (Alternate, Rotorua Lakes Council/Lakes Community Board)

1 Opening Karakia

Rereamanu Wihapi opened the meeting with a karakia.

For the purpose of achieving a quorum, it was agreed by members that Deputy Chairperson Cr Tahana assume the Chair for the duration of the meeting.

2 Apologies

Resolved

That Te Maru o Kaituna River Authority:

- 1 **Accepts the apologies from Piki Thomas, Rikihana Hancock, Nicki Douglas and Nick Chater tendered at the meeting.**

Flavell/Tahana
CARRIED

3 **Public Forum**

Nil

4 **Acceptance of Late Items**

Nil

5 **General Business**

- Verbal update by Maru Tapsell (Waitaha)

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

Nil

7 **Declaration of Conflicts of Interest**

Nil

8 **Previous Minutes**

8.1 **Te Maru o Kaituna River Authority Minutes - 03 May 2019**

Resolved

That Te Maru o Kaituna River Authority:

- 1 **Confirms Te Maru o Kaituna River Authority Minutes - 03 May 2019 as a true and correct record.**

Horne/Morris
CARRIED

9 **Reports**

9.1 **Te Maru o Kaituna River Authority Draft Annual Report 2018/19**

Pim de Monchy – Coastal Catchments Manager presented the draft annual report for consideration and approval by the Authority.

Key Points

- To fulfil the requirements of clause 10 of Schedule 5 of the Tapuika Claims Settlement Act 2014 (the Act), an Annual Report must be prepared after the end of each financial year to describe the activities of the Authority for the financial year it covered and explain how the activities related to the Authority's purpose and functions

- Clause 11 of Schedule 5 the Act required the appointing organisations to review the performance of the Authority not later than one year after the Kaituna River document had been approved for the first time.

Points raised by Members

- Suggested bringing all the member organisations together annually for a meeting to share and connect, potentially as part of the Action Plan
- Each member was to take responsibility for bringing the final Annual Report to their organisation for review.

10.41 am - Cr McDonald **entered** the meeting.

Items for Staff Follow-up

- The following amendments to be implemented within a two week time period before finalising the 2018/19 Annual Report and releasing to appointing organisations for review:
 - Infographic to be included to make the chronology and highlights prior to approval of the River Document clearer – to be actioned by Bay of Plenty Regional Council Communications Team
 - Estimated costs of staff time involved from councils and iwi authorities to be added to provide an overview of the total level of support
 - A one month timeframe was decided to request response from appointing organisations
- Responses from each appointing organisation to be reported back to the next scheduled meeting of Te Maru o Kaituna River Authority (TMOk).
- Infographics were requested by members in all future Annual Reports, as well as a summary of the plan for the upcoming year to outline what could be expected in the following report.

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Te Maru o Kaituna River Authority Draft Annual Report 2018/19;**
- 2 Approves the attached Te Maru o Kaituna River Authority Annual Report 2018/19, subject to the inclusion of amendments as listed in the discussion under items for staff follow-up;**
- 3 Notes that the report will be distributed to appointing organisations.**

**Morris/Kingi
CARRIED**

9.2 Action Plan - Te Maru o Kaituna River Authority

Refer PowerPoint Presentation Objective ID: A3280638

Elva Conroy – Conroy and Donald Consultants provided members with an overview of the draft Kaituna Action Plan, potential implications for TMOk and next steps.

Key Points

- The brief for the Action Plan included giving life to the Kaituna River Document and ensuring all eight objectives and the multiple outcomes under these were met

- Through submissions received to the River Document, the River Document itself and iwi and hapū management plans, some guiding principles emerged which were helpful in identifying how the plan should be developed and how it needed to be implemented:
 - Integrated thinking and action – a holistic approach to improving the health of the Kaituna River
 - Collective action – working together to effect positive change
 - Collective enlightenment - sharing science, history, stories and data of the Kaituna River
 - Community empowerment – encouraging our communities to be leading the way with involvement in projects
- The tuna was chosen as a unique and overarching theme for the Action Plan
- The actions were inspired by tuna requirements to thrive: good water quality, good habitat and good passage through the water or connectivity
- Supporting actions were separate and overlapped the priority actions, occurring in the background to support implementation and monitoring
- Priority actions covered the next ten years and projects could be reviewed every 1-3 years to create flexibility
- Some of the actions could be carried out concurrently e.g. Sub-catchment Management Plan – Action 1, lowland drain improvements aligning with Action 4 and potential wetlands resulting from some of that work - Action 8
- Next steps included a feedback loop to submitters and confirmation of a suite of actions and projects
- A key implication for TMoK was the requirement of a dedicated resource to coordinate the implementation of the Plan and focus on connecting all the action items and the relevant communities
- The Draft Action Plan was to be made public with the ability to receive feedback via an online survey and workshop/drop-in sessions at various locations
- Feedback would be incorporated to refine and finalise the text of the Action Plan to be provided at the next TMoK meeting for consideration and approval.

In Response to Questions

- Developing a blue-green network plan was about looking at the Kaituna catchment in a more holistic, integrated way using spatial planning
- There were opportunities to modularise this by considering cycle ways, stormwater infrastructure location and not implementing the actions in isolation
- Risk had not yet been considered and would be included in the plan as risk assessments for the implementation of each action
- Current timeframes were ambitious and it would be prudent to adjust these to allow further time for sufficient engagement
- Further discussion was required around where funding could come from for actions which currently had no lead, funding or resources identified in the Plan. TMoK would need to prioritise future aspirational actions and secure funding either through council's Long Term Plan and Annual Plan processes or other sources such as the Tiaki Wai Fund.

Response from Coastal Catchments Manager

- Confirmed that a staff resource had been allocated to support TMoK with coordinating and implementing the Action Plan
- Outlined the process for Action Plan projects to be considered for funding by the Councils through their respective 2020/2021 Annual Plans (which would start late in 2019) and substantively through their next Long Term Plans for the period 2021-31, which were likely to be starting high level development within six months of the October 2019 local body elections. Noted that different funding cycles may apply to other agencies.

Points raised by Members

- Supported the collective approach and the guiding principles in the Action Plan
- Collaboration was important and gave power to the Action Plan
- A format for reporting back to the Authority could be considered to encompass all actions relevant to the river document vision and objectives being completed within the Kaituna River catchment, similar to that of the Tauranga Moana Advisory Group
- Determination was also needed in order to achieve success
- Resourcing requirements and funding were unclear so the funding status of each proposed action needed to be recorded in the plan (i.e. not funded, partially funded, fully funded, and by whom)
- Integrating the actions with other projects or work being carried out could assist in the management and implementation of some actions
- Supported exploring the farming of tuna
- Presenting the Action Plan to the Kaituna Maketū Freshwater Futures Community Group would be beneficial
- Members attending expos and conferences about freshwater/river management could be useful to gain ideas and develop as a co-governing body.

Amendments to the draft Action Plan

- The Action Plan name to be changed to 'Te Tini a Tuna'
- A whakatauki, with translation to be added beneath the name of the Action Plan
- The links to the River Document objectives to be made visually clear by adding a link to the table of actions showing the objective that each action related to
- A column to be added to indicate the funding status of each action as per member feedback above
- Another column added with a date for each action and what was achievable by that date (e.g. project funding sourced by...)
- Add an action to rejuvenate watercress populations.

Item for Staff Follow-up

- The next meeting scheduled for 30 August 2019 to be rescheduled to late September 2019 to allow sufficient time for engagement.

Resolved**That Te Maru o Kaituna River Authority:**

- 1 Receives the report, Action Plan - Te Maru o Kaituna River Authority.**

**Flavell/Horne
CARRIED**

9.3 Adoption of the 2019/20 Te Maru o Kaituna River Authority Budget

Pim de Monchy – Coastal Catchments Manager and Jo Watts – Senior Planner (Water Policy) updated members on the current expenditure and financial status of TMoK.

Key Point

- Noted the significance of a financial strategy report being prepared for the next TMoK meeting, which would provide advice and options to allow the Authority to decide the most efficient future use of allocated funds and interest earned.

In Response to Questions

- Legal advice received had stipulated that the remainder of the Crown funding which was provided to create and approve the first river document could be used at the discretion of the Authority for the purpose and functions in the Act, as agreed to by the Authority
- Noted that Regional Council had initiated a review of how it supported co-governance entities and how it would ensure that a sustainable level of service be provided. The review was approximately half way through the six month process and TMoK could expect Council to report back at the conclusion.

Points raised by Members

- A conversation about financial strategy would be valuable and receiving clear information regarding potential use of funds was important
- Opportunities for funding sources needed to identified in TMoK's financial strategy
- An additional funding strategy was required for the Action Plan
- Identifying additional external funding opportunities would be useful.

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Adoption of the 2019/20 Te Maru o Kaituna River Authority Budget;**
- 2 Notes the current balance of Te Maru o Kaituna River Authority funds;**
- 3 Adopts the 2019/20 Te Maru o Kaituna River Authority Budget as outlined in the report, subject to the removal of \$20,000 allocated for the awa restoration and enhancement fund and \$10,000 for implementation of the Action Plan, pending consideration of the report about options for Te Maru o Kaituna River Authority's Financial Strategy and finalisation of the Action Plan.**

**Rice/Kingi
CARRIED**

9.4 **Order of Business**

With the agreement of members item 9.4 was deferred until later in the agenda to accommodate the arrival of presenters and item 9.6 was considered next, followed by item 9.5.

9.5 **Analysis of Consent and Compliance Activity in Te Maru o Kaituna Rohe**

Consents Officer Aleisha Mitchell presented the report and responded to questions. AECOM Consultant Ariell King provided a verbal update on how WBOPDC had incorporated TMoK feedback into the Eastern Catchment Management Plan, which accompanied the Comprehensive Stormwater Consent.

Key Points

- Outlined the current consent applications granted and being processed for the Kaituna catchment
- Highlighted specific changes that had been made to the Eastern Catchment Management Plan in response to feedback received from TMoK and that the resource consent application had been notified and was open for submissions until 10 July 2019
- The Eastern Catchment Management Plan would be updated every five years.

In Response to Questions

- Council was awaiting further information from AFFCO regarding an ecological survey and assessment of environmental effects to continue processing the application
- Confirmed that both Waitaha and Tapuika iwi had made submissions to the AFFCO application
- Clarified that the AFFCO consent application was for a renewal of their discharge.
- Submissions for the Pukepine application had closed on 31 March 2019 and the hearing was scheduled for 7th - 8th August 2019.

Point raised by Members

- It would be preferable to have an independent review of the environmental effects of the discharge into the Kaituna River.

Items for Staff Follow-up

- To provide a future report on the best way for TMOk to be notified of all resource consent applications which may have an effect on the awa and participate in resource consent and plan change processes
- To advise members as soon as the further information required from AFFCO had been received.

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Analysis of Consent and Compliance Activity in Te Maru o Kaituna Rohe;**
- 2 Directs staff to approach AFFCO and seek a presentation outlining what their resource consent applications for water take and discharge include, and any plans and timeframes they have to improve the quality of their discharges into the Kaituna River and to recognise and provide for the objectives of the Kaituna River Document.**

**Marsh/Nees
CARRIED**

9.6 Presentation: Ōkere Gates Consent Update

Refer PowerPoint Presentation Objective ID: A3269186 and video clip Objective ID: A1613532

Graeme O'Rourke – Survey Team Leader provided a verbal update on the Ōkere Gates and Ōhau Weir.

Key Points

- The depth of Lake Rotorua was an average of 10m, with a depth of 45m at the deepest point
- The recent serious flooding at Ngongotahā was a reaction of the tributaries
- The purpose of the diversion wall between the Ōkere Gates and the Ōhau Weir was purely for water quality of Lake Rotoiti
- Provided a short video to visualise the three stop logs being removed from the Ōhau Weir

- Lake Rotoiti had an average depth of 33m and was 94m at its deepest point. It also had the largest water volume, despite being less than half the size of Lake Rotorua
- Ōkere Gates and Ōhau Weir were built in the 1980's
- The primary function of Ōkere Gates was to maintain the water quality of Lake Rotoiti by discouraging mixing of the two lakes' waters, in addition they managed the lake level of Lake Rotoiti
- Full flow was 40 cumecs with Ōkere Gates fully opened. The gates were only fully closed during an emergency and for safety reasons
- There was no commercial rafting on the river for any flow above or below the range of 13-26 cumecs
- From the coast to the mountains there were rain gauges, lake level gauges, river water flow and water level gauges providing constant monitoring for which the data was publicly available.

In Response to Questions

- Trigger points for the stop logs were approximately mid-range of the consented minimum of 0.6m, though there was some discretion in the consent
- Current solutions were a short term fix as well as being expensive
- Stop banks were designed to consider the backwater effect – taking into account tides, wind and barometric pressure.

9.7 Freshwater policy update

Refer PowerPoint Presentation Objective ID: A3281277

Jo Watts - Senior Planner (Water Policy) provided a national and regional update on Freshwater policy.

Key Points from Presentation

- It was expected that Government would release the Essential Freshwater proposed policy changes package for public feedback by August 2019
- Appeals were still being worked through for Plan Change 9 (PC9)
- Plan Change 10 was a key part of improving water quality in lake Rotorua and an interim decision was pending from the Environment Court regarding first stage matters
- Plan Change 12 timeframes were dependent on changes at a national level, the outcome of PC9 appeals and PC9 progress on water quantity modelling
- Outlined water quality and ecology issues
- TMoK would be instrumental in ensuring the River Document was recognised and strongly provided for in upcoming plan changes
- Questioned whether there was a collective view from TMoK on incorporating Te Mana o te Wai into plan changes
- Kaituna Maketū Freshwater Futures Community Group held Workshop 10 on 29 May 2019 and confirmed that although good management practice was a good start, it would not be sufficient to achieve moderate ecological health in the Maketū estuary.

In Response to Questions

- Reductions of nutrients needed were similar for both Maketū and Waihi estuaries
- Innovative changes in land use would be needed to improve the health of the estuary and reduce social and economic impact on landowners. There was good work happening in the Lake Rotorua catchment exploring creative ways to use land which had low nutrient losses.

Points raised by Members

- The role of TMoK could be more collective in the near future, mapping all the different initiatives underway, identifying synergies and bringing the different groups, authorities and forums together
- Highlighting progress from work achieved was important.

Item for Staff Follow-up

- To provide a report to a future meeting updating members on the Kaituna catchment work programme.

Resolved

That Te Maru o Kaituna River Authority:

- 1 Receives the report, Freshwater policy update.**

**Morris/Tahana
CARRIED**

10 **Consideration of General Business**

Verbal update by Maru Tapsell (Waitaha)

Maru Tapsell provided a verbal update on the position of Waitaha in relation to the Kaituna Action Plan.

11 **Closing Karakia**

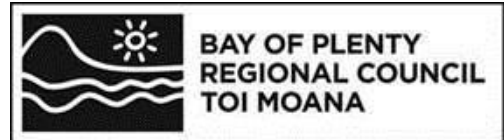
Provided by Rereamanu Wihapi.

The meeting closed at 1.18 pm.

Confirmed DATE

Dean Flavell – Chairman
Te Maru o Kaituna River Authority

Reports



Report To: Te Maru o Kaituna River Authority
Meeting Date: 27 September 2019
Report From: Pim De Monchy, Coastal Catchments Manager

Approval of Te Maru o Kaituna Budget for 2019/20

Executive Summary

This report seeks Te Maru o Kaituna River Authority (TMoK) approval to rescind a resolution from the 28 June 2019 meeting and to adopt the 2019/20 budget with the amendments as decided at that meeting.

Recommendations

That the Te Maru o Kaituna River Authority:

- 1 Receives the report, 'Approval of Te Maru o Kaituna Budget for 2019/20';
- 2 Rescinds resolution 3 from the 28 June 2019 meeting minutes, relating to the 'Adoption of the 2019/2020 Te Maru o Kaituna River Authority Budget', as follows:

Adopts the 2019/20 Te Maru o Kaituna River Authority Budget as outlined in the report, subject to the removal of \$20,000 allocated for the awa restoration and enhancement fund and \$10,000 for implementation of the Action Plan, pending consideration of the report about options for Te Maru o Kaituna Authority's Financial Strategy and finalisation of the Action Plan.

- 3 Adopts the 2019/20 Te Maru of Kaituna River Authority Budget as outlined in this report;
- 4 Notes that verbal advice on potential financial strategies was received by Chair Dean Flavell from Ms Debbie Hyland (Regional Council Finance Manager) on Friday 13 September.

1 Te Maru o Kaituna River Authority 2019/2020 Budget

Proposed Budget Lines	Description	Amount (\$)
Kaituna Action Plan		
Development of action plan	Independent consultant to develop the action plan - contract \$20,229	4,900

Graphic design and document production of the action plan.	Tentative budget if a separate action plan is to be designed. Photographs for Action Plan design	4,000
Communications, promotional material and advertising for socialising of the action plan.	External communications including media, social media, newsletters and print advertising to prompt TMoK, the Kaituna River Document (KRD), action plan and/or any other functions relevant to TMoK's purpose. (Once the action plan has been written and adopted a clearer indication of what might be needed in this space will be known.)	3,000
Other TMoK functions		
Independent planning and / or legal advice - peer review of Change 5	Engaging an independent advisor to ensure the river document is recognised and provided for fully in change 5 to the RPS as discussion documents, draft and proposed plan change stages of the planning process and to provide advice & recommendations to TMoK about their course of action to take.	10,000
Adhoc independent planning and / or legal advice on an as needed basis	Independent advice for example: - review & recommend course of action for specific resource consent applications which may have significant effect on water quality or quantity in the Kaituna to make sure they have adequate taking into account the KRD - to peer review / review discussion documents, draft plan changes, proposed plan changes to ensure they have adequately recognised and provided for the KRD and any relevant actions, - provide advice and support to TMoK about whether to lodge informal feedback, make a submission , further submission or otherwise	10,000
Other ad hoc independent advice on an as needed basis	Technical, translation, cultural, legal, research advice	10,000
TOTAL		41,900

Pim De Monchy
Coastal Catchments Manager

18 September 2019



To: Te Maru o Kaituna River Authority
27 September 2019

From: Elva Conroy
Contractor, Conroy and Donald Consultants Ltd

Subject: Approval of Kaituna Action Plan

Date: 18 September 2019

Summary

An Action Plan has been developed to implement the Kaituna River Document (“Kaituna, he taonga tuku iho – a treasure handed down”). This report provides an update on the changes to the Action Plan to reflect feedback received over the last two months.

Council direction sought

That the Te Maru o Kaituna River Authority:

- 1 Receives the report, Approval of Kaituna Action Plan;
- 2 Approves the revised content for the Kaituna Action Plan (word version – content only).
- 3 Confirms a working group to guide the plan design process.

Background

On 28 June 2019, Te Maru o Kaituna River Authority (TMOK) approved the release of the Draft Action Plan to seek feedback on the following 15 priority actions:

Priority actions to improve water, particularly water quality

- 1. Develop and implement sub-catchment action plans.
- 2. Set and implement freshwater quantity and quality limits
- 3. Influence central government policies and programmes relating to water and land
- 4. Develop and implement a programme of improvements to lowland drains and drainage canals
- 5. Continue working with landowners and respective industry sectors to improve land use and land management practices
- 6. Reduce the impact of urban and industrial discharges on the Kaituna River and associated ecosystems

Priority actions to enhance habitats and ecosystems

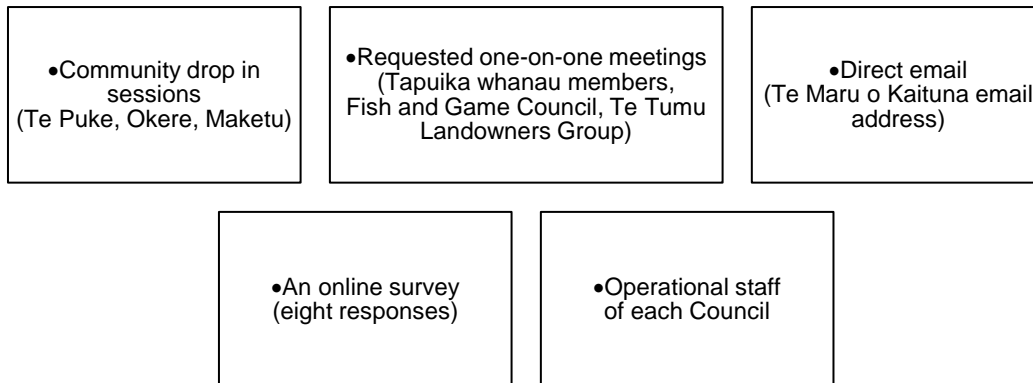
- 7. Bring life back to the Maketu Estuary
- 8. Increase the total extent of wetlands within the Kaituna River Catchment to 200 hectares by 2029
- 9. Create a network of healthy habitats and diverse ecosystems
- 10. Restore and enhance tuna / eel stocks in the Kaituna Catchment
- 11. Establish a programme to improve access and passage for fish, in particular tuna / eel.

Priority actions to improve connectivity and support kaitiakitanga

- 12. Establish a Kaituna Catchment blue-green network
- 13. Facilitate enhanced access to water and across the catchment
- 14. Celebrate cultural heritage and revitalise cultural practices associated with the river
- 15. Connect our communities and visitors to our river and to our projects
- 16. Establish a River restoration and enhancement fund.

Engagement on Draft Plan

The draft Action Plan was publicly released for community feedback on Friday 2 August. Feedback has been collected through:



General response to Draft Plan

Overall there has been a lot of support for the draft Action Plan. Verbal feedback received indicates:

- That people are keen to be involved on-the-ground (i.e. through projects).
- Support for the Plan's simplicity – use of clear language and logical flow – and the 'tuna' theme. Although the number of actions and projects is ambitious.
- There is some disconnect between TMOK and community members. Some still did not know who TMOK was; who was in TMOK; and what difference TMOK makes.
- That better ways are needed to connect TMOK and Plan projects with communities. For example, people want to be involved but need to know what is happening, how to be involved and when. This could include the use of notice boards, regular e-Panui as well as releasing an annual work programme (not just attached to TMOK agendas). This requires dedicated resourcing to connect communities to Te Maru o Kaituna, to the projects and to each other.

