



AGENDA

Waiāri Kaitiaki Advisory Group Meeting Wednesday, 15 September 2021

**I hereby give notice that a Waiāri Kaitiaki Advisory Group Meeting will
be held on:**

Date: Wednesday, 15 September 2021

Time: 9.30am

**Location: Tauranga City Council
Council Chambers
91 Willow Street
Tauranga**

*Please note that this meeting will be livestreamed and the recording will be publicly available on
Tauranga City Council's website: www.tauranga.govt.nz.*

**Marty Grenfell
Chief Executive**

Terms of reference - Waiāri Kaitiaki Advisory Group

Membership

Chairperson	Vacant
Deputy Chairperson	Darlene Dinsdale
Tauranga City Council members	Commissioner Shadrach Rolleston Commissioner Bill Wasley
Western Bay of Plenty District Council members	Mayor Garry Webber Deputy Mayor John Scrimgeour
Iwi representatives	Jo'el Komene - Tapuika Iwi Authority Maru Tapsell – Te Kapu o Waitaha Darlene Dinsdale - Mokopuna o Tia me Hei Manu Pene - Ngati Whakaue ki Maketu (Te Hononga)
BOP Regional Council	General Manager – Environmental Management
Tauranga City Council staff advisors	Chief Executive General Manager: Infrastructure Manager: City Waters Manager: Asset and Infrastructure Planning
Western Bay Of Plenty District Council staff advisors	Chief Executive Group Manager: Engineering Utilities Manager
BOP Regional Council staff advisor	Consents Manager
Meeting Frequency	As required by the group.

Role

- Monitor and provide advice to Tauranga City Council and Western Bay of Plenty District Council as the joint consent holders in relation to matters covered under Resource Consent #65637 being to take water from the Waiāri stream for municipal supply.

Scope

- Consider and report on the monitoring requirements and outcomes of the resource consent.
- Discuss the results of other monitoring undertaken by the group, which may include monitoring the adverse effects on environmental, heritage, cultural, economic and recreational aspects.
- Determine the actions to be taken in response to monitoring reports as appropriate.
- To inform the Bay of Plenty Regional Council of the effects of the water take authorised under the consent on the mauri and mauriora of the Waiāri Stream.

- Review and provide feedback to Tauranga City Council and Western Bay of Plenty District Council on the Water Conservation Strategy required to be submitted as a condition of the consent.
- Discuss any other relevant matters that may be agreed by the group.

This group reports to the Tauranga City Council/Western Bay of Plenty District Council Joint Governance Committee; however, if this is not in place, this group will report to the individual councils.

***NB:** The Waiāri Kaitiaki Advisory Group shall cease if all members of the group agree the group is to be disbanded. In such case Tauranga City Council and Western Bay of Plenty shall give written notice of this to the Chief Executive of the BOP Regional Council.*

For the avoidance of doubt, the Advisory Group is informal in nature and is NOT established as a committee, subcommittee or other subordinate decision-making bodies of Council under clause 30(1) of Schedule 7 of the Local Government Act 2002 and does not have any delegated decision-making powers.

Reports to Joint Governance Committee

Order of Business

1	Opening Karakia	7
2	Apologies	7
3	Public forum	7
4	Acceptance of late items	7
5	Confidential business to be transferred into the open	7
6	Change to order of business	7
7	Confirmation of Minutes	8
7.1	Minutes of the Waiāri Kaitiaki Advisory Group meeting held on 9 June 2021	8
8	Declaration of conflicts of interest	18
9	Business	19
9.1	Updated Terms of Reference and Co-Chairing Option for the Waiari Kaitiaki Advisory Group	19
9.2	Waiari Water Supply Scheme: Project Update	32
9.3	Bay of Plenty Regional Council Report.....	41
10	Discussion of late items	52
11	Closing Karakia	52

- 1 OPENING KARAKIA**
- 2 APOLOGIES**
- 3 PUBLIC FORUM**
- 4 ACCEPTANCE OF LATE ITEMS**
- 5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**
- 6 CHANGE TO ORDER OF BUSINESS**

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Waiāri Kaitiaki Advisory Group meeting held on 9 June 2021

File Number: A12801838

Author: Raj Naidu, Committee Advisor

Authoriser: Coral Hair, Manager: Democracy Services

RECOMMENDATIONS

That the Minutes of the Waiāri Kaitiaki Advisory Group meeting held on 9 June 2021 be confirmed as a true and correct record.

ATTACHMENTS

1. Minutes of the Waiāri Kaitiaki Advisory Group meeting held on 9 June 2021



MINUTES

Waiāri Kaitiaki Advisory Group Meeting

Wednesday, 9 June 2021

Order of Business

1	Opening Karakia	3
2	Apologies	3
3	Public forum	3
3.1	Presentation by Mr. Dean Flavell (Chairman of Te Maru O Kaituna River Authority) and Ms. Elva Conroy (Ngati Tuheke) on the Te Maru o Kaituna Governance document, 10 year action plan, and Pataka Kai Project	3
3.2	Mr. Te Hira Roberts	4
4	Acceptance of late items	5
5	Confidential business to be transferred into the open	5
6	Change to order of business	5
7	Confirmation of Minutes	5
7.1	Minutes of the Waiāri Kaitiaki Advisory Group meeting held on 10 March 2021	5
8	Declaration of conflicts of interest	5
9	Business	5
9.1	Updated Terms of Reference and Co-Chairing option for the Waiari Kaitiaki Advisory Group	5
9.2	Waiari Water Supply Scheme: Project Update	7
9.3	Tapuika Iwi Authority Report	8
10	Discussion of late items	9
11	Closing Karakia	9

