



MINUTES

**Waiāri Kaitiaki Advisory Group
Meeting**

Wednesday, 15 September 2021

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**MINUTES OF TAURANGA CITY COUNCIL
WAIĀRI KAITIAKI ADVISORY GROUP MEETING
HELD AT THE TAURANGA CITY COUNCIL, COUNCIL CHAMBERS, 91 WILLOW STREET,
TAURANGA
ON WEDNESDAY, 15 SEPTEMBER 2021 AT 9.30AM**

PRESENT: Commissioner Shadrach Rolleston, Commissioner Bill Wasley, Mayor Garry Webber, Deputy Mayor John Scrimgeour, Mr Jo'el Komene and Ms Darlene Dinsdale (via video link)

IN ATTENDANCE: Nic Johansson (General Manager: Infrastructure), Carlo Ellis (Manager: Strategic Māori Engagement) (via video link), Peter Bahrs (Team Leader: Water Services), Richard Conning (Senior Project Manager), Kelvin Hill (Manager: Water Infrastructure Outcomes), Sam Hema (Tangata Whenua Liaison), Reuben Fraser (Consent Manager, Bay of Plenty Regional Council), Jennifer Pearson (Community Engagement Advisor: Infrastructure Delivery), Coral Hair (Manager: Democracy Services), Robyn Garrett (Team Leader: Committee Support) and Jenny Teeuwen (Committee Advisor).

1 OPENING KARAKIA

Mr Jo'el Komene opened the meeting with a karakia.

2 APOLOGIES

2.1 Apologies

COMMITTEE RESOLUTION WA3/21/1

Moved: Commissioner Bill Wasley

Seconded: Ms Darlene Dinsdale

That the apologies for absence from Ms Anahera Dinsdale and Mr Manu Pene be received and accepted.

CARRIED

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

Nil

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO ORDER OF BUSINESS

The Chair advised that item 9.3 would be taken before item 9.2.

7 CONFIRMATION OF MINUTES

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

COMMITTEE RESOLUTION WA3/21/2

Moved: Deputy Mayor John Scrimgeour

Seconded: Mr Jo'el Komene

That the minutes of the Waiāri Kaitiaki Advisory Group meeting held on 9 June 2021 be confirmed as a true and correct record, with the following corrections:

- (a) Mr Whareoteriri Rahiri was the alternate for Mr Maru Tapsell and not Mr Manu Pene.
- (b) Mr Maru Tapsell to be removed from the list of those present.

CARRIED

8 DECLARATION OF CONFLICTS OF INTEREST

Nil

9 BUSINESS

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

Staff Coral Hair, Manager: Democracy Services

In response to questions

- It was proposed that the quorum would include a representative from each of the four iwi/hapū entity members.
- The wording for the quorum was not clear and needed to be clarified.
- It was suggested that the quorum be a quorum of four, two from the consent holders and two from iwi/hapū, and including at least one of the Co-Chairs.
- It was noted that there was provision for alternate representatives.
- Concern was raised that one iwi representative may not be comfortable or was unable to speak on behalf of other iwi representatives, and therefore all four representatives should form part of the quorum.
- It was suggested that for the times where a significant issue was up for discussion and decision, and there was not full representation, then that issue could lie on the table.
- It was agreed that a Co-Chair be appointed from each membership group i.e. one Co-Chair from the local authority members and one Co-Chair from the iwi/hapū members; each membership group would decide their Co-Chair nominee.
- The Co-Chairs would be announced at the beginning of the next meeting at which time they would take up their Co-Chair roles.

COMMITTEE RESOLUTION WA3/21/3

Moved: Commissioner Bill Wasley

Seconded: Mr Jo'el Komene

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) Approves the following Co-Chairs selection process to be included in the Terms of Reference:
- (i) Co-Chairs will be appointed every three years in alignment with the local government election cycle. The appointments will take place as soon as is reasonably practical following local government elections.
 - (ii) The Co-Chair representing the consent holder will be appointed by the Tauranga City Council and Western Bay District Councils.
 - (iii) The Co-Chair representing iwi/hapū will be appointed by the iwi/hapū representatives.
- (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 and amendments to the quorum requirements as follows:
- (i) Two representatives from the consent holders and two representatives from iwi/hapū including one of the Co-Chairs. However, where a major decision is required, the quorum will be one representative from each entity. The Bay of Plenty Regional Council representative is not counted towards quorum.
- (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.
- (g) Notes that a holistic conversation on the future governance of the Waiāri Stream will be commenced.

CARRIED

Item 9.3 was taken next.

