

Te Maru o Kaituna River Authority

NOTICE IS GIVEN

that the next meeting of the **Te Maru o Kaituna River Authority** will be held in **Council Chamber, Western Bay of Plenty District Council, 1484 Cameron Road, Greerton** on:

Friday, 24 August 2018 commencing at 10.30 am.

Dean Flavell
Chairman
Te Maru o Kaituna River Authority

17 August 2018

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

As at the settlement date, 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 the 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 Ngati Whakaue; 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:	N Chater (Alternate, Lakes Community Board), N Douglas (Alternate, Te Tahuhu o Tawakeheimoa Trust), R Hancock (Te Tahuhu o Tawakeheimoa Trust), M Horne (Te Komiti Nui o Ngati Whakaue), Dr B Kihirini (Alternate, Tapuika Iwi Authority), Councillor K Marsh (Western Bay of Plenty District Council), Councillor M McDonald (Alternate, Bay of Plenty Regional Council), Councillor T Molloy (Alternate, Tauranga City Council), Councillor S Morris (Tauranga City Council), Councillor J Nees (Bay of Plenty Regional Council), R Pou Poasa (Alternate, Te Komiti Nui o Ngati Whakaue), Councillor J Scrimgeour (Alternate, Western Bay of Plenty District Council), Councillor T Tapsell (Rotorua Lakes Council), P Thomas (Alternate, Te Pumautanga o Te Arawa)
Committee Advisor:	M Pansegrouw

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 Confidential Business to be Transferred into the Open**
- 7 Declarations of Conflicts of Interests**
- 8 Previous Minutes**
 - 8.1 Te Maru o Kaituna River Authority minutes - 22 June 2018** **13**
- 9 Reports**

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9.6 Presentation: Kaituna Catchment Operations Update	
For an update on Bay of Plenty Regional Council's operations underway/planned in the Kaituna Catchment (Kaituna Catchments Manager, Pim De Monchy)	
9.7 Membership Update - Te Pumautanga o Te Arawa Trust	
For a verbal update	
10 Consideration of General Business	
11 Closing Karakia	

Previous Minutes

Minutes of the Te Maru o Kaituna River Authority Meeting held in Ngāti Moko Marae, 314 Te Puke Highway, Te Puke on Friday, 22 June 2018 commencing at 10.30 a.m.

Present:

Chairman: D Flavell (Tapuika Iwi Authority Trust)

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

Appointees: Councillor S Morris (Tauranga City Council), R Pou Poasa (Alternate, Te Komiti Nui o Ngati Whakaue), Councillor T Tapsell (Rotorua Lakes Council), Councillor J Nees (Bay of Plenty Regional Council), M Horne (Te Komiti Nui o Ngati Whakaue), N Chater (Rotorua Lakes Community Board), Dr B Kihirini (Alternate, Tapuika Iwi Authority), Councillor M McDonald (Alternate, Bay of Plenty Regional Council), R Hancock (Te Tāhuhu o Tawakeheimoa Trust)

In Attendance: Councillor T Marr (Bay of Plenty Regional Council), Mayor Garry Webber (Western Bay of Plenty District Council), Fiona McTavish (Chief Executive Designate), Namouta Poutasi (General Manager: Strategy and Sciences - Acting), Sarah Omundsen (General Manager, Regulatory Services - Acting), Kataraina O'Brien (Strategic Engagement Manager), Anaru Vercoe (Māori Policy Team Leader), Jo Watts (Senior Planner - Water Policy), Rawiri Bhana (Maori Policy Advisor), Ruth Keber (Marketing and Communications Advisor), T Nerdrum-Smith (Committee Advisor)

Apologies: Councillor T Molloy (Alternate, Tauranga City Council), Councillor J Scrimgeour (Alternate, Western Bay of Plenty District Council), P Thomas (Alternate, Te Pumautanga o Te Arawa), Councillor K Marsh (Western Bay of Plenty District Council) Councillor K Marsh (Western Bay of Plenty District Council) and N Douglas (Alternate, Te Tahuhu o Tawakeheimoa Trust)

1 **Opening Karakia**

Manu Wihapi opened the meeting with a Karakia.

2 **Apologies**

That the Te Maru o Kaituna River Authority:

- 1 **Accepts the following apologies tendered at the meeting: Councillor T Molloy (Alternate, Tauranga City Council), Councillor J Scrimgeour (Alternate, Western Bay of Plenty District Council), P Thomas (Alternate, Te Pumautanga o Te Arawa), N Douglas (Alternate, Te Tahuhu o Tawakeheimoa Trust) and Councillor K Marsh (Western Bay of Plenty District Council).**

Tahana/Horne

CARRIED**3 Public Forum**

Nil

4 Acceptance of Late Items

Noted that the following updated reports had been circulated separately to the main agenda:

- The Kaituna River Document Communications Plan Approval
- Approval of He Taonga Tuku Iho - A Treasure Handed Down: Te Maru o Kaituna River Document.

5 General Business

Nil

6 Declaration of Conflicts of Interest

Nil

7 Previous Minutes**7.1 Te Maru o Kaituna River Authority Minutes - 27 April 2018****Resolved**

That the Te Maru o Kaituna River Authority:

- 1 Confirms the Te Maru o Kaituna River Authority Minutes - 27 April 2018.

Nees/Horne
CARRIED

8 Reports**8.1 Membership Update – Te Pumautanga o Te Arawa Trust**

As P Thomas, who would be speaking to this item, but was not in attendance, the matter was deferred to the next meeting.

Staff Follow-up

- Include this item in the agenda for the next meeting, scheduled for 24 August 2018.

8.2 The Kaituna River Document Communications Plan Approval

Ruth Keber, Marketing and Communications Advisor provided an outline of the report.

Resolved

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

- 1 Receives the report, Approval of the Kaituna River Document Communications Plan;**
- 2 Approves the Kaituna River Document Communications Plan 2018 attached as Appendix 1 to the paper.**

**Horne/Nees
CARRIED**

8.3 Update on the Public Celebration of the Kaituna River Document

The Chairperson provided a verbal update as follows:

Key Points

- The public celebration would be postponed until September 2018, which would allow for more socialising of the document and better weather for a celebration
- A report regarding the public celebration would be provided at the next meeting, scheduled for 24 August 2018.

Staff Follow-up

- Staff to contact the Bay Waka publication, who wanted to run a feature on the Kaituna River document.

8.4 Approval of He Taonga Tuku Iho - A Treasure Handed Down: Te Maru o Kaituna River Document

Jo Watts, Senior Planner - Water Policy provided an outline of the report.

Key Points

- All submitters would be contacted regarding the approval of the document as follows:
 - A formal letter or email
 - Summary document
 - Advice on how to access the document on line
 - Opportunity to request hardcopy of the document.
- Each TMOk appointing organisations would be provided with the complete document, supported by information packs, for additional distribution.

Staff Follow-up

- Following a request from the floor, ensure Mere Balsom (Tapuika Iwi Authority) be kept informed by inclusion on TMOk's interested parties email list and provided with a copy of the document and summary.

Resolved

That the Te Maru o Kaituna River Authority:

- 1 Receives the report, Approval of He Taonga Tuku Iho - A Treasure Handed Down: Te Maru o Kaituna River Document;**

- 2 Confirms the 'Decisions on Submissions Report' (including appendices) reflect the Hearing Panel decisions;
- 3 Directs staff to publicly notify approval of the document and release of decisions on submissions in mid-July with 1 August 2018 as the date the river document will take effect;
- 4 Authorises the Chairman of Te Maru o Kaituna River Authority to make minor editorial and formatting changes to the 'Decisions on Submissions Report' (including appendices) for the purpose of preparing the material for public notification.

Tahana/Hancock
CARRIED

9 Closing Karakia

Dean Flavell closed the meeting with a Karakia.

The meeting closed at 11.00 a.m.

Reports

Report To: Te Maru o Kaituna River Authority

Meeting Date: 24 August 2018

Report From: Kataraina O'Brien, Strategic Engagement Manager

Te Maru o Kaituna River Authority - Public Celebration of the Kaituna River Document 'He Taonga Tuku Iho, a Treasure Handed Down'

Executive Summary

The approval of the 'He Taonga Tuku Iho, a Treasure Handed Down' (Kaituna River Document) in June 2018, marked a significant milestone in the achievements of Te Maru o Kaituna (TMoK), the Kaituna River Authority.

Providing opportunities to raise community awareness and promote the purpose of TMoK is recognised through legislation via the Tapuika Claims Settlement Act 2014. Through this Treaty legislation the formation of TMoK was borne.

TMoK is a co-governance forum whose purpose is the restoration, protection, and enhancement of the environmental, cultural and spiritual health and well-being of the Kaituna River. TMoK was responsible for preparing and approving a document which has legal effect through Resource Management Act process. The Kaituna River Document was approved by TMoK and launched at Moko Marae on 22nd June 2018.