MINUTES OF TAURANGA CITY COUNCIL**WAIĀRI KAITIAKI ADVISORY GROUP MEETING
HELD AT THE MAKAHAE (TE KAHIKA) MARAE, 20 TE KAHIKA ROAD, TE PUKE
ON WEDNESDAY, 9 JUNE 2021 AT 9.30AM**

PRESENT: Ms. Darlene Dinsdale (Acting Chairperson), Commissioner Shadrach Rolleston, Commissioner Bill Wasley, Deputy Mayor John Scrimgeour (Western Bay of Plenty District Council (WBOPDC)), Mr Jo'el Komene, Mr. Whareoteriri Rahiri (Alternate for Manu Pene - Ngati Whakaue ki Maketu (Te Hononga), and Mr Maru Tapsell

IN ATTENDANCE: Marty Grenfell (Chief Executive), Nic Johansson (General Manager: Infrastructure), Stephen Burton (Manager: City Waters), Carlo Ellis (Manager: Strategic Māori Engagement), Kelvin Hill (Manager: Water Infrastructure Outcomes), Richard Conning (Senior Project Manager: Waters), Peter Bahrs (Team Leader: Water Services), Reuben Fraser (Consent Manager, Bay of Plenty Regional Council (BOPRC), Coral Hair (Manager: Democracy Services), Mr. Dean Flavell (Chairman of Te Maru O Kaituna River Authority), Ms. Elva Conroy (Ngati Tuheke), Keren Bennett (Ecology Manager: 4Sight Consulting), Ms. Anahera Dinsdale, Sam Hema (Tangata Whenua Liaison), Carl Mathews (Campbell Squared), Norton Isaac (Campbell Squared), Paruhiterangi O'Callaghan, Te Hira Roberts, Ngawhika Te Aute, Harmony Roberts, Karen Roberts, Willow Marsh, Tania Kenney, Samera Koperu, Alfred Potiki, Vance Skudder, Natasha Wati, Jane Nicholas, John Dinsdale, and Raj Naidu (Committee Advisor)

1 OPENING KARAKIA

Mr. Paruhiterangi O'Callaghan opened the meeting with a Karakia.

2 APOLOGIES**COMMITTEE RESOLUTION WA2/21/1**

Moved: Ms Darlene Dinsdale

Seconded: Commissioner Shadrach Rolleston

That apologies from Mayor Garry Webber (WBOPDC), Mr. Gary Allis (WBOPDC), Mr Manu Pene, and Mr Maru Tapsell be received and accepted.

CARRIED

3 PUBLIC FORUM**3.1 Presentation by Mr. Dean Flavell (Chairman of Te Maru O Kaituna River Authority) and Ms. Elva Conroy (Ngati Tuheke) on the Te Maru o Kaituna Governance document, 10 year action plan, and Pataka Kai Project**

A copy of the presentation for this item can be viewed on Tauranga City Council's website in the Minutes Attachments document for this committee meeting.

Key points

- It was important to find synergies between the Pataka Kai Project and the work of Waiāri Kaitiaki Advisory Group (WKAG).
- The Project was about protecting and restoring the awa and the whole catchment.
- It was imperative to monitor the mauri of the awa and look after the wellbeing of everything that lived in it.
- The Project aimed to seek support and funding because it was currently being done on a volunteer basis.
- There was a need for paid roles in the Project such as a project coordinator, researchers, communications and administration support.
- A number of funding applications had been made to various government and business options; the outcome of the respective applications was pending.
- The health of the awa was important for the mokupuna and future generations so that they could reconnect culturally by learning traditional fishing techniques.

Discussion points raised

- BOPRC did the ecological monitoring; however, iwi should be involved in the co-development and management of the monitoring.
- Ngāti Tūwharetoa were undertaking monitoring on Lake Taupo and therefore would be a good resource to approach for knowledge and expertise.
- \$1.8 million funding grant had been set aside by Tauranga City Council (TCC) as a funding pool for community projects.
- Building capabilities and capacity of iwi to manage their resources was important.
- It was important to have a united mandate between Tapuika Iwi Authority, Waitaha-a-Hei Iwi and the three territorial authorities (TCC/WBOPDC/BOPRC) when dealing with matters involving the awa.
- Tapuika Iwi Authority and the Resource Consent (RC 65637) mandated that the awa had to be protected and looked after so that it was there for the benefit of future generations.

3.2 Mr. Te Hira Roberts

Key points

- Waiāri Kaitiaki Advisory Group was just an advisory group which did not give it mana or decision-making powers.
- Māori had been fighting for years for a voice when it came to their resources like the awa.
- The Treaty settlement process was hard-fought, and the advisory status of the Waiāri Kaitiaki Advisory Group was seen as an affront to the mana of the awa as well as the settlement process.
- Free water supply to the iwi needed to be considered; everyone else in Tauranga had been considered but the wishes of the iwi had not been.

COMMITTEE RESOLUTION WA2/21/2

Moved: Ms Darlene Dinsdale

Seconded: Mr Jo'el Komene

That the Waiāri Kaitiaki Advisory Group:

Receives the presentations from Mr. Dean Flavell (Chairman of Te Maru O Kaituna River Authority) and Ms. Elva Conroy, and Mr. Te Hira Roberts .

CARRIED

Attachments

- 1 Presentation - Dean Flavell and Elva Conroy

4 ACCEPTANCE OF LATE ITEMS

Nil

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO ORDER OF BUSINESS

Nil

7 CONFIRMATION OF MINUTES

7.1 Minutes of the Waiāri Kaitiaki Advisory Group meeting held on 10 March 2021

COMMITTEE RESOLUTION WA2/21/3

Moved: Commissioner Bill Wasley

Seconded: Commissioner Shadrach Rolleston

That the minutes of the Waiāri Kaitiaki Advisory Group meeting held on 10 March 2021 be confirmed as a true and correct record.

