

Minutes of the Ōhiwa Harbour Implementation Forum Meeting held in Mataatua Room, Bay of Plenty Regional Council, 5 Quay Street, Whakatāne on Thursday, 28 March 2019 commencing at 9.30 a.m.

Present:

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

Deputy Chairman: Deputy Mayor Lyn Riesterer - Ōpōtiki District Council

Appointees: Councillor Andrew Iles - Whakatāne District Council, Maui Manuel (Alternate) - Te Upokorehe, Rachel Kora - Te Waimana Kaaku, Ngāi Tuhoe, Charlie Bluett - Te Rūnanga o Ngāti Awa

Alternate

Appointees: Tu O'Brien (Alternate) - Te Rūnanga o Ngāti Awa, Councillor Bill Clark (Alternate) - Bay of Plenty Regional Council

In Attendance:

Bay of Plenty Regional Council Toi Moana: Chairman Doug Leeder, Pim De Monchy – Coastal Catchments Manager, Tim Senior – Land Management Officer, Kay Boreham – Marketing and Communications Advisor, Mike Houghton, Manager Places and Open Spaces – Whakatāne District Council, Gerard McCormack – Planning and Regulatory Group Manager, Ōpōtiki District Council, Josie Mortensen - Whakatōhea Māori Trust Board, Kero Te Pou - Te Waimana Kaaku, Te Upokorehe: Lance Reha, Brian Walker, Curley Keno, Shaughnessy Reha, Dawn Curtis; Dr Kura Paul-Burke – NIWA: Taihoro Nukurangi, Joe Burke – MUSA Dive Marine & Environmental Services, Megan Ranapia - Waikato University, Tanja Rother – Contractor, Amanda Namana – Committee Advisor.

Apologies: Trevor Ransfield - Te Upokorehe

1 Opening Karakia

Cr Marr opened the meeting with a karakia.

2 Apologies

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Accepts the apology from Trevor Ransfield tendered at the meeting.

Iles/Riesterer
CARRIED

3 **Public Forum**

Nil

4 **Withdrawal of Agenda Item**

It was recommended that this item be deferred to the 19 September 2019 meeting due to Department of Conservation representatives being unavailable to attend.

Resolved

That the Ōhiwa Harbour Implementation Forum:

Defer item 8.9 Verbal Update - Department of Conservation Interest in Forum Membership to 19 September 2019 meeting.

Iles/Marr
CARRIED

5 **Acceptance of Late Items**

Nil

6 **General Business**

- Letter from Te Upokorehe Iwi

7 **Declaration of Conflicts of Interest**

Nil

8 **Previous Minutes**

8.1 **Ōhiwa Harbour Implementation Forum Minutes - 25 September 2018**

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Confirms the Ōhiwa Harbour Implementation Forum Minutes - 25 September 2018 as a true and correct record, with the following amendment:

- Minute item 10.1, bullet point 13, agenda page 14 – amend sentence to read ‘Ngāti Awa issue permits for customary purposes only’.

Iles/Marr
CARRIED

9:50 am – Rachel Kora and Kero Te Pou entered the meeting.

9 Reports

9.1 Change of Membership

Key points by Staff

- Clarified that informal advice of Wairata Peratiaki's appointment had been provided in November 2018 and was confirmed by Te Waimana Kaaku via a letter dated 25 January 2019.

Point raised by Members

- It was reiterated that the only instance in which alternate members were able to vote, move or second an item was when the primary member was not present at a meeting.

Item for Staff Follow-up

- A new delegate was required from the Whakatōhea Māori Trust Board, following the resignation of Gaylene Tuari-Kohunui from the Board.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, Change of Membership;**
- 2 **Confirms the appointment of Wairata Peratiaki as the alternate member for Te Waimana Kaaku on the Ōhiwa Harbour Implementation Forum, replacing Kero Te Pou as stated in the letter received from Te Waimana Kaaku dated 25 January 2019.**

Marr/Riesterer
CARRIED

9.2 Ōhiwa Harbour Strategy work programme update to March 2019 and proposed 2019/20 annual work programme

Refer PowerPoint Presentations Objective IDs A3168453 and A3171102

Land Management Officer Tim Senior and Dr Kura Paul-Burke from NIWA presented the item.