9.3 Bay of Plenty Regional Council Report

External Reuben Fraser, Consents Manager – Bay of Plenty Regional Council

In response to questions

- It was important that the report reflected and aligned with the resource consent requirements.
- Concern was raised at the number of times the flow rate had recently fallen below 2.8 cubic metres per second, particularly as this was the wet season. Minimum flow rates were required to keep the river in a healthy state. The 2.8 cubic metres per second flow rate was included as an early trigger. During the consent process a minimum flow rate of 1.1 cubic metres had been set to ensure the ecological health of the species in the river. The consent holders had some discretion around how much water was taken. As the consent regulator, Bay of Plenty Regional Council (BOPRC) had the ability to impose water shortage directions on consent holders and other users of the water.
- There was a large difference between the 1.1 cubic metres per second minimum flow rate and the trigger rate of 2.8 cubic metres per second. It was suggested that how the provisions of the Resource Management Act 1991 (RMA) worked, and how this could be better managed by the consent holders, could be a future discussion for this group.
- Going forward, the graph “Waiāri at TCC Intake (NIWA) – Current vs Historic Daily Mean Flow” (page 47 of the agenda) would be increased to A3 size so that it was clearer and more easily understood.
- Concern was raised about the daily flow trend. This trend was not unique to Waiāri and was also seen in other rivers in the sub-region.
- BOPRC would work closely with tangata whenua on the changes to the National Policy Statement on Freshwater Management (NPS-FM) and was currently looking at a range of engagement with iwi and hapū around the region on how they wanted to work with BOPRC to set a framework for managing fresh water.

- It was expected that there would be a different allocation and water management framework for surface water and ground water. There was provision under the RMA for BOPRC to review consents where allocations were changed to fit within the new framework.
- It was suggested that a report be brought back to this group on the wider catchment and the issue of significant flow trends.

COMMITTEE RESOLUTION WA3/21/4

Moved: Mayor Garry Webber

Seconded: Mr Jo'el Komene

That the Waiāri Kaitiaki Advisory Group receives the Bay of Plenty Regional Council report.

CARRIED

Item 9.2 was taken next.

9.2 Waiāri Water Supply Scheme: Project Update

Staff Richard Conning, Senior Project Manager: Waters

In response to questions

- TCC's Catchment Management Plan was in the process of being updated and the Waiāri would be incorporated into that. The date for completion was not available. Western Bay of Plenty District Council was also currently updating catchment management plans for their water supply.
- In regards to the resolution passed at the 9 June meeting (paragraph 5 of this agenda item), it was suggested that Waiāri Kaitiaki Advisory Group provided a submission to the Three Waters Reform that marae and similar e.g. papakainga, should be connected to the nearest wastewater and fresh water/drinking water reticulation point, at the Crown's cost. This would be in addition to the work outlined in the resolution.
- It was suggested that a site visit of the Te Puke Wastewater Plant be tagged on to the proposed site visit of the Waiāri Water Treatment Plant construction site, scheduled for 24 November. The site visits would take place prior to the 24 November Waiāri Kaitiaki Advisory Group meeting which would be held at Ngati Moko Marae. The start time of the meeting may have to be adjusted to accommodate the site visits. Te Puke Wastewater Treatment Plant Kaitiaki Advisory Group members would be included in the invitation.
- In view of comments made earlier in the meeting regarding stream flow data, it was suggested that the Waiāri Monthly Average and Minimum Abstraction Flow Graph (page 33 of the agenda) be used, with the purple line (maximum consented rate of abstraction) being replaced with a line for the minimum instream requirement of 1.1 cubic metres, so that the image represented the average stream flow, the minimum instream requirement, plus the notification level.
- It would be difficult to project any water flow trends, other than using history to inform the future. The abstraction flow chart provided a reflection of rainfall levels. Some analytical work was being undertaken to better understand where rain was needed to fall to supplement the aquifers and the springs that supplied the streams.
- The community need was quite high and BOPRC needed to be mindful of where the overall water allocation was going for the whole of the Bay of Plenty. There was a considerable water take for other usage that was happening upstream from where treatment plants were extracting water.
- TCC staff had meet with some of the senior teachers at Te Kāhui Ako o Te Puke, which had been asked to be a pilot in NCEA Science. They were looking at using localised examples with a mana whenua lens, which included the history and significance of the stream. A more formal meeting would take place at the end of October.
- The 26 June 2021 workshop proposed by Mokopuna Tia me Hei to facilitate discussions on the mauri model development did not take place.

COMMITTEE RESOLUTION WA3/21/5

Moved: Commissioner Shadrach Rolleston

Seconded: Commissioner Bill Wasley

That the Waiāri Kaitiaki Advisory Group:

- (a) Receives the Waiāri Water Supply Scheme: Project Update report.
- (b) Amends the 9 June 2021 Waiāri Kaitiaki Advisory Group resolution (WA2/21/6) to read:
 - (b) *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 ngā uri o Tapuika, Waitaha and Ngāti Whakaue ki Maketu via the following marae and urupā:*
 - Tapuika:**
Tawakepito Marae, Makahae Marae, Ngati Moko Marae, Ngati Marukukere Marae, Ngati Kuri Marae and Tūhourangi Marae.
 - Waitaha:**
Hei Marae
Haraki Marae
 - Ngāti Whakaue ki Maketu:**
Ngāti Whakaue Marae
- (c) Makes a submission to the Three Waters Reform process that marae be provided with water and wastewater services, with connection to appropriate supply schemes, at the Crown's cost.

CARRIED

10 DISCUSSION OF LATE ITEMS

Nil

11 CLOSING KARAKIA

Mr Jo'el Komene closed the meeting with a karakia.

The meeting closed at 10.39am.

The minutes of this meeting were confirmed as a true and correct record at the Waiāri Kaitiaki Advisory Group meeting held on 24 November 2021.

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CHAIRPERSON