CARRIED

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 BUSINESS

9.1 Updated Terms of Reference and Co-Chairing option for the Waiari Kaitiaki Advisory Group

Staff Coral Hair, Manager: Democracy Services
Carlo Ellis, Manager: Strategic Māori Engagement

Key points

- Two workshops had been completed and feedback, suggestions, critiques, and comments received were taken into consideration when drafting the Terms of Reference and co-chairing options.
- Some issues were addressed in the draft documents; however, the central concern relating to the decision-making powers of WKAG was not and the advisory nature of the WKAG remained in place.
- There had been agreement for the format of co-chairing: one co-chair from the consent holders (TCC/WBOPDC) and one from iwi/hapū as set out in the position outline on pages 29-32 of the agenda.
- Accessibility of the agenda and minutes, livestreaming as well as holding marae meetings were outcomes of the workshop and were being actioned by staff.

In response to questions

- The Waiāri Kaitiaki Advisory Group was set up under the resource consent which stipulated it was advisory in nature rather than a decision-making body.
- Changing the status of WKAG to a decision-making committee would need to be a political decision of the consent holders.
- The BOPRC indicated they would consider a change to the consent conditions if that was requested by the consent holders.

Discussion points raised

- Tapuika Iwi Authority and Waitaha-a-Hei Iwi believed that they did not have mana within WKAG because it was only an advisory entity; it felt like an affront to the Deed of Recognition and Deed of Settlement.
- Consent holders needed to be proactive in their approach to make sure that Tangata Whenua's value, mana and protection of the awa was taken seriously.
- Using resource consent conditions not to honour the tenets of the Treaty of Waitangi which called for co-governance and equal partnership could be perceived as hiding behind policies.
- A holistic conversation on the future governance of the Waiāri needed to occur.
- Te Maru O Kaituna River Authority's terms of reference and co-governance approach were well articulated, and could be used as a model to base the future governance arrangements for the Waiāri Stream.
- It was considered important to include mechanisms under which the WKAG could refer matters or issues to Te Maru O Kaituna River Authority.
- Timely dissemination of reports and documentation was important so that iwi/hapū representatives could go back to their community and whanau to consult and seek feedback.
- The WKAG had decided to vote on the report's recommendations in parts; voting on (a) (g) and (h) and to let recommendations (b) through to (f) lie on the table pending further discussions and consultation.

COMMITTEE RESOLUTION WA2/21/3

Moved: Ms Darlene Dinsdale

Seconded: Commissioner Bill Wasley

That the Waiāri Kaitiaki Advisory Group:

- (a) Receives the report "Updated Terms of Reference and Co-Chairing option for the Waiāri Kaitiaki Advisory Group".
- (g) Agrees to the agendas and minutes of the Waiāri Kaitiaki Advisory Group being publicly available.
- (h) Agrees to livestream or record meetings and make these recordings publicly available as soon as practical following a meeting.

CARRIED

COMMITTEE RESOLUTION WA2/21/4

Moved: Mr Whareoteriri Rahiri

Seconded: Mr Jo'el Komene

That the Waiāri Kaitiaki Advisory Group:

- Supports that the three Councils (TCC/WBOPDC/BOPRC) enter into discussions with Tapuika Iwi Authority and Te Kapu o Waitaha regarding the status of the respective relationships in regards to the Treaty settlements.
- Requests an update report on progress in the next Waiāri Kaitiaki Advisory Group meeting.

CARRIED

9.2 Waiari Water Supply Scheme: Project Update

A copy of the presentation and tabled item for this report can be viewed on Tauranga City Council's website in the Minutes Attachments document for this committee meeting.

Staff Richard Conning, Senior Project Manager: Waters
External Keren Bennett, Ecology Manager: 4Sight Consulting

Key points

- The Waiāri Kaitiaki Advisory Group was advised that a wrong attachment had been included in the report which was subsequently published in the agenda; the correct attachment was tabled, and a copy would be uploaded the Tauranga City Council website.
- There had been discussions with Dr. Kepa Morgan regarding the potential of implementing an interactive mauri model which would be publicly accessible and would provide live indicator updates and data of the four dimensions (Community (Social), Ecosystem (Environmental), Hapū (Cultural) and Whanau (Economic)).
- Mokopuna Tia me Hei were planning to undertake a workshop on 26 June 2021 to facilitate discussions on the mauri model development.
- Stream monitoring was completed on 23 February 2021 and Keren Bennett from 4Sight Consulting presented on the findings.
- Biological monitoring of macroinvertebrate communities, fish, aquatic plants and basic water quality of the Waiāri Stream was a condition requirement of the resource consent.
- There was a good diversity of native flora and fauna recorded; noting that the upper and lower stream habitats were distinctly different and required different monitoring techniques and analysis.
- Seven years of baseline sampling results showed variations, some of which could be attributed to weather conditions, and a storm event had affected the baseline results.

In response to questions

- There had been no sighting of native eel in the Waiāri; all samples were generally the more common longfin eels.
- Horticulture, spraying runoff, as well as land use intensification for housing and dairy farming had an adverse impact on the awa and subsequently on the monitoring results.
- National Institute of Water and Atmospheric Research (NIWA) had a monitoring station just above the intake site and flow data was collected from there.

Discussion points raised

- BOPRC would provide information about water bores on residential properties as well as a timeline of bore-hole consents dating back from 1991.
- Ecological monitoring should involve children and students where possible to nurture understanding and respect for the natural environment and the awa, in order to educate on the cultural significance of these to Tangata Whenua.