Key Points

- Acknowledged all the people involved in the work for the Forum;
- Outlined the results of the 2018/19 work programme and the proposed work programme for 2019/20;
- 10 Farm Environment Plans were underway;
- Stage 1 of Ōhope Wharf Redevelopment was completed;
- Stage 1 of the Heritage Trail was complete and Stage 2 was now underway;
- The eighth year of mangrove management was underway;
- The significance of Tokitoki Historic Reserve was discovered in 1996, after being archaeologically revealed to be the oldest recorded site in the North Island with human habitation. The report detailing work completed from the 1996 independent archaeological dig was never written and the artefacts discovered went missing. Maintenance concerns over the site had arisen due to erosion;
- Kutarere stream work had been undertaken to protect the marae from flooding;

- Mussel Restoration trial update was provided by Dr Kura Paul-Burke, outlining the aims of the trial and the results thus far:
 - As of January 2019 all of the spat lines had mussels growing on them, highlighting the potential to grow mussels from Ōhiwa for Ōhiwa;
 - Cages were important in slowing predation of sea stars, but unfortunately not enough for mussels attached to the bottom to reproduce;
 - Cages with mesh fine enough to keep sea stars out caused mussels to die from being smothered by sediment;
 - Further Sea Star experimentation was to be conducted to investigate how to repel sea stars without adversely affecting mussels, ultimately it was hoped that a sea star management tool could be developed to assist in shellfish restoration;
 - Introduced Megan Ranapia - Master of Marine Science student at the University of Waikato, researching developing a Habitat Suitability Index for shellfish restoration at Ōhiwa. This was to include field sampling within the harbour and to identify the most productive and appropriate areas for restoring shellfish;
 - Two publications were now available on Ōhiwa harbour and restoration trials in terms of mussel degradation and sea star predation as part of the attempt to create a national profile to assist with further funding and support.

In Response to Questions

- The bank at Tokitoki Historical Reserve had been eroding for a long time prior to the rock wall being erected;
- The 2019/20 budget for Communications Support could be undertaken by Bay of Plenty Regional Council Communications team rather than coming from the operational budget;
- It was suggested that the Workshop topic in June could cover a longer term strategic view over the next five or ten years to accelerate the good work and positive results;
- New Regional Coastal Environment plan changes meant that the mangrove work could continue as a permitted activity after the resource consent ended in 2020, subject to some requirements which Mr Senior would discuss at the next meeting.

Points raised by Members

- Community groups and volunteers played an important part in supporting work in the environment, which enabled efficient use and allocation of funds.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Ōhiwa Harbour Strategy work programme update to March 2019 and proposed 2019/20 annual work programme;**
- 2 Endorses the 2019/20 Ōhiwa Harbour Strategy annual work programme.**

**Riesterer/lles
CARRIED**

10.47 am - The meeting **adjourned.**

11.04 am - The meeting **resumed.**

9.3 Shellfish Monitoring and Fishery Compliance in Ōhiwa Harbour

Refer PowerPoint Presentation Objective ID A3171100

Adam Watson from Ministry for Primary Industries (Fisheries New Zealand) presented the item.

Key Points

- Fisheries New Zealand conducted intertidal shellfish surveys annually, mostly on pipi and cockle in North Island harbours;
- Prioritisation occurred for areas with sustainability issues;
- Ōhiwa harbour had been surveyed 7 times since 2001, most recently last summer for which the results were not yet available therefore the information provided was from summer 2015/2016;
- Cockle population estimates were the highest recorded since 2001, however there were very few of the larger sizes;
- Outlined boundaries, sampling locations and distribution areas of cockles and pipis, including trends in sizes over time from 2009 -2016;
- Provided an update on fisheries offences for Ōhiwa harbour since January 2018;
- Of the 313 people inspected by fisheries officers, 10 people had been caught offending;
- The main offence was people taking excess amounts of pipi;
- More than 95% of people approached were adhering to the rules.

In Response to Questions

- Large size of cockle was categorised as over 3cm;
- There had been no commercial gathering of shellfish in operation in the Ōhiwa Harbour region since 2011;
- Shellfish quota management area went from Bay of Plenty to north of Auckland;
- The commercial quota system was clarified and options were discussed to address the issue of potential future operations in Ōhiwa.