A wider public celebration has been planned and will take place on 30th September at the Waitangi-Rangiuru whanau reserve.

This report outlines the proposed schedule and organisation on of the public celebration.

Recommendations

That the Te Maru o Kaituna River Authority:

- 1 Receives the report, Public Celebration of Kaituna, he taonga tuku iho - a treasure handed down;**
- 2 Approves the public celebration details presented in this paper and delegates to the Chair of TMoK and the TMoK Working Group responsibility for the preparation and planning of the celebration.**
- 3 Endorses the proposal that the public celebration be registered as an official World Rivers Day event.**

1 Purpose

The purpose of this report is to present the key components of the public event to celebrate the development and approval of the Kaituna River Document in September 2018. The timing of the event was approved by TMoK at its last meeting hui held on 22 June 2018.

2 Preparation for the Public Celebration of the Kaituna River Document – He Taonga Tuku Iho

On 12 April 2018 staff met with Chair Dean Flavell where it was proposed that there would be the opportunity to have two separate launch events. The first of these events was held at the completion of the 22 June TMoK meeting (the launch to the iwi) the subsequent public event has now been confirmed for September 2018.

2.1 Public Celebration Launch Event

The public event is proposed to be held at Waitangi-Rangiuru Whanāu Reserve on Sunday 30 September. It coincides with World Rivers Day, a celebration of the world's rivers. World Rivers Day highlights the intrinsic values common amongst our rivers, enhances public awareness of their importance, and encourages stewardship of all rivers around the world. The vision of Worlds Rivers Day aligns with the vision held by the members TMoK in regards to the future of the Kaituna River.

Other factors taken into consideration for selecting September include that it coincides with the first weekend of the school holiday's, it falls within the whitebait season, and is the first day of daylight savings.

As part of recognising the journey of the document and the Kaituna River there are plans to have water based activities which could include waka tangata, waka ama, participation by the Maketū Coastguard and rafting. If it is logistically possible, a copy of the document could be brought up the river on one of the waka at the start time to underpin its importance and significance.

The event would allow an opportunity for particular groups to have their own information/interactive booths. These could be but are not limited to the following;

- BOPRC Pest/Biosecurity, Rivers and Drains, Pollution Busters, EEF, Maketū Rediversion
- DOC, Fish & Game
- Maketū Ōngatōro Wetlands Society, Maketū Taiapure, Maketū Coastguard
- Zespri, Toi Ohomai, Te Waiariki Pūrea Trust
- Iwi groups

With regard to permits for the event, WBOPDC has offered the reserve booking under sponsorship and a traffic management plan is currently being drawn up by a qualified safety traffic management plan provider.

3 Next steps

Details on how the launch is to proceed will be prepared following further direction from the TMoK Working Group (WG). Staff in consultation with the Chair are proposing the following steps:

- **24 August:** TMoK accept the report as presented
- **27 August:** TMoK WG to approve marketing as produced by the BOPRC communications team
- **1 September:** Safety Traffic Management Plan assessed
- **14 September:** All activity providers to be followed up with confirmation.
- **28 September:** Final run sheet provided to appropriate staff/members
- **30 September:** Community Celebration.

To ensure the ease of organisation and preparation for the events, this report requests that the Chair and TMoK Working Group be authorised to undertake any necessary actions that will support a successful public celebration.

4 Budget

This work has been planned for and will be undertaken within the Te Maru o Kaituna River Authority's current 2018/2019 budget. Project expenditure up to \$10,000 was approved by TMoK to support the official launch at its meeting on 6 March 2018. No further decision is required for approval of these funds.

5 Media

The public celebration of the *Kaituna, he taonga tuku iho- a treasure handed down* is expected to attract media interest. With permission from TMoK, appropriate media organisations will be invited to attend events and cover the development, concept and planned implementation of vision and objectives of the document.

Rawiri Bhana
Maori Policy Advisor

for Strategic Engagement Manager

17 August 2018

Report To: Te Maru o Kaituna River Authority

Meeting Date: 24 August 2018

Report From: Kataraina O'Brien, Strategic Engagement Manager

Next Steps for Te Maru o Kaituna River Authority

Executive Summary

This report outlines some of the next steps for Te Maru o Kaituna River Authority (TMoK) to consider for this year's work program and includes:

- Public celebration of the Document (which is discussed in a separate paper)
- Consideration of TMoK's purpose and functions and making decisions to prioritise the next focus;
- Timing, process, scope and resourcing for developing the Action Plan;
- Discussing with Toi Moana's Regional Direction and Delivery Committee, timing and working together to progress a change to the Bay of Plenty Regional Policy Statement and Regional Natural Resources Plan – plan change 12 to recognise the document;
- Setting the budget for the coming year (which is discussed in a separate paper)

Recommendations

That the Te Maru o Kaituna River Authority:

- 1 Receives the report, Next Steps for Te Maru o Kaituna River Authority;**
- 2 Sets the direction for Te Maru o Kaituna River Authority's focus and work program for the 2018/19 year and associated budget.**
- 3 Considers the procurement of a consultant to support the preparation of an action plan.**

1 Purpose

The purpose of this report is to outline the next steps for Te Maru o Kaituna River Authority (TMoK) the implementation of the river document and to set the direction for TMoK's work program for the 2018/19 year.

2 Background

At the last meeting on 22 June 2018, TMoK:

- Approved *Kaituna, he taonga tuku iho – a treasure handed down*;
- Released the Decisions on Submissions Report;
- Directed staff to publicly notify approval of the document and 1 August 2018 as the date the document comes into effect;
- Approved the updated communications plan;
- Progressed public celebration details; and
- Held the celebration for Te Maru appointing organisations to mark the accomplishment of this significant milestone.

Since the last meeting, staff have attended to a number of administrative steps in consultation with the Chair. Tasks completed included: correcting the map in the document, public notification, finalising the video of the approval and celebration, updating the TMoK website, and distribution of documents to appointing organisations.

2.1 Public notification

Te Maru publicly notified approval of the river document, release of its 'Decisions on Submissions Report and 1 August 2018 as the date on which the Kaituna River Document took effect. Public notices were placed in newspapers relevant to readers residing the Kaituna catchment over the Thursday 26th July through to Saturday 29 July 2018 period. The pertinent libraries and relevant councils have copies of the document and summaries for members of the public to view.

Notification emails were sent to:

- all submitters;
- relevant ministers and statutory authorities including all iwi authority offices and council's with interests in the Kaituna;
- e panui to TMoK's interested party mailing list;

Where no email address was provided notification letters were sent with a summary enclosed.

3 Next steps

3.1 Purpose and functions

Now the river document has been approved, TMoK's focus will turn to its purpose and functions which are set out in s115 and 116 of the [Tapuika Claims Settlement Act 2014](#) (the Act). A full copy of these sections are attached in Appendix 1.

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

Key functions are summarised and include:

- monitoring the implementation and effectiveness of the River Document;
- supporting integrated and collaborative management of the river;
- working with local authorities and Crown agencies that exercise functions in relation to River;
- providing 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;
- facilitating the participation of iwi in the management of the river.

3.2 Priorities for this year

TMoK will need to consider where their focus should be next and prioritise a work program for its delivery. This may include:

- Public celebration of the Document (which is discussed in a separate paper)
- Considering and acting on other specific functions;
- Timing, the process and resourcing for developing the Action Plan for the document;
- Discussing with Toi Moana's Regional Direction and Delivery Committee how they will work together with TMoK to progress the change to the Regional Policy Statement;
- Reviewing whether or not to take a more active role in providing advice to Toi Moana about Plan Change 12.

3.3 Action plan

Unlike the Te Ara Whanui o Rangitāiki – the Rangitāiki River Document, Kaituna, he taonga tuku iho does not contain an action plan as the Tapuika Claims Settlement Act 2014 stipulates that the river document could not contain any rules or other methods for achieving the purpose of the river document.

Te Maru signalled their intention to develop an Action Plan in the Decisions on Submissions Report and also in the approved document under the heading Implementation and Review on page 61. Appendix 2 contains a list of matters raised in submissions and at the river document hearing which the Panel identified as more relevant to consider in an Action Plan. This may form a starting point for matters to consider.

TMoK can decide on the appropriate timing, process, scope and resourcing for developing an action plan. The action plan is the appropriate way to address those matters in the document which can not be incorporated into the RPS.

A draft scope covering options will be provided at the meeting. TMoK may consider using a consultant to progress the action plan.