COMMITTEE RESOLUTION WA2/21/5

Moved: Ms Darlene Dinsdale
Seconded: Commissioner Shadrach Rolleston

That the Waiāri Kaitiaki Advisory Group:

- (a) Receives the Waiāri Water Supply Scheme: Project Update report.

CARRIED

Attachments

- 1 Tabled Item - Correct attachment for report 9.2
- 2 Presentation - 4Sight

Staff Action

- Staff to work with Mr Dean Flavell, Ms. Elva Conroy, and Ms. Keren Bennett to find synergies between Pataka Kai Project and 4Sight Consulting ecological monitoring.

9.3 Tapuika Iwi Authority Report

A copy of the tabled item for this report can be viewed on Tauranga City Council's website in the Minutes Attachments document for this committee meeting.

Representative Jo'el Komene.

Key points

- The report was taken as read.

In response to questions

- It was clarified that a review of remuneration for Tangata Whenua representatives had been completed and adopted in February 2021; a copy of the policy was tabled.
- The payment fee was the same for workshops as it was for meetings.

Discussion points raised

- Tapuika Iwi Authority represented all registered Tapuika iwi members but not those who were not registered and encouraged unregistered iwi members to register.
- A robust conversation took place about the water intake and who would be covered under the request for free water supply.
- A water bank option should be considered and explored as an alternative option.

COMMITTEE RESOLUTION WA2/21/6

Moved: Mr Jo'el Komene

Seconded: Mr Whareoteriri Rahiri

That the Waiāri Kaitiaki Advisory Group:

- (a) Receives the Tapuika Iwi Authority Report.
- (b) Staff to provide a report including cost implications or otherwise in the next Waiāri Kaitiaki Advisory Group meeting regarding Tapuika Iwi Authority receiving a percentage of the WBOP and TCC Waiāri water take RC 65637 to service registered Tapuika Authority iwi members and Ngā Uri o Tapuika in WBOP and TCC regions including the Tawakepito marae, Makahae marae, Ngati Moko, Ngati Marukukere and Ngati Kuri.

CARRIED

Attachments

- 1 Tabled Item - Tangata Whenua Remuneration Policy

10 DISCUSSION OF LATE ITEMS

COMMITTEE RESOLUTION WA2/21/7

Moved: Ms Darlene Dinsdale
Seconded: Commissioner Shadrach Rolleston

That the Waiāri Kaitiaki Advisory Group:

Accepts the change of date for the September Waiāri Kaitiaki Advisory Group meeting from 1 September to 15 September 2021, and a new meeting is added to be held 24 November 2021 at Ngati Moko marae.

CARRIED

11 CLOSING KARAKIA

Mr. Paruhiterangi O’Callaghan closed the meeting with a Karakia.

The meeting closed at 1.25pm.

The minutes of this meeting were confirmed as a true and correct record at the Waiāri Kaitiaki Advisory Group meeting held on 15 September 2021.

.....
CHAIRPERSON

8 DECLARATION OF CONFLICTS OF INTEREST

9 BUSINESS

9.1 Updated Terms of Reference and Co-Chairing Option for the Waiari Kaitiaki Advisory Group

File Number: A12796169

Author: Coral Hair, Manager: Democracy Services
Carlo Ellis, Manager: Strategic Maori Engagement

Authoriser: Susan Jamieson, General Manager: People & Engagement

PURPOSE OF THE REPORT

1. This report sets out an updated Terms of Reference and recommends a Co-Chairing arrangement for the Waiāri Kaitiaki Advisory Group to consider.

RECOMMENDATIONS

That the Waiāri Kaitiaki Advisory Group:

- (a) Receives the report “Updated Terms of Reference and Co-Chairing option for the Waiāri Kaitiaki Advisory Group”.
- (b) Agrees to a Co-Chairing arrangement for the Waiāri Kaitiaki Advisory Group.
- (c) Considers how the Co-Chairs are to be selected (either elected or appointed) and include this in the Terms of Reference and position description for the Co-Chairs.
- (d) Adopts the updated Terms of Reference for the Waiāri Kaitiaki Advisory Group as set out in Attachment 1, subject to amendments on how Co-Chairs are to be selected.
- (e) Recommends to the consent holders (Tauranga City Council and Western Bay of Plenty District Council) that the updated Terms of Reference for the Waiāri Kaitiaki Advisory Group be approved.
- (f) Adopts the position description for the Co-Chairs as set out in Attachment 2, subject to any amendments on how the Co-Chairs are to be selected.
- (g) Notes that a holistic conversation on the future governance of the Waiāri Stream will be commenced.

BACKGROUND

2. The Waiāri Kaitiaki Advisory Group (WKAG) considered a similar report at its meeting on 9 June 2021. The WKAG decided to vote on the report’s recommendations in parts; voting on (a) (g) and (h) and to let recommendations (b) through to (f) lie on the table pending further discussions and consultation. The WKAG resolved:
 - (a) *Receives the report “Updated Terms of Reference and Co-Chairing option for the Waiāri Kaitiaki Advisory Group”.*
 - (g) *Agrees to the agendas and minutes of the Waiāri Kaitiaki Advisory Group being publicly available.*
 - (h) *Agrees to livestream or record meetings and make these recordings publicly available as soon as practical following a meeting.*
3. Tapuika Iwi Authority and Waitaha-a-Hei Iwi expressed concern at the meeting that the WKAG was only an advisory group and did not replicate the co-governance model of Te Maru o Kaituna River Authority. It was requested that a holistic conversation on the future

governance of the Waiāri be undertaken and as a result of that discussion the following resolutions were passed:

That the Waiāri Kaitiaki Advisory Group:

- *Supports that the three Councils (TCC/WBOPDC/BOPRC) enter into discussions with Tapuika Iwi Authority and Te Kapu o Waitaha regarding the status of the respective relationships in regards to the Treaty settlements.*
 - *Requests an update report on progress in the next Waiāri Kaitiaki Advisory Group meeting.*
4. The WKAG considered a report on Governance Options at its meeting held on 10 March 2021. This report advised that there was a vacancy in the position of Chairperson of WKAG with the appointment of Commissioners Shad Rolleston and Bill Wasley in place of the four Councillors and set out options to replace the Chairperson including a co-chairing arrangement. It was agreed that the report would lie on the table and be considered at the June meeting, after the matters had been considered at a workshop.
 5. Two workshops were held on 20 April and 26 May 2021.
 6. There was agreement at the workshops on the need to update the Terms of Reference and the changes proposed at these workshops, as well as amendments from the meeting on 9 June 2021, are set out in Attachment 1 for the WKAG to consider and adopt.
 7. There was also agreement at the workshops on appointing Co-Chairpersons, with one chair to represent the consent holders and one chair to represent iwi/hapū representatives.
 8. A draft position description for the Co-Chairs is set out in Attachment 2. It does not include how the Co-Chairs are to be selected and this matter will need to be decided. The report provides some options for the WKAG to consider.
 9. The resource consent states that the consent holders must form the WKAG and is not specific after that in terms of who approves the Terms of Reference. However, for clarity and to ensure buy in from the consent holders, it is recommended that the WKAG seek approval from the Tauranga City Council and the Western Bay of Plenty District Council for the revised Terms of Reference.

STRATEGIC / STATUTORY CONTEXT

10. The WKAG is informal in nature and is not established as a committee, subcommittee or other subordinate decision-making body of Council under clause 30 (1) of Schedule 7 of the Local Government Act 2002 (LGA) and does not have any delegated decision-making powers.
11. This means that the WKAG is not constrained by the legislation relating to chairing meetings (the LGA does not provide for co-chairs), standing orders or other requirements around meetings such as public agendas and notifying meetings.

OPTIONS ANALYSIS

TERMS OF REFERENCE

12. An updated Terms of Reference (TOR) is set out in Attachment 1. The main changes include:
 - (a) establish Co-Chairs and include a Co-Chair selection process.
 - (b) provide for iwi alternate representatives.
 - (c) alternate meeting venues between marae and council venues where possible.
 - (d) alternate meetings between week and weekend days where possible.
 - (e) decision-making by consensus where possible. Co-Chair who is chairing the meeting to have a casting vote where there is an equal number of votes.

- (f) add a Whakataukī.
 - (g) add a Background section.
 - (h) update Role and Scope sections.
 - (i) amend reporting requirements – WKAG will report to all entities who are members of the group.
 - (j) provide advice and recommendations to the consent holders on the future governance model of the Waiāri Stream.
 - (k) provide recommendations to Te Maru o Kaituna River Authority where required.
 - (l) updated BOPRC staff titles.
13. The WKAG has the option of adopting the TOR, with or without changes, at this meeting.
14. The WKAG also has the option to defer the decision, hold another workshop on the matter and bring back an amended TOR to the next meeting. This option would be needed if there were substantial changes and further discussion required.

CO-CHAIRS SELECTION PROCESS

15. The draft position description for the Co-Chairs recommends that the Co-Chairs would be appointed or elected every three years in alignment with the local government election cycle. This will take place as soon as is reasonably practical following local government elections. However, given the current vacancy in the Chairperson position, the Co-Chairs can be appointed or elected at this time, if the WKAG decides.

OPTION 1 – ELECTION OF CO-CHAIRS

16. The WKAG has the option to elect the Co-Chairs. This option would require nominations to be put forward at a meeting of the WKAG for one representative from the consent holders (Tauranga City Council and Western Bay District Council) and one representative from iwi/hapū representatives.
17. If more than one nomination for each Co-Chair position is received, the WKAG would vote on each position. This would be open voting by a show of hands. The person who received the most votes would be elected to the position.
18. The advantages of this option are that all the members would have an opportunity to vote for both Co-Chairs and the decision rests with the WKAG. It would also be a quicker option.
19. The disadvantage of this option is that the consent holders and iwi/hapū may not have their preferred candidate elected and it may not be appropriate for representatives from the consent holders to vote on iwi/hapū representatives and vice-versa.

OPTION 2 – APPOINTMENT OF CO-CHAIRS – RECOMMENDED OPTION

20. The WKAG has the option to appoint Co-Chairs from the various membership groups.
21. In this option the Co-Chair representing the consent holders will be appointed by the Tauranga City Council and Western Bay District Councils. A report would go to both councils recommending a preferred appointee and would need to be resolved by both councils.
22. The Co-Chair representing iwi/hapū will be appointed by the iwi/hapū representatives. The method of deciding on this would be a matter for the iwi/hapū representatives to determine.
23. The advantages of this option are that the consent holders and iwi/hapū have the ability to appoint the representative that they choose. Autonomy would lie with the respective parties on the WKAG.
24. The disadvantages of this option are that there is no public scrutiny of the process for choosing representatives and it is a slower process than Option 1.

OPTION 3 - APPOINT CHAIRPERSON

25. The WKAG has the option to not appoint Co-Chairs and to replace the vacancy in the Chairperson position with one person.
26. This option would retain the Deputy Chair as there is no vacancy in this position.
27. The advantage of this option is that it retains the status quo.
28. The disadvantage of this option is that it does not align with the feedback from the workshops and would require the draft TOR to be changed.

