

Section 3: Consultation

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here

Comprehensive Stormwater Consent, Catchment Management Plan & Te Tumu Structure Planning

The Kaituna Stormwater Overflow project has been informed through a number of engagement activities over the years. The project has been a key component of managing stormwater within the Papamoa catchment since the original comprehensive stormwater discharge consent application lodged in 2006. This application included consultation with the Bay of Plenty Regional Council (consent authority), Tangata Whenua and key stakeholders. This application was publicly notified and a consent was issued in 2009.

In 2014 an application to change conditions of the discharge consent was lodged. This involved engagement with multiple parties who were previous submitters to the original application. The overflow remained a key element of the consent and specific changes were sought to conditions relating to the frequency of discharge from the Wairakei Stream to the Kaituna River. Significant engagement was undertaken in the preparation this variation application and included workshops on concept designs of the overflow channel the high-level weir and stormwater treatment wetlands. The decision on the variation application was subject to appeal by Tangata Whenua and following court assisted mediation agreement was reach and a consent order issued in 2015.¹ This mediation allowed for specific cultural matters to be addressed and resulted in the inclusion of conditions requiring the preparation of landscape plan and cultural management plans for the Wairakei Stream in collaboration with iwi and landowners. A subsequent catchment management plan (CMP) was also prepared that also involved significant consultation with key stakeholders. The development of this CMP included discussion on future work associated with the Kaituna Overflow.²

Since 2017 structure planning has been underway for Te Tumu. The structure planning for Te Tumu has adopted a collaborative approach with the relevant landowners and Maori Land Trust across this growth area. There has been multiple public open days and specific stakeholder engagement during this time that has helped inform the structure plan and land use pattern for Te Tumu.³ The overflow has been, and remains, a key element of planning work for Te Tumu. The overflow's location is largely directed by conditions of the CSC as well as informed by site investigations completed various technical specialists and has been shown on the draft Te Tumu structure plan through the planning process to date.

As part of the structure planning work for Te Tumu engagement with tangata whenua was initiated in 2017 and continued through until 2019. This engagement was undertaken through a specific working party established to provide guidance and feedback to the structure planning and rezoning process.

¹ A copy of the Comprehensive Stormwater Discharge Consent is attached to the responses for this section.

² Example presentation of engagement carried out as part of development of CMP attached.

³ Example of public newsletters for Structure Planning work attached.

Presentations have previously been given to this group with respect of the project and how the construction of the overflow was relevant to the rezoning and future urban development of Te Tumu.

Relevant iwi authorities

In Tauranga Moana, mana is determined at a hapū-specific level. There are currently eleven tangata whenua groups which have identified an interest within land subject to this project (and the Te Tumu Structure Planning project and wider Papamoa areas). Many of these groups have affiliations beyond the Tauranga area and are domiciled within the Rotorua area. The current iwi and hapu and their representative entities are:

- Ngai Te Rangi represented by Ngai Te Rangi Iwi Trust
- Ngāti Pūkenga represented by Ngāti Pūkenga ki Tauranga Trust
- Ngā Pōtiki represented by Ngā Pōtiki a Tamapahore Trust
- Ngāti He represented by Ngāti He Trust
- Tapuika represented by Tapuika Iwi Authority
- Waitaha represented by Te Kapu o Waitaha
- Ngāti Whakaue ki Maketu represented by Te Rūnanga o Ngāti Whakaue ki Maketu
- Ngāti Pikiao represented by Ngāti Pikiao Environmental Society
- Te Ure O Uenukukopako represented by Ngāti Uenukukopako Iwi Trust
- Ngāti Rangiwewehi represented by Te Maru o Ngāti Rangiwewehi
- Ngāti Rangiteaorere represented by Ngāti Rangiteaorere Koromatua Council.

Significant consultation has previously occurred with iwi authorities and hapu through the preparation of applications associated with the CSC. Consultation has taken place as part of the Te Tumu Structure Planning and rezoning project through a Tangata Whenua working party that was initiated in 2017 by Tauranga City Council to provide advice and guidance to the structure planning on behalf of these iwi and hapū.

The working party has representatives from 10 iwi and hapū, namely, Ngā Pōtiki, Ngāti He, Ngai Te Rangi, Ngāti Whakaue ki Maketu, Tapuika, Waitaha, Ngāti Pūkenga, Ngāti Rangiwewehi, Ngāti Rangiteaorere Koromatua Council and Ngāti Uenukukopako. Many of the representatives are also members of Te Rangapū – an autonomous body made up of 17 representatives from each of the hapū and iwi from across the Tauranga area. Engagement has also been held on numerous occasions with Te Maru o Kaituna River Authority.

Consultation with tangata whenua continued through until 2019, when because of Court proceedings affecting the Tumu Kaituna 14 Block (not an area affected by the overflow project) the working party requested a pause until the trustees of that block and landowners addressed outstanding matters. A full summary of consultation carried out through to 2019 as part of the structure planning and rezoning for Te Tumu is attached.

Since 2019 Trustees of the Tumu Kaituna 14 Māori block and landowners have been progressing separate engagement to resolve these issues.

TCC staff have remained in contact with iwi groups as the structure planning work has progressed and it is intended that formal consultation with these groups is to recommence shortly with assistance from the Trustees of TK14.

Conclusion

Overall, the project intends to ensure that engagement with all parties continues as part of the planning for this project, this includes taken into account the requirements of relevant settlement legislation and the requirements set out within the existing CSC.

Attachments:

- Te Tumu Public Newsletter Examples
- Example of Previous Presentation to Te Maru o Kaituna River Authority
- Consultation Report for Te Tumu Plan Change (as at Oct 2019)
- Copy of Comprehensive Stormwater Discharge Consent

A rich history



Te Tumu has played an integral role in shaping settlements and land use across the wider Bay of Plenty.

It has a long and important history with both tangata whenua and European settlers, who have occupied the land since the early 1800s. Council is committed to embracing and protecting Te Tumu's history, and we are working together with iwi and the community to achieve this.

Looking after a legacy

Archaeological sites at Te Tumu have identified pre- and post-European historic activity, representing a diverse range of human activity spanning 600 years or more.

Areas of cultural significance to tangata whenua are identified as Significant Māori Areas in the Tauranga City Plan. The Kaituna River also holds tremendous spiritual value.

As part of the structure planning process, we are undertaking an archaeological assessment to further refine boundaries, and cultural impact assessments will be prepared by the relevant iwi and hapu. Learn more about the history at www.tauranga.govt.nz/tetumu

What we know so far:



Example of Te Tumu Public Newsletter:

Preserving our natural features



The proposed Te Tumu development will respect the Kaituna River, wetland and landscape areas and preserve the area's natural character.

To prepare for structure planning of Te Tumu, we've completed investigations to better understand the different elements of the area's environment. We specifically looked at outstanding natural features and landscapes, natural character areas and special ecological areas.

The Wairakei Stream Landscape Plan within Te Tumu will start with a concept plan in early 2018 to implement the Comprehensive Stormwater Consent.