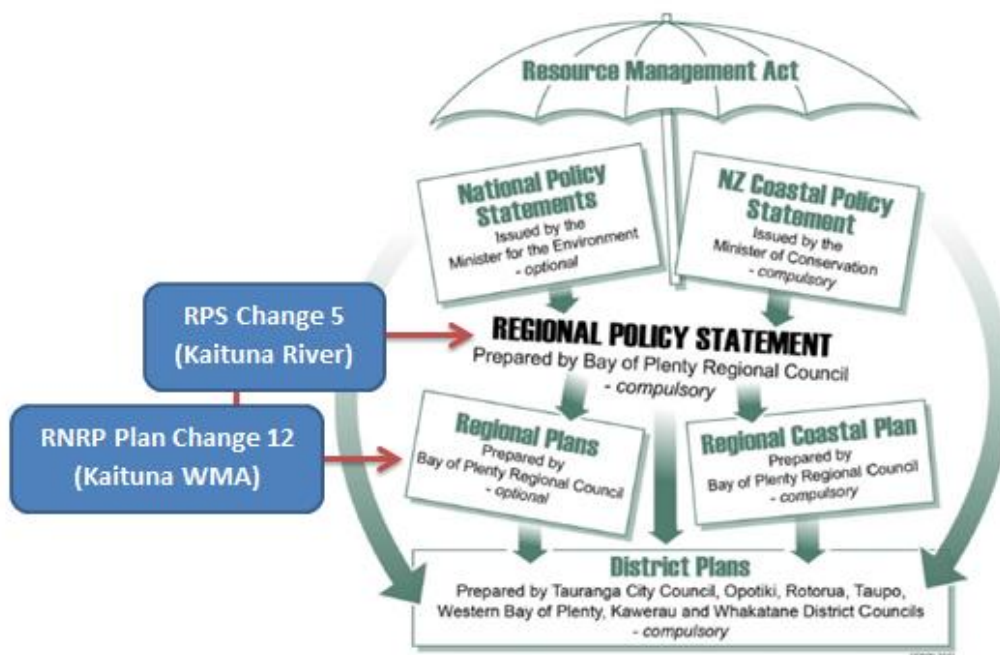
3.4 Resource Management Act Plan change process

Section 123 of the Tapuika Claims Settlement Act 2014 covers the influence the Kaituna River Document has in RMA processes. The Kaituna River Document vision, objectives and desired outcomes must be recognised and provided for when preparing or amending the RPS, regional or district plans.

Changing the Regional Policy Statement (RPS) and Regional Natural Resources Plan (RNRP) to recognise and provide for the vision, objectives and desired outcomes in Kaituna, he taonga tuku iho follows the Resource Management Act 1991 (RMA) process for changing planning documents which is set out in Schedule 2 of the RMA.

It will be a priority for TMoK and Council to progress changes to the RPS and RNRP as soon as is practically possible. This is to ensure that the planning process (which includes PC12 – Freshwater Management) recognises and provides for the objectives and desired outcomes in the river document. The diagram below illustrates the changes to the regional planning documents which will recognise and provide for the Kaituna River Document.

Changing the regional policy statement, regional and district plans can be a long process and involves: preparing a draft change, engagement with iwi authorities on the draft change prior to notification, providing iwi with a copy of the draft to review prior to notification, notification of the proposed change, receiving submissions, summarising submissions and calling for any further submissions, holding a hearing and making decisions.



The final decision on what is provided for in the RPS rests with Council, after consultation with TMoK. The decision can be appealed to the Environment Court.

Proposed Change 3 (Rangitāiki River Plan) introduced a new Treaty Co-governance chapter into Part 2 of the RPS which is also intended to house the Kaituna River Change and subsequent Treaty Co-governance changes for Tauranga Moana in due course.

4 Implications for Māori

Now *Kaituna, he taonga tuku iho – a treasure handed down* (Kaituna River document) has been approved, notified and has come into effect this signals a new phase of collaboration between councils, iwi and the wider community. Iwi interests are woven throughout the document emphasising the association between tangata whenua and the environment.

The next steps for TMoK involve deciding on their focus post approval of the document. The action plan, progressing changes to the regional planning documents and working on priority functions will all provide Maori opportunity to make a difference in the health and well-being of the awa. Setting TMoK's work program for the year provides iwi and hapū the opportunity to be actively involved in actions, implementing and monitoring the effectiveness of the river document.

Toi Moana will be progressing changes to the regional planning documents to recognise and provide for the vision, objectives and desired outcomes stated in the document. These changes will ensure that the aspirations of the document have an overarching effect with the planning instruments.

5 Budget Implications

There is a separate paper outlining a draft 2018 - 2019 budget for TMoK's consideration. The draft budget will need refining to reflect TMoK's focus and work program for the year.

TMoK's budgeted costs do not include standard administrative costs associated with supporting Te Maru o Kaituna River Authority including staff time involved in the preparation and approval of the document and the cost of the public notification advertisements, catering for the celebration on the 22 June 2018 which Toi Moana considered to lie with the Bay of Plenty Regional Council under Schedule 5, section 9, of the Tapuika Claims Settlement Act 2014.

Jo Watts
Senior Planner (Water Policy)

for Strategic Engagement Manager

17 August 2018

APPENDIX 1

Te Maru o Kaituna River Authorities Purpose and Functions

Te Maru o Kaituna River Authority Purpose and Functions

Tapuika Claims Settlement Act 2014

Section 115 Purpose of Authority

- (1) 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.
- (2) In seeking to achieve its purpose, the Authority may have regard to the social and economic well-being of people and communities.

Section 116 Functions of Authority

- (1) The principal function of the Authority is to achieve its purpose.
- (2) In seeking to achieve its purpose, the other functions of the Authority are—
 - (a) to prepare and approve the Kaituna River document in accordance with [sections 125](#) and [127](#)
 - (b) to monitor the implementation and effectiveness of the Kaituna River document:
 - (c) to support the integrated and collaborative management of the river:
 - (d) to work with the local authorities and Crown agencies that exercise functions in relation to the Kaituna River—
 - (i) to monitor the state of the river environment:
 - (ii) to monitor the effectiveness of the management of the river:
 - (iii) to engage with iwi in relation to their interests in the river and to consult them on how to manage the river:
 - (e) to provide advice and recommendations to local authorities—
 - (i) relating to projects, action, or research designed to restore, protect, or enhance the health and well-being of the river:
 - (ii) on the appointment of commissioners to hear and decide applications for resource consents under the Resource Management Act 1991 that affect the river:
 - (f) to facilitate the participation of iwi in the management of the river:
 - (g) to monitor the extent to which the purpose of the Authority is being achieved, including the implementation and effectiveness of the Kaituna River document:
 - (h) to gather information, to disseminate information, and to hold meetings:
 - (i) to take any other action that the Authority considers is appropriate to achieve its purpose.
- (3) The Authority may seek to obtain funds to enable it to perform its functions.
- (4) To avoid doubt, except as provided for in subsection (2)(a), the Authority has discretion to determine in any particular circumstances—
 - (a) whether to perform any function specified in subsection (2); and
 - (b) how, and to what extent, any function specified in subsection (2) is performed.

APPENDIX 2

Action Plan Matters

Matters for the Action Plan

What does the river document say about the Action Plan?

The Kaituna River Document signals Te Maru o Kaituna's intention to develop an Action Plan which will sit alongside the river document in the Implementation and Review section of the document. Page 61 of the document lists the matters which TMoK intend to be considered when developing the Action Plan.

- Any relevant outstanding actions from the Kaituna River and Ōngātoto/Maketū Estuary Strategy 2009 Implementation Plan (Chapter 8).
- Relevant actions listed in iwi management plans. For example, any relevant actions in the Tapuika Environmental Management Plan 2014, Waitaha Iwi Management Plan 2014 and Ngāti Pikiao Iwi Resource Management Plan 1997.
- Projects listed in the long-term plans and annual plans of relevant councils, including actions under Bay of Plenty Regional Council's Integrated Catchment Management (Kaituna Activity) and the Kaituna Catchment Control Scheme.
- Matters raised in submissions which we have noted as being relevant to consider when developing the Action Plan.

The objectives and desired outcomes within the document also indicate action. Objective 2 and desired outcomes under both the Ngā Piringa me ngā Herenga - Iwi Relationships with the River and Te Oranga o Te Pūnaha-hauropi - Ecosystem Health objectives make specific mention of the Action Plan being the vehicle which TMoK will identify and prioritise restoration, protection and enhancement projects.

Objective 2

Iwi-led projects which restore, protect and / or enhance the Kaituna River are actively encouraged, promoted and supported by Te Maru o Kaituna through its Action Plan.

Desired Outcome

Priority restoration, protection and enhancement projects are identified by Te Maru o Kaituna in their Action Plan.

Other desired outcomes suggest support for specific projects or actions. Examples such as:

- *Pou and other appropriate markers are erected adjacent to the Kaituna River where considered appropriate by iwi, to indicate sites of special significance.*
- *Environmental education programmes are promoted by Te Maru o Kaituna.*
- *Explore opportunities to create, increase and enhance the extent and quality of wetlands in the lower Kaituna catchment.*

Matters raised in submissions about actions

TMoK's Hearing Panel considered a number of submission points received to the proposed Kaituna River Document requesting the inclusion of methods or actions within the document. Unfortunately the Tapuika Claims Settlement Act 2014, does not permit the inclusion of rules, methods or actions within the River Document.