MEETING VENUES AND PUBLICLY AVAILABLE INFORMATION

29. Tapuika Iwi Authority asked that all future WKAG meetings are held on marae with some meetings to be held during a weekend day.
30. This was discussed at the workshops and it was agreed to alternate meetings between councils and marae and between week and weekend days, where possible. This is reflected in the draft TOR.
31. The WKAG resolved on 9 June 2021 to make agendas publicly available and to livestream or record meetings and make these recordings publicly available as soon as practical following a meeting.

REPORTING OF WKAG

32. The current TOR state that the WKAG reports to the TCC/WBOPDC Joint Governance Committee and, if this joint committee is not in place, the WKAG would report to the individual councils. The Joint Committee has not been established after the October 2019 elections.
33. The draft TOR state that the WKAG will report to the entities of all members of the WKAG. Any specific recommendations to consent holders or the Bay of Plenty Regional Council would go through to those councils for consideration.

FINANCIAL CONSIDERATIONS

34. There are no financial implications of these decisions.

LEGAL IMPLICATIONS / RISKS

35. There are no legal implications of these decisions.

SIGNIFICANCE

36. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
37. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the governance of WKAG.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

38. In accordance with the considerations above, criteria and thresholds in the policy, it is considered that the decision is of low significance.

ENGAGEMENT

39. Taking into consideration the above assessment, that the decision is of low significance, officers are of the opinion that no further engagement is required prior to WKAG making a decision.

Click here to view the [TCC Significance and Engagement Policy](#)

NEXT STEPS

40. TOR approved by consent holders (TCC and WBOPDC).
41. Co-Chairs to be appointed or elected.
42. WKAG meetings to alternate between council venues and marae and between week and weekend days, be livestreamed or recorded.
43. WKAG reporting to all entities of members of the WKAG.

ATTACHMENTS

1. **Draft Terms of Reference Waiari Kaitiaki Advisory Group - A12567519** [↓](#) 
2. **Position Description for Co-Chairs for Waiari Kaitiaki Advisory Group - A12567517** [↓](#) 

9.2 Waiari Water Supply Scheme: Project Update

File Number: A12723887

Author: Richard Conning, Senior Project Manager: Waters

Authoriser: Nic Johansson, General Manager: Infrastructure

PURPOSE OF THE REPORT

1. To provide a project update

RECOMMENDATIONS

That the Waiāri Kaitiaki Advisory Group:

- (a) Receives the Waiāri Water Supply Scheme: Project Update report.

BACKGROUND

2. The Waiāri Water Supply Scheme provides for the treatment and reticulation (pipeline construction) of up to 60,000m³ fresh water for the growing Western Bay of Plenty. The project has approximately 18 months until completion. The resource consent for the water take is shared between Tauranga City Council (75%) and WBOPDC (25%).
3. The physical works to complete the scheme is delivered via six different construction contracts being three pipeline contracts, a filtration membrane contract, an intake and pump station contract and a treatment plant construction contract.
4. There are several other professional services contracts that form part of the scheme delivery including design and consenting, cost management, construction observation and software development.

TAPUIKA WATER SUPPLY REPORT

5. At the 9th June WKAG meeting the following resolution was passed:

Staff to provide a report including cost implications or otherwise in the next WKAG meeting regarding Tapuika Iwi Authority receiving a percentage of the WBOP and TCC Waiāri water take RC 65637 to service registered Tapuika Authority iwi members and nga uri o Tapuika in WBOP and TCC regions including the Tawakepito marae, Makahae marae, Ngati Moko, Ngati Marukukere and Ngati Kuri.

6. Subsequently draft objectives and a broad scope for the report were developed and circulated to the WKAG representatives for comment (Attachment 1). Waitaha responded with a request to be included in the scope of the report. The tangata whenua representatives of the WKAG discussed the scope of the report at their regular catch up hui on the 24th June and formed a view that the scope should be expanded to include Waitaha and Ngāti Whakauē ki Maketū uri and marae. This potential scope change was advised to the WKAG representatives on the 12th July, refer Attachment 2. It is the authors understanding that one of the tangata whenua representatives will bring a formal request to alter the scope of the report to this meeting.
7. The original scope has been progressed in the interim with initial engagement with Tapuika undertaken on the 14th July to discuss the work underway and to agree the next steps.
8. A hui with the Tapuika representatives of the identified marae was held on the 19th August. The purpose of the hui was to explore with the marae representatives how water is used currently, what water supply options would be meet iwi/hapū needs and what development plans iwi/hapū have that may affect their needs into the future. A verbal update on the

outcome of this hui will be provided as the timing falls outside the drafting period for this update.

- Following this initial phase of engagement, a refined scope, budget and road map for the delivery of a comprehensive report will be developed for agreement.