Feedback on specific actions

The recurring themes in relation to specific actions:

- The new wetlands target (200ha) is supported but we need to ensure that wetlands are designed for a specific purposes (e.g. water quality and/or habitat enhancement) and maintained in the long term.
- The 'blue green network' draft action was confusing.
- The tuna habitat restoration project was supported although consideration should be given to a wider range of habitats and species.
- Enhancement of river access is supported but must be in the right places (i.e. away from fish spawning areas or culturally sensitive sites).

- It is important to specify actions that ‘raise the bar’ rather than describe ‘business as usual’ – this is specifically in relation to draft Actions 4 (working with landowners) and 5 (urban and industrial discharges).
- The cultural heritage action should also include historic heritage (in a wider sense), to acknowledge the rich history of the area e.g. flax mills, flour mills.

Revised Action Plan

The Kaituna Action Plan (attached) has been reshaped to incorporate feedback received over the last two months. Key changes to the Action Plan:

- A simplified framework: three priority actions¹, two enabling actions² and 17 projects.
- The work programme for the projects is simplified, more output focused and less prescriptive. The detail is provided within the project explanations (which were previously the introductions to each action).

The framework is provided below:

Priority Action 1: Take collective responsibility for improving the health and wellbeing of the Kaituna River and its tributaries

- Project 1. Lowland drains and drainage canal improvement project
- Project 2. Freshwater quality and quantity limits project
- Project 3. Consented takes and discharges project
- Project 4. Focus catchment action plan project
- Project 5. Voluntary farm environment plans project

Priority Action 2: Create a network of healthy and diverse Kaituna habitats and ecosystems

- Project 6. Post Kaituna River re-diversion enhancement project
- Project 7. Wetland Re-creation project
- Project 8. Kaituna habitats network project
- Project 9. Pātaka Kai Project

Priority Action 3: Connect our communities and visitors to our river and to our projects

- Project 10. Kaituna community connection project
- Project 11. Kaituna river access project
- Project 12. Kaituna cultural and historical heritage project
- Project 13. Kaituna Cycleway/Walkway project
- Project 14. Upper Catchment ‘gateway’ project
- Project 15. Coastal Park Network project

Enabling Action 1. Collect good information about the health of the Kaituna River and its tributaries

- Project 16. State of the Awa integrated monitoring and reporting project
- Project 17. Kaituna Catchment network mapping project

Enabling Action 1. Establish a River restoration and enhancement fund.

- Project 18. River restoration and enhancement fund project

This Plan (word version – content only) is attached and ready for TMOK approval.

¹ Actions where efforts are focused to achieve the Kaituna River Document Vision, objectives and outcomes

² Actions that enable and support the success of priority actions

Implications of the Revised Action Plan

The majority of the projects within the review Action Plan are provided for in existing Council work programmes and budgets. A few projects are tagged for funding by TMOK – this will need to be provided for in future TMOK budgets. A few projects also require external funding.

The Plan requires dedicated resourcing to ensure effective implementation:

- Project coordinator - to coordinate the projects across all Te Maru o Kaituna members and identify external funding opportunities. This requires specific skills and experience in project planning, management and reporting.
- Community connector – to connect the projects with the Kaituna community in particular hapū, marae, environmental education providers, community groups and members. This requires specific skills in relationship management, communication and community engagement.

Plan Design Working Group

The Action Plan (print ready version) will be made available at the end of year river event.

The look and the feel will be similar to that of the River Document. Graphic design support will be provided by the Bay of Plenty Regional Council.

A working group will need to be confirmed to act as a conduit with staff to peer review the graphic design component of the Plan.

Acknowledgements

I wish to acknowledge the guidance and support of TMOK members and Council staff in developing this Plan. Nga mihi nunui kia koutou katoa.

Elva Conroy
Contractor, Conroy and Donald Consultants Ltd

Te Tini a Tuna

Kaituna Action Plan 2019-2029

A plan of action prepared by Te Maru o Kaituna

*Revised Plan for approval
September 2019*

A note for the reader:

*This **word version** of the Kaituna Action Plan incorporates engagement feedback. It has been prepared to enable the Plan content to be approved by Te Maru o Kaituna River Authority on 27 September.*

*The **print ready version** of the Kaituna Action Plan will be made available at the end of year river event.*

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Part 1: Te Upoko o te Tuna | Overview

'Te Upoko o te Tuna' means 'The head of the eel'.

This part of the Plan sets the course or direction for the Action Plan, in particular, its purpose; intended use; and linkage with the Kaituna River Document.

About this Plan

In June 2018, Te Maru o Kaituna River Authority approved the strategic road map, the Kaituna River Document (“Kaituna, he taonga tuku iho – a treasure handed down”).

The Kaituna River Document, which took effect on 1 August 2018, has the following Vision:

*E ora ana te mauri o
te Kaituna,
e tiakina ana hoki mā
ngā whakatupuranga
ō nāianeī,
ō muri nei hoki.*

*The Kaituna River
is in a healthy state
and protected for
current and future
generations.*

Action Plan Purpose

The purpose of this Action Plan is to ‘give life’ to the Kaituna River Document.

As the name suggests, this Plan is about **Action**: the work that we will do collectively to achieve this Vision.

It is about targeted action in key areas over the next 10 years. **In other words, Te Maru o Kaituna will focus on a few things and do them really well.**

This Plan has three Priority Actions:

- **Priority Action 1:** Take collective responsibility for improving the health and wellbeing of the Kaituna River and its tributaries
- **Priority Action 2:** Create a network of healthy and diverse Kaituna habitats and ecosystems
- **Priority Action 3:** Connect our communities and visitors to our River and to our projects

This Plan also includes **two Enabling Actions**:

- **Enabling Action 1.** Collect good information about the Kaituna River and its tributaries.
- **Enabling Action 2.** Establish a Kaituna River restoration and enhancement fund.

Each action has a series of projects, which are a mix of new and existing initiatives. These are summarised in Section 2 and detailed further in Sections 3-7 of this Plan.

Guiding Principles

While implementing this Plan, Te Maru o Kaituna will be guided by the following principles:

- **Kia whakakotahi | Integrated thinking and action**
We will take a holistic and whole systems approach to improving the health of the Kaituna River.
- **Kia whakapiri | Collective action**
We will work together to effect positive change for the Kaituna River and all it sustains.
- **Kia whakamārama | Collective enlightenment**
We will share information / stories / data to build our collective awareness and understanding about the Kaituna Catchment.
- **Kia whakamana | Community empowerment**
We will encourage our communities to lead and/or be part of projects within the Kaituna River catchment. This includes tangata whenua, local care groups and schools.



Plan Theme

This Plan is uniquely “Kaituna” and as such, the tuna / eel is interwoven throughout this Plan. For example:

- The title of this Plan (Te Tini a Tuna) refers to the “abundance of tuna”. This is what we expect to see from implementing this Plan.
- The structure of this Plan aligns with the parts of the tuna:
 - Upoko | Head
 - Puku | Stomach
 - Taharapa | Tail
 Explanations are provided at the start of each part of the Plan.
- The cluster of priority actions in this Plan are inspired by what a tuna needs to thrive:
 - good quality water;
 - good habitat and,
 - good connection or passage through the Kaituna catchment.

Developing this Plan

The following informed and guided the development of this Plan:

- The Kaituna River Document (including matters raised in submissions to the proposed River Document)
- Workshops with Te Maru o Kaituna River Authority.
- Feedback from surveys, meetings and drop-in sessions held in relation to the Draft Plan actions.
- Any relevant outstanding actions from the 2009 Kaituna River and Ōngātoto/ Maketu Estuary Strategy.
- Relevant Iwi / hapū management plans.
- Projects listed in the long-term plans, annual plans and work programmes of relevant councils.
- Council research and monitoring reports.

Plan linkages

The following diagram shows the linkages between the Kaituna Action Plan, Kaituna River Document and Council plans, processes and decisions.

[Note: Plan designer to adapt the diagram from the Kaituna River Document]



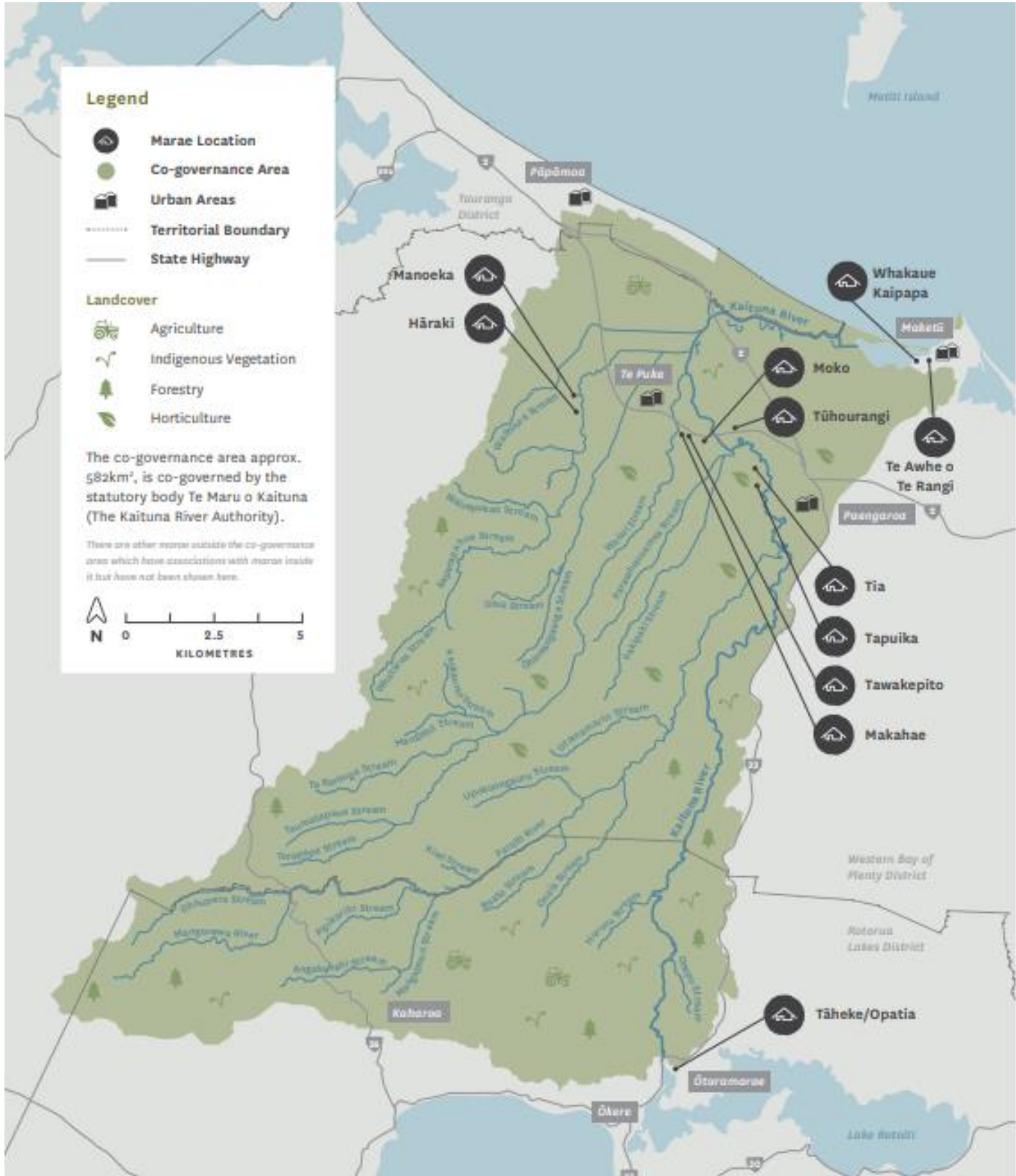
Geographic Scope

The geographic scope of this Plan is the same as the Kaituna River Document.

It relates to the Kaituna River and its tributaries, starting from Okere Falls to Te Awa o Ngātoroirangi / Maketu Estuary. This includes all rivers and streams flowing into the Kaituna River. In total, there are approximately 1,197km of waterways in the Kaituna catchment.

A number of projects within this Plan involve land within the catchment. This is because activities on land have an impact on the environmental, cultural and spiritual well-being of the Kaituna River.

[NOTE: include a full page map showing the locations of key areas mentioned within projects e.g. Waitepuia, Te Pourepo etc)



Part 2: Te Puku o te Tuna | Our Actions

'Te Takapū o te Tuna' means 'The abdomen of the eel'.

*This part of the Plan articulates the priority actions
and projects that will be taken to improve the
environmental, cultural and spiritual well-being of the
Kaituna River and all its sustains.*

Introducing our Actions

For a tuna / eel to thrive, it requires three things: good quality water; good habitat and good connection or passage through the catchment.

These requirements have inspired the cluster of **priority actions** and projects, where Te Maru o Kaituna River Authority will focus its efforts over the next 10 years.

This Plan also includes **two enabling actions** and associated projects. These are actions that are essential to ensure the success of the priority actions.

Priority Action 1: Take collective responsibility for improving the health and wellbeing of the Kaituna River and its tributaries

- Project 1. Lowland drains and drainage canal improvement project
- Project 2. Freshwater quality and quantity limits project
- Project 3. Consented takes and discharges project
- Project 4. Focus catchment action plan project
- Project 5. Voluntary farm environment plans project

Priority Action 2: Create a network of healthy and diverse Kaituna habitats and ecosystems

- Project 6. Post Kaituna River re-diversion enhancement project
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Priority Action 3: Connect our communities and visitors to our river and to our projects

- Project 10. Kaituna community connection project
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- Project 15. Coastal Park Network project

Enabling Action 1. Collect good information about the health of the Kaituna River and its tributaries

- Project 16. State of the Awa integrated monitoring and reporting project
- Project 17. Kaituna Catchment network mapping project

Enabling Action 1. Establish a Kaituna River restoration and enhancement fund.

- Project 18. River restoration and enhancement fund project

C



Criteria for prioritising actions and projects

The following criteria was used to help filter the 'wish list' of ideas into a suite of realistic actions and projects:

- Aligns with the purpose of Te Maru o Kaituna River Authority.
- Aligns with the Vision for the Kaituna River Document.
- Achieves multiple Kaituna River Document objectives and/or desired outcomes.
- Contributes towards improved water quality and use.
- Enables collaborative and collective impact.
- Progresses / complements existing projects.
- Involves opportunities for Iwi-led projects and/or environmental education.

Action and project details

Further details are provided about each action and associated projects.

In relation to each action, this includes:

- Context – what the action is about.
- Linkage – which Kaituna River Document objective(s) the action implements.
- Measuring success – what Te Maru o Kaituna will measure over the next 10 years to know that the actions and projects are making a tangible difference.
- Project outputs and timeframes – a table summarising the key outputs for each 2-3 year timeframe. It also includes the lead agency, key partner and primary source of funding.
- Detail about each project. This includes its purpose and method(s) of implementation.

For clarification:

- The lead agency / agencies will be responsible for 'owning' and delivering the project.
- The key partner(s) will be involved in implementing the project.

The timing and implementation of projects within this Plan may be subject to change based upon confirmation of funding from Council and potential funding partner agencies. For Councils, this will be through Long Term Plan and Annual Plan processes.

Acronyms / Abbreviations

The following acronyms and abbreviations are used within this Plan:

BOPRC (or Regional Council)	Bay of Plenty Regional Council
DOC	Department of Conservation
EEF	Environmental Enhancement Fund (administered by BOPRC)
F&G	Fish and Game New Zealand
HortNZ	Horticulture New Zealand
MPI	Ministry for Primary Industries
NZKGI	New Zealand Kiwifruit Growers
NZTA	New Zealand Transport Agency
RLC	Rotorua Lakes Council
TCC	Tauranga City Council
TMOK	Te Maru o Kaituna
WBOPDC	Western Bay of Plenty District Council



Priority Action 1: Take collective responsibility for improving the health and wellbeing of the Kaituna River and its tributaries

Context

Priority Action 1 provides a pathway - and acknowledges that we all have a role to play- towards water quality and quantity improvement in the Kaituna Catchment.

We know that:

- There are a number of municipal and domestic water supplies within the catchment.
- There are increasing concentrations of nitrates and E.coli in Kaituna catchment rivers, streams and drainage canals.
- Maketu Estuary has poor ecological health, which affects mahinga kai (food gathering), cultural and recreational values.
- Swimming is safe at monitored freshwater sites but may not always be safe in the lower catchment.

Substantial change is needed to reduce the amount of sediment, nitrogen, phosphorus and *E.coli* to the Maketu estuary.

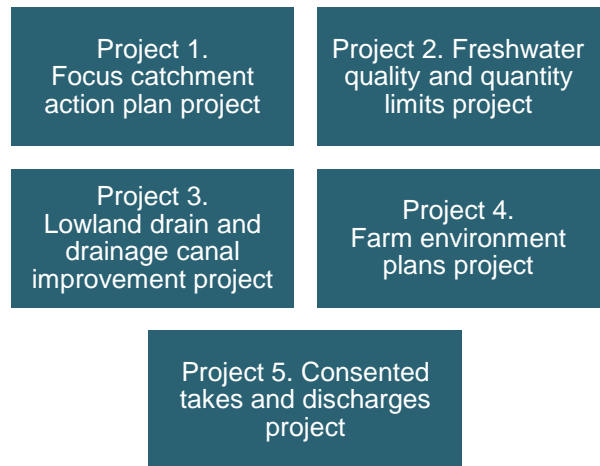
There are also significant opportunities associated with diversification of land use, particularly in the Lower Catchment.

Linkage with Kaituna River Document

Priority Action 1 primarily implements Objectives 3-6 and 8 of the Kaituna River Document.

Project Summary

The projects are as follows:



The outputs for each project are summarised in the table overleaf.

Measuring Success

From 2019 to 2029, there will be:

- Improvements in biochemical indicators (sediment, nitrogen,



phosphorus and E.coli) as measured in lowland drains and in Maketu Estuary.

- A reduction in the number and duration of health warnings for swimming and/or food gathering within the Kaituna Catchment.



Project outputs and timeframes

Project	Timeframe			Led by	Key Partners	Project Type and Source of Funding
	2020 – 2022 outputs	2023 – 2025 outputs	2026 – 2028 outputs			
1. Lowland drain and drainage canal improvement project (in progress)	a. Lowland drain rehabilitation plan b. Upgraded pump station at Ford Road	c. Implement rehabilitation plan	d. Implement rehabilitation plan	BOPRC	Landowners, Tangata whenua, TCC, WBOPDC, F&G, DOC	New project comprising initiatives from existing work programmes. Sources of funding: – BOPRC – Integrated Catchment Management – BOPRC Flood Protection and Control
2. Freshwater quality and quantity limits project (in progress)	a. Identified freshwater objectives and limits b. Draft Regional Plan change	c. Formal Regional Plan change process	d. Implement plan change	BOPRC	Tangata whenua, TMOK, Kaituna Maketu Freshwater Community Group	Existing project (statutory role of Council): – BOPRC – Regional Planning

Project	Timeframe			Led by	Key Partners	Project Type and Source of Funding
	2020 – 2022 outputs	2023 – 2025 outputs	2026 – 2028 outputs			
3. Consented takes and discharges project (in progress)	a. Annual compliance report about consented water takes and discharges. a. Annual reporting by City and District Councils about urban wastewater and stormwater management. b. Annual reporting by Regional Council about stormwater discharges from Kaituna river and drainage schemes. c. Annual meeting with representatives of the Rotorua Te Arawa Lakes Strategy Group.			Te Maru o Kaituna	BOPRC, RLC, TCC, WBOPDC	New project comprising initiatives and TMOK updates from existing work programmes. Sources of funding: <ul style="list-style-type: none"> – BOPRC Resource Regulation and Monitoring – BOPRC Flood Protection and Control – TCC / WBOPDC / RLC infrastructure budgets
4. Focus catchment action plan project (in progress)	a. Action plans for Kopuaroa and Waitepuia/ Ford Road sub-catchments	b. Action plans for mid-lower Waiari and Parawhenuamea sub-catchments	c. Action plan for Ohineangaanga sub-catchments	BOPRC	Landowners, Tangata whenua, TCC, WBOPDC, local care groups, Horticultural and agricultural sector leaders (i.e. Dairy NZ, Fonterra, HortNZ, NZKGI)	Existing project through the following funding source: <ul style="list-style-type: none"> – BOPRC Integrated Catchment Management Potential additional funding through Waiari Project

Project	Timeframe			Led by	Key Partners	Project Type and Source of Funding
	2020 – 2022 outputs	2023 – 2025 outputs	2026 – 2028 outputs			
						Implementation funding sources include: <ul style="list-style-type: none"> – BOPRC EEF – WBOPDC funding, subsidies and incentives – Million Metres Streams and Trees that Count Funds
5. Farm environment plans project (about to commence)	a. Farm environment plan template developed or adapted b. Farm environment Plans within the Lower Kaituna Catchment progressed.	c. Farm environment Plans within the Mid Kaituna Catchment progressed	d. Farm environment Plans progressed in all other areas	BOPRC	Landowners, Horticultural and agricultural sector leaders (i.e. Dairy NZ, Fonterra, HortNZ, NZKGI)	Linked with Focus Catchment Action Plan project. Source of funding: <ul style="list-style-type: none"> – BOPRC Integrated Catchment Management
<p>Supported by existing City, District and Regional Council operations:</p> <ul style="list-style-type: none"> • Working with landowners and respective industry sectors to improve land use and land management practices (Projects 1, 3, 4) • Coordinating the Kaituna Maketu Freshwater Community Group (Project 2) • Biodiversity management (Projects 1, 3) • Stormwater and wastewater management via resource consents, stormwater management plans and asset management plans (Projects 1, 5) • River and drainage scheme management via resource consent and asset management plan (Projects 1, 5) • Development of non-statutory plans - WBOPDC Environment Strategy • Environmental and consent compliance monitoring (Projects 1, 3, 5) 						

Project 1. Lowland drains and drainage canal improvement project

Project 1 involves a programme of works to improve water quality, ecological health and fish passage within lowland drains and drainage canals.