The Decisions Report outlines matters which TMoK may consider when drafting the Action Plan in part 14 of the report. The Report lists the following matters which were raised both in submissions and at the river document hearings. These matters form a starting point for matters TMoK may consider when preparing the Action Plan for the Document:

1. List of kai important to iwi
2. Water sampling at the confluences
3. Access
4. Education – collate material, school programme
5. Education provided at the primary and secondary school levels for all local schools as to the history and importance of the Kaituna River as well as how these rangatahi (young people) can make a positive contribution to the health of the River. (20-8)
6. Request for water resource consent stocktake
7. Promote the removal of nitrate and phosphate exceedances. Algae bloom is a hazard when whanau swim in the Kaituna River and feeder tributaries. (50-7)
8. Identification of the source of contaminants so that specific outcomes can be met. (61-7)
9. Focus on specific locations for actions
10. Identification of swimming locations (30-8), (32-4)
11. Actions to divert discharges through treatment wetlands (12-14)
12. Plant trees, increase wetlands, and repair damage from farming/horticulture/industry etc (41-4)
13. Identify link between tributary management and Kaituna River wellbeing (8-2)
14. Monitoring and implementing the river document
15. Put the river back through twin cuts or Fords cut.
16. Set timeframes for actions be met by (6-2)

The table below outlines submissions suggesting the inclusion of specific methods or actions which TMoK may consider when preparing the Action Plan:

Who TMoK may consider being involved in the Action Plan

A number of submitters indicated in their submissions and reiterated at the hearing that they were keen to be involved in the development of the Action Plan. TMoK may also consider setting up a focus group or working party made up of key partners would potentially be involved in delivering actions within an action plan. A focus group or working party may include submitters who have indicated they are keen to be involved included representatives from:

- Iwi with an interest in the Kaituna
- Department of Conservation
- Fish and Game New Zealand
- Te Tumu landowners
- Kaituna Drainage Scheme
- Maketu and Te Puke Community Boards
- Maketu Community Group for the Environment
- Maketu Taiapure Committee of Management
- Local government

Submission of Submission points relevant to preparation of an Action Plan

The table below outlines submissions made to the Proposed Kaituna River Document which suggested the inclusion of specific methods or actions which TMoK may consider when preparing the Action Plan:

Submission no.	Summary of Submission Point	Decision
8 - 6	<p>All water take allocations are considered on a case by case basis. Most will inform minor impact if any to our river systems. Yet collectively all consents approved for water allocation from a specific waterway may paint quite a different picture. Examples of over prescribed water allocations currently exist for example the Ohineangaanga stream.</p> <p>A Māori view on any topic is multi-dimensional and never linear, in that consideration MUST take into account all that feature positives, and consequence. In other words nothing is treated in a silo fashion, in particular when using the term “mauri”. Any failure to do so is also a failure to protect “mauri”. Objective 5 and the desired outcomes do not capture this approach to assure sustainable allocation in order to protect “mauri”.</p> <p>Decision Sought:</p> <ul style="list-style-type: none"> • That a stock take on ALL approved consents be undertaken for the Kaituna, and those tributaries that feed into it on the premise that what affects one waterway affects another. • Secondly, considerations for future water allocations will also take into account the collective volume of water take from the Kaituna. The impact will include the length of time, and consent expiry. • Finally, no new consent shall be approved above what is actually required for the purposes intended. 	<p>Out of scope. BOPRC consenting matters. KRD will inform water quality and quantity limit setting process.</p> <p>The Panel have noted comments and will consider whether there are any actions needed when developing the Documents action plan.</p>
5 - 7	<p>Support the creation of a regional park or equivalent near the river mouth that is along the Kaituna River margins, open coast/dunes and estuary for landscape and ecological management and for education and enjoyment. See pages 3-7 of submission which outlines who the Regional Parks Establishment Group are, their vision, members of the steering group and coloured A3 concept plans of the Regional Park Concept for the 'Kaituna Regional Park submission Dec 2008' and a copy of the group's submission to Tauranga City Council's Annual Plan 2017/18.</p> <p>Create a Kaituna Regional Park or equivalent near the river mouth as outlined in the Regional Park Concept. The Kaituna Regional Park would be a Bay of Plenty Regional Park, with Tauranga City and Western Bay of Plenty District and Crown Land (DoC) included.</p>	<p>Out of scope for the reasons stated above and added to the draft action plan list.</p> <p>The suggested actions are functions and roles of local authorities namely Regional Council and are considered out of scope.</p>

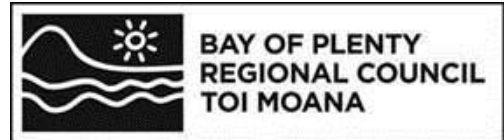
Submission no.	Summary of Submission Point	Decision
19 - 3	<p>Te Tumu Landowners Group (TTLG) would like to be involved in the process of developing Te Maru o Kaituna River Authority's Action Plan as the proposed urbanisation of their lands and the Te Tumu area will over the next 30-50 years result in a population of 20,000 plus being located on the lower Kaituna River. TTLG would therefore like to work with Te Maru o Kaituna River Authority to explore opportunities with regard to:</p> <ul style="list-style-type: none"> • Recreation on the river; • Access to the river; • Erosion protection; • Walkways and Cycleways along the river; • The opportunity for a Marina at the eastern end of the Te Tumu Growth Area; • Opportunities for marine and research related uses for Ford Island; • Transportation, walking and cycling access across the river; and • Safe ocean access. <p>Te Tumu Landowners Group (TTLG) would like to be involved in the process of developing the Te Maru o Kaituna River Authority's Action Plan. See opportunities set out in summary.</p>	<p>The Panel notes Te Tumu Landowners Groups' support and willingness to be involved with developing the action plan. TMoK are intending to work alongside all community stakeholders to develop the action plan.</p>
29 - 14	<p>Tauranga City is committed to continuing to work with Te Maru o Kaituna River Authority as the Authority develops the Action Plan to achieve the Vision, Objectives and Desired Outcomes of this foundation document.</p> <p>Approve the Proposed Kaituna River Document 2017 and commence the development of the related Action Plan by Te Maru o Kaituna River Authority.</p>	<p>The Panel notes Tauranga City Council's support and willingness to be involved with developing the action plan.</p>
30 - 10	<p>Whitewater sports allow travel into otherwise inaccessible stretches of rivers (such as the extremely deep and swift Kaituna Gorges below Trout Pool Falls) we are often privy to unique insights of rivers.</p> <p>(a) The whitewater community has become increasingly concerned with the dangers of riverside logging of plantation trees in the Kaituna Catchment. Plantation trees fall into the river and become jammed, posing a threat for many years.</p> <p>(b) These dangers are not just theoretical, but have now been directly implicated in fatalities of experienced</p>	<p>Out of scope. The maintenance of river margins and the removal of blockages from rivers is a responsibility of regional council. Submissions on the functions and roles of local authorities are considered out of scope.</p> <p>The key points, however, will be added for consideration when developing the action plan list</p>

Submission no.	Summary of Submission Point	Decision
	<p>kayakers.</p> <p>(c) Plantation trees falling into a river represents an unnatural phenomenon, incompatible with normal ecosystem function. They are an extreme, needless, and preventable threat to the enjoyment and safety of Kaituna River users.</p> <p>(d) As our pleas to government officials have so far fallen on deaf ears, since the danger remains today, we urge the Te Maru o Kaituna Authority to not allow any land or water user to impact so heavily on natural and respectful usage of the Kaituna River along the entire length by any other group.</p> <p>In the particular case of plantation trees in the Kaituna Gorges; a successful outcome would see both the removal of any existing trees jammed in the river, and a management plan that ensured tree felling into the river is eliminated and lost plantation trees (e.g. wind-blown) recovered. Consider the establishment of a native riparian strip throughout forestry areas to materially decrease the risk of plantation trees ending up in the river. This would also significantly increase the length and connectivity of already established native riparian vegetation from the lake source downstream.</p>	
41 - 6	Test river water quality as a starting point for the future. Baseline water quality testing should be in the action plan.	Noted. Water quality testing is undertaken by the regional council. TMoK will ensure they have baseline water quality information as part of the next step: when development of proposed action plan, monitoring and implementation.
53 - 10	Fish and Game supports the process for developing an Action Plan to sit alongside the river document, and the recognition of Fish and Game as an organisation with functions relevant to Kaituna catchment. No relief sought.	The Panel notes Fish and Game NZ's support and willingness to be involved with developing the action plan.
62 - 2	<p>Biodiversity issues are outlined in the full text submission including cause of loss of biodiversity values of native catchments and the need for widespread, sustained and integrated pest control controlling the whole suite of introduced pests.</p> <p>Decision sought: Widespread, sustained and integrated pest control controlling the whole suite of introduced pests to halt and reverse the national decline of biodiversity.</p>	<p>Implement a wide ranging, sustained and integrated pest management regime is out of scope for the reasons stated above and added to the draft action plan list.</p> <p>While implementation is out of scope at this stage it is noted that the Panel have decided to add a new desired outcome under ecosystem health to promote the removal of pest species for the reasons set out under ecosystem health.</p>