We will look to protect and preserve these areas for this generation and those to come:



Papamoa Catchment Management Plan Review

Te Maru O Kaituna River Authority
Briefing
3rd August 2015



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Objective:

- Provide an overview of the Papamoa Catchment Management Plan (CMP) review process as required by Comprehensive Stormwater Consent (CSC) No. 63636
- Seek and incorporate feedback from catchment stakeholders into the CMP prior to lodgement of a final CMP to the BoPRC by 6th October 2015

Format:

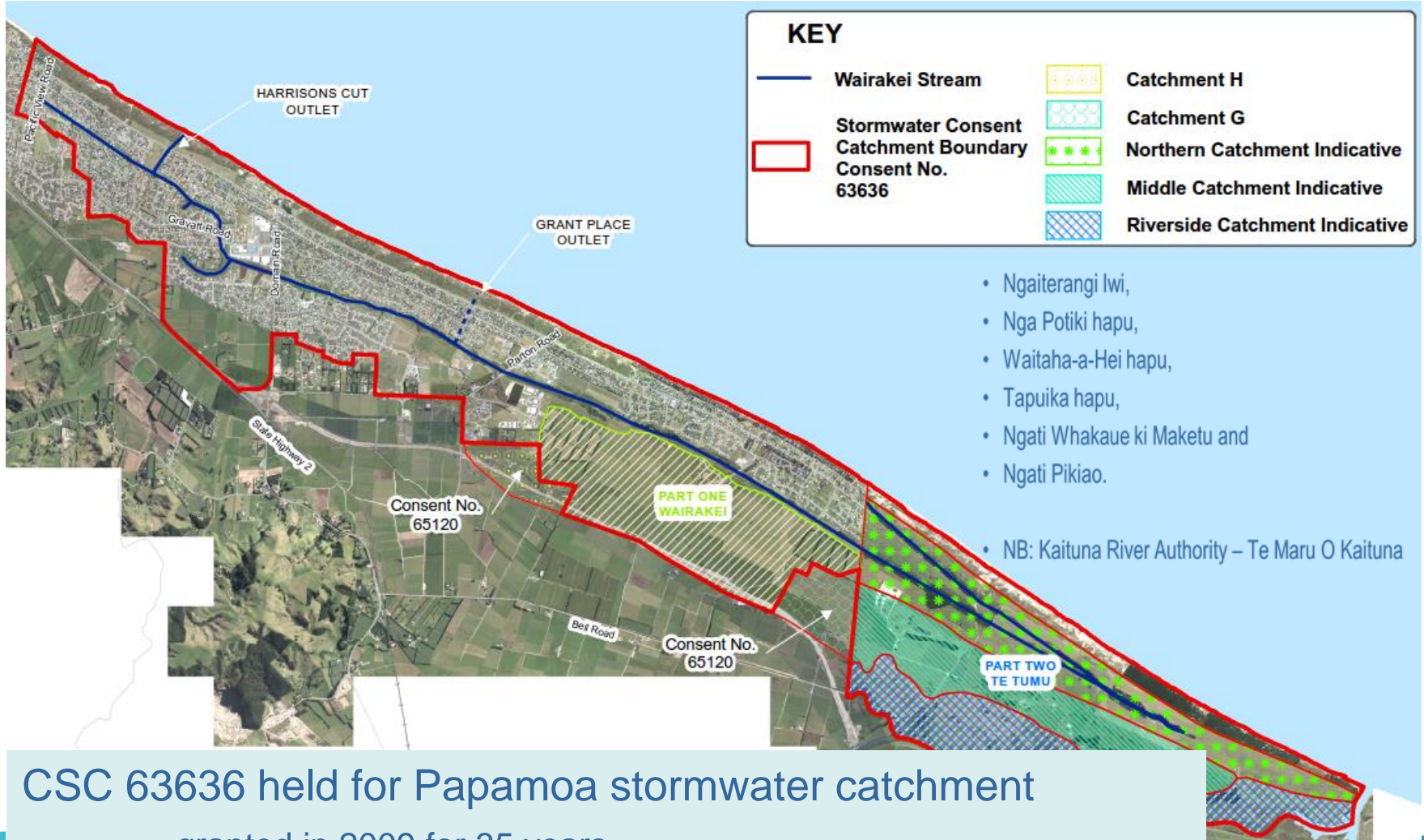
1. Programme
2. Papamoa catchment characteristics
3. Wairakei Stream and Kaituna River – receiving environment and values
4. Comprehensive Stormwater Consent (CSC 63636)
5. CSC Variation (granted 2015 – subject to appeal)
6. CMP scope – CSC and variation requirements
7. Key dates for feedback



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Papamoa Catchment Stormwater Consent



CSC 63636 held for Papamoa stormwater catchment

- granted in 2009 for 35 years
- covers existing Papamoa, Wairakei (Part 1) and Te Tumu (Part 2)

Papamoa Catchment Stormwater Consent

- CSC authorises:
 - discharges to Wairakei Stream, the coast and 6 discharge points to the Kaituna River (with up to 2 future high level overflow points)
 - specified earthworks and capital works
- CSC specifies:
 - Conditions 5.2 (existing Papamoa) and 5.4 (for Parts 1 & 2) - flood levels for Wairakei
 - Conditions 5.1 (existing Papamoa) and 5.3 (for Parts 1 & 2) - stormwater volume (storage) mitigation requirements
 - Water quality and monitoring requirements



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CSC Variation

- Obtained March 2015
- Reduces stormwater mitigation requirement from 100% to 40% for existing Papamoa, Parts 1 & 2
- Achieved by increasing rate / frequency of discharge to Kaituna River (with no change to top water level in Wairakei Stream Corridor)
- Means:
 - Increased land availability
 - Up to two high level overflows to Kaituna River required
 - High level overflow frequency to Kaituna River increases from approx. 10 to 7 years
 - Weir width is widened (from 30 to 50m) and lowered (by 50mm)

CSC Variation – resulted in change to Condition 5.3:

- From:* New development from Wairakei and Te Tumu shall provide the storage of stormwater, equal to the volume of runoff which would have occurred prior to development (during a 1 in 100 year 48 hour rainfall event)
- To:* New development from Wairakei and Te Tumu shall provide the storage of stormwater, equal to 40% of the volume of runoff which would have occurred prior to development (during a 1 in 100 year 48 hour rainfall event)

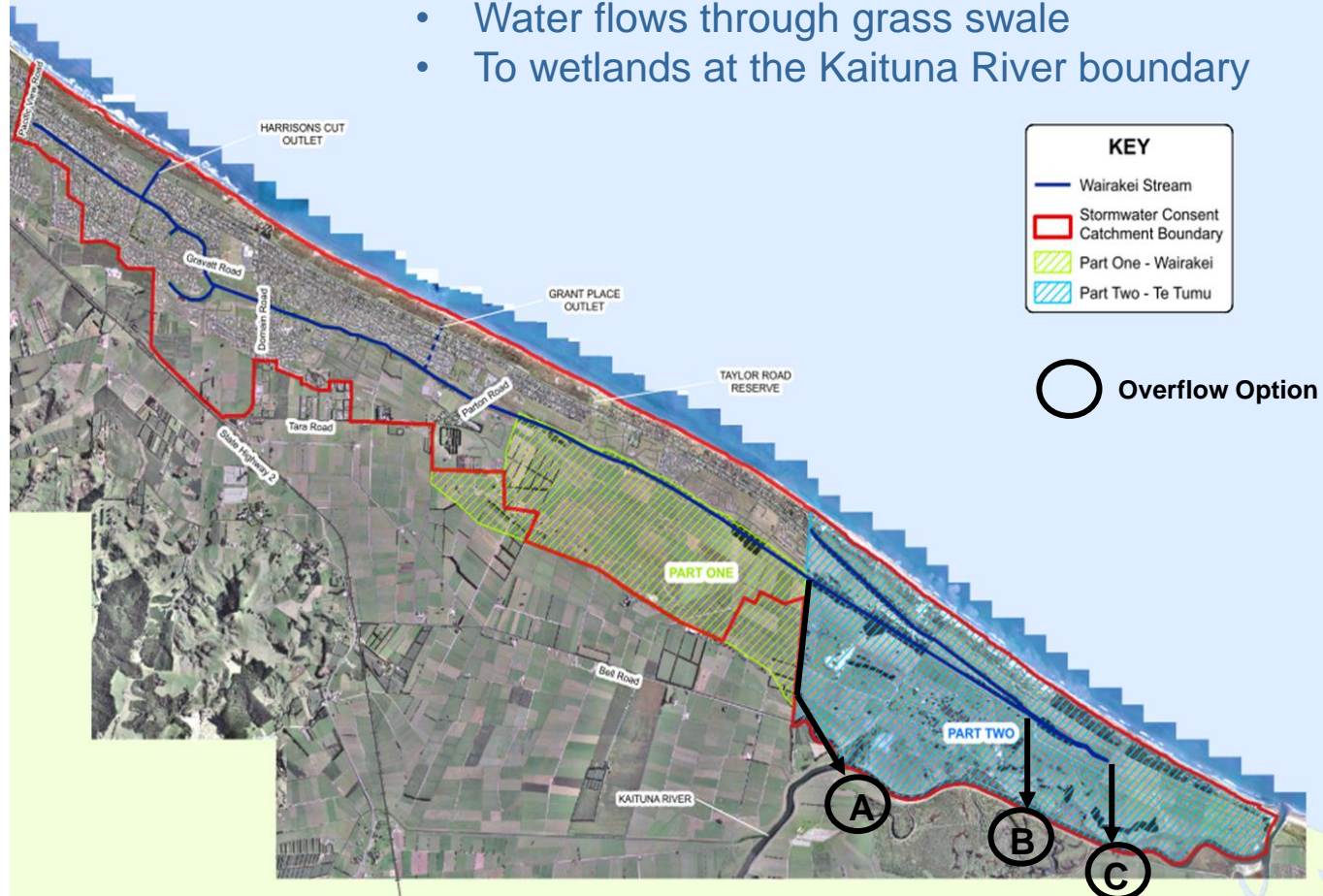


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FIGURE 1

- Overflow weir at the Wairakei Stream
- Water flows through grass swale
- To wetlands at the Kaituna River boundary