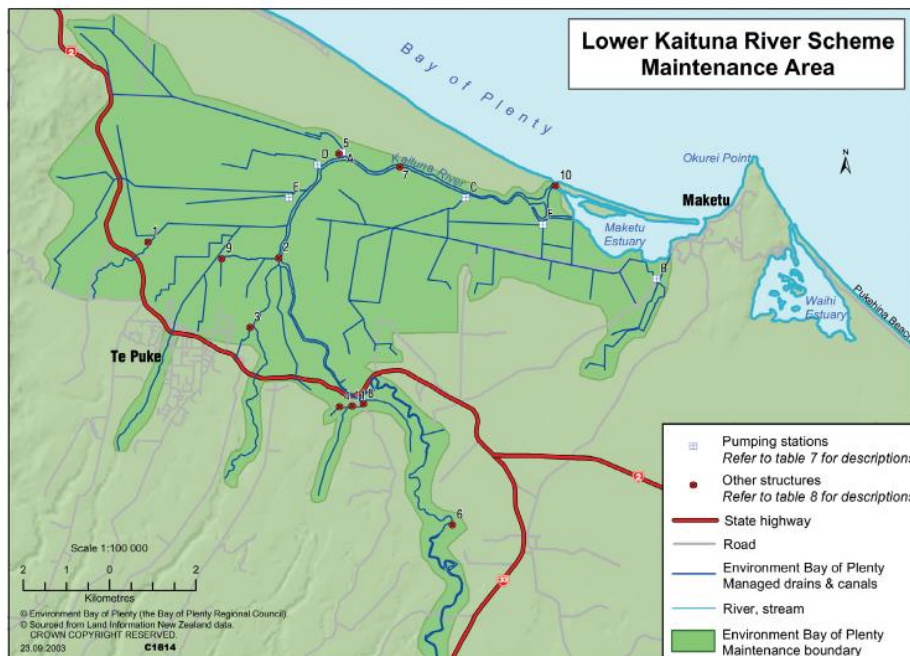
The Lower Kaituna River Scheme is a comprehensive river and drainage control scheme, providing benefits of flood protection and drainage to much of the land in the Lower Kaituna catchment.

An ecological and water quality report of the lower Kaituna drains and canals (2018)¹ noted that these drains have poor water quality, poor habitat values and poor ecological conditions, including barriers to fish passage. The maintenance of these drains also impacts whitebait spawning areas.

Project 1 is intended to progress recommendations within this report, which includes:

- initiatives to reduce and/or manage macrophyte growth.
- initiatives to improve fish passage, water flow and riparian shading.
- opportunities for new or extended wetlands (links with Project 7).
- use of innovation and technology e.g. de-nitrification beds, algal biotechnology.
- a review of drain maintenance practices.
- pump station improvements to improve discharge quality and/or fish passage.
- opportunities to reduce nutrient inputs to, and outputs from, productive land.

This Project, which will be led by the Bay of Plenty Regional Council, complements and/or contributes to Projects 4, 7 and 8.



¹ Bay of Plenty Regional Council (2018). *Ecological and water quality conditions of drains and land drainage canals in the*

Rangitaiki and Kaituna Plains. Environmental Publication 2018/05.

Project 2. Freshwater quality and quantity limits project

The National Policy Statement for Freshwater Management requires the Regional Council to set new objectives, policies and limits for rivers, streams and groundwater aquifers. This relates to both water quality **and** quantity.

Project 2 involves the setting and implementation of new objectives and limits for Kaituna rivers, streams and groundwater aquifers. This is an existing project, led by the Bay of Plenty Regional Council and guided by the Kaituna Maketu Freshwater Community Group. A number of representatives of Te Maru o Kaituna are part of this group.

Project 2 will result in a change to the Bay of Plenty Regional Natural Resources Plan (Plan Change 12). This plan change will result in new freshwater objectives, policies and rules specifically for the Kaituna, Pongakawa and Waitahanui Catchments.

Plan Change 12 is the primary regulatory mechanism for addressing matters such as nutrient loss and water allocation within the catchment. It will also recognise and provide for the vision, objectives, and desired outcomes of the Kaituna River Document. For this reason, progressing this plan change is a priority project for Te Maru o Kaituna.

Project 3. Consented takes and discharges project

There are a large number of consented activities for agriculture, forestry, horticulture, industry and urban development. This includes, but is not limited to the:

- taking of water from river, streams and groundwater aquifers.
- disposal of wastewater and stormwater into waterways, either directly or via wetlands.

Although managed by resource consent, these activities impact the ecological and cultural health of the Kaituna River and all it sustains.

Project 3, led by Te Maru o Kaituna, involves the building of awareness and knowledge regarding the cumulative impacts of consented water takes and discharges on the health and wellbeing of the Kaituna Catchment. This includes:

- mapping the number and type of consented takes and discharges to get an overview of the number, type and distribution of consents within the Kaituna Catchment.
- regular updates about consent compliance within the Kaituna Catchment, particularly for discharges to water.
- regular updates about the outcome of discharge and water quality monitoring associated with consented discharges within the Kaituna Catchment.
- regular updates about the outcome of State of the Environment monitoring within the Kaituna Catchment.
- keeping abreast of improvements and upgrades to large wastewater treatment and/or disposal systems.
- keeping abreast of Council and road network (NZTA) management of, and improvements to, stormwater treatment and/or disposal within the Kaituna Catchment.
- meeting regularly with the Rotorua Te Arawa Lakes Strategy Group to ensure that lake catchment decisions do not compromise the health of the Kaituna River.



Project 4. Focus catchment action plan project

Project 4 involves the development of action plans within specific Focus Catchments. They enable the identification of area-specific solutions to help address catchment-wide issues. These plans would identify and document:

- issues and contributing factors within Focus Catchments.
- existing initiatives that are underway by landowners, care groups, tangata whenua and/or schools.
- Focus Catchment outcomes and initiatives to achieve those outcomes such as: better aligning land use to the capability of the land; improved land management practices; riparian fencing; riparian or wetland restoration; care group formation.
- opportunities to connect existing initiatives within the Focus Catchments.
- wider connectivity of habitats and ecosystems within the catchment (linking with other actions in this plan).

These plans will be prioritised in catchments with one or more of the following:

- significant water quality issues;
- a small number of landowners;
- a community water supply;
- active groups who are involved with or planning environmental or community initiatives.

This Project, which will be led by the Bay of Plenty Regional Council, complements Projects 1, 7 and 8.

Project 5. Farm environment plans project

Project 5 involves the development of Farm Environment Plans on agricultural and horticultural properties within the Kaituna Catchment.

Farm Environment Plans enable the identification of property-specific solutions to help address catchment-wide issues such as water quality; pest plants and animals; and, biodiversity. These Plans are unique to a property and reflect the local climate and soils, the type of land use and the goals and aspirations of the landowner.

This project will be led by the Bay of Plenty Regional Council who will work with, and support landowners. Together they will identify a pathway forward for onsite improvements for better environmental outcomes for the Kaituna River.

Plan development will initially be voluntary. This approach is known to be an effective method of achieving good environmental outcomes in a non-regulatory and proactive way, particularly in a changing regulatory space (e.g. ongoing freshwater reforms, Plan Change 12).

Project 5 complements and/or contributes to Projects 1, 4, 7 and 8. It builds on existing 'business as usual' regional council operations and requires support and leadership from the primary sector.



Priority Action 2: Create a network of healthy and diverse Kaituna habitats and ecosystems

Context

Priority Action 2 seeks to enhance and connect habitats and ecosystems within the Kaituna Catchment. It involves building on past and current projects and creating healthy and diverse habitats for taonga fish and bird species.

Continued wetland creation (or re-creation in the case of the Lower Kaituna area) is a key component of this Priority Action.

Linkage with Kaituna River Document

Priority Action 2 primarily implements Objectives 1, 2, 7 and 8 of the Kaituna River Document.

Project Summary

The projects are as follows:

Project 1. Post Kaituna River re-diversion enhancement project	Project 2. Wetland Re-creation project
Project 3. Kaituna habitats network mapping project	Project 4. Pātaka Kai Project

The outputs for each project are summarised in the table overleaf.

Measuring Success

From 2019 to 2029, there will be:

- an increase in the total extent of new wetlands within the Kaituna Catchment to 200ha (*a further increase from 100ha set by the Kaituna Strategy in 2009*).
- an increase in the abundance and diversity of life in the Kaituna River and Maketu Estuary.
- an increase in the extent of pest control and planting to connect riparian, wetland and estuarine margins



Project outputs and timeframes

Project	Timeframe			Led by	Key partners	Project Type and Source of Funding
	2020 – 2022 outputs	2023 – 2025 outputs	2026 – 2028 Outputs			
6. Post Kaituna River re-diversion enhancement project (in progress)	a. Restoration work programme completed	b. Implement restoration work programme	c. Implement restoration work programme	BOPRC	Tangata whenua, Maketu Taiapure Trust, Maketu community, care groups, Te Arawa ki Tai Trust F&G, DOC	Existing project: – BOPRC Integrated Catchment Management budget
7. Wetland Re-creation project (in progress)	a. Te Pā Ika wetland b. Te Pourepo o Kaituna wetland c. Whakapoukorero wetland d. Wetland projects within existing EEF / environmental programmes	e. Parawhenuamea wetland f. Te Pourepo o Kaituna wetland (continued) g. Whakapoukorero wetland (continued) h. Te Tumu stormwater overflow wetlands i. New wetland re-creation projects identified through Project 17.	j. Parawhenuamea wetland (continued) k. Te Tumu stormwater overflow wetlands (continued) l. (continued) m. New wetland re-creation projects identified through Project 17.	BOPRC and associated landowners	Tangata whenua, TCC, WBOPDC, F&G, DOC, Maketu Ōngātoto Wetland Society (some of whom are landowners for specific wetlands)	Existing project with multiple sources of funding, including: – BOPRC Integrated Catchment Management budget – BOPRC EEF – WBOPDC funding, subsidies and incentives – DOC Community Fund

Project	Timeframe			Led by	Key partners	Project Type and Source of Funding
	2020 – 2022 outputs	2023 – 2025 outputs	2026 – 2028 Outputs			
8. Kaituna habitats network project (yet to commence)	<p>a. Work programme developed (informed by Project 17).</p> <p>b. At least one habitat network connection projects completed</p>	c. At least two habitat network connection projects completed	d. At least three habitat network connection projects completed	BOPRC, WBOPDC and associated landowners	Tangata whenua, TCC, care groups, F&G, DOC, Forest & Bird Te Puke, Maketu Ōngātoto Wetland Society, Bay Conservation Alliance	<p>New project comprising initiatives from existing work programmes.</p> <p>Multiple sources of funding available, including:</p> <ul style="list-style-type: none"> – BOPRC Integrated Catchment Management budget – BOPRC EEF – WBOPDC Reserve Management Plan review budget – DOC Community Fund

Project	Timeframe			Led by	Key partners	Project Type and Source of Funding
	2020 – 2022 outputs	2023 – 2025 outputs	2026 – 2028 Outputs			
9. Pātaka Kai Project (yet to commence)	a. Kaiawa Working Group established b. Work programme developed c. Priority habitat restoration projects identified	d. At least two habitat restoration projects completed	e. At least three habitat restoration projects completed	Te Maru o Kaituna	Tangata whenua, F&G, DOC, Kaituna community members	New project with linkages to other projects in this Plan. Sources of funding: <ul style="list-style-type: none"> – TMOK budget – Tiaki Wai Fund – Wai Ora Fund – DOC Community Fund – DOC Mātauranga Kura Taiao Fund
Supported by existing City, District and Regional Council operations: <ul style="list-style-type: none"> • Supporting initiatives by landowners, care groups and schools with regards to pest plant control and biodiversity enhancement (sometimes formalised in biodiversity management plans) • Environmental monitoring, including biosecurity (land based and freshwater). • Review of reserve management plans (WBOPDC) • Coast Care / Estuary Care 						

Project 6. Post Kaituna River re-diversion enhancement project

The Kaituna River Re-diversion is one of the most significant projects within the catchment. It is intended to restore at least 20 percent of the freshwater flows from the Kaituna River into the Maketu Estuary. The re-diversion works are due for completion by 2020 (if not earlier).

Project 6 involves a programme of work, post-river re-diversion, to continue to bring life back to the Maketu Estuary.

A work programme will be developed with tangata whenua, environmental care groups and the Maketu community to identify and prioritise restoration tasks. This may include continued wetland and/or estuarine margin planting as well as saltmarsh and seagrass restoration.

This Project will be led by the Bay of Plenty Regional Council.

Project 7. Wetland Re-creation project

Adopted in 2009, the Kaituna Maketu Strategy set a goal of 100ha of new wetlands within the lower Kaituna area. This goal will soon be met.

There are opportunities to continue creating, and in the case of the Lower Kaituna area, *re-creating* wetlands for multiple benefits: habitat for taonga fish and bird species; nutrient and sediment filtering; places to gather food and materials; places to learn, enjoy and relax as well as an alternative use of marginal land.

Project 7 seeks to create an additional 100ha of wetlands (200ha total) within the next 10 years. This would be prioritised in areas:

- where wetness is a limitation to productive use e.g. lowland areas,
- adjacent to existing wetlands (i.e. wetland extension).
- at, or adjacent to, areas subject to other projects within this Plan (e.g. lowland drains and drainage canals).

This project complements and/or contributes to Projects 1,4, 7, 8 and 9.

Information obtained through Project 17 (mapping project) will inform the location of areas for potential new wetlands. Careful planning will be needed to ensure that new wetlands are well designed and maintained.

Project 8. Kaituna habitats network project

Project 8 seeks to promote the connection of fragmented corridors of riparian / wetland / estuarine margins and areas within the Kaituna Catchment. This is to create or connect ecological pathways for indigenous flora and fauna.

These corridors would be prioritised in areas:

- With unique and threatened ecosystems and habitats.
- That are culturally significant e.g. where weaving resources or kai is collected.
- At, or adjacent to, areas subject to other projects within this Plan.

This project complements and/or contributes to Projects 1,4, 7, 8 and 9 and, in some places, relies heavily on pest plant management.



Project 9. Pātaka Kai Project

The Kaituna River is a pātaka kai (food basket or pantry). Kai awa (food sourced from the river) is an indicator of the health and wellbeing of the Kaituna River. In other words, the river is healthy when it is supporting abundant and healthy kai awa.

Project 9 involves a programme of works to increase and enhance habitats for kai awa, in particular tuna (eels), inanga (whitebait), kōura (crayfish), kākahi (freshwater mussels) and watercress. It involves:

- the establishment of a Kaiawa Working Group.
- regular monitoring of kaiawa species.
- completion of at least five kaiawa habitat restoration projects over the last 10 years.
- prioritisation of kaiawa habitat restoration projects close to marae.
- scoping the feasibility of small scale tuna farming for marae use.
- engagement with commercial fishers and MPI regarding existing commercial eeling practices.
- engagement with DOC and BOPRC with regards to inanga habitat restoration, particularly in lowland drain areas.

This project creates opportunities for on-the-ground action by, and for, Kaituna communities. It also:

- recognises and provides for the relationship of tangata whenua with the Kaituna River.
- creates opportunities for kai awa-based research and education.
- enhances cultural and social wellbeing through the sharing of traditional and contemporary knowledge and practices.

Project 9 will be owned by Te Maru o Kaituna with implementation led by a Kaiawa Working Group. This group would

- oversee kaiawa projects.
- connect with Iwi / hapū; other co-governance entities; Maketu Taiapure Committee; DOC, Fish and Game, MPI and commercial eelers.

The form, size and composition of this group will be determined by Te Maru o Kaituna. It would be advantageous to include the Kaituna community connector within this Group (refer Project 10).

This project requires external funding. This presents opportunities for joint funding applications by working group members.

This project complements Projects 1, 6, 7, 8, 11 and 13.



Priority Action 3: Connect our communities and visitors to our river and to our projects

Context

Priority Action 3 is about people, in particular, creating opportunities to connect people to the:

- river through enhanced physical access.
- history of the Kaituna River.
- role of Te Maru o Kaituna.
- projects within this Plan.
- outcomes of research and monitoring associated with the River.

Connecting people to the river creates a community of kaitiaki who value and want to care for the long term health and wellbeing of the Kaituna River.

Linkage with Kaituna River Document

Priority Action 3 primarily implements Objectives 1, 2 and 8 of the Kaituna River Document.

Project Summary

The projects are as follows:

Project 10. Kaituna Community connection project	Project 11. Kaituna River access project
Project 12. Kaituna cultural and historical heritage project	Project 13. Kaituna Cycleway/Walkway project
Project 14. Upper Catchment 'gateway' project	Project 15. Coastal Park Network project

The outputs for each project are summarised in the table overleaf.

Measuring Success

From 2019 to 2029, there will be more people:

- accessing the Kaituna River.
- knowing about the role of Te Maru o Kaituna and the work that we do
- knowing about the history of the Kaituna River catchment.
- involved in projects within the Kaituna Catchment.



Project outputs and timeframes

Project	Timeframe			Led by	Key partners	Project Type and Source of Funding
	2020 – 2022 outputs	2023 – 2025 outputs	2026 – 2028 outputs			
10. Kaituna Community connection project (yet to commence)	<ul style="list-style-type: none"> a. Communications strategy developed b. TMOK website developed c. Annual work plan released d. At least one annual community event e. River Symposium held 	<ul style="list-style-type: none"> f. Annual work plan released g. At least one annual community event h. River Symposium held 	<ul style="list-style-type: none"> i. Annual work plan released j. At least one annual community event k. River Symposium held 	Te Maru o Kaituna (community connector)	Tangata whenua, BOPRC, RLC, TCC, WBOPDC, Kaituna Maketu Freshwater Community Group, Bay Conservation Alliance, Kuaka NZ, local schools	New project. Funding options include: <ul style="list-style-type: none"> – TMOK Budget – Council Long Term Plan Budgets – External Funding
11. Kaituna River access project (in progress)	<ul style="list-style-type: none"> a. River access mapping task completed b. Feasibility study completed for waka launching site. 	<ul style="list-style-type: none"> c. Taunga waka in place d. Enhancement of at least three river access areas 	<ul style="list-style-type: none"> e. Enhancement of at three five river access areas 	WBOPDC	TCC, BOPRC, RLC, Tangata whenua, F&G, Kaituna community	New project comprising initiatives from existing work programme (Reserve Management Plan review). Source of funding includes: <ul style="list-style-type: none"> – WBOPDC Recreation and Leisure Activity

Project	Timeframe			Led by	Key partners	Project Type and Source of Funding
	2020 – 2022 outputs	2023 – 2025 outputs	2026 – 2028 outputs			
12. Kaituna Cycleway / Walkway project (in progress)	a. Strategy completed b. Strategy implementation	c. Strategy implementation (continued)	d. Strategy implementation (continued)	WBOPDC (community-led strategy in development)	TCC, BOPRC, RLC, NZTA, tangata whenua, F&G, DOC, Kaituna community	New project comprising initiatives from existing work programme (Western Bay Cycleway programme). Source of funding includes: – WBOPDC Recreation and Leisure Activity – Opportunities for external funding e.g. NZTA, TECT
13. Kaituna cultural and historical heritage project (yet to commence)	a. Interpretation plan completed b. Plan implementation	c. Plan implementation (continued)	d. Plan implementation (continued) e. Cultural and environmental education centre established at Te Pourepo o Kaituna	Te Maru o Kaituna Landowners for cultural and education centre	Tangata whenua, TCC, BOPRC, RLC, WBOPDC, Heritage NZ, F&G, DOC, Kaituna community	New project. Potential funding options include: • TMOK Budget • Council Long Term Plan Budgets • External Funding e.g. Lottery Community Facilities, TECT

Project	Timeframe			Led by	Key partners	Project Type and Source of Funding
	2020 – 2022 outputs	2023 – 2025 outputs	2026 – 2028 outputs			
14. Upper Catchment 'gateway' project (yet to commence)	a. Concept plan developed	b. Plan implementation	c. Plan implementation	RLC and Ngāti Pikiao	Tangata whenua, NZTA, recreational and commercial river users, Okere community	New project. Long Term Plan funding needed
15. Coastal Park Network project (yet to commence)	a. Concept plan completed b. Plan implementation	c. Plan implementation (continued)	d. Plan implementation (continued)	BOPRC and landowners	TCC, WBOPDC, tangata whenua, DOC, F&G (some of whom are the landowners)	New project. Long Term Plan funding needed
Supported by existing: <ul style="list-style-type: none"> • City and District Council park, open space and reserve management (Projects 11-15). • WBOPDC mapping for reserve management plan review (linkage with Project 11). • Communications by Te Maru o Kaituna e.g. Kaituna Korero, agenda reports, annual report. • WBOPDC Urban cycleway programme (linkage with Project 13). • Structure planning for Te Tumu (linkage with Project 15). 						

Project 10. Kaituna community connection project

Project 10 seeks to engage and connect our communities and visitors. We want them to know and understand why the Kaituna River catchment is special; what work we are doing to achieve the Vision and what they can do to help. It is about engaging the heart and mind and therefore, a range of methods are proposed.

This includes:

- Developing and sharing an annual Te Maru o Kaituna work programme.
- holding annual community events and a three-yearly river symposium.
- collating and telling our stories and histories about the river.
- sharing the outcomes of research and monitoring within the catchment.
- connecting Kaituna communities with the projects in this Plan.
- showcasing examples of sustainable and productive land use and management to provide an opportunity for shared learning. This could include site visits / open days / on-site demonstrations as well as inclusion in the newsletter “Kaituna Korero”.
- connecting the various networks of environmental care groups and education providers to collaborate and share resources relating to environmental and cultural education within the Kaituna Catchment.
- connecting with other co-governance entities e.g. Rotorua Te Arawa Lakes Strategy Group, Rangitaiki River Forum, Te Arawa River Iwi Trust.

This Project will be owned by Te Maru o Kaituna and led by a community connector. This is a dedicated resource to connect the projects within this Plan with the Kaituna community, in particular, tangata whenua, environmental education providers, community groups and Te Maru o Kaituna members.

This requires specific skills in relationship management, communication and community engagement.

This project complements and/or contributes to Projects 13-18.

Project 11. Kaituna River access project

Project 11 involves a programme of work to enhance physical access to the Kaituna River. It is linked closely with Project 12 (cycleway / walkway project).

Project 11 involves two key components:

- Mapping current and historical river access.
- Mapping community aspirations for river access (including type of access –swimming, food gathering, etc)
- Progressive enhancement of priority river access areas. This includes enhanced access in the Waitangi area for swimming and waka launching. A feasible study would identify the proposed location and type of structure (e.g. ramp, jetty).