Submission no.	Summary of Submission Point		Decision
62 - 3	<p>Manage sediment, water flows and biodiversity values in the upper part of the catchment to sustain communities, ecosystems and natural processes in both parts of the catchment. We recommend the management options or actions outlined in the relief sought. For further detail see full text submission including information on sediment and biodiversity issues.</p> <p>Decision sought:</p> <ol style="list-style-type: none"> 1 Pursue regional planning rules that prohibit damming of the upper Kaituna and Mangorewa river system. Rules have a limited 10 year life but are a start and can be implemented immediately. 2 Apply for a national 'Water Conservation Order' over the upper Kaituna and Mangorewa river system that prohibits dam construction and extraction. This also gives permanent protection to natural landscape values that you want to protect. Water Conservation Orders take time to put in place, 3 Promote initiatives to continually upgrade the requirements for riparian retirement, stocking rates and forestry clear-fell coupe size in line with increasing climate threats. 4 Support and promote widespread and integrated control of introduced pests in our catchment and conservation forests by aerial dispensing of 1080 poisoned baits. 		<p>Out of scope as the Document cannot contain rules.</p> <p>The provision of pest control resourcing and coordination is the function of local government, namely Regional Council. Submissions on the functions and roles of local authorities pursuant to the RMA or Local Government Act 2002 (LGA 2002), are considered out of scope.</p> <p>While implementation is out of scope at this stage it is noted that the Panel have decided to add a new desired outcome under ecosystem health to promote the removal of pest species for the reasons set out under ecosystem health and added consideration of Water Conservation Orders, initiatives to promote and pest management to the draft action plan list.</p>
14 - 12	General	<p>Submitter requests minor text amendments for Objective 2 and provides the following two comments: 'It would be good to have a brief historical outline of River settlement and association from the time of the landing of the Te Arawa waka at Maketu in 1100 AD to European Settlement in 1840 – 1908 – 1954 – 2009 – Kaituna River Catchment Board and predecessors of the Kaituna River Authority.'</p> <p>'Performance Management Supervision and Monitoring of Objectives 1 & 2 – I believe that these Expected Outcomes should be measured against some objective standard to assess performance e.g. There should be at least 2 Iwi initiated projects approved over 3 years.'</p> <p>Minor text amendments for Objective 2. See full tracked change submission text for detail of changes sought in context.</p>	<p>Rejected. The Panel considers the history of the river settlement to be sufficiently covered in the existing text including iwi histories.</p> <p>The Panel advises that monitoring of the objectives and the desired outcomes is out of scope for the river document and will be part of the next steps to be developed and co-ordinated through the implementation of the action plan.</p>
50 - 7	Objective 3	<p>That the water extend to include the mauri of the water in the Kaituna River restored to a healthy state to meet agreed standards. Promote the removal of nitrate and</p>	<p>Reject for reasons stated above under Objective 3 – Other matters.</p>

		phosphate exceedances algae bloom is a hazard when whanau swim in the Kaituna River and feeder tributaries.	Noted for action plan
61 - 7	Desired outcomes - General	Decision Sought: Amend the document so there are desired outcomes under each of Objectives 3, 4 & 5. Each Objective should be fleshed out with individual desired outcomes including the need to identify the source of contaminants so that specific outcomes can be met.	Reject. The Panel considered one set of outcomes under the three objectives is adequate for the Document. The action plan will be the place to identify specifics.
21 - 6	Desired outcomes - a	It is important to first identify the locations that need protection and then set the limits for contaminants. See decision sought for specific changes. RLC suggests that desired outcome 'a' is split into two and amended as set out in the full submission.	Reject. The Panel chose not to limit the locations within the Document given the broad purpose of the Act. Specific locations will be focussed on when developing the action plan and when fulfilling outcome a i.
30 - 8	Desired outcomes - a	Whitewater NZ would appreciate the opportunity to consult with Te Maru o Kaituna regarding the mentioned 'swimming locations', which will receive high levels of protection under the document. Decision Sought: Te Maru o Kaituna to consult Whitewater NZ when determining swimming locations outlined in Water Quality and Quantity desired outcome a.	Comment noted. The Panel will address 'swimming locations' as part of the action plan.
32 - 4	Desired outcomes - a	Strongly support specificity of locations in existing Desired Outcome a(i) "...specific locations identified" under Water Quality and Quantity. No change sought.	Accept but reject identifying locations now. TMoK will identify 'swimming locations' as part of developing the action plan.
61 - 8	Desired outcomes - new	Information from this new desired outcomes should of course be linked to the information exchange required by Iwi Relationships desired outcome 'd' Decision Sought: Amend the document so there are desired outcomes under each of Objectives 3, 4 & 5. New desired outcome 'a' for Objective 3 should state: 'Water quality should be sampled at all major confluences (including pump stations) to identify the source of contaminants.'	Reject. The Panel considered one set of outcomes under the three objectives is adequate for the Document. The action plan will be the place to identify specifics. Monitoring of water quality at major confluences is already undertaken by the regional council and information is available.
12 - 14	Desired outcome c	Desired outcome c refers to consented activities being managed so that the health of the river is 'maintained or improved'. Suggest removing the word 'maintain' to ensure a stronger emphasis on improved land management practices. Suggest that discharges to the river from 2030 should be made through a treatment	Rejected. 'Maintained and improved' is considered by the Panel to refer to the status of the river rather than activities associated with the river. While the Panel consider the suggestion to require

		wetland.	discharges to be put through a treatment wetland as more of a rule or consenting matter which is outside of the documents scope, TMOk will consider actions including wetlands when developing the action plan.
41 - 4	Desired outcome - new	Fix damage that Regional Council did in the past and minimise further damage from local industries. Decision sought: Plant trees, increase wetlands, and repair damage from farming/horticulture/Affco etc.	Rejected: The Panel considers activities identified in this submission are either consenting matters or out of scope for TMOk. Where appropriate, matters outlined in the decision sought can be considered during the development of the action plan.
20 - 8	Insert new Objective 9 such as: Education is provided at the primary and secondary school levels for all local schools as to the history and importance of the Kaituna River as well as how these rangatahi (young people) can make a positive contribution to the health of the River.		Reject but add to the matters TMOk may consider when developing the action plan. The Panel considered the point raised and consider Objective 8 and desired outcome a sufficiently cover education. It is also anticipated many of the actions in the Action Plan will involve education.
8 - 2	Need to show better linkage between management and monitoring of tributaries for the management and restoration of Mauri to the Kaituna.		Out of scope, consider as part of action plan. Providing BOPRC assurances in the plan for mitigation is out of scope. The Panel consider this matter is best responded to when Te Maru consider their action plan.
10 - 1	Put the river back through the twin cuts or Fords cut. A well proven scheme with the big ponding area. I agree with the wetlands. I lived on the river bank for many years. Support for re-diversion and wetlands		Reject. Out of scope. The Panel will consider this matter when developing their action plan.
6 - 2	Set end point time limits ie. 2025 to restore the waters and waterways by upgrading and improving the estuary and its rivers' ecological environments. Decision sought: Complete upgrading and enhancing the Kaituna River and Maketu Estuary within the proposed 10 year period of the documents life. Note: It took but one year for the catchment commission to destroy Te Awa o Ngātoroirangi (Maketu Estuary) by blocking off the fresh water so does not need too much time to reverse, just action.		The Panel have considered whether or not to state a specific end point within the objectives and have chosen not to state a time. What can be achieved by when will be a matter for discussion as part of the action plan.



Report To: Te Maru o Kaituna River Authority

Meeting Date: 24 August 2018

Report From: Yvonne Tatton, Interim Governance Manager

Adoption of the 2018/2019 Te Maru o Kaituna Budget

Executive Summary

This report seeks adoption of the 2018/19 Te Maru o Kaituna budget and updates members on the current expenditure and financial status.

Recommendations

That the Te Maru o Kaituna River Authority:

- 1 Receives the report, Adoption of the 2018/2019 Te Maru o Kaituna Budget;
- 2 Notes the current balance of Te Maru o Kaituna River Authority funds;
- 3 Adopts the 2018/19 Te Maru of Kaituna River Authority budget as outlined in the report.

1 Introduction

As part of the Cultural Redress under the Tapuika Deed of Settlement, Te Maru o Kaituna River Authority was provided with funding of \$250,000 as a contribution to the operations of Te Maru o Kaituna River Authority and preparation of the River Document.