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Effects of Variation on Wairakei Stream Water Quality

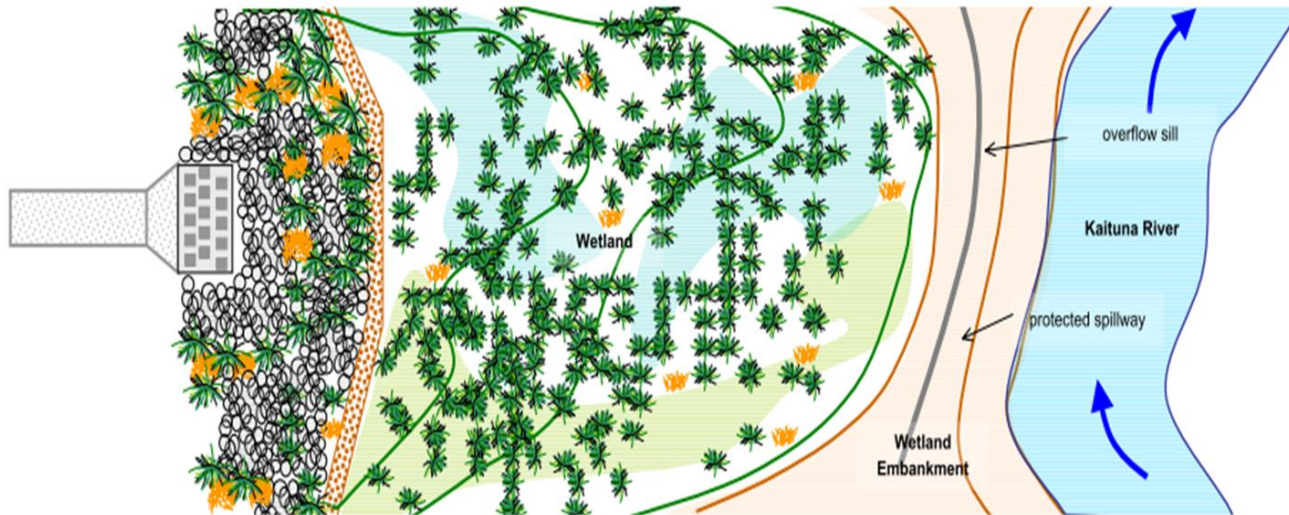
- Boffa Miskell assessed effects of variation on Wairakei Stream water quality
- Effects unchanged from the existing unconsented environment
- Proposal does not change the minimum on site water quality volume to achieve removal of contaminants
- Duration and rate of discharge into Wairakei Stream will increase as a result of dilution effects



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Concept Plan for Stormwater Overflow into Kaituna River and Effects of Variation on Kaituna Water Quality



- Opus assessed effects on Kaituna River as part of CSC variation
- Difference between 40% and 100% mitigation scenarios negligible
- Wairakei discharge improves the majority of Kaituna River water quality parameters (dilution effects)



Papamoa CMP Scope - CSC Requirements

- Complete review of CMP no later than 6 October 2015 in consultation with any submitter on the CSC and subsequent variation
- CMP inclusions as per CSC:
 - Effectiveness of general principles
 - Flooding data and flood level/frequency relationship predicted from data
 - Latest flood prediction model
 - Latest water balance model
 - Trends in water levels, flow rates, groundwater, water quality, habitat
 - Comment on whether development trends are consistent with assumptions of CMP
 - Have regard to methods design to protect and enhance water quality and ecosystems of Kaituna River and Ongatoro/Maketu Estuary
 - Consideration of Iwi Management Plans



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Programming and Key Dates

Anticipated dates (2015):

- | | |
|---|---------------------------------|
| ▪ First Draft CMP - stakeholder review and feedback | Available |
| ▪ Combined hui with stakeholders | 7 th July |
| ▪ Engage and complete CIAs/cultural input | 7 th July-mid August |
| ▪ Papamoa East 2D model | end August |
| ▪ Papamoa West 2D model | end August |
| ▪ Water balance model | end July |
| ▪ Second Draft CMP for stakeholder review / feedback | late Aug-mid Sept |
| ▪ Combined hui #2 | late August |
| ▪ Final CMP lodged to BOPRC
and circulated to stakeholders | late September |

Note: additional individual consultation meetings to be scheduled as required



Tauranga City



Consultation Report

A record of engagement undertaken by Tauranga City Council with Tangata Whenua regarding the preparation of the Te Tumu Plan Change as at October 2019

**Prepared by
Te Onewa Consultants
May 2020**

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Introduction

The purpose of this report is to record the consultation undertaken by Tauranga City Council (TCC) with tangata whenua between July 2017 and October 2019 related to the Te Tumu Plan Change. The report also identifies the issues of concern to tangata whenua and measures to address those issues of concern raised during the course of engagement and technical assessments.

This report has been prepared by Te Onewa Consultants for Tauranga City Council.

The report contains a background of the Te Tumu plan change project, the statutory context for plan changes as it relates to engagement with tangata whenua, the TCC tangata whenua relationship framework, an overview of engagement and the issues and opportunities identified. There are some brief conclusions at the end of the report, but it should be noted that this report is more focussed on being a 'stocktake' of engagement undertaken rather than an engagement strategy or plan.

This report is primarily a record of engagement with tangata whenua and not a record of engagement with Māori Land Trusts or Māori landowners.

Background

Location

The area subject to the Te Tumu plan change is approximately 740 hectares of coastal land located east of Papamoa and west of Maketu in the Bay of Plenty. Bounded by the Pacific Ocean to the north, the Kaituna River along the south and east, and the Wairakei Urban Growth Area, to the west.

Proposed Development

Councils and landowners have been considering options for urban development at Te Tumu in recent decades, as signalled in various planning documents and past developer proposals. The vision is for Te Tumu to be a coastal community that celebrates its significant history and environmental richness. Te Tumu is planned to help support the region's future growth, as part of the SmartGrowth strategy and several studies.¹

The proposed plan change, and therefore future development are intended to respect the Kaituna River and preserve the area's natural character, while building a sustainable community around the planned town centre located in the Wairakei Urban Growth Area, proposed employment precincts, schools, sports fields, walkways and cycleways which would be provided in Te Tumu. Based on investigations to date, approximately 400ha of the 740ha of land at Te Tumu could be developed. The remaining 340ha would be managed, and where appropriate protected to preserve the natural and cultural history of the area and protect the future community from natural hazards.

Te Tumu could provide new housing for more than 15,500 people and take some 30 years to complete.

SmartGrowth Strategy

The SmartGrowth Strategy sets out the 50-year plan for how the community will live, work, play and learn in the western Bay of Plenty. The current strategy updated in 2013 sets out the future settlement pattern and the issues that need to be addressed.

¹ SmartGrowth Strategy 2014, page 92, 93, 96, 99, 102, 103, 104; SmartGrowth Future Development Strategy 2018, pages 8, 33, 38, 42; Te Tumu Strategic Planning Study Outcomes Report (Part 1), and Housing and Business Land Capability Assessment 2018, pages 4, 10, 26, 29, 30, 36, 43, 47, 50, 52, 55

A collective of some 24 iwi and hapū are represented on the Combined Tangata Whenua Collective Forum that supports the SmartGrowth Strategy development and implementation. This forum meets regularly to consider strategic issues across the western Bay of Plenty. Four members of the forum sit on the SmartGrowth Leadership Committee as the governance body of SmartGrowth.