This project will be led by the Western Bay of Plenty District Council, working with Te Maru o Kaituna partners, tangata whenua, recreational and commercial river users as well as local communities.

This project complements Projects 7, 8, 10, 12, 13, 14 and 15. It aligns with the planned review of the Te Puke and Maketu Reserve Management Plans.



Project 12. Kaituna Cycleway/Walkway project

Project 12 involves the connection and/or creation of cycleways and walkways within the Kaituna Catchment. This project, which contributes to the Western Bay Cycleway Programme, would:

- provide access to the Kaituna River and across the catchment.
- connect with existing cycleways (e.g. Te Ara Kahikatea, TEL cycleway and the new Paengaroa to Lake Rotoiti cycleway).
- connect communities and enhance recreation opportunities within the catchment.
- encourage economic opportunities (e.g. tourism).

Careful planning will be needed to ensure that walking and cycling routes are in appropriate locations (i.e. away from sensitive areas such as waahi tapu and fish spawning areas).

A community-led strategy is in development to scope potential walking and cycling routes within the catchment. This includes scoping for a trail between Te Puke and Maketu.

Project 12 will be led by the Western Bay of Plenty District Council.

This project complements Projects 7, 8, 10, 11, 13, 14 and 15.

Project 13. Kaituna cultural and historical heritage project

Project 13 involves a programme of work to recognise and showcase the cultural and historical heritage associated with the Kaituna River.

While Project 10 (community connection project) involves the collation of our stories, connections and histories about the river, Project 13 involves the physical manifestations of those stories. This includes:

- interpretation elements e.g. pou, information boards, artwork.
- additional taunga waka (waka landing) to that in Project 11.
- identification of areas of cultural and/or historical significance to showcase or celebrate.
- identification of culturally sensitive areas where public access should be restricted.
- establishing a cultural and environmental education at Te Pourepo o Kaituna (*which if connected to a cycle way, could also fulfil the role of an i-site information centre*).

In the first instance, an interpretation plan will be developed to ensure that the right elements are in the right place for the right reason. It also ensures connectivity with other Plan projects e.g. river access, cycleway, coastal park.

This project complements and/or contributes to Projects 10, 11, 12, 14 and 15.



Project 14. Upper Catchment 'gateway' project

Project 14 involves the development of a 'gateway' at the upper reaches of the Kaituna River. This 'gateway' provides the opportunity to showcase and acknowledge the historical and cultural significance of the Kaituna River.

A concept plan will be developed in the first instance, which could incorporate:

- A gateway, pou or sign.
- Enhanced access to the Kaituna River.
- Signage and/or interpretation panels.
- Access to amenities e.g. parking, toilets.
- Information for commercial operators to share with customers.

Project 14 will be led by the Rotorua Lakes Council, working with tangata whenua, NZTA, recreational and commercial river users as well as the local community.

Project 15. Coastal Park Network project

There are large areas of open space, owned by various landowners, in the lower Kaituna area. There have been aspirations for many years to establish a regional coastal park in this area. Regional parks are generally purchased and owned by Regional and/or District Councils.

Project 15 involves the connection of open space in the Lower Kaituna area to form a coastal park network. In this case, the park network would be located on a mix of Council, conservation and private land.

This project is intended to:

- protect significant landscapes, heritage, ecological and cultural features.
- create a diverse range of recreational, cultural and educational opportunities

The coastal park network could, in the first instance, incorporate key wetland areas such the Lower Kaituna Wildlife Management Reserve; Te Pourepo o Kaituna, Te Pā Ika and the Te Tumu wetlands. The network could be extended over time.



Enabling Action 1. Collect good information about the Kaituna River and its tributaries

Context

Enabling Action 1 is focus on building awareness and understanding about the Kaituna River and all it sustains.

This is so that Te Maru o Kaituna can lead or guide projects and make decisions based on robust data, research and monitoring.

Linkage with Kaituna River Document

Enabling Action 1 implements all Objectives within the Kaituna River Document, in particular Objectives 3-7.

Project Summary

The projects are as follows:

Project 16.
State of the Awa
integrated
monitoring and
reporting project

Project 17.
Kaituna Catchment
network mapping
project

The outputs for each project are summarised in the table overleaf.

Measuring Success

From 2019 to 2029, there will be:

- more data about the Kaituna River using both ecological and cultural indicators.



Project outputs and timeframes

Project	Timeframe			Led by	Key partners	Project Type and Source of Funding
	2020 – 2022 outputs	2023 – 2025 outputs	2026 – 2028 outputs			
<p>16. State of the Awa integrated monitoring and reporting project</p> <p>(about to commence)</p>	<p>a. Integrated monitoring plan developed</p> <p>b. Implementation of integrated monitoring plan</p>	<p>c. Implementation of integrated monitoring plan (continued)</p> <p>d. State of the Awa report 2023</p> <p>e. Integrated monitoring plan reviewed and updated (if needed)</p>	<p>f. Implementation of integrated monitoring plan</p> <p>g. State of the Awa report 2028</p>	BOPRC	<p>City and district councils</p> <p>Kaituna community especially those carrying out regular environmental or cultural monitoring.</p>	<p>New project comprising initiatives from existing work programmes. Main source of funding:</p> <ul style="list-style-type: none"> – BOPRC Technical Services budget <p>City and district councils to contribute data and staff time.</p>
<p>17. Kaituna habitats mapping project</p> <p>(yet to commence)</p>	<p>a. Completed stocktake and collation of available information.</p> <p>b. Completed feasibility study for Project 7.</p> <p>c. Completed feasibility study for Project 8.</p>		<p>d. Updated feasibility studies for Projects 7 and 8.</p>	<p>BOPRC (most aspects)</p> <p>WBOPDC (river access and cycleway component)</p>	City and district councils	<p>New project comprising initiatives from existing work programmes. Main source of funding:</p> <ul style="list-style-type: none"> – BOPRC Technical Services – WBOPDC Recreation and Leisure

Project	Timeframe			Led by	Key partners	Project Type and Source of Funding
	2020 – 2022 outputs	2023 – 2025 outputs	2026 – 2028 outputs			
Supported by existing: <ul style="list-style-type: none"> • State of the Environment Monitoring carried out by City, District Council and Regional Councils. • Data, maps and research carried out in relation to the Kaituna Catchment. • Research or monitoring carried out by other agencies e.g. NIWA, Te Arawa Takutai Trust. 						

Project 16. State of the Awa integrated monitoring and reporting project

In 2018, the Regional Council released a series of reports and fact sheets about the water quality and ecological health of the Kaituna catchment (including drains).

Project 16 relates to the continued gathering and reporting of data and information about the State of the Kaituna River Catchment. This helps Te Maru o Kaituna know that the actions within this Plan are making a tangible difference to the health and wellbeing of the Kaituna River.

This project involves:

- better integration of the State of the Environment monitoring by the City, District and Regional Councils within the Kaituna Catchment.
- broadening the monitoring programme to include additional sites and attributes²
- incorporating matauranga Māori into research and monitoring within the Kaituna Catchment³.
- exploring ways to incorporate citizen science (data collection by community members) in the monitoring programme.

An integrated monitoring programme will be developed, in the first instance. This will build on the existing monitoring plan(s) for the Kaituna Catchment.

The key output for this project is a 5-yearly State of the Awa report.

² As highlighted in the Kaituna-Maketū and Pongakawa-Waitahanui Water Management Area: Current State and Gap Analysis Report (Bay of Plenty Regional Council, 2016).

Project 17. Kaituna Catchment network mapping project

Project 17 is a mapping project for the Kaituna Catchment. It is intended to support and inform other projects within this Plan. This includes, but is not limited to, the location of:

- existing ecological corridors, including riparian margins and wetlands (Projects 7 & 8).
- potential new or re-created wetlands (Project 7).
- priority corridors of riparian / wetland / estuarine margins and areas to connect (Project 8).
- priority Pātaka Kai restoration projects (Project 9).
- consented water takes and discharges within the Kaituna Catchment (Project 3).
- existing access points to the Kaituna River and tributaries (Project 11).
- priority areas for enhanced river access (Project 11).
- identified 'connectivity' areas through the river access, cycleway and coastal park network projects (Projects 11, 12 & 15).

This project provides a way of collating and sharing visual information about the Kaituna Catchment. Ideally, the layers of information could be kept on an interactive online mapping tool. This way, the information is easily accessible for the Kaituna community (Project 10).

³ This also gives effect to Policy CB1 of the National Policy Statement for Freshwater Management and the Regional Council's He Korowai Mātauranga Framework.



Enabling Action 2. Establish a Kaituna River restoration and enhancement fund

Context

Enabling Action 2 seeks to ensure that projects within this Plan are not solely reliant on Council funding.

This provides a level of financial self-sustainability for Te Maru o Kaituna and an additional funding source for river-related projects led by the Kaituna community.

Linkage with Kaituna River Document

Enabling Action 2 implements all Objectives within the Kaituna River Document.

Measuring Success

From 2019 to 2029, there will be:

- A dedicated fund that is supporting at least five Kaituna community projects each year.

Project 18. River restoration and enhancement fund project

This project seeks to establish a dedicated Kaituna River restoration and enhancement fund:

- to facilitate public donations, external funding and corporate sponsorship.
- for use towards Kaituna community projects.

Similar models include the Whakatane Kiwi Trust and Ōtanewainuku Kiwi Trust. In both cases, a legal entity (e.g. charitable trust) was established.

This Project will be owned by Te Maru o Kaituna and led by the community connector.

Project outputs and timeframes

2020 – 2022 outputs	Timeframe		Led by	Project Type and Source of Funding
	2023 – 2025 outputs	2026 – 2028 outputs		
a. Fund established b. At least two external fund partners secured c. Annual funding round	d. Annual funding round	e. Annual funding round	Te Maru o Kaituna	New Project. Funding sourced from TMOK Budget and external funding



Part 3: Te Taharapa o te Tuna | Implementing and Monitoring this Plan

'Te Taharapa o te Tuna' means 'The tail of the eel'.

This part of the Plan outlines how we will implement and monitor this Plan to ensure its stays on course.

Plan Implementation

How this Plan will be implemented

Te Maru o Kaituna will be responsible for 'owning' this plan. As such, Te Maru o Kaituna will use this plan to prepare and annual work programme. This work programme will be made publicly available, as described in Project 10.

Funding Actions

The majority of the projects within the review Action Plan are provided for in existing Council work programmes and budgets.

A few projects are tagged for funding by Te Maru o Kaituna – this will need to be provided for in future TMOK budgets.

A few projects also require external funding. Te Maru o Kaituna will need to pursue opportunities for funding, such as through Council Long Term Plan funding (via formal submission) or external funding providers, including corporate sponsorship (Project 18).

Resourcing Requirements

The Plan requires dedicated resourcing to ensure effective implementation.

- Project coordinator - to coordinate the projects across all Te Maru o Kaituna members and identify external funding opportunities. This requires specific skills and experience in project planning, management and reporting.
- Community connector – to connect the projects with the Kaituna community in particular hapū, marae, environmental education providers,

community groups and members. This requires specific skills in relationship management, communication and community engagement.

How plan progress will be reported

To be effective, this Operational Plan relies on active implementation of projects and providing meaningful updates on progress to TMOK members and the wider community.

For this reason, Results Based Accountability (RBA) will be used to ensure there is focus on results and overall progress against the Action Plan and the Kaituna River Document.

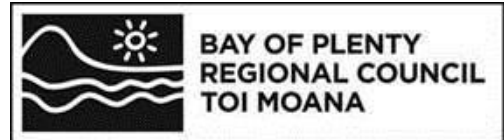
An annual progress report will be produced will be focused on three key questions:

- How much did we do?
- How well did we do it?
- Are we better off?
- In other words, are we making a different? are we improving the health and wellbeing of the Kaituna River (including its tributaries)?

An annual report will be produced along the same lines. It will also outline:

- Barriers to implementation of tasks (e.g. resourcing, funding).
- What resourcing (funding, people) has been secured to implement projects.
- Priority projects for the coming 12 months.





Receives Only – No Decisions

Report To: Te Maru o Kaituna River Authority

Meeting Date: 27 September 2019

Report From: Chris Ingle, General Manager, Integrated Catchments

Rivers and Drainage, Engineering and Asset Management Update

Executive Summary

The purpose of this report is to update the Te Maru o Kaituna River Authority on the activities and projects being delivered by the Councils Rivers and Drainage, Engineering and Asset Management teams. The work varies from data and systems improvements through to business as usual maintenance and large engineering improvement projects across the catchment.

The Authority will be interested in the work planned and underway and where appropriate the alignment with the objectives of Kaituna He Taonga Tuku Iho, the Kaituna River Document.

Recommendations

That the Te Maru o Kaituna River Authority:

- 1 Receives the report, Rivers and Drainage, Engineering and Asset Management Update;**

1 Asset Management Update

1.1 Asset Data and Systems

Councils Enterprise Asset Management (TechnologyOne) module was introduced this year. The new module will assist with the management of Councils significant and valuable Rivers and Drainage assets including the management of preventive and reactive maintenance, defect management, field mobility and asset historical life cycle costs. This module is stage one of the Asset Management System improvements.

1.2 Critical Assets - Performance Assessment Tool

A project is underway to carry out a performance review of Rivers and Drainage critical assets identified in the Rivers and Drainage Asset Management Plan.

The asset performance is expressed by assessing that the appropriate asset for the defined level of service is in a suitable condition, and therefore assessing with confidence that it will perform reliably.

This information will inform and prioritise future renewal and capital work programmes. The results will be able to provide a priority ranking to guide where remedial actions are best focused including identifying where gaps in knowledge present a risk that should also be reduced.

The work is currently focused on the Rangitāiki, Whakatāne, Waioeka and Otara Rivers along with Rotorua urban streams. It is anticipated that the work will extend to the Lower Kaituna next financial year.

1.3 Floodway and Drainage Bylaw Review

Bay of Plenty Regional Council has a statutory role in providing flood protection and water control which is achieved through the rivers and drainage schemes it manages.

The Floodway and Drainage Bylaw was established for the protection of scheme assets such as pump stations, drains and stopbanks from damage or misuse and only applies to assets which are owned or under the control of the Regional Council. The bylaw sets what can and can't be done in the vicinity of scheme assets, the process for gaining 'Bylaw Authority' for works and remedies available to the Council for non-authorized work.

The existing Floodway and Drainage Bylaw 2008 is due for review. The bylaw has the potential to impact on a wide cross section of the community; in particular landowners who neighbour a Council owned or managed flood protection and drainage asset. Under the Bylaw, restrictions are placed on some landowners' ability to use their land when located close to flood protection and drainage assets. Council issues 'Bylaw Authorities' to allow landowners to carry out works, often with specific conditions, within the bylaw applicable areas to minimise the impact on the assets.

Given the range of people who are potentially affected by the Bylaw it is important that the review process engages widely with the community including tangata whenua. This will enable Council to understand the views of the community and make decisions that are supported by data and facts.

The proposed consultation process includes an informal non-statutory part as well as the statutory consultation period set out in the Local Government Act's Special Consultative Procedures.

Community engagement and consultation will focus on issues identified through a review of the effectiveness of the current bylaw. These include:

- Poor public and territorial authority knowledge of the bylaw's existence and requirements.
- Changes in land use, in particular conversions from dairy to kiwifruit.
- Possible increase in the bylaw applicable area to ensure specific geotechnical issues are being managed appropriately.
- The need for stronger restrictions on activities like ploughing and fencing that can increase the risk of seepage failure.

- Enforcement and application fees need to be reviewed; plus clarification of some of the bylaw's definitions.

Community engagement will include:

Consultation Events – Where issues and options will be presented to the public and feedback sought in an interactive format. Events will be held in Ōpōtiki, Whakatāne, Edgecumbe, Te Puke and Rotorua.

Direct Consultation – This will include meeting with key stakeholder groups such as tangata whenua, landowners and River Scheme Advisory Groups. In addition, regular updates on the review process and opportunities to provide input and feedback will be provided to key stakeholders and the general public. Te Maru o Kaituna River Authority has been identified as a key stakeholder

The anticipated timeframes for the community engagement programme are:

- | | |
|-----------------------------|---------------------------------|
| • October/November 2019 | Advisory Groups/TLA workshops |
| • October 2019 – March 2020 | Tangata whenua and stakeholders |
| • February 2020 | Public launch of review |
| • March-April 2020 | Public consultation events |

1.4 April 2017 Flood Repair Project

In early April 2017, the Eastern Bay of Plenty was hit by ex-Tropical Cyclone Debbie. The cyclone brought with it prolonged torrential rain, resulting in rising river levels across all the rivers and waterways in the region. The cyclone dropped considerable rainfall over the entire Bay of Plenty area which produced record high river levels and flows. In the Rangitāiki, flows reaching the Matahina Dam were 20% higher than ever recorded. Flows in the Whakatāne River were captured as 34% higher than previously recorded.

The event resulted in significant damage to river and drainage networks and assets across the region, from the Kaituna in the west through to the Waioeka-Otara catchment in the east.

- The flood recovery project is two years into the estimated four year programme. Physical repair works have been steady across the programme as conditions and material availability have allowed.
- As at 30 August 2019, 264 site repair works are complete from the total programme of 520 sites. This work includes many of the highest priority works. In the case of the Kaituna Catchment Control Scheme 11 sites from a total programme of 45 sites have been completed.
- The process for claiming eligible costs from central government has been established. Current claims are for essential infrastructure repairs. Claim 7 was received early August and Claim 6 is currently with MCDEM awaiting approval.
- Communication and stakeholder engagement has been a feature of the project as there is a high level of public and stakeholder interest in the recovery from the April 2017 floods and this will continue.

- A progress payment for Infrastructure Insurance has been received (\$2,000,000) and a second payment has been requested.
- 148 sites are programmed for completion in 2019/20 year, 19 of those are in the Kaituna Catchment Control Scheme.

2 Rivers and Drainage Activities

2.1 Maintenance Programme

The work maintenance programme for the 2019-20 financial year includes:

- Riverbank weed spraying
- Willow maintenance
- Planting
- Rock replenishment
- Fencing maintenance
- River and estuary maintenance (desilting)
- Floodgate maintenance and inspections
- Canal maintenance and desilting
- Pump maintenance, repairs and renewals
- Pest control and rubbish removal

2.2 Kaituna Depot

The establishment of a Kaituna works depot is underway. Toroa House (ex-training suite) has been relocated from the Whakatāne office to a site on the corner of Wilson Road North and State Highway 2. Consent is underway to enable the building to be permanently sited and the depot will also include a dedicated storage area and workshop. This will provide a suitable base for BOPRC operations staff (both Rivers and Drainage and Land Management teams) in the Kaituna Catchment.



Fig 1: Kaituna Depot location



Fig 2: Ex Training Suite Relocated for Kaituna Depot

2.3 McLeod's Outlet into Kopuaroa Canal

This work involved the installation of a 600mm EuroFlow HD-PE piped gravity outlet with Humes concrete 600-1050mm wing wall and 800mm PE flapgate. The purpose of the work is to create an additional gravity outlet to remove water during high rainfall events in the Bell Road catchment.

2.4 Bell Road A Pump Station

This work involved the installation of an additional culvert pipe on the outlet side connecting to a surge chamber. When additional pumping is required temporary pumps can be installed and connected easily and more effectively.

3 Engineering Projects

3.1 Ford Road Pump Station Upgrade Project

Budget 2019/20: Consenting and detail design \$471,000

This work involves the upgrade of the existing Ford Road Pump Station.

The Ford Road Pump Station is one of seven flood pump stations owned by Council that form part of the Kaituna Catchment Control Scheme (KCCS). These pumps service a catchment area of approximately 41 km² and discharge towards the Kaituna River and Ōngātoto/Maketū Estuary. The Catchment Control Scheme was established to reduce the risk of damage to people, property and their livelihoods caused by flooding.

The capital works project to replace the Ford Road Pump Station will address its declining efficiency, poor condition resulting in an elevated risk of failure, and Health and Safety risks associated with its operation and maintenance.

As part of the project planning and project initiation of the pump station replacement staff also reviewed whether the pump station should be upgraded (as opposed to a straight replacement). The following factors were to be taken into account as part of this review:

- Kaituna River Re-diversion
- Ōngātoto/Maketū Estuary Enhancement Project
- Rangiuu Business Park Structure Plan
- The effects of climate change including sea level rises, storm surge, and increased frequency and intensity of extreme rainfall events.

The key objectives of the replacement pump station are to:

- Protect the environment from flood damage.
- Provide security and reduce flood risk to existing social and economic developments.
- Mitigate the effects of Kaituna re-diversion and the development of the Rangiuu Business Park.
- Improve water quality into the Kaituna River and the Ōngātoto/Maketū Estuary.

The preferred solution is additional pump capacity (new pump station) at the existing Diagonal Drain site (removing all discharges from Ford Road). This option has been determined using a multi-criteria analysis (MCA). The MCA tool involves identifying the underlying project objectives and then determining all of the factors (the criteria) that would indicate achievement of the objectives.

Discussions continue with the BOPRC Coastal Catchments Team on options to treat the stormwater runoff closer to the source to meet discharge consent requirements. Next steps are further engagement with iwi and consultation with stakeholders to discuss land management options plan.

It is expected that the consenting and design of the new pump station will occur this financial year 2019/2020, with construction occurring the following year depending on funding.

3.2 Lower Kaituna River Stopbank Upgrade

Budget 2019/20: Construction \$1,500,000



Fig 3: Proposed location of stopbank upgrade

A section of stopbank near the Kaituna River Rediversion Project needs upgrading (raising) to meet the scheme's required level of service.

Rather than undertake procurement via an open market tender, Council has approved a variation to J Swap Contractors Ltd, to undertake the work. J Swaps are currently completing the Kaituna Rediversion project at the same location. The advantages to taking this approach are reduced timeframes to procure a contractor, reduced time for staff involved, reduction in construction risk and a reduction in construction costs.

This work will begin following completion of the Kaituna Diversion Project.