The wording from the Deed is reproduced below:

“Administrative and technical support of Kaituna River Authority

5.54 *On the effective date, the Crown will provide \$250,000 to the Kaituna River Authority as a contribution to the costs of:*

5.54.1 *the initial operation of the Kaituna River Authority; and*

5.54.2 *the preparation and approval of the first Kaituna River Document.”*

The Bay of Plenty Regional Council is responsible for the administrative support of the Authority and must hold account separately and spend the funds as directed by the Authority.

The approved budget for the 2017/18 financial year was as following:

Te Maru o Kaituna River Authority		
2017-2018 Budget: 30 June 2018		
Budget Line	Description	Amount
Communications	Consultation, engagement and publicity leading up to document launch.	2,000
External advice from Consultants	Technical, historical, translation, cultural, and legal research and advice (outside of BOPRC internal staff time deemed business-as-usual) as required.	10,000
Extra meeting costs	Additional informal Te Maru subgroup meetings e.g. iwi members, document design working party. Venue hire and catering, attendance costs.	3,000
Graphic design and final document production	Contracting of external design company: photos; graphic design; logo development; print run of 200; online version of document.	25,000
Promotional material and advertising	Extra external advertising and promotional resources as required.	2,000
Publishing and printing document (further copies as required)	External provider for professional printing of final document x 200.	10,000
Production of te reo summary document if required.	Summary, translation, design and printing.	8,000
Matariki document launch	Event management, venue, koha, catering, invitations, equipment, fireworks, presentations, publicity.	10,000
Development of action plan	Engagement with iwi & key stakeholders, venue, koha, catering	8,000
Total		\$78,000

The following indicative draft budget for the second half of the 2018 calendar year (and first half of the 2018 /2019 financial year) was also included in the Financial Update and Budget paper considered at the meeting of 6 March 2018:

Te Maru o Kaituna River Authority		
2018 - 2019 Indicative Budget: 1 July - 31 December 2018		
Budget Line	Description	Amount
Communications	Consultation, engagement and publicity.	2,000

External advice from consultants	Technical, historical, translation, cultural, and legal research and advice (outside of BOPRC internal staff time deemed business-as-usual) as required.	5,000
Extra meeting costs	Additional informal Te Maru subgroup meetings e.g. iwi members. Venue hire and catering, attendance costs.	3,000
Design and graphics	Further graphics production and logo design as needed.	5,000
Promotional material and advertising	Extra external advertising and promotional resources as required.	2,000
Publishing and printing document (further copies as required)	External provider for professional printing.	5,000
Further development of action plan	Engagement with iwi & key stakeholders, venue, koha, catering.	8,000
Implementation of action plan	Consultation, hui, external specialist support as needed e.g. technical, planning.	15,000
Total		\$45,000

2 Current balance

The current balance of the Authority funds is \$232,758 as at 26 July 2018.

A summary of financial transactions incurred for the period 1 June 2017 to 26 July 2018 is included below.

Financial Position at 26 July 2018

	Amount (\$) excl GST
Opening Balance - 1 June 2017	255,134.00
Kete for launch of document	1,086.96
Design and publishing of Kaituna, he taonga tuku iho and TMoK branding	21,186.00
Pull up banner stands	920.00
Catering Feb 2017	61.22
Consulting Fees – te reo Maori expertise	3,125.00
Accrued Interest	(4,003.21)
Closing Balance – 30 June 2018	232,758.03

Invoices for services (yet to be paid)

	Amount (\$) excl GST
Printing of 650 copies of the river document and 2000 summaries	14,599
Videography for both celebrations	5,000

Outstanding invoicing for design and publishing of document	2,517.60
Silver pens for signing of document	39.90
Total	22,156.50

For Te Maru o Kaituna's information, Bay of Plenty Regional Council covered the following costs:

	Amount (\$) excl GST
Catering for celebration on 22 June	3,125
Public notice advertising	1,180
Purchase of 200 copies of the river document	2,246
Koha - Ngati Moko	1,200
Total	7751

3 Draft Budget 2018/2019

A draft 2018 - 2019 budget is included below as a starting point for refinement by Te Maru o Kaituna as part of considering the work program for 2018/2019:

Te Maru o Kaituna River Authority		
2018-2019 Budget: 1 July 2018 - 30 June 2019		
Budget Line	Description	Amount (\$)
Printing	Printing of 650 copies of the river document and 2000 summaries delivered June 2018	14,599
Videography	Videography / photography of the two celebrations – 22 June and September	5,000
Design and publishing of document	Last invoice for design and publishing of document, correction and reprinting summary	2,518
Communications	External communications including media, social media, newsletters, and print advertising as required	2,000
Public celebration – approval of Kaituna River Document	Event management, venue, koha, catering, invitations, equipment, publicity/advertising.	10,000
Production of te reo summary	Summary, translation, design and printing.	5,000

Publishing and printing document	Professional printing if required for further copies of the river document, summary or action plan material. Lesser quality docs = \$5 each	2,000
Development of the action plan	<ul style="list-style-type: none"> • Engagement of consultant • Setting up process, engagement with iwi & key stakeholders, • venue, koha, catering, • external specialist support as needed eg. technical, planning. 	20,000
External advice from consultants	Technical, historical, translation, cultural, and legal research and advice (outside of BOPRC internal staff time deemed business-as-usual) as required.	5,000
Implementation of outcomes and actions	<p>To progress the delivery of desired outcomes such as:</p> <ul style="list-style-type: none"> • Environmental education programs • Contribution or promotion of priority restoration, protection and enhancement projects • Pou and other appropriate markers • Matauranga Māori toolkit to support KRD objectives. Members should note that the Regional Council is undertaking work on method 44; Mauri Monitoring, and the mātauranga Māori Framework (He Korowai Mātauranga). Preparation of a toolkit should be cognisant of these projects. 	10,000
Total		\$76,117

4 Key considerations

The draft 2018/ 2019 budget will need considering and refining so that it aligns with Te Maru o Kaituna's priorities and work program for the coming year. Priorities for TMoK will be the focus of discussion when considering the 'Next Steps for Te Maru o Kaituna River Authority' paper also on the agenda.

For example, TMoK will need to decide whether to proceed with the Action Plan earlier rather than later or whether the next focus should be working with Toi Moana to progress changes to the Regional Policy Statement and Regional Natural Resources Plan (Plan Change 12) to recognise and provide for the river document and implement the National Policy Statement for Freshwater in the Kaituna catchment as soon as possible or whether there are other functions to focus on first.

Committee Advisor

for Interim Governance Manager

16 August 2018



Receives Only – No Decisions

Report To: Te Maru o Kaituna River Authority

Meeting Date: 24 August 2018

Report From: David Phizacklea, Regional Integrated Planning Manager

Freshwater Update

Executive Summary

An update is provided on key activities relevant to the Kaituna River to improve the management of freshwater and implement the National Policy Statement for Freshwater Management.

Activities currently being progressed include:

- Draft Plan Change 12 - Kaituna-Pongakawa-Waitahanui and Rangitāiki Water Management Areas. Initial catchment modelling results have been received and are being analysed. Further technical work and iwi engagement is to be progressed.
- Regional-wide Water Quantity Plan Change (Plan Change 9). The recommendations of the Hearings Panel are expected to go to the 18 September 2018 Regional Direction and Delivery meeting for consideration.
- Proposed Change 3 – Rangitāiki River to the Regional Policy Statement. Environment Court appeals lodged against Proposed Change 3 have been resolved. Change 3 is expected to be made operative in October.

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 an update to Te Maru o Kaituna River Authority (TMoK) on regional activities relevant to the Kaituna River being progressed to improve management of freshwater and implement the National Policy Statement for Freshwater Management (NPS-FM).

2 Kaituna/Maketū/Pongakawa/Waitahanui Water Management Area (Plan Change 12)

The purpose of this work is to deliver freshwater objectives based on freshwater values. The outcome will set appropriate water quality and quantity limits and methods to support the freshwater objectives by way of a change to the Regional Natural Resources Plan.

A key step has been developing a biophysical catchment model to inform freshwater management decisions. This model is called eSOURCE. It will support decision making by testing the effectiveness of different management options in meeting the agreed community objectives. Initial modelling outputs were presented to councillors at workshops on 17 May and 9 August 2018. It was agreed staff must finalise modelling and present the results in a simpler and more user friendly way before the information will be ready to share with iwi, TMoK and community groups.