The SmartGrowth Strategy assumes that urban development will occur at Te Tumu, however the staging, timing, and optimal sequencing needs consideration as well as responses to tsunami concerns.²

Te Tumu Planning Study

The Te Tumu Strategic Planning Study³ is an assessment of a wide range of technical matters including those identified in the SmartGrowth Strategy. This included expert assessments, modelling, and discussions on:

- Natural hazards – tsunami, liquefaction, flooding, erosion, and the impact of potential future sea level rise on these hazards
- Archaeological and cultural sites
- Ecological values
- Landscape and visual amenity
- Land use opportunities and constraints
- Infrastructure servicing requirements – water, wastewater, stormwater
- Issues and opportunities for tangata whenua
- Feasibility.

The Te Tumu Planning study informed the Te Tumu Structure Plan and Rezoning proposal and the underlying assumptions of the Te Tumu Plan Change project.

Land holdings

There are currently some 12 landholdings at Te Tumu. The largest land holding at Te Tumu is the Ford Land PTY Ltd block (243 ha). The owners of this block and the third largest block owners TCC/WBoPDC (with Totara Farm Park JV interests in the landholding have prepared detailed aspirational plans for their lands, which include a mix of residential, educational, recreational, and commercial development. There are six Māori land blocks, the largest of these being Te Tumu Kaituna 14 (the second largest block at Te Tumu – 241 ha). Te Tumu Kaituna 14 Trust has prepared detailed aspirational plans for commercial, residential, and cultural activity for their lands.

Some of the landowners are actively collaborating to progress their development aspirations and some are inactive or progressing their own plans.

The landownership blocks are presented in the figure below.

² SmartGrowth Strategy 2013. pp132 and 135

³ Te Tumu Strategic Planning Study Outcomes Report Overview (Part 1 & 2)



Plan showing main landholdings within the Te Tumu Study Area.

The known tangata whenua groups in this area and their representative bodies

There are traditions of arrival, settlement, occupation, and resource use over many centuries at Te Tumu. The area is however most commonly associated with the flax trade and conflict between Te Arawa and Ngai Te Rangi groups in the early 19th century (1836-1845). Maketu and Te Tumu Pa are focal points for this period of conflict and peace.

There are currently eleven tangata whenua groups which have identified an interest at Te Tumu. Iwi and hapū are dynamic social groupings. Over time they grow and contract, disperse and combine. Under the RMA a range of 'iwi authorities' have provided representation for their respective iwi and hapū. In some cases, the mandates, and roles of the various iwi authorities in resource management can be shared, overlapping, layered and complex. The current iwi and hapū and their representative entities are:

- Ngai Te Rangi represented by Ngai Te Rangi Iwi Trust
- Ngāti Pūkenga represented by Ngāti Pūkenga ki Tauranga Trust
- Ngā Pōtiki represented by Ngā Pōtiki a Tamapahore Trust
- Ngāti He represented by Ngāti He Trust
- Tapuika represented by Tapuika Iwi Authority
- Waitaha represented by Te Kapu o Waitaha
- Ngāti Whakaue ki Maketu represented by Te Rūnanga o Ngāti Whakaue ki Maketu
- Ngāti Pikiao represented by Ngāti Pikiao Environmental Society - Raewyn Bennett and Gail Skerrett
- Te Ure O Uenukukopako represented by Ngāti Uenukukopako Iwi Trust
- Ngāti Rangiwewehi represented by Te Maru o Ngāti Rangiwewehi
- Ngāti Rangiteaorere represented by Ngāti Rangiteaorere Koromatua Council.

There are also several bodies which have collective representation. These include:

- SmartGrowth Combined Tangata Whenua Forum involving some 24 iwi and hapū representatives from across the western Bay of Plenty.
- Te Rangapū Manawhenua o Tauranga Moana partnership (formerly known as Tauranga Moana Tangata Whenua Collective) representing some 14 iwi and hapū within Tauranga City.
- Te Maru o Kaituna River Authority, a co-governance partnership for the Kaituna River including representation of Tapuika Iwi Authority Trust, Te Kapu Ō Waitaha, Te Pumautanga o Te Arawa Trust, Te Tāhuhu o Tawakeheimoa Trust and Te Kōmiti Nui o Ngāti Whakaue, Tauranga City Council, Western Bay of Plenty District Council and Bay of Plenty Regional Council.
- Te Tumu Tangata Whenua Working Party established specifically for the Te Tumu Plan Change preparation represented by Ngā Pōtiki o Tamapahore Trust, Ngāti He Hapū Trust, Te Rūnanga o Ngai Te Rangī Iwi Trust, Te Rūnanga o Ngāti Whakaue ki Maketu, Tapuika Iwi Authority, Te Kapu o Waitaha, Te Maru o Ngāti Rangiwewehi, Ngāti Uenukukopako Iwi Trust, Ngāti Rangiteaorere Koromatua Council, Ngāti Pūkenga ki Tauranga Trust.

Opportunity has also existed for other iwi/hapū to join this group if such a body identify themselves.

Plan Change Process

Plan Change processes follow a formal process set out in schedule 1 of the RMA. These processes require consultation with tangata whenua to identify their issues of concern and measures for addressing them. That formal process is supported by several pre and post notification processes that take many years to complete. Plan Changes are costly and time-consuming exercises.

The Te Tumu Plan Change project follows the Te Tumu Planning Study and involves the development of a Te Tumu Structure Plan. It is understood that notification of the proposed plan change may take place in 2021. The following diagram describes the plan change processes and indicates the current status of engagement:



The Te Tumu Planning Process

The Te Tumu Plan Change process is currently at the pre-draft stage.⁴ Most technical assessments have been conducted, and a draft structure plan has been prepared for consultation, but the potential (pre-notification stage) objectives, policies and rules framework has not yet been fully developed.

Consultation with tangata whenua was initiated in 2017 and continued through until 2019, where a pause has been in place at the request of the working party members due to the Māori Appellate Court case for the Te Tumu Kaituna 14 block.

Statutory Context

The RMA is the primary legislation that prescribes the consultation requirements when councils make changes to plans. Where councils have Te Mana Whakahono a Rohe (Iwi Participation Arrangements) these will guide and direct how tangata whenua and councils will work through resource management issues, decision making process and comply with part 2 of the RMA.

When councils prepare plan changes, they must take into account iwi management plans and consult with tangata whenua through iwi authorities.

As part of any plan change process, it is expected that the consultation conducted by Council will need to be dedicated, specific, accessible, and meaningful. In particular, Council is required to:

⁴ As at April 2020

- consider ways in which it may foster the development of their capacity to respond to an invitation to consult; and
- establish and maintain processes to provide opportunities for those iwi authorities to consult it; and
- consult with those iwi authorities; and
- enable those iwi authorities to identify resource management issues of concern to them; and
- indicates how those issues have been or are to be addressed.

The relevant consultation provisions of the RMA are included in Appendix 1.

TCC engagement with tangata whenua

Hapū protocols

Tauranga City Council currently has a series of 'protocols' with iwi and hapū with interests within the Tauranga City area. The protocols are quite detailed and comprehensive with each one setting out the following matters:

- Relevant Treaty and relationship principles
- Legislative context
- Governance, management, and operational roles
- Representation
- Communications
- Processes and arrangements for addressing specific issues
- Boundary issues and overlapping interests.

There are four protocols that mention the Te Tumu Plan Change area, these being Ngāti Whakaue, Tapuika, Waitaha and Ngā Pōtiki. The table below sets out the date of the protocol, issues, projects, or requests to be undertaken with regard to each protocol.