3.3 Te Puke Stormwater

Budget 2019/20: Modelling \$156,000

Robbin Britton from Britton Consultants has been commissioned to act as the project manager for this study. The programme for this year includes to:

- Undertake a comparison between development in 1990 (start of the Kaituna Scheme) and 2019. This is to assess differences in runoff.
- Generate design storm data inputs and provide hydrological support
- Update Te Puke stormwater model and run design storm scenarios
- Model options to upgrade stormwater system to mitigate increased flows

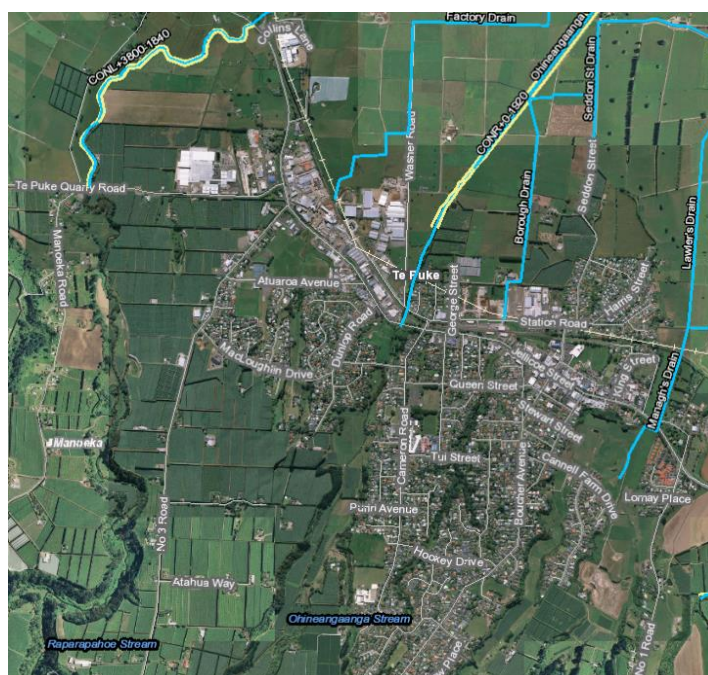


Fig 4: Te Puke Township and the drainage network

3.4 Kaituna Mole Renewal

Budget 2019/20: Construction \$180,000, (note this project will need additional budget provision)

This renewal work involves strengthening the sheet piling around the existing structure with new sheet piling. An independent review has been undertaken of the proposed remedial design and this has confirmed the proposed work.

The remedial work is to be tendered prior to Christmas with construction works to be undertaken in March/April 2020.

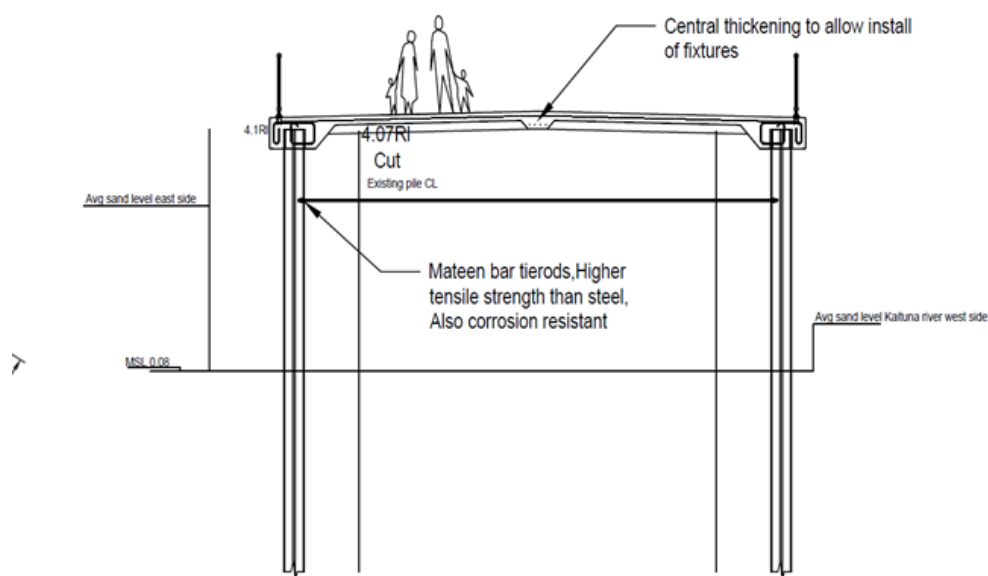


Fig 5: Kaituna Mole Refurbishment Concept

3.5 Geotech Investigations into Stopbank Seepage

Budget 2019/20: Undertaken within existing operational budgets

Three sites in the lower Kaituna River area have been investigated using intrusive (hand-tools) and non-intrusive (Ground Penetrating Radar) testing. Analysis is yet to be undertaken. Site observations focussed on areas where sands have surfaced, particularly near to stopbanks.

The sites and initial observations are as follows:

- Vercoe's near Kaituna, Waiari confluence (right bank) – trench excavations were completed through the 'rabbit hole' sand boil. Sands are thought to connect between river and land at shallow depth, and rise steeply to surface in places such as where sand boiled to surface. Preliminary treatment options discussed include pressure relief trench to intersect the sand. Possibly mix soils on river side to provide some degree of a 'cut-off' to reduce the volume of water entering this sand seam.
- Pamment's, north of relic oxbow, end of Pah Road (right bank) - comments of seepage occurring near to the land-side toe. Not confined locally but at several areas along the reach. More investigations required.

- Pamment's, downstream of the TEL (right bank) – localised issue only. Preliminary approach to treatment would be soil overlay and consideration of a partial land-side stopbank shoulder rebuild to remove the stumps. Depending on the degree of sands some pressure relief may be required.

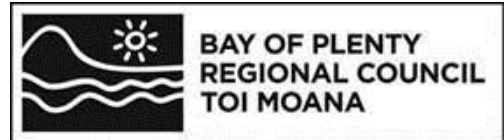
4 Community Outcomes

This item/project directly contributes to the Safe and Resilient Communities Community Outcome in the Council's Long Term Plan 2018-2028.

Paula Chapman
Project Manager

for General Manager, Integrated Catchments

18 September 2019



Receives Only – No Decisions

Report To: Te Maru o Kaituna River Authority

Meeting Date: 27 September 2019

Report From: Mark Townsend, Engineering Manager

Kaituna Sedimentation Maintenance

Executive Summary

The outlets of several watercourses to the lower Kaituna River have formed blockages due to sediment build up. The sediment build up is within the channels that connect the drains to the river or within the river itself.

The current clearance method via long-reach digger is having limited effect and cannot clear all the sediment blockages due to limited reach from the riverbank. The proposed solution is to compliment the long-reach digger clearance with a river-based (barge-mounted) dredge.

The work is to be undertaken within the requirements of a permitted activity according to Rule BW R31 of the Bay of Plenty Regional Council's Natural Resources Plan.

Recommendations

That the Te Maru o Kaituna River Authority:

1 Receives the report, Kaituna Sedimentation Maintenance;

1 Background

There has been an observed build-up of sediment at the outlets of several watercourses into the lower Kaituna River. The build-ups are having a detrimental effect on the ability of the watercourses to discharge larger flows. This is believed to form part of the issue whereby water draining from land is being impeded.

An investigation undertaken to determine a permanent fix to this issue did not result in a solution. Consequently the recommendation is to remove the sediment build-up from the watercourse outlets periodically.

2 Scope of Works

The works would be limited to several watercourse outlets in the Lower Kaituna Catchment and would affect deposited sediment overlaying the natural stream bed causing a blockage to flow. The works would be carried out on the following basis:

- The proposed dredging works would be carried out using a submersible hand-held dredge/suction head with a barge-mounted pump.
- The works would be contained within the river with the suction head re-agitating the settled sediment and displacing it as re-suspended material a few meters into the deeper, faster-flowing, main channel of the Kaituna River.
- This scope of works is aimed at recreating the optimum sediment transportation function of the watercourses in question.

The works are planned to commence in November 2019.

2.1 Locations of the works

The following are the locations of the proposed works areas (Figure 1 – Figure 4), showing the extent of the works.

- i) Bell Road Drain Outlet: To be dredged approximately 1.0 – 1.5m vertically



Figure 1: Bell Road Drain Outlet Dredging Extent

- ii) Kopuaroa Canal Outlet: To be dredged approximately 1.5m vertically



Figure 2: Kopuaroa Canal Dredging Extent

- iii) Raparapahoe Canal Outlet: To be dredged approximately 0.3 – 0.4m vertically



Figure 3: Raparapahoe Canal Dredging Extent

- iv) Waiari Canal Outlet: To be dredged approximately 1.0m vertically



Figure 4: Waiari Canal Dredging Extent

3 Natural Resources Plan – Relevant Rules

The works would be carried out as a permitted activity according to Rule BW R31 of the Bay of Plenty Regional Council's Natural Resources Plan. The rule states as follows:

“Permitted – Disturbance of the Bed of a Stream or River, and removal of plants or Sediment by a City or District Council; NZTA; the National Rail Infrastructure Owner/Manager; a Regional Council or its contractor or a person under the direction of a Regional Council or a City or District Council – for Hazard Management purposes.”

As the deposited material has formed large sediment blocks at the mouth of the watercourses – these constitute blockage hazards as opposed to standard maintenance issues, meaning the rule covering maintenance of drains would not apply.

There are several conditions that would still have to be met for the works to be considered a permitted activity, the most important being exclusion periods where no works can take place so as to not affect fish passage or fish habitats. The proposed works would be carried out outside of the following exclusion periods:

- The Kaituna River and Waiari Stream are Schedule 1D trout habitats (Exclusion 1 May to August 30).
- The Kaituna, Kopuroa Canal, Raparaphoe Stream and Waiari Stream are all Schedule 1A – Aquatic Ecosystem Areas (Exclusion 15 August and 15 October).

All other conditions for the works would be met under standard contract management practises.

4 Budget Implications

4.1 Current Year Budget

The work is planned under the Rivers and Drainage Activity in the Long Term Plan (LTP) 2018-2028. There is a provision in the LTP of \$312,000 in the 2019/20 financial year.

4.2 Future Budget Implications

There is no future work planned for subsequent years in Councils Long Term Plan 2018-2028. This may be updated in the next LTP renewal depending on observed sediment accumulations.

5 Community Outcomes

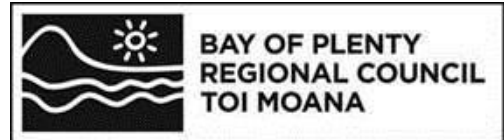
This project directly contributes to the Safe and Resilient Communities Community Outcome in the Council's Long Term Plan 2018-2028.

The work would reinstate adequate flow through the affected drains, improving their functionality.

Brad Harburn
Environmental Engineer

for Engineering Manager

30 August 2019



Receives Only – No Decisions

Report To: Te Maru o Kaituna River Authority

Meeting Date: 27 September 2019

Report From: James Low, Team Leader Policy (Freshwater)

Freshwater update

Executive Summary

This report provides an update about work being progressed to implement the National Policy Statement for Freshwater Management (NPS-FM) relevant to the Kaituna River catchment as well as a brief national update on freshwater policy matters.

Key updates since the last meeting include:

- Government has release it's *Essential Freshwater* proposed policy package alongside a number of other proposed policies for public feedback. Submissions on the freshwater policy package will be accepted until 31 October 2019.
- Progress continues towards resolving Region-wide Water Quantity – Proposed Plan Change 9 appeals.
- The Environment Court has released its (Stage 1) decision in favour of Toi Moana's Rotorua Nutrient Management Plan Change 10 nitrogen allocation method. A date for the second stage hearing is yet to be scheduled.
- A draft Discussion Paper: Reflecting tangata whenua values and interests is attached for TMoK's consideration, feedback and endorsement for further iwi engagement. The focus on the next round of iwi engagement would be on better understand particular sites and discrete values that could be used in limit-setting. The groundwater model for the Kaituna-Pongakawa–Waitahanui WMA continues to be developed and substantial progress is being made towards better understanding the status of surface water (quantity) resources. Subject to progress being made as planned, discussions with community groups maybe possible in November.

Recommendations

That the Te Maru o Kaituna River Authority:

- 1 Receives the report, Freshwater update;**

1 Purpose

The purpose of this paper is to provide Te Maru o Kaituna River Authority (TMoK) an update about work being progressed to implement the National Policy Statement for Freshwater Management (NPS-FM) relevant to the Kaituna River catchment. It also provides a brief update on freshwater policy matters at a national level.

2 National Updates

The Government is proposing changes to rules and regulations to protect te taiao and transition to a sustainable, low-emissions future. These changes aim to support decisions and actions by us all – whānau, hapū, iwi/Māori, communities, business, the agriculture and forest sectors and local and central government.

The kaupapa affected by the proposed new rules and regulations are broader than the freshwater proposals and include:

- Essential Freshwater Programme
- Reform of the resource management system
- Urban Development
- Highly Productive Land
- Product Stewardship
- Hazardous substances
- Climate change.

2.1 Essential Freshwater

Government released their *Essential Freshwater* policy package on 5 September for public consultation which are the changes most closely aligned with TMoK's kaupapa. The freshwater package seeks to halt declining freshwater quality and ecosystem health, and is designed to see a "material improvement in five years and healthier waterways in a generation".

Consultation material includes the '*Action for healthy waterways: Our proposals, your views*' discussion document and summary document; draft National Policy Statement for Freshwater Management, Proposed National Environmental Standard for Freshwater Management and a stock exclusion regulation. These documents are available on the Ministry for the Environment's website: <https://www.mfe.govt.nz/consultation/action-for-healthy-waterways>.

Summaries which most closely align with TMoK's kaupapa are attached in appendix 1 and 2 for information.

The proposals set out to stop further degradation and reverse past damage of New Zealand's freshwater resources, waterways and ecosystems including:

1. Set and clarify policy direction which includes strengthening Te Mana o te Wai as the guiding principle for water management
2. Raise the bar for ecosystem health
3. Improve farming practices, particularly those posing a higher risk to water bodies

4. Support delivery of safe drinking water
5. Better manage stormwater and wastewater

The official closing date for submissions on the Essential Freshwater is Thursday 17 October 2019 at 5pm. However, submissions will be accepted for a further two weeks beyond that date, until 31 October 2019. Toi Moana staff are working through the package and considering key points for submission, as well implications for Bay of Plenty Regional Council and the region.

Beyond this, the Government is continuing work on broader system reform, including work to address water allocation issues having regard to all interests including Māori and existing and potential new users which is the Government's third freshwater objective.

Ministry for the Environment Roadshows

Government have run a number of consultation meetings with local government, iwi and the public throughout New Zealand which a number of you will have attended. The [public presentation](#) is available on MfE's website.

Toi Moana Community Information Sharing Sessions

Toi Moana staff will be holding three community information sharing sessions to build community awareness and understanding of the Essential Freshwater package to better enable those that wish to make informed submissions.

Date	Location
30 September	Rotorua
1 October	Whakatane
2 October	Te Puke

Once times and venue details are to hand, invites will be sent to TMOk members.

2.2 Waitangi Tribunal Report on Freshwater – Wai 2358

The Waitangi Tribunal has released its Stage 2 Report on the Geothermal and Freshwater claim, WAI 2358. The report can be accessed on the [Tribunal's website](#). It makes recommendations about Part 2 RMA purpose and principles amendments, co-governance and co-management, co-design, resourcing, water quality, Māori proprietary rights and economic interests via the RMA allocation regime, monitoring and enforcement and clean, safe drinking water for marae and papakāinga.

The recommendations of the Tribunal are non-binding and at the discretion of the Crown to implement or not.

Until the Government formally responds, Toi Moana's attention must remain focussed on progressing implementation of the NPS-FM while anticipating likely changes necessary to the policy work programme as a result of proposed changes set out in the Essential Freshwater policy package. The Government has indicated in the Essential Freshwater discussion document that it will continue to work with Māori to address their rights and interests in freshwater, particularly in the context of addressing allocation issues.

3 Regional update

Bay of Plenty Regional Council - Toi Moana is actively working on several freshwater initiatives and plan changes to the Regional Natural Resources Plan (RNRP). These are all affected by Essential Freshwater proposed changes. Toi Moana staff are considering options for effectively progressing the freshwater work while minimising the risk of needing to do rework. Brief updates on this work programme relevant to freshwater in the Kaituna catchment are provided below.

3.1 Region-wide Water Quantity - Proposed Plan Change 9

Plan change 9 is part of a two-step process towards improving freshwater management in the Bay of Plenty. Plan change 12 is the second step which will set catchment specific water quality and quantity limits for the Kaituna-Pongakawa-Waitahanui and Rangitāiki Water Management Areas (WMA).

Notwithstanding the Essential Freshwater proposed changes, Plan Change 9 it is well advanced through the statutory process. Toi Moana are currently working through the appeals – many of which relate to NPSFM policy.

To help progress appeals and give the Environment Court and Toi Moana greater certainty about how to proceed amidst national policy change, staff have been meeting with appellants to discuss their next steps. The feedback parties provide will help the PC9 appeals sub-committee gauge, in light of the revised NPSFM, the relative benefits and costs of defending PC9 through the Environment Court.

3.2 Lake Rotorua Nutrient Management - Proposed Plan Change 10

On 9 August 2019, the Environment Court released its (Stage 1) [decision](#) in favour of Toi Moana's Rotorua Nutrient Management Plan Change 10 nitrogen allocation method. A date for the second stage hearing to identify additional provisions in relation to Treaty settlement land and progress the remaining appeal points about specific implementation issues is yet to be scheduled.

3.3 Kaituna-Pongakawa-Waitahanui and Rangitāiki Water Management Areas – Pre-draft Plan Change 12

As outlined in the last Freshwater update, flexibility in the timeline to deliver Plan Change 12 is necessary to accommodate changes necessary as a result of Essential Freshwater proposed changes.

Toi Moana will not be advancing engagement with the wider community, start formal plan change drafting or progress other work that could be substantially affected by the Essential Freshwater proposed changes, until there is more certainty about requirements and these can be appropriately accommodated.

3.3.1 Draft Tangata whenua values and interests discussion document

As also outlined in previous Freshwater update papers, Toi Moana have been working with iwi on freshwater values and interests. A draft **Discussion Paper: Reflecting tangata whenua values and interests** has been prepared summarising what we have heard from tangata whenua, the challenges and posing questions about working together going forward.

The draft discussion paper is attached in Appendix 3 for TMoK's feedback and endorsement of the draft discussion document for further engagement.

Staff would value TMoK's guidance and advice on:

- Whether the draft discussion paper captured the essence of korero to date on tangata whenua values and interests in fresh water and freshwater ecosystems in your view?
- What are your thoughts on the ideas listed in part 3 – Ngā ara whakamua / going forward?
- In addition to kōrero mentioned in 3.3, what other opportunities exist to reflect tangata whenua values and interests within a regional plan change?

It is intended to share the draft discussion paper as part of a more focussed round of iwi engagement where we hope to better understand particular sites and discrete values that could be used in limit-setting.

3.3.2 Groundwater Model for Kaituna-Pongakawa-Waitahanui

As outlined in previous Freshwater update papers, Toi Moana have been working on, a three dimensional groundwater model using the MODFLOW platform which has now been built for the Kaituna-Pongakawa-Waitahanui Water Management Area (WMA). The model is based on the information and data currently known about the groundwater system. Final scenarios are currently being run to provide model outputs and implications considered.

3.3.3 Surface water quantity assessments

Substantial progress is being made towards better understanding the status of surface water (quantity) resources. The final step towards being able to discuss revised allocation limits is running several "EFSAP" scenarios to estimate the impact of allocation limits on water reliability. It is envisaged that this work will be complete or substantially progressed by October.

4 Implications for Māori

Freshwater management is a key interest for Māori. The Kaituna River and its tributaries are significant taonga for iwi and hapū with rohe covering all or part of the catchment. Part D of the NPSFM requires council to involve tangata whenua in the management of freshwater resources. Additionally, Council must recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga (section 6(e), Resource Management Act 1991), recognise and provide for *Kaituna, he taonga tuku iho* and take into account iwi planning documents recognised by an Iwi Authority and lodged with Toi Moana.

For the Kaituna catchment opportunities for Māori involvement in freshwater discussions will continue to be provided for through Change 5 (Kaituna River) to the Regional Policy Statement and Plan Change 12 to the Regional Natural Resources Plan processes.

The implications of changes in freshwater policy for Māori are extensive, particularly with respect to how freshwater will be managed, the extent to which mātauranga Māori will be acknowledged and opportunities for enhanced participation in decision making.

Engagement and analysis for Plan Change 12, appeals on Plan Change 9, and feedback from TMoK confirms the high value placed on freshwater by tangata whenua, and their substantial concerns about water quality and quantity. The importance of freshwater to tangata whenua is a key consideration in our ongoing work.

Jo Watts
Senior Planner (Water Policy)

for Team Leader Policy (Freshwater)

17 September 2019

APPENDIX 1

Action for healthy waterways - Summary for Iwi _ Maori



Essential Freshwater programme

This is part of a series of kaupapa summary documents that give an overview of the proposed policy changes under current consultation and engagement.

Our wai is under pressure and current rules and systems aren't working well enough to prioritise the needs of wai first and to protect its mauri. That is why the Government has a vision, to see a noticeable improvement in freshwater quality in five years and restore our freshwater to a healthier state within a generation.

The first step is to take immediate action to stop further degradation and loss and reverse past damage. Beyond this we will continue to work on broader system reform, including water allocation.

Overall, this programme strengthens the obligations on all who live in Aotearoa to protect and restore our waterways. We describe this shared responsibility as upholding Te Mana o te Wai – the health and wellbeing of the water.

Te Mana o te Wai is a concept for all New Zealanders. It refers to the integrated and holistic health and wellbeing of water as a continuum from the mountains to the sea. It is the fundamental value and concept that protects our special connection with wai, while simultaneously sustaining its ability to provide for the future wellbeing of people and our unique ecosystems.

Who we worked with to develop the programme

In developing the programme the Government established and worked closely with Te Kāhui Wai Māori. They are an advisory group of experts with significant experience, insight, skill and leadership in the primary sector and agribusiness, freshwater science and mātauranga Māori, local government, resource management law and policy, and flax roots whānau, hapū and iwi advocacy.

The Kāhui has built on previous work by the New Zealand Māori Council and the National Iwi Chairs Forum: Freshwater Iwi Leaders Group to help us understand the principles and obligations inherent in Te Mana o te Wai, and shift the focus to structural and system reform to give effect to Te Mana o te Wai. The Kāhui have produced their own report which is available on the Ministry for the Environment's website: <https://www.mfe.govt.nz/publications/fresh-water/te-mana-o-te-wai-health-of-our-wai-health-of-our-nation-k%C4%81hui-wai-m%C4%81ori>.