11.25 am - Cr Clark **withdrew** from the meeting.

Points raised by Members

- Noted that the responsibility to report bylaw offending belonged to everyone and encouraged people to use the new Ōpōtiki District Council web application which provided GPS location and time to assist in reporting events;
- Commercial quota management system issue needed to be resolved to ensure the hard work replenishing the shellfish was not lost to commercial harvesting;
- The Forum's purpose was to make Ōhiwa Harbour sustainable for the local people rather than commercial enterprises;
- Rationale to implement a spatial closure of Ōhiwa Harbour to commercial harvesting of shellfish had to be clear. A customary tool could potentially be used by Iwi to achieve this, although it involved certain constraints;
- Iwi members would investigate the potential of creating a rohe moana over Ōhiwa Harbour, noting interest and support from the Forum.

Items for Staff Follow-up

- Staff to follow up with Ministry for Primary Industries (Fisheries New Zealand) to obtain further information for the Forum on what areas of the harbour were currently closed to commercial fishermen and for which species.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, Shellfish Monitoring and Fishery Compliance in Ōhiwa Harbour;**
- 2 **Notes the intention of Ōhiwa Harbour Implementation Forum iwi members to investigate the creation of a rohe moana over Ōhiwa harbour.**

Marr/Kora
CARRIED

9.4 **Sediment Sources and Deposition in the Ōhiwa Harbour**

Refer PowerPoint Presentation (Objective ID: A3168463)

Land Management Officer, Tim Senior presented this item, detailing the nature of sedimentation of the harbour and suggested approaches to address it.

Key Points

- Sediment was the number one issue facing Ōhiwa harbour;
- To achieve accurate data, Bay of Plenty Regional Council was measuring the sediment at 11 sites in the harbour by using sediment plates to show the level of sediment build up and assess the different sediment sizes;
- Highlighted the highest risk areas for sediment generation;
- Outlined land use capability and land use in Ōhiwa catchment;
- Computer modelling undertaken estimated 14,000 tonne of sediment was entering the harbour each year, although it was unknown how much of this went directly out to sea;
- It was important to work with farmers to understand ways they could manage their farms to mitigate the risk of sediment;
- Noted that sedimentation was a natural geological process, accelerated by activities such as farming and forestry;
- More sediment generally came off pasture than from forestry removal, every time it rained;
- Work needed to be done to find a way to measure the results and benefits of all the work.

Points raised by Members

- There were many simple things that could be done by having a good understanding of the land to minimise sediment coming from farms.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, Sediment Sources and Deposition in the Ōhiwa Harbour;**
- 2 **Endorses the following actions by Bay of Plenty Regional Council staff:**
 - **investigate options for more intensive stream monitoring and**
 - **focus increased effort on identifying sediment sources and work with landowners to implement mitigation actions.**

Iles/Marr
CARRIED

9.5 The Development of Farm Environment Plans for Fonterra Milk Suppliers in the Nukuhou River Catchment

Refer PowerPoint Presentation (Objective ID: A3169232)

Nick Doney from Fonterra presented the item, sharing photographic examples of existing farm environment management at each end of the spectrum and actions that could be taken to lower the risk of sediment run-off.

Key Points

- Farm environment plans in Bay of Plenty were voluntary as opposed to Waikato farms where they were legislated;
- Even on flat land fences needed to be back from the water at least 1 metre
- Fencing native bush regenerated it quickly;
- Sealed ponds on farms were strongly encouraged;
- Skips and recycling bins were encouraged over the use of rubbish pits.

In Response to Questions

- Risk analysis was performed to drive the changes;
- Approximately half a day onsite at the property and an additional 1-2 days was required to write a farm environment plan;
- It was voluntary for farmers to be checked to ensure the timeline of actions were being met;
- Highlighted that many of the actions that could bring about improvement would come from education and changes to habit or mind-set;
- Dairy farms were the number one risk in terms of the discharges from farms, but ideally in the future all types of farms should have a similar plan.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 **Receives the report, The Development of Farm Environment Plans for Fonterra Milk Suppliers in the Nukuhou River Catchment with Appendix 1 – Farm Environment Plan Example.**

Iles/Riesterer
CARRIED

9.6 Black Swans in the Ōhiwa Harbour

Refer PowerPoint Presentation Objective ID A3168455

Land Management Officer Tim Senior updated the Forum on the black swan situation in Ōhiwa Harbour and potential options for resolving the issue.