Group	Date of Protocol	Agreement
Ngāti Whakaue ki Maketu	October 2007, updated 2018	<p>Be aware of:</p> <ul style="list-style-type: none"> • Ngāti Whakaue ki Maketu Iwi Management Plan 2011 – under review and will be replaced by a Hapū Management Plan in mid-2018 • Waiari Stream Advisory Group • Te Tumu – Papamoa East Cultural Heritage Report 2005 • Cultural Impacts Assessment – Papamoa East Stormwater Variation 63636. <p>The Rūnanga shall be the lead agency for all cultural monitoring and CIAs for activities on the Te Tumu Land Blocks.</p> <p>Road and construction projects within the Papamoa East / Te Tumu areas. Street, road, parks, and reserves names will require consultation. The use of</p>

		<p>cultural art in areas that have a high cultural significance.</p> <p>Updates on TCC plan changes that affect Papamoa East / Te Tumu areas.</p>
Waitaha	<p>Signed 2004</p> <p>Updated 2014</p>	<p>Waitaha requests that Council notify in writing or by telephone any dealings with Land Trusts in our rohe i.e. Te Tumu/ Kaituna 14 Blocks.</p> <p>Iwi wish to receive updates on the developments planned for these blocks.</p>
Tapuika	<p>Signed 2015</p> <p>Updated 2018</p>	<p>Issue - All development and changes actioned within this project.</p> <p>Issue - Protection of kōiwi in the Te Tumu development area.</p>
Ngā Pōtiki	Signed 2017	<p>Ngā Pōtiki want to be involved in this project. Request regular updates.</p> <p>Ngā Pōtiki wants to enter into discussions on the following matters:</p> <ul style="list-style-type: none"> • Developing a master landscape plan for the [Wairakei] stream that includes public walkways, cycle ways, along Wairakei stream corridor, appropriate plant species, riparian planting. • Recognition of cultural sites along the Wairakei corridor through carved pou, art and other features. • Co-governance arrangements in respect of the Wairakei stream corridor, and to prepare a co-management plan providing for waka portage, cultural activities, ancestral and spiritual values, restoration, and enhancement of water quality, Kaitiakitanga in practice. • Whare wananga / whare waka along Wairakei Stream.

Te Rangapū Manawhenua o Tauranga Moana Partnership

This group is an autonomous body made up of 17 representatives from each of the hapū and iwi in the Tauranga City Council area. Te Rangapū was formerly known as the Tauranga Moana Tangata Whenua Collective.

Te Rangapū provides a forum for tangata whenua within the Tauranga City Council area to discuss and develop Council concepts, procedures, policies, and projects that will impact on Tauranga Moana Tangata Whenua. Te Rangapū also implement initiatives to advance and protect the interests of tangata whenua.

Te Rangapū has been a key strategic group that TCC has engaged with to identify the appropriate iwi and hapū to consult with, provide any feedback on the process of engagement, and any issues that have not been identified.

There have been several meetings with Te Rangapū to inform and update the members of the Te Tumu Plan Change project.⁵

Engagement with collective groups

There has been engagement with several other collective forums, groups, and co-governance partnerships specifically on Te Tumu. This has included:

- SmartGrowth Combined Tangata Whenua Forum: 2 meetings
- SmartGrowth Leadership Committee: 1 meeting
- Te Maru o Kaituna River Authority: 2 meetings of the authority and one meeting with staff.

These engagements have mostly included presentations and receiving feedback.

Te Tumu Tangata Whenua Working Party

This working party was established in 2017 by Tauranga City Council to provide advice and guidance to the Te Tumu Structure Plan and rezoning project on behalf of tangata whenua iwi and hapū.

The working party has representatives from 10 iwi and hapū, namely, Ngā Pōtiki, Ngāti He, Ngai Te Rangi, Ngāti Whakaue ki Maketu, Tapuika, Waitaha, Ngāti Pukenga, Ngāti Rangiwehēhi, Ngāti Rangiteaorere Koromatua Council and Ngāti Uenukukopako. Many of the representatives are also members of Te Rangapū.

The working party has identified the key issues, concerns and opportunities for tangata whenua and assisted the project team with the preparation of a Te Tumu Structure Plan and documentation that will give rise to a potential plan change.

Specific tasks have included the following activities:

- Monitoring of archaeological investigations and reviews of archaeological reports
- Preparation of cultural values and impact assessments
- Review of the literature review
- The identification, location and approving appropriate management methods for cultural heritage and preparation of a cultural management plan; and
- Consideration of a range of options to address issues of concern.

Some 16 meetings of the Te Tumu Tangata Whenua Working Party have been held between August 2017 and June 2019. Most meetings were 2-3 hours in length and held at neutral venues close to Te Tumu; either Papamoa Library, Te Puke RSA or Te Puke Library.

The meetings involved pre-circulated agenda, minutes of previous meeting, and papers for discussion. The meetings were facilitated by a consultant.

The breadth of issues raised at meetings were guided by the agenda and the scope of the terms of reference, but members were encouraged to raise issues and opportunities at any stage.

Some of the key issues raised consistently included:

⁵ See Appendix 2.

- Management of Significant Māori Areas, sites, and areas of significance to tangata whenua including kōiwi
- Survey and monitoring of archaeological sites
- Recognition and protection of the Kaituna River
- Recognition and enhancement of the Wairakei Stream
- Management of stormwater
- Responding to natural hazards such as sea level rise, tsunamis, and coastal erosion
- Participation in consent processes
- The conflict between some Māori landowners and Te Tumu Kaituna 14 Trust.

The Council paused all meetings of the working party in July 2019 at the request of working party members, while land trust appeals were resolved through the Māori Appellate Court. The current plan is to **not** hold any further meetings until a decision has been made from the Māori Appellate Court, with regards to the Te Tumu Kaituna 14 Trust application, to change its Trust Deed and alienate parts of their lands for securitisation purposes to raise loans, is completed.

A table of the working party meetings, dates, venue, and agenda items is included in Appendix 2.

Engagement with individual iwi and hapū

Meetings, hui and workshops were held with the individual iwi and hapū of the Te Tumu Tangata Whenua Working Party to progress issues specific to the group, including varying separate workshops and meetings and a site visit over the wider Te Tumu landholding also. These were often opportunities to provide more detailed presentations and responses to the technical aspects of the Te Tumu plan change project, discuss matters of interest to the iwi/ hapū and update groups if their representative was unable to attend a working party meeting.

Opportunities to meet with TCC staff have remained open since engagement was initiated in 2017 and remain so. Some of the formally arranged meetings are included in Appendix 2.

Literature Review

A literature review report was completed by Te Onewa Consultants in December 2018. The review covered relevant iwi and hapū management plans, Deeds of Settlement, Treaty Settlement legislation including statutory acknowledgments and deeds of recognition, relevant cultural impact assessments, consent, and plan change documents as they relate to the Te Tumu lands.

A broad range of issues and opportunities were identified as well as options for addressing them. In summary the key issues and opportunities were:

- Appropriate recognition of Treaty Settlement requirements such as statutory acknowledgements, plans and resource consent processes
- Recognition of the Kaituna and Wairakei stream
- Protection and management of sites of ngā wāhi tūturu - sites and areas of significance including kōiwi
- Development of Māori owned land
- Employment
- Cultural recognition, consultation and participation
- Ecological enhancement of wetlands, dunes and waterways
- Water quality
- Improved land practises
- Natural hazards

- Reserves, open space, and community facilities
- Recreation, sport and leisure activities
- Opposition to the proposed bridge and marina
- Addressing issues and recommendations provided in cultural impact assessments
- The scope of the Wairakei Landscape Plan and Wairakei Cultural Management Plan.

A list of issues and options for addressing those issues from the literature review is contained in Appendix 3.

Cultural Impact Assessments

The iwi and hapū members of the working party were invited to provide a cultural impact assessment proposal. The proposal would include the iwi or hapū views regarding the potential use, development, and protection of the Te Tumu lands. Tauranga City Council resourced the CIA production including costs of hui, workshops and research that needed to be undertaken in accordance with Council policy processes on CIA engagement. In some cases, the costs were negotiated to meet the reasonable expenses of this type of exercise.