PATAKA KAI

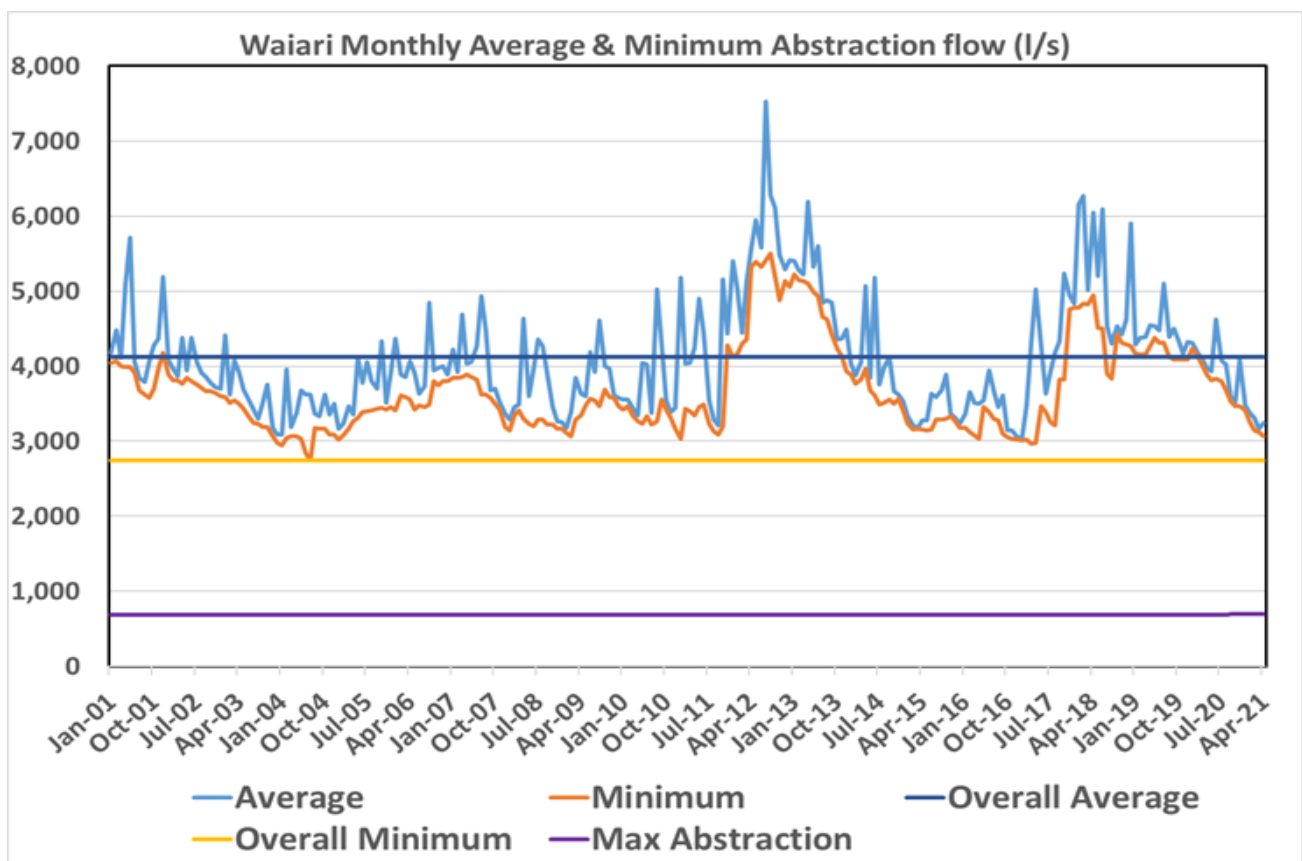
- Staff have undertaken discussions with Te Maru o Kaituna River Authority (TMOkRA) Chair Dean Flavell and Action Plan author Elva Conroy, regarding potential links between the Waiāri environmental monitoring and the TMOkRA Pataka Kai project. The monitoring proposed for Pataka Kai has the potential to link in with the mauri model and how the indicators are monitored, as well as the regular Waiāri ecological monitoring. Discussions will continue and further feedback will be sought from WKAG members as options develop.

WTP SITE VISIT

- A site tour of the water treatment plant site for the WKAG is proposed to be held on the 24th November to align with the WKAG meeting at Moko marae that day. Confirmation from the WKAG representatives that this is an opportunity they wish to take up is requested. If so the WKAG meeting time will need to be adjusted to provide for the site tour to take place 9.45am -11am. This timeframe aligns with the scheduled 10am break time at the construction site which all site tours must align with.