What iwi Māori have already told us

We know that wai plays an important role for iwi Māori and that their broad aspirations for freshwater cover:

1. *Improving water quality and the health of ecosystems and waterways.*
2. *Governance/management and decision-making:* Māori want to be involved in freshwater decision-making, and have the capability and capacity to do so.
3. *Recognition of relationships:* Ensuring there is a formal recognition of iwi and hapū relationships with particular freshwater bodies.
4. *Addressing Māori rights, interests and obligations:* Māori landowners, hapū and iwi seek their proprietary interests acknowledged and compensated for by way of proprietary redress.
5. *Economic development:* Māori want to be able to access and use water resources (ie, water takes and discharge rights) to realise and express their economic and development rights (although this remains within the context of a holistic view of Te Mana o te Wai).

Some of these aspirations were documented in the Government’s Essential Freshwater programme document entitled *Shared interests in Freshwater* – released in October 2018.

Consideration of Treaty settlement obligations

The Ministry for the Environment has undertaken an initial analysis to ensure the proposed policies on Essential Freshwater are consistent with existing treaty settlement obligations. For example, the Waikato River, Te Awa Tupua, and Ngāti Rangi settlements include obligations on the Crown relating to specific aspects (i.e. values and strategy documents) of their settlements when developing national direction. The current consultation provides an opportunity for the Ministry and iwi and hapū to work together to ensure settlement obligations are being met, and to work to resolve issues if they arise.

Summary of the programme

The table below provides a high-level overview of the individual proposed policy changes that form the Essential Freshwater Programme. We consider that iwi Māori will be interested in the entire Essential Freshwater regulatory package and all its components. In addition, primary sectors will have a particular interest in the policy proposals outlined under the proposed National Environmental Standards for Freshwater below.

Proposal	RMA direction	What will be different
Set and clarify policy direction (section 4 of the discussion document)		
Introduce a new freshwater planning process that will require councils to have new plans in place no later than 2025.	RMA amendment bill	Better, faster, more nationally-consistent freshwater management plans and implementation.
Strengthen and clarify the requirement to manage freshwater in a way that gives effect to Te Mana o te Wai.	National Policy Statement for Freshwater Management (NPS-FM)	The health and wellbeing of the water will be put first in decision-making; providing for essential human needs, such as drinking water, will be second, and other uses will follow. Other aspects required to give effect to Te Mana o te Wai (such as integrated management and iwi and hapū engagement) will be more clear.

Proposal	RMA direction	What will be different
Restructure and redraft the NPS-FM to improve clarity and reinforce a holistic approach to freshwater management	NPS-FM	Councils and the communities they represent will find it easier to put the health and wellbeing of the water first because they will have stronger and clearer direction.
Strengthen the requirement to identify and reflect Māori values in freshwater planning, with two options set out in this document for feedback.	NPS-FM	Iwi and hapū values for freshwater in a region will be a focus for freshwater management.
Support renewable energy targets by exempting major hydro-electric schemes from some freshwater management requirements.	NPS-FM	Status of major existing hydro-electric schemes will be clarified. This is not expected to result in any change to current consent requirements for managing water flows and environmental impacts.

Raise the bar on ecosystem health (section 5)

Broaden the focus of national direction and planning to a more holistic view of ecosystem health and require better monitoring and reporting.	NPS-FM	Land and water resources will be managed so that in a generation our freshwater will be healthier for people, animals, native fish, trout and salmon, plants and other species that live in or alongside waterways.
New attributes (indicators of ecosystem health) to be monitored and maintained or improved: <ul style="list-style-type: none"> • nutrients (nitrogen and phosphorus) • sediment • fish and macroinvertebrate numbers • lake macrophytes (amount of native or invasive plants) • river ecosystem metabolism • dissolved oxygen in rivers and lakes. 	NPS-FM	Land and water resources will be managed to maintain or improve ecosystem health in each catchment. This is likely to require different actions in different catchments, including reducing soil loss, reducing nutrient run-off, and/or investing in upgrading wastewater and stormwater infrastructure.
Higher standard for swimming in summer.	NPS-FM	Greater efforts to reduce contamination where people want to swim.
Protect urban and rural wetlands and streams.	NPS-FM and new National Environmental Standards for Freshwater (Freshwater NES)	There will be no more draining or development of wetlands. Remaining streams in urban and rural areas will not be piped or filled in unless there is no other option, for example to provide a crossing.
Protect threatened indigenous freshwater species.	NPS-FM	Land and water resources will be managed in a way that helps indigenous species thrive.
Provide for fish passage.	NPS-FM and Freshwater NES	Fish that need access to the sea to breed will face fewer barriers.
Improvements to setting minimum water flows and reporting on water use.	NPS-FM and regulations	Better management of water allocation.

Support the delivery of safe drinking water (section 6)

Strengthen requirements to assess and control risks to drinking water sources.	Amended NES or Sources of Human Drinking Water	Tighter management of land use in areas that are sources of drinking water supply so drinking water is not contaminated.
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Proposal	RMA direction	What will be different
Improve ecosystem health by better managing stormwater and wastewater (section 7)		
Set minimum standards for wastewater discharges and overflows and require all operators to follow good practice risk management.	Proposed Wastewater NES and proposed Water Services Act	There is less pollution of rivers, lakes, groundwater and the sea from stormwater and wastewater.
Improve ecosystem health by improving farm practices where needed (section 8)		
Ensure all farmers and growers have a plan to manage risks to freshwater.	Freshwater NES	There is less pollution of rivers, lakes and groundwater from agriculture and horticulture because all farmers and growers understand and manage environmental risks and follow good practice. All farmers and growers have a farm plan by 2025.
Tightly restrict any further intensification of land use through interim measures until all regions have operative freshwater management plans.	Freshwater NES	From 2020, changes such as new irrigation or conversion to dairying will only happen where there is evidence it will not increase pollution.
Reduce nitrogen loss in catchments with high nitrate/nitrogen levels through interim measures until all regions have operative freshwater management plans.	Freshwater NES and/or farm plan	In catchments with high nitrate/nitrogen levels there will be a reduction in nitrogen loss within five years.
Exclude stock from waterways.	New regulations and farm plan	There will be more fencing and wider setbacks to keep stock out of waterways, reduce erosion, and capture contaminants before they reach the water.
Apply standards for intensive winter grazing, feedlots and stock holding areas.	Freshwater NES or industry standards	There will be less erosion and less pollution of waterways from nutrients, sediment and pathogens.

How iwi Māori aspirations have been incorporated within the programme

Te Mana o te Wai

We recommend reframing Te Mana o te Wai in the NPS-FM by clarifying current provisions, further embedding the concept, and requiring an approach that prioritises the essential value, health, and wellbeing of freshwater bodies. Our proposals are:

1. Clarify the descriptor of Te Mana o te Wai so that it more clearly underpins the whole framework of the regulation. Since expanding the description of the concept in 2017, the Ministry has been working further to better understand how the concept fits within the overall NPS-FM.
2. Strengthen and clarify the requirement to manage freshwater in a way that 'gives effect to' Te Mana o te Wai.
3. Clarify how new and existing components of the NPS-FM relate to Te Mana o te Wai.
4. In addition to managing freshwater in a way that is consistent with Te Mana o te Wai, regional councils will be required to, in discussions with communities and tangata whenua:

- a. determine local understanding of Te Mana o te Wai for local water bodies
- b. establish a long-term vision and trajectory (ie, multi-generational) for the waterbody to be articulated in regional policy statements. This step would involve:
 - i. understanding what communities and tangata whenua want their waterbodies to look like in the future
 - ii. having an understanding of the history of and current pressures on local waterbodies
 - iii. assessing whether the waterbodies can sustain current pressures and meet the aspirations communities and tangata whenua hold for the water
- c. report on whether freshwater management (including freshwater objectives and limits) is moving towards the long-term trajectory established by communities and tangata whenua.

Compulsory Māori values

We have heard that Māori values for freshwater health are not being identified, reflected, incorporated or monitored adequately across the country. We want to improve the ability of iwi and hapū to express their values in freshwater management and planning, and to strengthen and clarify requirements on regional councils to incorporate this information into regional freshwater planning processes.

The NPS-FM provides national direction on relationships of tangata whenua with freshwater. It recognises the importance of involving tangata whenua in freshwater management, and identifying and reflecting tangata whenua values in freshwater planning. However, the NPS-FM does not compel regional councils to provide for tangata whenua values of freshwater health.

We are therefore consulting on ways to give effect to these issues:

- amend the NPS-FM to elevate the status of mahinga kai from an ‘other national value’ to a ‘compulsory national value’
- create a new value category in the National Objectives Framework titled ‘tangata whenua freshwater values’ – which would be identified by tangata whenua.

We acknowledge that Kāhui Wai Māori has recommended the first proposal and the Government is also supportive of this proposal. The Kāhui also supports the tangata whenua freshwater values category in addition to (but not in substitution for) the mahinga kai compulsory value.

We are seeking feedback on both proposals, including what changes may occur as a result, the potential benefits, and impacts.

Connection between this programme and the Resource Management System reform Phase 1 - Faster plan making

In addition to the summary proposals above to enable better, faster, more nationally-consistent water management, we propose a new freshwater planning process. This process will require councils to have new plans in place, consistent with Te Mana o te Wai, no later than 2025 that fully give effect to the new NPS-FM 2020. This will be achieved through the Resource Management Amendment Bill, due for introduction to Parliament in the coming months.

Government-appointed freshwater commissioners with specialist skills would form a panel with tangata whenua nominated representatives, to consider council plans, hear submissions, and make recommendations. There would be restricted avenues for appeal, balanced by this robust, independent hearing process. Full details of this proposal will be available when the Bill is introduced to Parliament.

Out of scope

- Allocation matters and addressing allocation issues – we anticipate a further round of consultation focussing on these issues later this year or early next year.
- Governance and decision-making and involvement in management – we anticipate this will be discussed as part of broader conversations around the comprehensive review of the Resource Management Act.

Find out more

The Government seeks your advice and feedback on the proposals within the Essential Freshwater programme.

Formal consultation runs from 5 September to 17 October 2019

- Download the full discussion document and make a submission online at:
<https://www.mfe.govt.nz/consultation/action-for-healthy-waterways>
- Download the *'Shared interests in Freshwater' document*
<https://www.mfe.govt.nz/publications/fresh-water/shared-interests-freshwater-new-approach-crownm%C4%81ori-relationship-freshwater>
- Attend a hui in your area.
- Join the conversation on social media:

Instagram @nzenvironment

Twitter @mfe_news

Facebook <https://www.facebook.com/ministryfortheenvironment/>

LinkedIn <https://www.linkedin.com/company/449977>.

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New Zealand Government

APPENDIX 2

Improving our resource management system -Summary for Iwi / Maori



This is part of a series of kaupapa summary documents that give an overview of the proposed policy changes under current consultation and engagement.

The Government is overhauling our resource management system, focusing on the Resource Management Act 1991 (RMA) – the primary legislation governing the use of our land, water and air resources. We want the Act to support a more productive, sustainable and inclusive economy and be easier to understand and engage with. We are approaching this goal in two stages.

Stage one – RMA Amendment Bill

- Stage one is an amendment bill to Parliament to reduce complexity, increase certainty, restore previous public participation opportunities, and improve RMA processes.
- To ensure the Government’s Essential Freshwater Programme is achieved we will also introduce a new planning process for freshwater.
- There will be an opportunity for you to make a submission on the Bill when it is referred to the select committee.

Stage two – Comprehensive review of the resource management system

The issue

The Resource Management Act is under-performing because of fundamental problems with its objectives, tools, processes, institutions and definitions, for example, the meaning of an ‘iwi authority’ and ‘hapū’ in the Act needs clarifying. Better implementation will help, but it is not enough. However, we want to keep the parts of the RMA that are working well, and make them better.

The proposal, proposed scope and review panel

The recently announced Comprehensive Review of the Resource Management System, focusing on the RMA, is stage two of the programme. The proposed scope of the review includes spatial planning – which has the potential to help us make better and more strategic decisions about resources and infrastructure over longer timeframes.

The review will be undertaken by a panel chaired by the Hon Tony Randerson. Further panel members are currently being selected for their skills and expertise in te ao Māori and environmental law, urban and infrastructure planning. The role of the panel will be to deliver reform proposals for public consultation by mid-2020, including indicative legislative drafting for key sections of the RMA, in line with the final scope confirmed by Parliament.

This review work will build off the work already being completed on Te Mana o Te Wai, Mana Whakahono ā Rohe, co-management through Treaty settlements, and other positive changes. It will also tie into other system reforms, such as the Three Waters Review, Kāinga Ora (the new programme of the national Housing and Urban Development Authority), and the local government funding review.

Please see the end of this summary for more information about the review and the panel.

What iwi/Māori have already told us

We acknowledge that you have already given extensive feedback on the problems with the RMA and wider resource management system over a number of years and through different processes, such as hui and submissions. We will also be receiving feedback from iwi authorities on the draft terms of reference for the review.

Summary of your advice

- The Treaty and matters of importance to tangata whenua are not given sufficient weight under the RMA.
- The resource management system should provide opportunities for iwi to participate and engage meaningfully in RMA decision-making at the earliest stage possible in all processes.
- The resource management system and the RMA are critically important to Māori. Planners and consent officers, as well as central government officials, require better capacity and capability in tikanga, Te Tiriti o Waitangi, and te reo Māori to enable better outcomes for iwi, and better comprehension of relationships with place, as well as culture and traditions with ancestral taonga. There is also a need for an improved understanding of how to deal with Treaty issues and Treaty settlement obligations.
- There needs to be more robust measures for effective relationships between Māori and local government operating within the resource management system, particularly under the Local Government Act (2002), as the Crown does not abdicate responsibility for the Māori Crown relationship when devolving functions to councils.
- The Ministry needs to monitor the fulfilment of post-settlement commitments.
- The system needs to provide for and invest in iwi and hapū to develop and implement their solutions – Māori should be trained and educated for the benefit of their regions. For example, in monitoring freshwater quality.
- The resource management system needs to provide for the inclusion of rangatahi, including rangatahi who don't speak te reo Māori or affiliate to a marae.
- The resource management system is not adequately protecting freshwater. This is a critical issue for iwi. Access and rights to freshwater is another issue that needs to be addressed between iwi/Māori and the Crown.
- Council compliance, monitoring and enforcement processes are often insufficient to prevent harm to the environment

What happens now?

As this current review begins we will work with hapū/iwi/Māori and pan-Māori groups on what the final scope should look like. Your advice will feed into a report to the Minister for the Environment, with a Cabinet decision on the scope expected to be made in late September. The approach that the Review Panel will take to engaging with hapū/iwi/Māori during the review is expected to be finalised at this time.

In addition, we will seek your advice and guidance on proposals for resource management reform as part of a broad public engagement process after the review is completed in mid-2020.

A few questions you may like to think about

- What are your thoughts on the scope that the Comprehensive Review of the Resource Management System? What key issues need to be addressed?
- Do you have any issues or concerns about what has been proposed?

Find out more

The Government seeks your advice and feedback on the Comprehensive Review of the Resource Management System.

- Download the Cabinet paper on the proposed Resource Management Amendment Bill
<https://www.mfe.govt.nz/sites/default/files/media/RMA/Cabinet%20Paper%20-%20Proposed%20Resource%20Management%20Amendment%20Bill.pdf>
- Download the paper on the Comprehensive Review of the Resource Management System
<https://www.mfe.govt.nz/rma/improving-our-resource-management-system>.
- Attend a hui in your area.
- Join the conversation on social media:
Instagram @nzenvironment
Twitter @mfe_news
Facebook <https://www.facebook.com/ministryfortheenvironment/>
LinkedIn <https://www.linkedin.com/company/449977>.

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Proposed scope for a comprehensive review of the resource management system

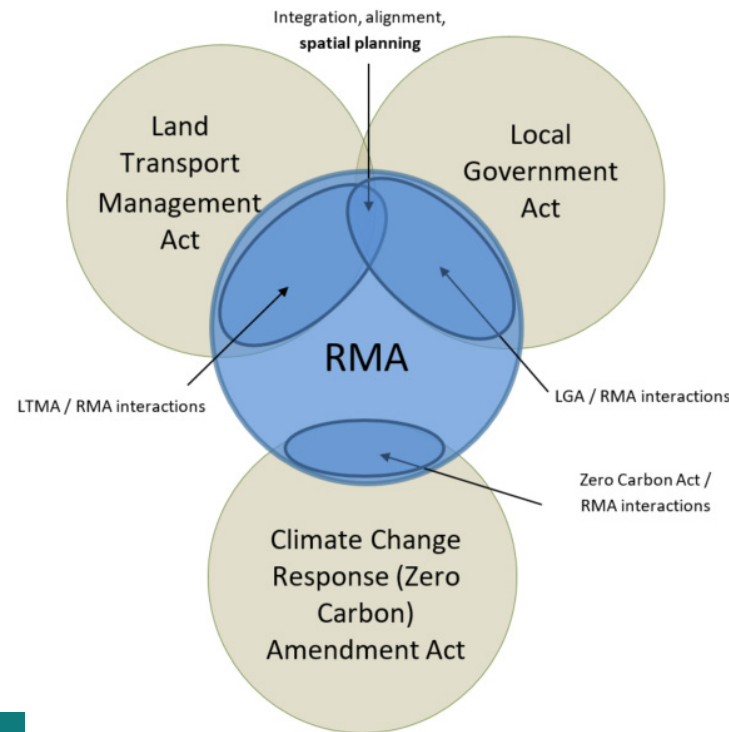
Review aim

Improve environmental outcomes and enable better and timely urban development outcomes within environmental limits.

Scope and process

The Resource Management Act 1991 (RMA), including spatial planning, and intersects with the Local Government Act 1989 (LGA), the Land Transport Management Act 2003 (LTMA) and the Climate Change Response Act, to be amended by the Zero Carbon Amendment Bill.

The review will be undertaken by an expert panel that will work with officials to prepare proposals for reform. The panel will include members with skills across a range of relevant areas, including te ao Māori, and environmental law, urban and infrastructure planning.



Research inputs

Major recent reviews are contributing to this work, including:

- Environmental Defence Society's *Reform of the Resource Management System: Synthesis report and Evaluating the environmental outcomes of the RMA*
- Productivity Commission's *Better Urban Planning, Using Land for Housing and Low Emissions Economy*
- OECD's *2017 Environmental Performance Review*
- Local Government New Zealand's *Planning Our Future and A 'Blue Skies' Discussion*
- Infrastructure New Zealand's *Integrated Governance, Planning and Delivery: A proposal for local government and planning law reform in New Zealand*
- Excerpts from Waitangi Tribunal reports 27, 55, 167, 153, 262, 304, 785, 796, 863, 894, 1130, 1200, 2358
- The Kaitiaki survey – led by the Ministry and Te Puni Kōkiri.

Issues expected to be addressed

Problems with the current system

Objectives and alignment

The RMA has become unnecessarily complex. There is poor alignment of land use and infrastructure plans, processes (including public participation) and funding across the RMA, LGA and LTMA. It also took over two decades for the courts to settle how and when the RMA's purpose (section 5) is to be applied.

Sustainable management should be evaluated against alternate paradigms that have emerged and the contemporary context the RMA is operating within.

Functions and processes

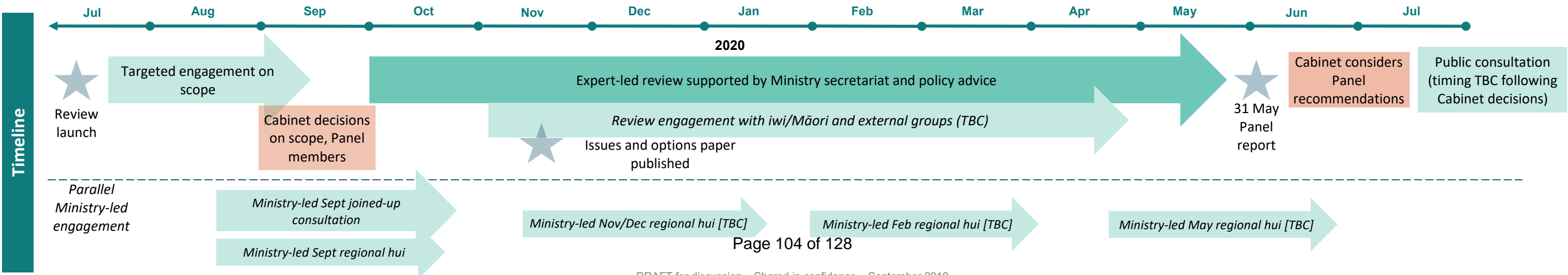
Central government has not made best use of provisions in the RMA, in particular failing to issue national direction. Plans have been poorly drafted, too slow to change and have not managed cumulative effects. There is a lack of strategic planning and existing use rights have biased the system towards the *status quo*.

Institutions

There can be a lack of capacity and capability in central and local government to undertake the roles expected of them. The Productivity Commission found cultural problems within council planning departments. In some cases, conflicts of interest have led to failure to introduce environmental regulation, or fund effective enforcement. Engagement with Māori has been inconsistent.

Key issues to be addressed

- Removing unnecessary complexity from the RMA.
- Strengthening environmental bottom lines, and further clarifying Part 2.
- Recognising objectives for development (including housing and urban development and infrastructure networks and projects).
- Ensuring the system has sufficient resilience to manage risks posed by climate change and natural hazards.
- Considering an explicit ability to restore or enhance the natural environment.
- Aligning land-use planning and regulation with infrastructure planning and funding through spatial planning.
- Considering whether or not to separate statutory provision for land-use planning and environmental protection.
- Examining all RMA functions and processes.
- Improving the coherence and effectiveness of national direction.
- Enabling faster and more responsive land-use planning.
- Improving the quality of plans.
- Reducing the complexity of consenting processes.
- Ensuring processes enable sufficient certainty for major infrastructure.
- Improving the use of funding tools and economic instruments.
- Ensuring appropriate mechanisms for iwi/Māori participation in the system, including giving effect to Treaty settlement agreements.
- Clarifying the meaning of an iwi authority and hapū.
- Ensuring compliance, monitoring and enforcement functions are effective.
- Allocating roles in the system to central and local government, the Environment Court, and other institutions such as independent hearings panels.
- Ensuring that the RMA aligns with the purpose and processes outlined in the Climate Change Response (Zero Carbon) Amendment Act (once passed).
- Considering the interaction of the Climate Change Commission and other institutions in responding to climate change.
- Ensuring institutions have the right incentives (including clearly defined roles, responsibilities, and accountability mechanisms).
- Introducing a package of complementary measures to support the transition to a new system and to address planning system culture, capacity and capability.