Five of the members (Tapuika, Waitaha, Uenukukopako, Whakaue ki Maketu, Ngāti Pūkenga) prepared cultural impact assessments, not the document produced by Whakaue ki Maketu was only completed to a draft form. The other members did not progress the production of a CIA for several reasons including they chose not to, an author being unavailable or cultural impact assessments had been prepared for similar proposals adjacent to Te Tumu. In regard to this last point, the outcomes of these existing assessments were captured through the literature review.

The common themes raised in the cultural assessments and from the literature review were:

- Ensure tangata whenua are well informed and participate in all decision-making processes including management plans, resource consents, authorities, and Long-Term Planning
- Protect and preserve cultural sites of significance.
- Development on and near pā, urupā and wāhi tapu should be avoided.
- Formal access should be provided for tangata whenua to sites of significance, the Kaituna River, and the Wairakei Stream.
- Land set aside for reserves that encourage and support passive recreation, fishing, harvesting and cultural materials.
- Restoration and enhancement of the Kaituna River, Wairakei Stream, and former wetlands to improve water quality, habitat, and cultural resources.
- Stormwater needs to be managed.
- Protocols need to be developed and implemented to manage any disturbance to unrecorded, known and recorded archaeological sites and cultural monitoring by tangata whenua when kōiwi are likely to be disturbed by earth works or tree felling.
- Strong opposition to urban development within close proximity of the Kaituna River.
- Recognise the cultural values, history, and connection of tangata whenua to the lands through cultural interpretation, signage, reserve, and road names.
- Put in place measures to avoid, remedy, or mitigate the effects of development on the community at Maketu, including noise, visual and nuisance effects.
- Respond to natural hazards to ensure the safety of residents and protect cultural sites.

Further detail of the issues of concern and recommendations from each cultural impact assessment are included in Appendix 3.

Letter and correspondence with Iwi Authorities

A letter was sent to iwi authorities on 30 April 2018 informing them of the Te Tumu Plan Change project, identifying the iwi and hapū engaged as part of the Te Tumu Tangata Whenua Working Party and an invitation to consult with Council if they have an interest in the plan change. A copy of the letter is attached in Appendix 4.

This was considered an important formal and early notification of the Te Tumu Plan Change to iwi authorities, as part of schedule 1 of the RMA requirements.

It is understood that 7 of the 9 iwi authorities who were sent a letter have been actively participating as members of the Te Tumu Tangata Whenua Working Party and engaged by Tauranga City Council directly. Only Tauranga Moana Māori Trust Board and Te Pumautanga o Te Arawa are not directly represented or being formally consulted. It is understood that Tauranga Moana Māori Trust Board does not involve itself in RMA issues and is primarily providing education, trustee administration and financial management services. Te Pumautanga o Te Arawa is a post settlement governance entity managing diverse portfolio of assets for the benefit of eleven Te Arawa iwi and hapū.

There were two responses to the letter, one from Tapuika seeking clarification of evaluative procedures under the RMA and one from Te Pumautanga o Te Arawa acknowledging the project involvement of several of their member iwi and hapū and that the area of interest is not within Te Pumautanga o Te Arawa scope.

Draft provisions of the plan change will need to be issued to all iwi authorities prior to notification when they have been completed. Their feedback will inform the final iterations of the plan change objectives, policies, and methods.

Summary of Issues and Opportunities

Management of Significant Māori Areas, sites, and areas of significance to tangata whenua including kōiwi

This matter has been consistently raised in iwi management plans, CIAs and in face to face engagement.

The current City Plan resolved the location and spatial extent of Te Tumu Pa in the Environment Court.⁶ Seven other sites scheduled in the City Plan were nominated through a process led by the Tangata Whenua Collective and Tauranga City Council in 2012.

Further sites are to be assessed in a review of SMAs as part of the Te Tumu Plan Change project. This includes a review of existing SMA's where information relevant to the site has changed (i.e updated archaeological information)

There were kōiwi (human remains) identified during archaeological survey[s] conducted by BOP Archaeology (Ken Phillips) and assisted by cultural monitors.⁷ There is much sensitivity to kōiwi that may be unrecorded at Te Tumu. Current development plans avoid SMAs, archaeological sites

⁶ Te Tumu Landowners Group and Others v Tauranga City Council [2014] NZEnvC 38

⁷ Ken Phillips. 2018 Survey Results and updated assessments of recorded archaeological sites with the Te Tumu Strategic Planning Study Area, Papamoa East. June 2019. Pages 9, 24, 36,

identified for preservation by BoP Archaeology and archaeological landscapes (sand dunes, Kaituna River) where kōiwi are most likely to be discovered.

Western Bay of Plenty District Council and other agencies have accidental discovery protocols that can be tailored to suit Te Tumu.⁸ A paper on kōiwi management has been prepared for the working party however no decisions have been made.

Further work in this area will need to clarify with tangata whenua that sites of significance have been identified and appropriate protection mechanisms are in place including access. This will also need to include identifying and implementing a suite of appropriate protection mechanisms.

Survey and monitoring of archaeological sites

This was one of the key matters focussed on by the working party. A number of the iwi members supported the two comprehensive archaeological surveys with cultural monitors which were undertaken specifically for the Te Tumu Plan Change project. It is noted that there were a number of prior archaeological assessments undertaken in Te Tumu over many years, which have also informed the identification of archaeological sites.

Two archaeological reports have been prepared by Ken Phillips. A number of sites are recommended for protection or preservation, and no development is proposed in preservation sites.⁹ Some archaeological sites and archaeological landscapes are already scheduled in the City Plan and a GIS layer has been produced for TCC.

Recognition and protection of the Kaituna River

The Kaituna River has been the subject of Treaty Settlements, co-governance arrangements, planning recognition and statutory acknowledgements. The Kaituna document: he taonga tuku iho was finalised in 2019. The Te Tumu Plan Change must recognise and provide for the vision, objectives, and desired outcomes of the Kaituna River document.

There have been several meetings with the co-governance board, Kaituna River Authority, and staff. Specific responses to action plans have been drafted and are to be incorporated into the cultural management plan, structure plan, and relevant planning provisions.

Tapuika and Waitaha consistently raised issues regarding protecting Kaituna River.

One of the key responses to concerns of tangata whenua is that large areas will be precluded from development along the margins, wetlands and flood plains associated with the Kaituna River.

Recognition and enhancement of the Wairakei Stream

Whilst the Wairakei Stream within the Te Tumu lands is no longer operating as a stream with a freshwater intake, or outlet to the sea, there are tangata whenua aspirations for a waterway that is enhanced from its current condition.

The statutory acknowledgements for Wairakei, the CIAs raising issues and opportunities for Wairakei and working party input have placed high importance on the development of the Wairakei Stream corridor Landscape Plan and Wairakei Cultural Management Plan in consultation with tangata whenua.

⁸ Western Bay of Plenty District Council Cultural Monitoring Protocols, 2014 Other protocols have been developed by NZ Transport Agency, Heritage NZ and Department of Corrections.

⁹ Ken Phillips. 2018 Survey Results and updated assessments of recorded archaeological sites with the Te Tumu Strategic Planning Study Area, Papamoa East. June 2019. page 11

Further, Council holds a comprehensive stormwater consent for Papamoa East. This includes conditions for the development of landscape and cultural plans for the Wairakei Stream including within Te Tumu.

The outcomes of the first stage (outside of Te Tumu) for the Wairakei Stream landscape and cultural plans recommended changing the name of the Wairakei Stream to Te Ara o Wairakei.

There are currently plans to have significant areas precluded from urban development and all structure planning to date for Te Tumu has identified the land adjacent to the stream as part of a reserve and forms part of the land excluded from development.

Ecological enhancement of wetlands, dunes and waterways

Tangata Whenua have raised general concern for restoring ecological habitat, often framed in historical and customary terms in CIAs. Ecological assessment has been conducted to inform the structure plan and plan change process. Further consideration of implementation to protect and maintain ecology will occur through plan rules in the City Plan, Te Tumu Landscape Plan, and cultural management plan, which will also include the Wairakei Stream, areas adjacent to Kaituna River and coastal sand dunes.

Water Quality and stormwater

Tangata Whenua have consistently raised awareness of water quality and stormwater management and their wish to be intimately involved in the planning. Stormwater will be managed through the existing comprehensive stormwater consent for Papamoa East. All wastewater will be reticulated.