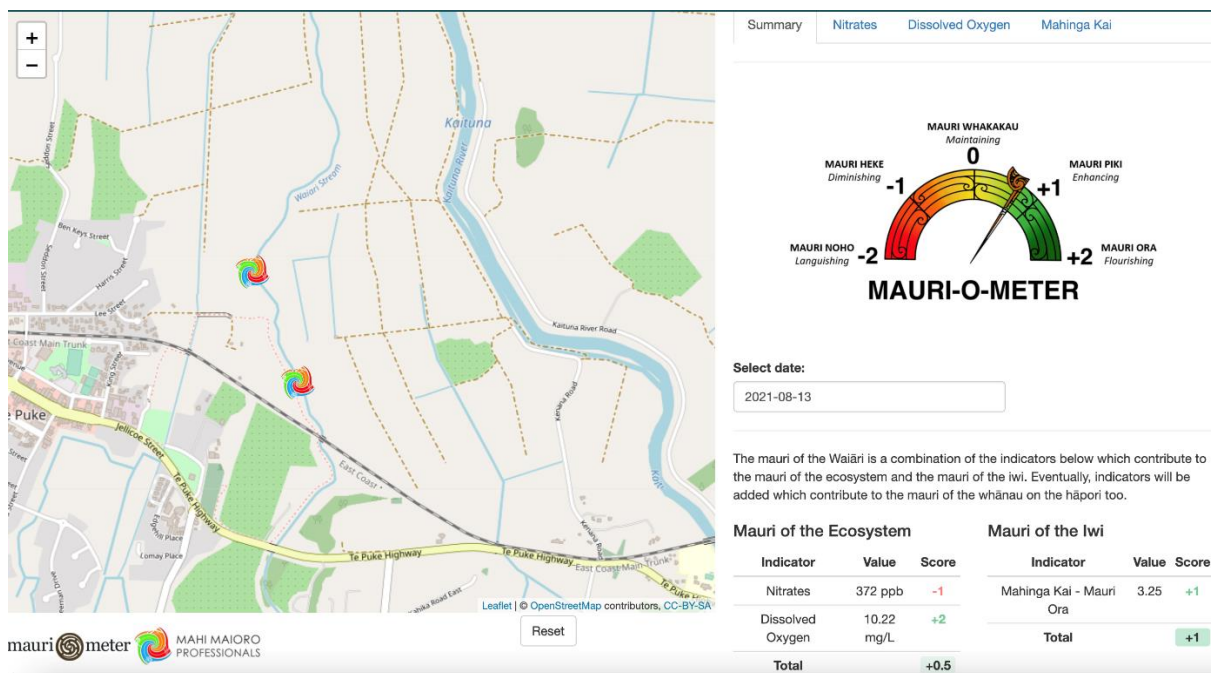
WAIĀRI STREAM FLOW DATA

- The Waiāri stream flows, as provided by NIWA, are shown in the graph below for the period January 2001 to April 2021. The maximum flows have been omitted from the graph to allow better definition of the monthly average and minimum flows.
- It is noted that the short-medium term NIWA forecast, heading into summer 21/22, is for dry and warm conditions to prevail. Regional Council have highlighted this to be of concern as the region is still experiencing lowish flow conditions in several parts of the Bay of Plenty.



MAURI MODEL

14. Mahi Maioro are currently working on a mock-up design to capture three readings on the Waiāri (intake site, treatment site and upriver). Data will be required however as a placeholder, Mahi Maioho will utilise existing data from elsewhere until available, see example image below.



15. Mahi Maioho are also working on another live capture data concept, utilising these three areas as well as areas where iwi could go to capture info. This involves utilising personal smart phones locating a key aspect of the river with a Q-code, which records, and monitors information uploaded to a site that can be stored. This idea is in development stage; the technology exists overseas. This concept requires further development and discussion to determine if it could be adopted.
16. A date for a mauri model workshop with TCC, WBOPDC and BOPDC elected member representatives and executive leadership is being explored, it is anticipated the workshop will occur prior to the 24th November WKAG hui. The purpose of the workshop will be to share the functionality developed to date, gather responses to the indicator sets and thresholds, gather feedback on the proposed graphic user interface.

COMMUNITY ENAGEMENT UPDATES

17. Planting Day

This was postponed from July to 4 September due to boggy ground and poor weather conditions. The planting is currently underway over several hectares around the water treatment plant. Plant species for the project were chosen at a series of workshops with tangata whenua in 2018 with an approved list being included in the project’s resource consent. The planting list includes:

- species that provide food and habitat for local fauna: rimu, mahoe, kaikomako, rautahi, pukio, wiwi, koromiko, ngaio and puriri
- species with rongoa properties: akeake, manuka, North Island kowhai, koromiko, harakeke, wineberry

18. Regular updates to a stakeholder list of over 700 continue to be emailed every four weeks.

19. Te Kahui Ako

We are at the early stages of working with Te Kahui Ako in regard to the local curriculum in the area. This could include the history and significance of the river, surroundings and also

the science around water. We are open to ideas and feedback and would welcome your feedback in this process.

CONSTRUCTION PROJECT UPDATES



Recent photo of the water treatment plant construction site

Consent Compliance: Physical works

20. We have had an independent compliance auditor engaged since the commencement of works to ensure all sites maintain compliance with the resource consent conditions for physical works. Where issues or concerns are identified they are notified to the contractor, MSQA team and TCC project manager for action. No compliance issues have been identified this reporting period.
21. BOPRC undertake regular compliance checks across all the work sites. To date no non-compliance notices have been issued.

Intake and Pump Station contract

22. The precast panels that make up the pump station building are currently being installed. Works to remove all the sheet piles in the stream bank are planned to be complete by September 2021, the sheet piles have been removed from the eastern bank of the stream.
23. Construction of the intake and pump station is expected to be completed by May 2022

Water Treatment Plant contract

24. Works are well underway on the treatment plant facility; the buildings are beginning to take shape, the permanent stormwater management pond and reservoir are underway.
25. Over 360m³ of concrete was poured with over 55 tonnes of reinforcement steel to construct the water reservoir floor in early August. This was completed in one single pour and is now ready for construction of the reservoir walls.
26. The construction of the water treatment plant, reservoir and landscaping is expected to be completed by July 2022.

Filtration Membrane contract

27. This contract has been awarded and the membranes will be installed once the water treatment plant construction has progressed to the point of the membrane hall being constructed. Installation of the membranes will commence December 2021.

Pipelines

28. All of the pipelines are now installed. Final work to install valves and reinstate the work areas is being undertaken, all physical works are due to be complete by October 2021. The final works on No 1 Road will not affect access to the urupa.
29. Flushing of the pipelines will follow the physical works; planning is underway for this activity. Flushing requires a significant volume of water; the plan is to fill the pipeline as much as possible from the current TCC supply via the Poplar Lane reservoir and to then top up the pipeline from the WBOPDC Eastern Supply Zone (ESZ2) bore. Four flushing cycles are anticipated to be required; each cycle requires 1000m³ of water to be flushed out of the line. It is expected that the flushing process will take two weeks to complete.
Commissioning and testing
30. Once the construction contracts are complete there will be a period of commissioning and testing before potable water can be delivered to the community. It is expected that potable water will be delivered to the community from November 2022.

ATTACHMENTS

1. **Memorandum - WKAG Feedback on objectives and scope - A12638715** [↓](#) 
2. **Memorandum - WKAG - Tapuika Water Supply Report - Scope change request - A12684119** [↓](#) 

9.3 Bay of Plenty Regional Council Report

External: Reuben Fraser, Consents Manager

ATTACHMENTS

1. BOPRC Report - Waiari Stream Catchment Report August 2021 - A12816014 [↓](#) 

10 DISCUSSION OF LATE ITEMS

11 CLOSING KARAKIA