APPENDIX 3

**Draft discussion paper: Reflecting iwi and hapu
interests and values in fresh water - TMoK agenda
copy**

Discussion paper: Reflecting tangata whenua values and interests

on fresh water and freshwater ecosystems in the Rangitāiki, Kaituna-Pongakawa-Waitahanui water management areas

TMoK release version: 17 September 2019
A3363407

Toi Moana Bay of Plenty Regional Council
Freshwater Policy Team

DRAFT

Mihi

Na ko Parawhenuamea koia te matua o te wai¹

“Ki ētahi iwi, ko Parawhenuamea kē te matua o ngā wai katoa. Ki iwi kē, ko Parawhenuamea te matua o te wai māori anake.”

For some tribes, Parawhenuamea is the ancestor of all water. For other tribes, Parawhenuamea is the ancestor of fresh water only.

“Ko wai a Parawhenua, Parawhenuamea. Ko Parawhenua te Tāne rāua ko Hinepū-Pari-Maunga. Ka moe e ia a Kiwa, te kaitiaki o te moana.”

Who is this Parawhenuamea or Parawhenua? She is [the child] of Tāne (Forest) and Hinepū-Pari-Maunga (Mountain Maiden). She married to Kiwa (Ocean), the guardian of the sea.

“Ko Parawhenua me Rakahore te hononga o te wai. Ka rere ngā wai o Parawhenua ana, ki te kore a Rakahore, kahore te pai ki a Parawhenua te haere. Otirā te rere o tōna wai, ka noho te whenua e pēnei i te koraha. Ko te tikanga hoki tēnei, ko te whakapapa o Te Wai.”

Parawhenua (Water) and Rakahore (Rocks) are linked by water. As the water of Parawhenua flows, without Rakahore (Rocks), that is no good with Parawhenua's travel. As her water rushes, the land turned into barren land. The principle is so, the genealogy of the water.

Ngā mihi ki ngā iwi, ngā hapū me ngā hapori e tō koutou kaitiaki te rohe o te Rangitāiki Water Management Area (WMA) me te Kaituna-Maketū-Pongakawa-Waitahanui WMA. Ko kaitiaki koutou. Tēnei te mihi ki a koutou mō tō koutou kaitiakitanga, whanaungatanga, manawanuitanga me tō koutou aroha nui mō ngā awa.

Ngā mihi ki ngā kōrero me ngā whakaaro e ngā rāngatira mō ngā wai. Tēnei te tuhituhi he whakaaro me he whakararama o ngā kaimahi a Toi Moana mō ngā kōrero haere tonu.

Nā, ngā kaimahi Freshwater Policy i a Toi Moana

Our heartfelt thanks to the iwi, hapū and communities who look after fresh water in the Rangitāiki and Kaituna-Pongakawa-Waitahanui water management areas with love, passion and patience.

Many thanks also to those leaders for generously sharing their thoughts and guidance. This discussion paper is to support our further discussions.

From Freshwater Policy team of Toi Moana the Bay of Plenty Regional Council

Mō tātou, ā, mō kā uri ā muri ake nei. For us and our children after us.

¹ Narration by Erina Maata Kai, captured in 2014 Treaty claims meeting at Te Wairoa. For the Bay of Plenty context and details, ask us for Parawhenuamea, collated by Ngāpera Rangiaho.

Invitation

We invite you to share your views. Our goal is to effectively reflect tangata whenua values and interests in fresh water and freshwater ecosystems in the Rangitaiki and Kaituna-Pongakawa-Waitahanui, and therefore uphold Te Mana o te Wai. We would love to:



1. check if we've correctly captured the key messages from your kōrero to date
2. hear your thoughts about some ideas
3. seek your views on how to best reflect your values and interests in freshwater management.

This discussion paper and information about the engagement process can be found at www.boprc.govt.nz/wai

Te aronga / purpose

Toi Moana Bay of Plenty Regional Council is working to improve the management of freshwater in two water management areas; Kaituna-Pongakawa-Waitahanui and Rangitāiki, through changes to the Bay of Plenty Regional Natural Resources Plan.

This discussion paper informs the development of those plan changes. Toi Moana is seeking feedback, to check that the information gathered to date about tangata whenua freshwater values and interests in the Rangitāiki and Kaituna-Pongakawa-Waitahanui water management areas (WMAs) has been captured and understood correctly. We hope it will stimulate further korero and feedback that will help Toi Moana to ensure its plan change development recognises and provides for Te Mana o te Wai; the integrated and holistic well-being of a water.

This plan change is being prepared under the National Policy Statement on Freshwater Management (NPS-FM) framework. The NPS-FM recognises Te Mana o te Wai as an integral part of freshwater management. Te Mana o te Wai incorporates the values of tangata whenua and the wider community in relation to each water body.

Iwi and hapū involvement and addressing tangata whenua values and interests across all well-beings in the overall management of fresh water, are key to giving effect to the Treaty of Waitangi/Te Tiriti o Waitangi.

The content of this discussion paper is not necessarily current Council policy or proposals, but will be used to inform those as plan change development work, consultation and decisions progress.

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Part 1: Kupu whakahoki / What we heard from tangata whenua

1.1 Water plays a central role in Te Ao Māori as the essence of life

It is essential to consider tangata whenua values and interests in fresh water from a Māori world view, because Māori view the natural environment as sentient and a valued, living taonga. Māori call on these taonga to spiritually entrench the depth of their ancestral connection. Their unique relationship with fresh water is based on kinship and common descent. Whakapapa reinforces the obligation tangata whenua have towards each other.

“Our hapū and marae are identified by our mountain, river, canoe, tribe and chief, they are our tipuna and our association with them has been since the arrival of the waka. Our connection with the mountain and river is of a spiritual and physical nature, a concept misunderstood by tauiwi at times but when the mountain and the river hurt, we hurt.”



Figure 1 A Diagram summarises tangata whenua values related to fresh water expressed in environment planning documents from iwi who have interest in the Kaituna-Pongakawa-Waitahanui and the Rangitāiki areas.

“We want our tīpuna awa to be healthy, clean, and abundant with kai tūturu that our tīpuna lived on and hopefully forever remaining for our uri in years to come”.

Tangata whenua identify with their ancestral waters

Tangata whenua are known by the unique characteristics of their ancestral waters. This is evident through iwi and hapū kōrero (conversations), pepeha (mottos), mōteatea (chants), whakataukī (proverbs) and pūrākau (stories).

Rivers, lakes, springs and wetlands provide essential sources of kai, medicine and materials that are only available in certain environments. Tangata whenua’s role as kaitiaki over natural resources stems from ancestral knowledge, whakapapa and living on the land. The very meaning of being tangata whenua is linked to the health and wellbeing of the environment.

Care, guardianship and obligation towards the natural environment - kaitiakitanga - sit at the core of the spiritual and physical wellbeing, identity and culture of tangata whenua. Whakapapa connections come with the responsibility of looking after the ancestral fresh water and its associated ecosystems.

A key concept of Māori connectedness to their rohe is ‘ahi kā’, a demonstration of continual occupation, maintaining traditional practices and knowledge of the environment. It is of utmost importance to Māori that they visibly maintain their own distinct way of life within their rohe, as a crucial element of mana whenua.

The ability to feed and nurture one’s own people and their guests embodies the ethic and practice of manākitanga - the ultimate expression of mana. It is expected of a hapū or iwi, who is well known for providing certain types/species of food, to provide for (or seem to) their own people as well as guests. For many tangata whenua in Rangitāiki and Kaituna-Pongakawa-Waitahanui, tuna (eels) and inanga (whitebait) are precious life-givers and taonga.

Many iwi and hapū have a strong desire to maintain this unique and intimate connection to water and the inseparable traditional practices and way of living. Practices such as mahinga kai (gathering of food), kohinga rawa taiao (gathering natural resources) and the requisite tikanga and karakia (prayer) are considered as the birth right of future generations.

1.2 Proprietary interest in clean fresh water

The distinctive tangata whenua interests in fresh water recognised in many Waitangi Tribunal reports are summarised succinctly in a current claim² as:

1. The water resource has been relied upon as a source of food.
2. The water resource has been relied upon as a source of textiles or other materials.
3. The water resource has been relied upon for travel or trade.
4. The water resource has been used in the rituals central to the spiritual life of the hapū.
5. The water resource has a mauri (life force).
6. The water resource is celebrated or referred to in waiata (songs).
7. The water resource is celebrated or referred to in whakataukī (proverbs).
8. The people have identified taniwha as residing in the water resource.
9. The people have exercised kaitiakitanga over the water resource.
10. The people have exercised mana or rangatiratanga over the water resource.
11. Whakapapa identifies a cosmological connection with the water resource.
12. There is a continuing recognised claim to land or territory in which the resource is situated, and title has been maintained to ‘some, if not all, of the land on (or below) which the water resource sits’.

Tangata whenua values and interests in freshwater have been expressed through numerous documents and processes, examples include the Wai 4 Kaituna River Report (1984), Te Ika Whenua Rivers Report (1993, 1998) and the Mataatua Declaration on Water (2012).

Waitangi Tribunal investigations have found that tangata whenua have a ‘proprietary interest’ in waters, akin to ownership³. However, this acknowledgement is not yet part of the freshwater and resource management legal framework.

² Wai 2358 Stage 1 report, 2012, page 51 - 61

³ Wai 2358 Stage 1 report, 2012, and Wai 212 report, 1998

1.3 Visions for the rivers

Co-governance bodies are in place to protect and enhance the health and wellbeing of the Kaituna and Rangitāiki awa. They are partnerships established under Treaty of Waitangi settlements, for iwi authorities and local governments to formally work together.

Te Maru o Kaituna River Authority sets the vision for the Kaituna River.

E ora ana te mauri o te Kaituna, e tiakina ana hokimō ngā whakatupuranga ō nāianeī, ō muri nei hoki.

The Kaituna River is in a healthy state and protected for current and future generations.

The Rangitāiki River Forum further adopts Te Mana o Te Wai principles, indicating that the first right to water is to the water. The Forum provides a voice of the wai, for restoring Te Mana o te Wai.

The Forum describes their desire for the Rangitāiki River for the future generation as:

- a clean and healthy environment, characterised by clean water, healthy ecosystems and the return of some threatened species.
- bountiful rivers that people cherish, where the native species including whitebait and tuna abound, and native habitats and customary practices sustain.
- where people have balanced, connected and respectful relationship with the rivers. The water is enjoyed by people for their spiritual, cultural and recreational needs and to celebrate its heritage with pride.

These visions provide the ultimate goal for freshwater management.

Part 2:

Ngā wero / challenges

2.1 Freshwater health below expectations

Some tangata whenua have concerns about freshwater health

Tangata whenua fear water's mauri and mana-enhancing qualities are becoming increasingly vulnerable in the face of modern pressures. These eroding factors degrade both the water itself and the wellbeing of tangata whenua, whose identity relies on healthy fresh water.

Many iwi and hapū members have told us that in some places:

- the mauri of fresh water has degraded, and many inherent values have eroded.
- a decline in freshwater health has resulted in loss of mātauranga, and harmed the special identity and relationship of iwi with these waters.
- mātauranga Māori, key Māori concepts and iwi interests were not appropriately recognised when managing water.

Visible examples of damage to freshwater health and cultural values include: :

- decreasing quality, volume and size of taonga species.
- infrastructure on the river (e.g. fish passage barriers) impacting on cultural needs.
- rubbish in the river, indicating disrespect.
- increased recreational and commercial use, together impacting on river mauri.
- poor state or a lack of wetlands.
- flood events causing erosion and debris issues, changing the river course, and changing swimming locations.

Iwi and hapū have repeatedly voiced concerns about the fragmented and narrow approach to monitoring and managing fresh water. Many feel water management practices are largely disconnected from tangata whenua expectations.

“Watercress is almost non-existent in the lower reaches of the river..... Watercress is very scarce nowadays. Watercress is a key kai for marae events, but also for whānau, hapū and iwi. I recall many places where we could gather watercress in the past. In recent times the decline in watercress is noticeable. Watercress is a key environmental indicator for the health of water. Generally where there is watercress, there is clean running water”

Decision-making affecting tangata whenua relationship with fresh water

Many tangata whenua consider past decision-making has prioritised economic returns over cultural, customary and environmental needs. Many iwi and hapū members consider negative impacts on fresh water stem from a lack of oversight or concern for tangata whenua issues. The general feeling is that this issue remains unaddressed.

2.2 Iwi and hapū experienced barriers

Many iwi and hapū seek to be actively involved in the governance and management of waterways as an essential part of their identity. Iwi expectations of what this looks like have been framed around the following key requirements:

- recognition of the strong bond between tangata whenua and the environment.
- acknowledgment of tangata whenua kaitiaki responsibilities.
- respecting and acknowledging the equal status as Treaty partners and working towards partnership in decision-making.
- respecting and protecting tangata whenua heritage.

In spite of these expectations, many tangata whenua have said they're frustrated with the barriers and hindrances encountered when seeking meaningful involvement in past plan changes. These perceived barriers include:

- tangata whenua advice not materialising in planning decisions.
- misinterpretation and misapplication of tangata whenua advice.
- tangata whenua advice and knowledge is considered and given weight only via judicial intervention or the threat of it.
- mutually respectful tangata whenua engagement approaches and best practice not being considered or adopted. Or less priority placed on culturally focused engagement.
- lack of recognition (and a reminder) that mātauranga Māori is unique and specific to each iwi and hapū and their respective experiences and values.

In fact, prior to the 2017, New Zealand had a lack of statutory requirement for councils to establish working relationships with iwi. In the Bay of Plenty, iwi and council tried to overcome this shortfall through Māori constituencies, memoranda of understanding, Treaty of Waitangi settlement arrangements, and informal arrangements.

In 2017, a Resource Management Act (RMA) amendment enhanced the requirements for Māori participation in resource management processes.

“Would like to see cultural health monitoring carried out by local river practitioners. There are many skilled practitioners that know the river intimately. Their knowledge would benefit any cultural studies undertaken”.⁷

Conceptual barriers and perceptions

Independent research⁴ identified several conceptual barriers to tangata whenua engagement/participation in freshwater management decisions including:

- insufficient recognition of tangata whenua’s unique status and position as Treaty partners.
- a lack of understanding and regard for Māori values. The consultation experience could leave participants feeling belittled.
- Iwi and hapū engagement often focusing only on cultural values and overlooking the need for economic wellbeing. However, decisions often favoured economic matters and over-looked spiritual and community wellbeing.

⁴ Dhaliwal, Rani (2018) Interim research findings: Toi Ohomai post-graduate student research, 2018

These conceptual barriers increase risk and affect goodwill in crucial relationships, creating perceptions that:

- previous court decisions drive the perceived council attitude towards protecting tangata whenua interests and relationship with the environment.
- Māori involvement and engagement is tokenistic and under-valued⁵, where Māori participation is only considered when convenient for the council.
- the tangata whenua relationship is driven by legislative and statutory requirements rather than goodwill and genuine partnerships.

Kia kaha, kia maia, kia manawanui – take heart

While these barriers and negative perceptions are not ideal, there is a strong desire from tangata whenua to improve the relationship and process for healthy freshwater outcomes.

Tangata whenua members have suggested:

- a dedicated approach to discussions and engagements that recognise their position and role as foundational Treaty partners.
- that engagement and discussions are held in culturally-supportive environments.
- They have confidence that future input, advice and constructive criticism from tangata whenua will have an effective bearing on reducing, minimising and eliminating unacceptable practices towards fresh water.

Mā wai rā, e tourima
Te marae i waho nei
Mā te tika
Mā te pono
Me te aroha e

Who will stand to deliver
On the marae now?
Let it be justice, let it be the truth
And let it be love

⁵ Toi Moana Bay of Plenty Regional Council (2016) Iwi perception survey results, agenda report to Komiti Māori, 20 June 2016
Toi Moana Bay of Plenty Regional Council (2017) Regional Policy Statement Implementation – Mauri Model and Iwi Perception Survey, agenda report to Komiti Māori, 12 December 2017

2.3 Resource management regime

Legislation demands that regional councils manage fresh water under the Resource Management Act (RMA) framework and requirements. The National Policy Statement for Freshwater Management (NPSFM) provides further guidance and obligations regarding fresh water.

Practitioners⁶ have found that the RMA has not fully delivered on tangata whenua expectations, including a failure to provide sufficient priorities and protections to Māori customary values, and a failure to give effect to kaitiaki responsibilities.

Neither does the RMA address the proprietary interests (akin to ownership) of waters. This presents a stumbling block for tangata whenua and the outcomes they seek.

Insufficient priorities and protections to Māori customary values

Many iwi and hapū members believe a fairer freshwater management framework, that gives effect to the Treaty of Waitangi, would result in more sustainable outcomes for fresh water. However, in resource management processes, many iwi and hapū have often found themselves in a reactive resistant position⁷; struggling to extend iwi/hapū involvement beyond consultation. Tangata whenua have voiced concern that their specific interests may be diluted amongst wider community stakeholders.

Mātauranga Māori is likely to provide a more complete knowledge base from which to set water management limits. Māori kaitiaki practitioners⁸ consider the National Objectives Framework (the framework) within the NPSFM gives insufficient regard to mātauranga-based measures. There are few opportunities to incorporate and apply mātauranga within the western science-driven framework, and councils have been slow to incorporate this knowledge.

In some cases due to various reasons, iwi and hapū may not have been ready to share their customary values, as for some this is their unique, distinct and fundamental knowledge. This presents a challenge to the comprehensive, effective and timely protection of freshwater values within the NPSFM framework.

⁶ Fox and Bretton 2016, Joseph and Bennion 2015, Coffin 2015, Durette, Nesus, Nesus and Barcham 2009.

⁷ Waitangi Tribunal “Ko Aotearoa Tēnei” (2011) page 346 and 527.

⁸ Coffin, A. (2015) “Mātauranga Māori knowledge networks” Report No. HR/TLG/2015/6.7

Joseph, R. (2018) “The Treaty, Tikanga Māori, Ecosystem-Based Management, the RMA and Power Sharing for Environmental Integrity in Aotearoa New Zealand – Possible Ways Forward” University of Waikato, National Science Challenge

“There is no level playing field with other landowners who have already developed their land”.¹

Fairness in water allocation and management

Many tangata whenua consider freshwater decision-making has been unfair, to both them and to the water itself. A recent example of tangata whenua concern includes objections to the practice of allowing foreign-owned companies to export water. Many iwi and hapū members are concerned that such allocation could impact their connection to water, and the water stock available to support the future development aspirations of tangata whenua.

The NPSFM has not addressed the first-in-first-served freshwater allocation framework issue⁹, which is a disappointment to a number of iwi and hapū.

Members of tangata whenua have said that:

- the water-take consent process shows insufficient regard for the environment, at the cost of the mauri of the river. A more robust, transparent, fair system is needed to deal with allocation decisions and water use.
- no one should be able to trade water, as profit-making becomes the key driver behind these decisions. Those with excess water were allocated too much in the first place.
- it is unfair, when a drinking-water source within our rohe catchment is fully allocated to supply demands outside the catchment.

The Government has acknowledged that iwi/hapū have rights and interests in fresh water. It indicated in its “Shared Interests in Freshwater” document that it will work with Māori and regional councils to consider how water can be fairly accessed for underdeveloped Māori land, and how to best recognise these rights and interests in a contemporary freshwater management system¹⁰.

⁹ Fox, C. and Bretton, C. (2016) “Māori Participation, Rights and Interests” Resource Management Law Association (RMLA), updated online version extracted February 2019

¹⁰ *Shared interests in Freshwater*, MfE 2018

Compromising Māori land development potential

Iwi who have had land returned via Treaty claims have reported the recognition of their Treaty partner relationship with this land has been inadequate.

The first-in-first-served resource consenting (resource allocation) approach, particularly when applied to long-term consents, or where priority is given to existing users, may limit future opportunities for iwi/hapū and local communities. Māori land owners feel unfairly disadvantaged, and want these types of inequities addressed.

2.4 The dynamic iwi/hapū landscape

Iwi are at varying stages of environmental management readiness

Many hapū and iwi authorities have limited resources and availability to participate in council processes. Iwi are at varying stages of preparedness to engage and contribute towards the development of a freshwater management plan change. Ways that iwi and hapū differ from one another include:

- what stage in the Treaty settlement process they are at.
- the extent to which mātauranga Māori and associated practices and protocols are practised.
- their knowledge or records of wāhi tapu, culturally significant locations and features.
- capacity and skills in environmental planning and strategy development.
- how they articulate mana whenua, aspirations, iwi interests and productive economic opportunities.

This makes it difficult for Toi Moana to engage with all iwi and hapū consistently.

Finding pathways to incorporate mātauranga Māori

There are many different iwi and hapū who have interests in the Rangitāiki and Kaituna-Pongakawa-Waitahanui catchments; each brings diverse, rich and dynamic histories and knowledge.

Each iwi and hapū has a unique way of interpreting and applying mātauranga about

fresh water. The challenge of incorporating mātauranga into water management decisions becomes apparent when contradictory views exist in areas with overlapping rohe and mana whenua claims.

A challenge for Regional Council

Tangata whenua have rich, long-running experience with their awa that provides deep insights into how and why things have changed. Diversity can undoubtedly provide a critical advantage of different perspectives. This difference in preference and tikanga does, however, present unique challenges for Regional Council when working alongside tangata whenua to provide an efficient and consistent approach for involving iwi and hapū in freshwater discussions and plan-making.

Māku rā pea, māku rā pea
Māku koe, e awahi e
Ki te ara, ara tupu
Māku koe, e awahi e

Perhaps I will, perhaps I will
Perhaps I will, guide you
to the path, the pathway
of growth, I will guide you.