The structure plan anticipates the creation, restoration, replanting, and utilisation of wetlands to improve ecologically within Te Tumu and aid in improving stormwater quality and align with cultural outcomes.

Responding to natural hazards such as flooding, tsunami, and coastal erosion

Members of the working party have been interested in responses to several natural hazards, mostly in the context of safety for future residents and protecting sites of significance to Māori. A series of natural hazards technical assessments, modelling and development responses have been prepared. These assessments also consider the implications of future sea level rise projections on the impact of these natural hazards.

Some of the design responses have included building platforms accounting for height above sea level, significant areas precluded from urban development (that will allow natural systems such as wetlands to provide resilience) and exploring interventions and technology to improve the resilience of urban development.

Participation in decision-making processes including consent processes

The large number of iwi and hapū identifying interests at Te Tumu not only reflects the multi layered historical and ancestral ties to the land but also the opportunities as one of Tauranga City's last greenfield areas.

A range of interests including manawhenua are being claimed by different groups, however, there has been a willingness to work together or be at the table. An options paper for ongoing participation has been presented to the working party.

It is exceedingly early to be considering consents as these are at least five years away for the earliest development. Consents affecting statutory areas will require a summary of the application, notice of the application and determination on whether the settlement group is an affected party.

In the next 12 months much of the participation in the decision-making processes will be in developing the Te Tumu objective, policies and rules, Wairakei Stream corridor Landscape Plan and Wairakei Cultural Management Plan.

The Te Tumu planning study and subsequent Te Tumu Plan Change project has produced a wealth of technical reports. These are available and accessible to tangata whenua.

Cultural Recognition

A consistent theme in face to face engagement, the literature review and cultural impact assessments has been the request for recognition of the relationships of tangata whenua with the lands, waters and environment of Te Tumu by reflecting their traditions, stories and history in a range of cultural markers, signage, interpretation, features and cultural preferences.

At a fundamental level the response of the Council is to ensure significant areas are precluded from urban development, process will need to be developed to provide ongoing and long term participation in decision making processes and the cultural management plan will provide cultural recognition in a tangible way.

The conflict between some Māori landowners and Te Tumu Kaituna 14 Trust

The Council has been working with Te Tumu Kaituna 14 Trust for several years to confirm their aspirations for their lands and have this reflected in zoning and rules frameworks. The Trusts aspirations are recorded in a relationship agreement between the Trust and the Council.

As mentioned earlier in this report the working party paused their meetings in July 2019. There has been landowner dissention in one of the Māori blocks, Te Tumu Kaituna 14. This dissention has 'spilled' over in to the Te Tumu Planning project with members of the working party feeling uncomfortable due to personal approaches including verbal abuse they have received from landowners.

Conclusions

The engagement with tangata whenua has involved more than 37 formal face to face meetings, workshops and hui between July 2017 and June 2019. The meetings, workshops and hui have been undertaken with iwi and hapū representatives individually and collectively.

A dedicated working party made up of 10 iwi and hapū has met regularly between August 2017 and June 2019. The working party was suspended at their request due to the conflict between some landowners of Te Tumu Kaituna 14 and their Trust.

A comprehensive literature review has been completed that identifies a large body of work that addresses similar and common issues and opportunities at Te Tumu identified in face to face engagement and cultural impact assessments.

The commissioning of 5 cultural impact assessments has supported the collation of detailed information that informs the technical assessments, structure plan, policy framework and post plan change participation processes.

The issues and opportunities identified by tangata whenua during engagement are well articulated and recorded. In broad terms these are:

- Identifying, recording, and protecting sites of significance to tangata whenua including wahi tapu
- Recognising, enhancing, restoring, and protecting waterways, wetlands, and natural habitats
- Minimising the environmental effects of urban development particularly in respect of water
- Actively responding to natural hazards
- Cultural recognition
- Ensuring the on-going and long-term role of tangata whenua in decision-making processes.

A letter to iwi authorities has signalled the formal processes of schedule 1 of the RMA will be initiated shortly including the preparation and provision of draft objectives, policies and rules and engagement leading up to a decision on notification of the proposed plan change, currently anticipated to be in 2021.

The significant pieces of work being undertaken in the next 12 months include:

- Completing a review of Significant Māori Areas
- Reconvening the Te Tumu Tangata Whenua Working Party
- Developing the Te Tumu Landscape Plan and Te Tumu Cultural Management Plan in consultation with tangata whenua and landowners
- Drafting the objectives, policies and methods of the proposed plan change and forwarding these to iwi authorities for their feedback.

Relevant Documents

[List all the documents that provide evidence of engagement with tangata whenua. These should be mainly taken from literature review]

Official

Affiliate Te Arawa Deed of Settlement 2008

Affiliate Te Arawa Iwi and Hapū Claims Settlement Act 2008

Ngai Te Rangi and Ngā Pōtiki Deed of Settlement 2013

Ngāti Rangiteaorere Deed of Settlement 2013

Ngāti Rangiteaorere Claims Settlement Act 2014

Tapuika Deed of Settlement 2012

Tapuika Settlement Claims Act 2014

Tauranga Moana Iwi Collective Deed of Settlement 2015

Tauranga Māori Trust Board Act 1981

The Kaituna River Document: Kaituna he taonga tuku iho - a treasure handed down

Waitaha Deed of Settlement 2011

Waitaha Claims Settlement Act 2013

Non-Statutory Documents

Kaituna River Re-Diversion Project - Tapuika Cultural Impact Assessment 2014

An Assessment of Cultural Impacts in Relation to the Kaituna Re-diversion and wetland creation project 2014

Brief of Evidence in chief of Dr Des Kahotea

Cultural Impact Assessment Kaituna River Rediversion, Ngāti Whakaue ki Maketu 2014

Evidence of Matiu Dickson (Waitangi Tribunal)

Mauao ki Papamoa Rena Kaitiaki Impact Assessment 2012

SmartGrowth Strategy 2013

Statement of Evidence of Antoine Coffin (Environment Court 2013)

Tapuika Cultural Impact Assessment 2018

Te Tumu Significant Māori Area Assessment 2013

Published Works

Lower Kaituna River and Te Tumu – The Ford Family History from 1907 – 2008

Te Raupatu o Tauranga Moana, Waitangi Tribunal 2004

Tauranga Moana 1886-2006, Volume 1 & 2, Waitangi Tribunal 2010

Iwi and Hapū Management Plans

Te Tumu Kaituna 7B1 Ngāti Te Whetu Hapū Development and Environmental Resource Management Plan 2012

Tapuika Iwi Management Plan 2014

Waitaha Iwi Management Plan 2014

Kaituna He Taonga Tuku Iho, A Treasure handed Down 2018.

Tauranga Moana Iwi Management Plan 2016-2026

Ngāti Whakaue ki Maketu Hapū Iwi Resource Management Plan 2009 (Updated 2011)

Draft Ngāti Whakaue ki Maketu Hapū Iwi Resource Management Plan 2018

Ngāti Pūkenga Iwi ki Tauranga Trust Iwi Management Plan 2013

Ngāti Rangiwewehi Iwi Environmental Management Plan 2012

Ngaiterangi Iwi Resource Management Plan 1995

Voices Nga Korero Whakahiahia o Ngaiterangi me Ngāti Pūkenga 1999

Cultural Impact Assessments and other relevant documents

SmartGrowth Strategy 2013

Kaituna River Re-Diversion Project - Tapuika Cultural Impact Assessment 2014

Tapuika Cultural Impact Assessment 2018

An Assessment of Cultural Impacts in Relation to the Kaituna Re-diversion and wetland creation project 2014

Cultural Impact Assessment Kaituna River Rediversion, Ngāti Whakaue ki Maketu 2014

Mauao ki Papamoa Rena Kaitiaki Impact Assessment 2012

Evidence of Matiu Dickson (Waitangi Tribunal)

Brief of Evidence in chief of Dr Des Kahotea

Te Tumu Significant Māori Area Assessment 2013

Statement of Evidence of Antoine Coffin (Environment Court 2013)

Appendix 1 – RMA provisions relating tangata whenua engagement

RMA sec58M

sec 58M Te Mana Whakahono-a-Rohe, the purpose of a Mana Whakahono a Rohe is—

- (a) to provide a mechanism for iwi authorities and local authorities to discuss, agree, and record ways in which tangata whenua may, through their iwi authorities, participate in resource management and decision-making processes under this Act; and
- (b) to assist local authorities to comply with their statutory duties under this Act, including through the implementation of sections 6(e), 7(a), and 8.