Key Points

- Sea grass was one of the most important elements in the harbour environment and the black swans were diminishing it through grazing;
- Sediment also impacted upon the sea grass by reducing photosynthesis;

- Outlined areas where swans had been identified and the impact they were having on the harbour;
- Formal and regular monitoring was underway to gather further data on the swans and their movements;
- Black swans could be hunted in duck-shooting season as they were classified as a game bird.

In Response to Questions

- Fish and Game had authority to declare a special open season on the black swan in addition to any opportunities during duck shooting season.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Black Swans in the Ōhiwa Harbour.**

**Marr/Iles
CARRIED**

9.7 Update on Port Ōhope Redevelopment Project

Refer PowerPoint Presentation Objective ID A3169084

Manager Places and Open Spaces Mike Houghton from Whakatāne District Council provided an update on the progress of the Port Ōhope Redevelopment Project, including photographs of the finished work.

Key Points

- The Port Ōhope Wharf was a 1950's commercial structure up until the late 1960's since when it had been used primarily as a recreational space;
- The \$2.4 million project included sewage work and tree pits that collected stormwater from the carpark.

1.09 pm Cr Riesterer **withdrew** from the meeting.

- The updated wharf opened in early December 1998;
- Reconfiguring existing steps for better access to the water was proposed for Stage 2 of the project, commencing in the near future;
- An additional project would include refurbishment of the cargo shed.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Update on Port Ohope Redevelopment Project**

**Iles/Kora
CARRIED**

9.8 Business Case for Ōpōtiki to Whakatāne Coastal Journey

Refer PowerPoint Presentation Objective ID A3168560 and Tabled Item Objective ID A3182210.

Whakatāne District Council Manager Places and Open Spaces Mike Houghton presented this item and tabled an example brochure intended to assist in selling the proposed experience.

Key Points

- The revised Business Case for the Mōtū Trails Great Ride cycle trail extension had been completed;
- The revision requested by Ministry of Business, Innovation and Employment was to include a reviewed route, further consideration of the harbour crossing, better understanding of the trail experience and context and higher cost benefit analysis for investment;
- The extension to Thornton was not supported and therefore removed from the Business Case;
- Potential options for a link to Port Ōhope could include a shuttle service, water taxi or ferry;
- A trail experience plan had been developed focussing on the key concepts of culture, coast and conservation;
- Projected benefits included ongoing jobs, health benefits, environmental enhancement and a total regional benefit of \$4 million per annum after approximately 10 years;
- Whakatāne District Council had approved the revised Business Case and Ōpōtiki District Council approval was pending.

Comment from the Floor

- Upokorehe iwi expressed concerns for the potential option of a ferry crossing the harbour and any negative impact that could result from this.

Resolved

That the Ōhiwa Harbour Implementation Forum:

- 1 Receives the report, Business Case for Ōpōtiki to Whakatāne Coastal Journey.**

**Marr/lles
CARRIED**

10 **Consideration of General Business**

10.1 **Letter from Upokorehe Iwi**

Refer Tabled Item Objective ID A3182788.

Mr Lance Reha read a letter addressed to Ōhiwa Harbour Implementation Forum received from Upokorehe iwi, dated 28 March 2019 and tabled at the meeting.

Key Points

- Affirmed how Upokorehe iwi positioned themselves within the Forum;
- Confirmed their current representation on the Forum and that Upokorehe would only recognise representation on behalf of the iwi that had been formally appointed and mandated at an Upokorehe hui-a-iwi;
- Outlined the continued kaitiaki work performed by the iwi to monitor shellfish take and compliance across Upokorehe rohe and noted resource challenges and the request made for resourcing and training from MPI;

- Expressed concern regarding lack of direct consultation with Upokorehe iwi relating to the resource consent granted for the Ōhiwa mussel research project;
- Requested Upokorehe iwi be consulted directly in future for all matters pertaining to the Ōhiwa Harbour Strategy and its implementation via a duly convened Upokorehe hui-a-iwi.

11 Closing Karakia

Cr Marr closed the meeting with a karakia.

The meeting closed at 1:47 pm

Confirmed

Chairperson

Date