Water supply reticulation and charge

Issues of fairness and equity extend to tangata whenua feeling aggrieved that:

- Councils charge water rates to reticulated papakāinga and marae.
- Many papakāinga and marae do not have a reticulated, safe drinking-water supply.
- A marae and surrounding community may have their water use metered and paying water rates, while a neighbouring community does not.

These issues present a challenge for the Regional Council, as it holds conversations on freshwater management.

The situation is often difficult, because district councils retain full discretion over management of municipal water supplies. To fund infrastructure and services, household metering and water charge arrangements vary from scheme to scheme. Note that the charges are for service delivery; councils cannot ask anyone to pay for the actual water.

Part 3: Ngā ara whakamua / going forward

3.1 Work together

Pathways to work together

Opportunities exist to reflect tangata whenua values and interests in freshwater management by:

- working together,
- recognising mātauranga monitoring, and
- setting freshwater objectives together.

The Freshwater Futures team wants to engage effectively with iwi/hapū. The principles guiding our engagement with tangata whenua are to:

- build good relationships,
- give tangata whenua the space to speak, ensuring they can freely express their perspectives on freshwater,
- use clear language and concepts familiar to tangata whenua,
- pick up on what tangata whenua have already shared previously,
- engage the RMA contacts of each rūnanga early on a working draft and then open up to iwi/hapū suggestions, and
- provide consistent and regular responses, communication and feedback to iwi and hapū.

Iwi and hapū consistently reiterate the need to be treated and respected as independent entities. Some tangata whenua members suggest the following approach to facilitate this diverse range of views, engagement preferences and decision-making processes:

- tailor the approach to each individual iwi and hapū.
- gather cultural advice from all hapū and iwi with an interest in the area.
- ensure regular, ongoing follow-up from council with tangata whenua.
- maintain awareness of the political and relationship dynamics that influence tangata whenua contributions.
- utilise existing co-governance bodies.
- engage with the wider audience outside of rūnanga, to include hapū and Māori landowners.

Decision-making affecting tangata whenua relationship with fresh water

For Council and some iwi/hapū, extra resource, time and skills need to be found to achieve the above. Some tangata whenua members have suggested that upskilling is needed to:

- increase council capacity to understand and recognise the Māori perspective and develop consultation protocols accordingly.
- acknowledge mātauranga Māori and enable the use of mātauranga Māori as a credible knowledge base, on an equal footing with western science.
- build Māori capacity to engage at the community level – be active and visible to the wider community.

To build capability and ensure Toi Moana staff can more readily recognise mātauranga when working with tangata whenua, Toi Moana developed He Korowai Mātauranga (a mātauranga Māori framework) in 2019. The framework seeks to incorporate Māori knowledge and values in Regional Council's work, to more explicitly and specifically provide for mātauranga Māori, by:

- kia Marama ai (improving understanding of Te Ao Māori).
- tūtukihia ngā whakaaro (bridging the gaps).
- whakaruruhaungia Te Mātauranga (recognising and protecting mātauranga Māori).

Toi Moana has also boosted the number of staff across teams who specialise in Māori values and knowledge, including through Pou Ngaio, Putaiao Matauranga, Senior Māori Resource Management Advisor and Relationships and Co-Governance Principal Advisor roles.

Through these and other initiatives, pathways for working together to achieve outcomes towards our shared visions for water, land and people are being built.

3.2 Iwi and hapū suggestions for engaging with tangata whenua

Members of iwi and hapū have made a number of suggestions on engaging with them to advance freshwater management discussions. Those suggestions include:

Te kiko - the engagement content

- Recognise that many tangata whenua values have already been expressed through statutory acknowledgements.
- Observe all national and regional policy statement directions and demonstrate the ways those directions are being complied with in relation to freshwater decisions.
- Better align regional and district plan policies and processes.
- Recognise and provide for river documents.
- Use plain language information.
- Effectively take account of iwi planning documents.
- Have a consistent engagement approach on freshwater planning.
- Streamline Māori participation by reducing data complexity, improving access to information and providing sufficient advance notice of events.
- Avoid blanket provisions because all areas are special and unique.

Me āta whakarongo - listen

- Understand and discern the difference between kaitiaki with ahi kā, and kaitiaki who represent iwi authorities and their respective knowledge bases.
- Have more marae-focused freshwater discussions with iwi/hapū/whanau.
- Establish clear, understandable and respectful protocols with iwi and hapū kaitiaki.
- Liaise directly with the rūnanga Environmental Officer when hapū members are familiar with Regional Council's work on fresh water and feel comfortable with this approach.
- Value tangata whenua kaitiaki, cultural advisors and their respective expertise.

He whakaaro – other ideas that have been suggested

- Provide a clear role for iwi to provide advice and formal recommendations to council ahead of submission decisions.
- Develop resource consents consultation process agreements with iwi/hapū.

- Bring iwi representatives and freshwater community groups together to share information.
- Consider shorter-term permissions ie consent periods less than five, 10 or 15 years for water takes, pending further clarity on Māori rights and interests in fresh water.
- Add a new set of rules for delivering Māori objectives, cancel existing consents and re-allocate the water use according to new rules. (Note that a 2009 report¹¹ recognised that it would be more practical to apply new rules after existing consents expire).
- Water use should provide revenue to hapū, mirroring how fisheries are being managed. (Note that this would require law change, outside the local government mandates).
- Contracting opportunities should be provided to kaitiaki, to carry out works associated with monitoring and implementing consent requirements.

Ngā tuwhiri - tips and hints

We've heard the following tips from members of tangata whenua to date:

- Work positively towards clarifying and enhancing iwi role in decision-making processes.
- Form agreed actions instead of wish lists.
- Build relationships with iwi early in the process.
- Understand not all iwi are the same and may have differing priorities.
- Check with all relevant iwi when seeking cultural heritage advice, rather than relying on one iwi only.
- Treat Māori developers the same as any other developers.
- Provide an interactive environment that supports meaningful discussion.
- Prioritise culturally-informed engagement agreed by tangata whenua.
- Recognise that mātauranga Māori is unique to tangata whenua groups and location and that the collation, application and interpretation of mātauranga Māori must be tangata whenua-driven.

These suggestions and ideas are much appreciated. Although some of the tasks might be beyond Council's authority and current

¹¹ Durette, M., Nesus, C., Nesus, G., Barcham, M. (2009) Māori Perspectives on Water Allocation, prepared for Ministry for the Environment by Nesus & Associates Ltd

capacity, it is important to be open to ideas and creative solutions to overcome challenges.

3.3 How the plan writing could reflect the values and interests

Toi Moana Bay of Plenty Regional Council staff are working through options for designing the required Rangitāiki and Kaituna-Pongakawa-Waitahanui WMA plan changes.

Many opportunities exist to reflect tangata whenua values and interests when drafting the plan changes, and some that are being considered are outlined as (a) to (r) below.

Toi Moana Bay of Plenty Regional Council welcomes feedback on these options and advice on which ideas are more practical than others from a tangata whenua practitioner's perspective.

In the plan content - general

- a) **Use of bi-lingual headings** – headings can be expressed in both te reo Māori and English.
- b) **Include a distinctive kaitiaki section in the regional plan** – use it to address the application of Treaty of Waitangi and Māori resource management principles.
- c) **Explain iwi planning document use** – describe how iwi and hapū environment management plans are to be used in resource management processes.
- d) **Make references to key documents:**
 - List all iwi and hapū management planning documents that apply to the catchment and are lodged with Regional Council.
 - Recognise and provide for river co-governance documents.
 - List relationship agreements, including Mana Whakahono a Rohe.
 - Make explicit reference to statutory acknowledgements.

In the plan content – introduction

- e) **Acknowledge iwi and hapū relationship in the catchment** – list iwi or hapū authorities that have responsibility to waterbodies in the catchment. Acknowledge the value of identity and the connection to mahinga kai in the catchment, and map sensitive sites.
- f) **Recognise spiritual value and ancestral connections to water** – ensure the 'ancestral and historical connections of tangata whenua with rivers, wetlands and

springs' are recognised in the interpretation of Te Mana o te Wai.

- g) The regional plan could include content drawn from **iwi or hapū planning documents** where relevant and the iwi/hapū and council agree.

In the plan content – specific policies related to specific fresh water bodies

- h) **Take a multigenerational approach** – set multigenerational freshwater objectives¹², with shorter-term targets that align with the ten year regional plan review period.
- i) **Include tangata whenua specific freshwater policies** – focus on kaitiaki, wāhi tapu and wāhi taonga as well as mahinga kai related provisions. These policies can strengthen the water protection of sites identified in statutory acknowledgement and iwi/hapū environment management plan.
- j) **Prioritise kaitiaki at identified water bodies and sites**¹³ – consider including schedules and maps of water bodies and sites that show where tangata whenua values have been identified. This would include:
 - Specific large water bodies across the region where 'iwi-led restoration initiatives are supported' and 'kaupapa Māori monitoring is implemented'.
 - Specific sites with significant mana whenua value to each of the iwi¹⁴.
 - Clarifying tangata whenua involvement in management of water bodies, including requiring cultural impact assessment to address adverse effects.
- k) **Require assessment of effects on mahinga kai, wāhi tapu or wāhi taonga** – where these may be affected by activities proposed in water use consent applications.
- l) **Include tangata whenua narratives** – freshwater objectives specifically relating to tangata whenua values can be expressed as narrative instead of numbers, for example, *"freshwater mahinga kai species are sufficiently abundant for customary*

¹² Example from Waikato Regional Plan Change 1 Waikato River and Waipa River catchments

¹³ Example from Proposed Natural Resources Plan for the Wellington Region

¹⁴ Five iwi listed for the Wellington Region.

*gathering, water quality is suitable for their safe harvesting and they are safe to eat*¹⁵.

- m) **Include visible attributes** – freshwater outcomes could also include attributes that can be observed by the community, such as siltation cover and the colour of a lake.
- n) **Specify provisions for customary use**¹⁶ – explicitly set minimum water quality standards for customary use (such as the maximum level for *E. coli*, cyanobacteria and pathogens) to protect ‘*contact recreation*’ and customary use together.
- o) **Address specific tangata whenua concerns** – examples include:
 - Discouraging cross-catchment water mixing.
 - Restricting sewage and industrial discharges to water.
 - Avoiding over-allocation of surface and groundwater resources.
- p) **Provide land-use flexibility for Māori land** – such as including policies that provide future opportunities for the development of under-utilised Māori land in freshwater management.

Freshwater planning processes or steps

- q) **Set principles to guide freshwater plan change development processes** – council can employ a set of principles to guide the development of plan changes. The principles used in developing the Wellington Proposed Regional Plans are: kaitiakitanga/guardianship, mahitahi/partnership, wairuatanga/identity, ki uta ki tai/interconnectedness and, tō mātou whakapono/judgement based on knowledge.
- r) **Kaitiaki group** – Wellington Regional Council set up a whitua (catchment) committee for its catchment-based planning process. That committee existed to address ngā kawa, tikanga and tohu a iwi (iwi-specific constructs, processes and indicators) in respect to water quality and water quantity limits. Elements of the Wellington example include:

- establishing a kaitiaki group comprised of iwi kaitiaki.
- employing two iwi kaitiaki to support engagement with mana whenua and Māori community.
- input from specialist Māori advisors and local kaitiaki.
- marae-based hui to inform mana whenua of water management area processes and to discuss ways their values could inform decision-making.

Other ideas - incorporating a mauri assessment matrix in the Regional Plan

Various resource management practitioners have developed a range of mauri assessment methods. One that aligns well with the National Objective Framework was a mauri assessment matrix developed by Tina Porou. Her methods recognise that tangata whenua kaitiaki of a specific waterbody are integral to assessing the mauri of the water, utilising their own values and mātauranga-based measurement methods.

Landcare Research has also developed their ‘*Wai ora: A kaupapa Māori Assessment*’ freshwater management tool based on areas, attributes and measures determined by tangata whenua. This tool can be used to assess and articulate the conditions of a water body in a way that is consistent with the National Objectives Framework. It can also be used to measure and assess trends towards specific iwi/hapū goals and objectives¹⁷, or in relation to a stated outcome or vision for a waterbody or culturally significant area.

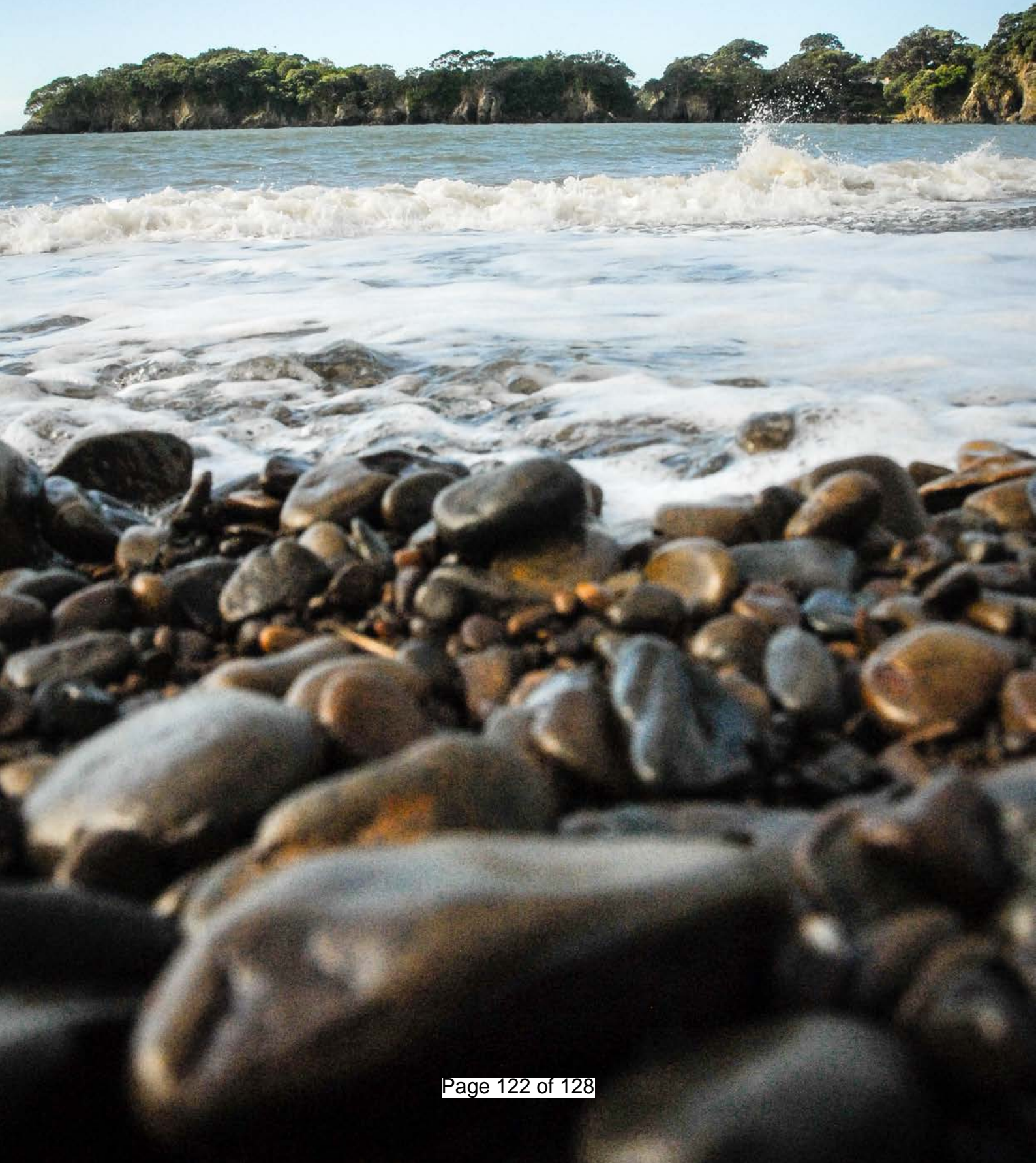
Let us know your ideas on how Regional Council can reflect tangata whenua values and interests in fresh water and freshwater ecosystem management.

¹⁵ Example from Canterbury Land and Water Regional Plan, cultural attribute for Te Roto ō Wairewa / Lake Forsyth, and cultural indicator for Selwyn TeWaihora Sub-region Rivers

¹⁶ Example from Proposed Natural Resources Plan for the Wellington Region

¹⁷ Paul-Burke, K. “Mātauranga Māori Literature Review” (2017) Report prepared for the Mātauranga Māori Project. January 2017. Whakatane, Bay of Plenty Regional Council

Appendices



Appendix 1: Ngā kupu / glossary of Māori words

Ahi-kā or Ahi-ka-roa	Burning fires of occupation, meaning continuous occupation - title to land through occupation by a group, generally over a long period of time. The group is able, through the use of whakapapa, to trace occupation back to primary ancestors who lived on the land.
Hapū	Kinship group, section of a large kinship group and the primary political unit in traditional Māori society.
Iwi	Extended kinship group, often refers to a large group of people descended from a common ancestor and associated with a distinct territory.
Iwi Authority	An entity which represents an iwi and which is recognised by that iwi as having authority to do so.
Iwi management Plans	Planning documents that are recognised by an iwi authority, relevant to the resource management issues of the region/district/rohe and/or lodged with the relevant local authority. Plans are given legislative mandate via the Resource Management Act (1991).
Kaitiaki	Trustee, minder, guard, custodian, guardian, caregiver, keeper, steward.
Kaitiakitanga	The exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori, in relation to natural and physical resources. Includes the ethic of stewardship.
Mana	Mandate, authority, control, power, influence, status, prestige, spiritual power, charisma.
Manākitanga	Hospitality, kindness, generosity, support - the process of showing respect, generosity and care for others.
Mana whenua	Customary authority exercised by an iwi or hapū in an identified area.
Marae	A fenced-in complex of carved buildings and grounds that belongs to a particular iwi (tribe), hapū (sub tribe) or whānau (family).
Mātauranga Māori	Generally describes the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives, Māori creativity and cultural practices.
Mauri	Life-force, life supporting capacity.
Rangatiratanga	Chieftainship, right to exercise authority.
Statutory acknowledgements	A statutory acknowledgement is an acknowledgement by the Crown that recognises the mana of a tangata whenua group in relation to specified areas - particularly the cultural, spiritual, historical and traditional associations with an area. These acknowledgements relate to 'statutory areas' which include areas of land, geographic features, lakes, rivers, wetlands and coastal marine areas but are only given over Crown-owned land.
Tangata whenua	In relation to a particular area; the iwi or hapū that holds mana whenua over that area.
Taniwha	A water spirit or monster of Maori legend.
Taonga	Treasure, anything prized.
Te ao Māori	The Māori world view.
Te reo Māori	The Māori language.
Tikanga	Māori customary values and practices.
Waiata	Songs.
Wāhi tapu	Sacred place, sacred site.
Whakataukī	Proverbs.
Whakapapa	The genealogy, a line of descent from ancestors down to the present day.
Whanau	Extended family, family group.

Kōrero mai

This discussion paper contributes to our on-going korero towards tailoring the ways we manage fresh water to reflect what is important for tangata whenua, in Rangitāiki and Kaituna-Pongakawa-Waitahanui Water Management Areas.

We would love to hear from you:

1. **Whether this paper captured the essence of korero to date on tangata whenua values and interests in fresh water and freshwater ecosystems in your view?**
2. **What are your thoughts on the ideas listed in section 3.3?**
3. **What other opportunities exist to reflect tangata whenua values and interests within a regional plan change?**

Please provide your feedback before [REDACTED].

- An online feedback form is available at www.boprc.govt.nz/wai
- Feedback can also be emailed to: wai@boprc.govt.nz
- Or posted to: Toi Moana Bay of Plenty Regional Council
PO Box 364
Whakatāne 3158

If you wish to discuss this kaupapa or arrange a presentation for your trustee/marae meeting or alike, please contact one of our team members on 0800 884 880 or email:

- General – Reuben.Gardiner@boprc.govt.nz
- Kaituna-Pongakawa-Waitahanui – Jo.Watts@boprc.govt.nz
- Rangitāiki – Michelle.Lee@boprc.govt.nz

Check out other discussion papers at www.boprc.govt.nz/wai and find out how to provide feedback or attend an open day.

Receives Only – No Decisions



Report To: Te Maru o Kaituna River Authority

Meeting Date: 27 September 2019

Report From: Yvonne Tatton, Governance Manager

2019 Local Government Elections Update

Executive Summary

The Local Government elections are being held on 12 October 2019 which effectively ends the 2016 -2019 Council triennium and its associated committee structure and Councillor representative appointments on various co-governance forums.

This report provides members with key information regarding the upcoming local government elections and the process required to establish a new council for the 2019-2022 triennium.

Recommendations

That the Te Maru o Kaituna River Authority:

1 Receives the report, 2019 Local Government Elections Update;

1 Background

Elections of members to the Bay of Plenty Regional Council Toi Moana are held once every three years with the close of polling day being Saturday 12 October 2019. Elections for local government are conducted by way of postal voting.

2 Toi Moana Bay of Plenty Regional Council Elections

The council is comprised of 14 Councillors across the following constituencies:

Tauranga (five councillors), Rotorua, Western Bay of Plenty and Eastern Bay of Plenty (two each), while voters on the Māori roll elect one councillor from three Māori constituency areas – Kōhi, Mauao and Ōkurei.

3 Establishing a New Council

Following the elections the 2016-2019 Council triennium ends and all of Council's committees established under the Local Government Act are disestablished. This does not affect any co-governance forums which are established under separate legislation. However the term for the Councillor representatives on Te Maru o Kaituna River Authority will end and the new council will appoint new representatives.

After the official election results have been declared in late October, the new Council will be established over the October – December period. This involves swearing the new Council into office, electing the Council's Chairperson and Deputy Chairperson, undertaking the Councillors' induction programme, adopting a new governance committee structure and associated appointments of committee chairpersons and deputies, appointments to the various committees and co-governance membership, and establishing the 2020 committee meeting schedule. Therefore it is anticipated that the next meeting of Te Maru o Kaituna River Authority will be held early 2020.

In developing the 2020 Meeting Schedule, staff anticipate keeping Te Maru o Kaituna River Authority meetings to the current quarterly meeting cycle and day of the week unless otherwise advised by Te Maru o Kaituna River Authority Chair.

Merinda Pansegrouw
Committee Advisor

for Governance Manager

5 August 2019