Regional Council is moving into the problem solving part of the limit setting process. Community and iwi engagement to date has enhanced Toi Moana's understanding of the value people place on the fresh water and the range of views held by different sectors of the community. Iwi and hapū need to be involved in freshwater management planning and we are exploring ways to ensure this occurs. Table 1 shows the steps and indicative timeframes for each part of the process

Period	2015 - 2017 Awareness raising/ discovery		2017-2018 Problem solving		Late 2018 – 2019 Solution building	
Phase	Phase 1 Data gathering, awareness raising, forming community groups	Phase 2 Discussions with community groups, draft Freshwater Management Units, baseline science	Phase 3 (we are here) Using model project nutrient movement, causes confirmed, exploring solutions	Phase 4 Solutions short-listed, consulting, detailed analysis, plan drafting, solution building	Phase 5 Draft plan and analysis released for all stakeholders' consideration.	Phase 6 Proposed for formal submissions <i>(Schedule 1 process)</i>
Policy/ Rule content			Pre-draft (we are here)		Draft	Proposed
Engaging iwi and tangata whenua	Hui-a-iwi <u>tuatahi</u> – Freshwater values	Hui-a-iwi <u>tuarua</u> - Freshwater current states Hui-a-iwi <u>tuatoru</u> – Tangata whenua interests <u>Rūnanga</u> CEO advice/discus sion	Confirm water bodies and location special to tangata whenua. Estimated implications on freshwater	<i>(Seeking iwi authority guidance)</i>	Consult on the written draft <i>(seeking advice)</i>	Proposal opens for written submissions, hearing and deliberation.

Table 1 – Plan Change 12 development phases.

2.1 Technical work in progress

Other technical work currently underway to progress Plan Change 12 includes:

- Coastal receiving environments – including Maketū Estuary
- Groundwater modelling in the Kaituna / Pongakawa / Waitahanui WMA
- Surface water quantity - what minimum flows and allocation limits support habitat for key species and reliable supply?
- Reporting gap filling science - lowland drainage network water quality, springs, tributaries, periphyton.

2.2 Working with tangata whenua

The current engagement focuses on further identifying (exploring and refining) tangata whenua values and interests related to fresh water and sharing the science findings on freshwater.

Toi Moana staff have:

- Reviewed iwi and hapū management plans.
- Collated, mapped and reviewed a number of Cultural Impact Assessments (CIAs) lodged with Toi Moana; to make sure policy staff are further inform of tangata whenua values, associations and knowledge.
- Reviewed recent submissions into council processes to gather current information on iwi and hapū concerns.
- Mapped all values provided by community groups, hui a iwi, iwi engagement

Staff are checking with iwi authorities to:

- Make sure the right information has been captured about tangata whenua values and interests.
- Ensure the water conditions that might best support those values are understood (eg, minimum flows or water levels, or measures of water quality).
- Share the Environmental Summary Report for the Kaituna catchment
- Explore modelling results (water quality forecasts under different scenarios) as soon as these are available.

Once catchment modelling outputs for surface water are available these will be shared. Face to face hui with iwi are underway and hui-a-iwi are being planned.

It is expected that TMoK members will continue to be conduits to promoting involvement in the freshwater work being undertaken by Toi Moana. Staff are open to invitations to discuss with iwi, hapū and other entities with interests in fresh water, such as key Māori land trusts.

2.3 Environmental Summary Report

Toi Moana has published the latest Environmental Summary Report for the Kaituna / Pongakawa / Waitahanui Water Management Area. It provides readers with the current state and trends for the catchment. The report covers soil, freshwater quantity

and quality, ecology, wetlands and estuaries. The summary from the report is attached as Appendix 1 to this report, with the full report included for members with the agenda. A brief presentation on the report findings will be provided at the meeting.

2.4 Community Group workshops

Once the surface water catchment modelling is completed and other technical material is to hand, the Kaituna Freshwater Futures Community Group will meet to discuss water quality outputs for the 'naturalise land use' state (contaminants generated under natural vegetation) and 'current land use' state and also future land use scenarios. The catchment modelling results will also be provided to TMoK at its next hui.

2.5 Recognising and providing for Kaituna, he taonga tuku iho

The approval of Kaituna, he taonga tuku iho – a treasure handed down (the Kaituna River document) signals a new phase of collaboration between iwi and the wider community. Iwi interests are woven through the document emphasising the association between tangata whenua and the environment. The next step encompasses amending the Regional Policy Statement (RPS) to recognise and provide for the vision, objectives and desired outcomes stated in the document. Plan Change 12 will also need to recognise and provide for the river document while also implementation of the National Policy Statement on Freshwater Management. These changes to regional planning documents will ensure that the aspirations of the river document have an overarching effect on these planning instruments.

3 Region-wide Water Quantity Proposed Plan Change 9

Plan Change 9 (PC9) introduces region-wide water quantity provisions into the Regional Natural Resources Plan (formerly known as the Regional Water and Land Plan). It is the first step in a two stage approach to improving regional policies and rules for strengthening water allocation limits and water management.

Hearings have been held and the Panel is making steady progress and are committed to finalising recommendations in August for incorporation into the 18 September 2018 Regional Direction and Delivery Committee meeting. All submitters have been advised of the change in timing.

4 Proposed Plan Change 3 (Rangitāiki River)

Change 3 introduces new issues, objectives, policies and methods specific to the Rangitāiki River catchment in a new Treaty Co-Governance chapter 2.12 in the Regional Policy Statement (RPS). It sets the framework for inclusion of *Kaituna, he taonga tuku iho* into the RPS once progressed by Toi Moana as a change to the RPS.

The appeals have now been resolved. The Environment Court approved consent order documents on 27 July 2018 enabling Regional Council to complete the process of embedding the Rangitāiki River document – Te Ara Whānui o Rangitāiki into the Regional Policy Statement. A report will be prepared for the September Regional Council meeting seeking Proposed Change 3 be made part of the operative Regional Policy Statement in October 2018.

This will conclude the first Treaty Co-governance change to the Regional Policy Statement arising from the Ngāti Manawa and Ngāti Whare Treaty Settlement Acts 2012 and is a significant milestone to celebrate with our Rangitāiki River Forum members. With *Kaituna, he taonga tuku iho – a treasure handed down* coming into

effect this August, Toi Moana and Te Maru o Kaituna River Authority now have the challenge of progressing the second RPS Treaty Co-governance change for the Kaituna River Catchment.

Further information about [Change 3](#) is available on Toi Moana's website.

5 Implications for Māori

The Kaituna River and its catchment is significant to iwi and hapū with regard to cultural and traditional relationships with the ancestral water bodies, and also as landowners. The implications 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. With the passing of the Resource Legislation Amendment Act 2017, Toi Moana acknowledges that the new provisions relating to enhanced participation by Māori in the planning processes will also inform the role of tangata whenua.

For the Kaituna/Pongakawa/Waitahanui opportunities for Māori involvement in freshwater discussions will continue to be provided for through the Plan Change 12 process. Staff are reviewing available information on iwi/hapū values and interests and awaiting biophysical modelling results before engaging in greater detail over the next period.

Jo Watts
Senior Planner (Water Policy)

for Regional Integrated Planning Manager

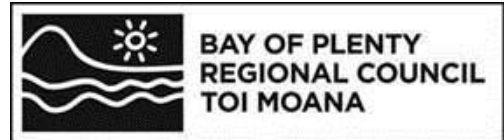
16 August 2018

APPENDIX 1

Environmental Summary Report freshwater overview - Kaituna / Pongakawa / Waitahanui

Summary





Receives Only – No Decisions

Report To: Te Maru o Kaituna River Authority

Meeting Date: 24 August 2018

Report From: David Phizacklea, Regional Integrated Planning Manager

On-site Effluent Treatment Draft Plan Change 14

Executive Summary

On-site effluent treatment (OSET) systems are for treating human wastewater on a property. Bay of Plenty Regional Council is responsible for the management of discharges from these systems to ensure discharges do not contaminate the environment.

On-site Effluent Treatment Draft Plan Change 14 replaces the current plan, by including updated rules into the Bay of Plenty Regional Natural Resources Plan. Regional Council is seeking feedback on the draft plan change until the end of October 2018.

Draft Plan Change 14 affects individual households, marae and papakāinga housing developments. OSET systems in un-reticulated communities in the Kaituna catchment have been assessed as low to medium risk for water quality and human health.

The formal process of seeking public submissions and holding a hearing on the proposed plan change is expected with notification in mid-2019.

Recommendations

That the Te Maru o Kaituna River Authority:

1 Receives the report, On-site Effluent Treatment Draft Plan Change 14;

1 Purpose of report

To provide an overview of Draft Plan Change 14 (On-site Effluent Treatment - OSET), including implications for the Kaituna catchment and for Maori.

A presentation will be given at the meeting.

2 On-site Effluent Treatment (OSET) Draft Plan Change 14

On-site effluent treatment (OSET) systems are for treating human wastewater on a property. These include septic tanks and aerated wastewater treatment systems (AWTS), composting toilets, greywater use, long drops, and alternative technologies such as incinerating toilets.

Under the Resource Management Act 1991 (RMA) the Bay of Plenty Regional Council (BOPRC) is responsible for the management of discharges from OSET systems to ensure discharges do not contaminate the environment. BOPRC has an OSET Regional Plan to help us manage these discharges but it is more than 10 years old and needs updating. The OSET Draft Plan Change 14 is to replace the current plan, and include the updated rules into the Regional Natural Resources Plan. Draft Plan Change 14 does not apply to dairy shed effluent or municipal sewerage discharges. There are separate rules in the Regional Natural Resources Plan for these.

BOPRC is seeking feedback on the Draft Plan Change from 24 July to 26 October 2018.

2.1 Information on BOPRC website

The webpage www.boprc.govt.nz/osetplanchange has the following information:

- Draft Plan Change 14 (OSET)
- Fact sheets
 - General information
 - Information for iwi
 - Existing Maintenance Zones – Bryans Beach (Ōhiwa), Tanners Point (Tauranga), Lakes Rotoiti, Rotomā
 - Lake Rotorua
 - Lake Tarawera
 - New Maintenance Zones – Matatā and Tara Road
- Comments form for draft plan change feedback.

A copy of the information for iwi fact sheet is attached as Appendix 1 to this report.

2.2 Consultation with iwi

Regional Council has contracted Paora Howe to consult with iwi authorities on Draft Plan Change 14. Paora will be contacting iwi in the near future.

3 OSET issues in Kaituna catchment

A risk assessment of un-reticulated communities has been carried out by BOPRC staff. The OSET risk factors are:

- Effects on water quality (microbiological – E.coli)
- Small lot size (<1200m²)
- Depth to groundwater (<600mm)
- Poor soil type (poor drainage)
- Proximity to community water supply bores and springs

The risk assessment did not cover failure of individual OSET systems.

The results of the risk assessment in the Kaituna catchment are:

Community	Risk	Comment
Waitangi	Low	No action necessary
Paengaroa	Medium	Ongoing monitoring is necessary due to variable lot sizes, some low lying area, with poor soil type. Need to ensure future sub-division has adequate lot size to provide for sustainable OSET systems.

4 How Draft Plan Change 14 affects Māori

Draft Plan Change 14 does not affect households, marae or papakāinga that are connected to a reticulated sewage scheme.

4.1 Marae

Discharges from a marae OSET system need a resource consent. This is because the flow is likely to be more than the permitted volume of 2m³ per day, and the wastewater will “stronger” than an average household. At a marae there is more kitchen wastewater (containing food wastes and fats) and whare paku waste, and less dilution by laundry or bath/shower wastewater. A marae OSET system needs to be designed and managed for the stronger wastewater. Resource consent is also required for places with similar wastewater strength, such as community halls, motels, schools and churches.

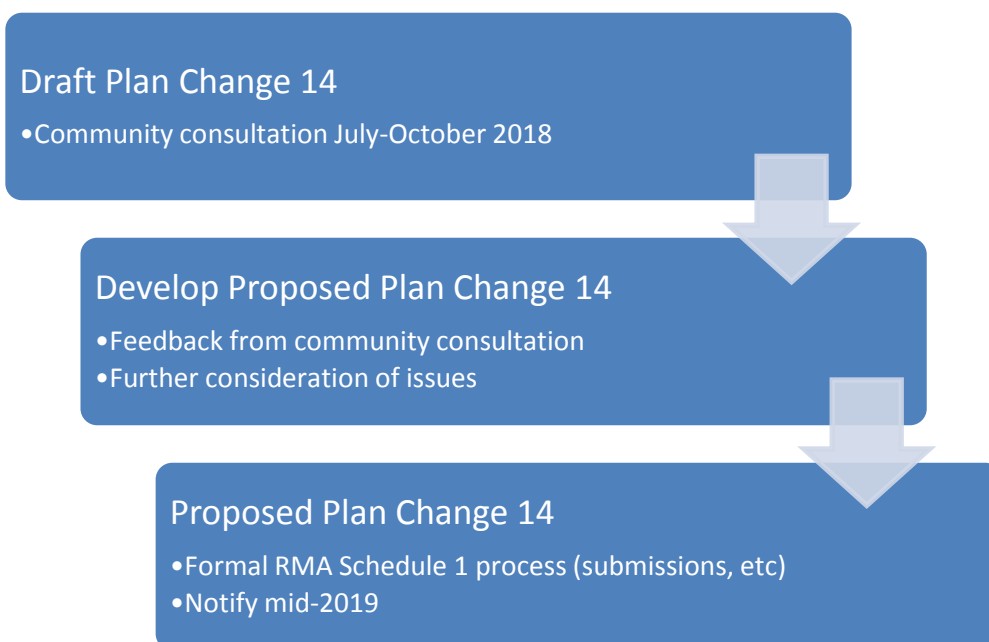
Marae often play an important role within a community. They can also be used during civil emergency and so their OSET systems need to be robust and be able to operate well even under high loads during events.

4.2 Papakāinga Housing Developments

The draft plan change provides for papakāinga to enable development of multiple-owned Māori land, while making sure the OSET systems are designed to protect the environment and peoples’ health. This continues the approach in the current OSET Plan.

BOPRC also provides support and assistance on onsite effluent treatment issues where resource consent is needed.

5 Next steps in the Plan Change 14 process



Ruth Feist
Team Leader - Integrated Planning

for Regional Integrated Planning Manager

16 August 2018

APPENDIX 1

OSSET Factsheet for Iwi/Hapu - Draft Plan Change 12

Have your say on the Draft On-site Effluent Treatment Plan Change



On-site effluent treatment (OSET) systems are for treating human wastewater on a property.

These include septic tanks and aerated wastewater treatment systems (AWTS), composting toilets, greywater use, long drops, and alternative technologies such as incinerating toilets.

Under the Resource Management Act 1991 (RMA) the Bay of Plenty Regional Council is responsible for the management of discharges from OSET systems to ensure discharges do not contaminate the environment.

We have an OSET Regional Plan to help us manage these discharges but it is more than 10 years old and needs updating. The OSET Draft Plan Change 14 is to replace the current plan, and include the updated rules into the Regional Natural Resources Plan.

On-site Effluent Treatment Draft Plan Change 14 does not apply to dairy shed effluent or municipal sewerage discharges. There are separate rules in the Regional Natural Resources Plan for these.

We are seeking feedback on the Draft Plan Change from 24 July to 26 October 2018 and anyone can give feedback.

For more information and links to key documents visit www.boprc.govt.nz/osetplanchange

E oset@boprc.govt.nz

P 0800 884 880

Regulations for on-site systems

Under the RMA, any discharge needs resource consent unless there is a permitted activity rule in a regional plan. Discharges of domestic wastewater contain nutrients and bacteria that are a risk to the environment and human health.

A key goal of the OSET Draft Plan Change 14 is to make sure discharges of domestic wastewater are contained in the soil layer, and wastewater does not enter surface waters or groundwater. To achieve this goal, on-site effluent treatment systems must:

- Be designed for the factors at the site (e.g. soil type, distance to water, depth to groundwater).
- Meet relevant New Zealand standards.
- Be maintained so they continue to work well.

Marae and Papakāinga

On-site Effluent Treatment Draft Plan Change 14 does not affect marae or papakāinga that are connected to a reticulated sewage scheme.

Marae

Discharges from a marae OSET system need a resource consent. This is because the flow is likely to be more than the permitted volume of 2m³ per day, and the wastewater volume will be larger than an average household. At a marae there is more kitchen wastewater (containing food wastes and fats) and whare paku waste, and less dilution by laundry or bath/shower wastewater. A marae OSET system needs to be designed and managed for the stronger wastewater. Resource consent is also required



for places with similar wastewater strength, such as community halls, motels, schools and churches.

Marae often play an important role within a community. They can also be used during civil emergency and so their OSET systems need to be robust and be able to operate well even under high loads, such as during tangi and hui.

Papakāinga Housing Developments

The Draft Plan Change provides for papakāinga to enable development of multiple-owned Māori land, while making sure the OSET systems are designed to protect the environment and peoples' health.

In the Rotorua Lakes District, the papakāinga rules link to the rules regulating what type of systems are appropriate in each of the lake catchments.

Regional Council provides support and assistance on onsite effluent treatment issues where resource consent is needed.

Summary of draft rules

Number of houses	Is a resource consent needed?
Up to four dwellings on a single property	Permitted (no consent needed) if each on-site effluent treatment system must meet the required standards.
Up to 10 dwellings on a single property – each dwelling has its own on-site effluent treatment system	Permitted (no consent needed) if each on-site effluent treatment system must meet the required standards.
Up to 10 dwellings on a single property - with a shared on-site effluent treatment system	A resource consent is required.
More than 10 dwellings on a single property	A resource consent is required.

GD181929

For more information and links to key documents visit www.boprc.govt.nz/osetplanchange or call 0800 884 880