RMA Sec74(2A)

74(2A) A territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district

RMA Schedule 1

Schedule 1,1A(1)A proposed policy statement or plan must be prepared in accordance with any applicable Mana Whakahono a Rohe

Schedule 1,2(2)(b)

A proposed regional coastal plan must be prepared by the regional council concerned in consultation with - iwi authorities of the region

Schedule 1,(3)(1)(d,e)

During the preparation of a proposed policy statement or plan, the local authority concerned shall consult –

- (d) the tangata whenua of the area who may be so affected, through iwi authorities; and
- (e) any customary marine title group in the area

Schedule 1, 3B - Consultation with iwi authorities

For the purposes of clause 3(1)(d), a local authority is to be treated as having consulted with iwi authorities in relation to those whose details are entered in the record kept under section 35A, if the local authority—

- (a) considers ways in which it may foster the development of their capacity to respond to an invitation to consult; and
- (b) establishes and maintains processes to provide opportunities for those iwi authorities to consult it; and
- (c) consults with those iwi authorities; and
- (d) enables those iwi authorities to identify resource management issues of concern to them; and
- (e) indicates how those issues have been or are to be addressed

Appendix 2 – Schedule of Meetings

Table showing meetings of Te Tumu Working Party, meetings with each iwi and representatives, Te Maru o Kaituna, Tangata Whenua Collective.

CTWF:	SmartGrowth Combined Tangata Whenua Forum (24 iwi and hapū representatives)
TWC:	Tauranga Moana Tangata Whenua Collective (now known as Te Rangapū Manawhenua o Tauranga Moana)
TTWP:	Te Tumu Tangata Whenua Working Party
SLGL:	Smart Growth Leadership Group (with 4 tangata whenua reps)
TMoK:	Te Maru o Kaituna
Tapuika:	Tapuika Iwi Authority
Waitaha:	Te Kapu o Waitaha
NWkM:	Ngāti Whakaue ki Maketu
NPES:	Ngāti Pikiao Environmental Society

Meeting	Date, time, venue	Agenda / Topics
Tapuika	25 July 2017, Tapuika Office, Te Puke	Overview of structure plan project Archaeological Investigation – survey by Dr Ken Phillips
CTWF	Wed 9 Aug 2017, 11am, Tauranga Historic Village	Announcement of starting engagement work on Te Tumu.
TTWP	Wed 9 Aug 2017, 12:30pm-2:30pm, Tauranga Historic Village	Establishment Meeting – frequency of meetings, venue, remuneration, timeframe, membership, significant Māori areas, TT Kaituna 14, flood modelling, archaeological investigation.
Waitaha	30 August 2017, 11am, Waitaha Offices, Te Puke	Te Tumu Archaeological Survey, Wairakei Stream
TTWP	Thursday 14 Sept 2017, 12:30pm-2:30pm, Te Puke Library	Project update, terms of reference, remuneration, archaeological investigation, site visit,
TTWP	Thursday 12 Oct 2017, 12:30pm-2:30pm, Papamoa Library	Archaeological investigations, terms of reference, draft structure plan, potential marina, Kaituna link, stormwater
TTWP	Thursday 16 Nov 2017, 12:30pm-2:30pm, Papamoa Library	Cultural monitors for survey, confirm terms of reference, building heights, cultural impact assessments, cultural management plan
TTWP	Thursday 7 Dec 2017, 12:30pm-2:30pm	<i>cancelled</i>

Meeting	Date, time, venue	Agenda / Topics
TTWP	Jan 2018	No Meeting
TTWP	Thursday 15 Feb 2018, 12:30pm-2:30pm, Te Puke Citizens RSA	Archaeological survey and kōiwi finds, representation, cultural impact assessments, terms of reference
TTWP	Thursday 15 March 2018, 12:30pm-2:30pm, Papamoa Library, Papamoa	Terms of reference, cultural impact assessments, media, archaeology, cultural management plan
CTWF	11 April 2018, Historic Village, 17th Ave, Tauranga South. (Balcony Room)	Presentation (Vision, technical work, who is being engaged, timeframes)
TTWP	Thursday 12 April 2018, 12:30pm-2:30pm, Te Puke Citizens RSA	Terms of reference, cultural impact assessments, kōiwi, cultural management plan
TMoK	27 April 2018, 10:30, Western Bay of Plenty District Council, Tauranga.	Presentation (Vision, technical work, who is being engaged, timeframes)
Tapuika	June 2018, Tapuika Office, Te Puke	TCC projects, Waiari River, Te Tumu Plan Change
TTWP	Thursday 17 May 2018, 12:30pm-2:30pm, Papamoa Library	Te Tumu Archaeological Report, terms of reference, cultural impact assessment, kōiwi
TTWP	Thursday 14 June 2018, 12:30pm-2:30pm	<i>cancelled</i>
TTWP	Thursday 12 July 2018, 12:30pm-2:30pm	<i>cancelled</i>
Tapuika	25 July 2018, The Orchard Church, Te Puke	Te Tumu Structure Plan & Rezoning Project Update Tangata Whenua Engagement Dr Ken Phillips; 2018 Survey Results and Updated Assessments of Recorded Sites within the Te Tumu Strategic Planning Area Report Moving forward
TTWP	Thursday 16 August 2018, 12:30-2:30pm Papamoa Library	Papamoa Eastern Interchange, building height assessment, cultural impact assessments, stormwater, archaeology, terms of reference
Uenukukopako	4 September 2018, 1:30pm-3:15pm, Uenukukopako Office, Te Ngae, Rotorua	Kōiwi Management and Investigation, Interchange, stormwater, relationship.
TTWP	Thursday 20 September 2018, 12:30pm-2:30pm Te Puke Citizens RSA	Tangata Whenua Collective membership, cultural impact assessment, stormwater overview and variation to consent, kōiwi,
Uenukukopako	9 October 2018, Uenukukopako Marae, Te Ngae, Rotorua	Presentation (Vision, technical work, who is being engaged, timeframes)

Meeting	Date, time, venue	Agenda / Topics
Tapuika	10 October 2018, Tapuika Office, Te Puke	CIA Site visit to Te Tumu
NWkM	10 th October 2018, 11:30am, Maketu Surf Club	Site visit, archaeological survey, building height, stormwater, CIA, special housing area, water conservation.
TTWP	Thursday 18 October 2018, 12:30pm-2:30pm Te Tumu Site Visit	Te Tumu Kaituna 14 block, Carrus Hickson Block, Bell Road, and boat ramp, 8B1, Ford Block
TTWP	Thursday 15 November 2018, 12:30pm-2:30pm Te Puke Library	Papamoa East Interchange, Mana whenua, Māori Land Court decision for TTK14, Landscape Plan,
SGLG	21 November 2018, 9:30am Tauranga City Council	Kaituna roading link & bridge Residential Development Capacity
TTWP	December 2018	No Meeting
TTWP	Jan 2019	No Meeting
TTWP	Thursday 14 th February 2019 Papamoa Library	Cancelled
TTWP	Thursday 14 th March 2019, 12:30-2:30pm, Papamoa Library	Proposed stormwater consents variation, wastewater strategy, cultural heritage literature review
TTWP	Thursday 11 th April 2019, 12:30-2:30pm, Te Puke Library	Cultural Management Plan overview / initial ideas / next steps
TMoK	3 May 2019, Whakaue Marae, Maketu	Project update, literature review, Kaituna Plan, cultural management plan
TTWP	Thursday 16 th May 2019, 12:30pm-2:30pm, Papamoa Library	Introduction to the Planning Framework, draft brief for cultural management plan, Iwi Engagement Framework
TTWP	Thursday 13 th June 2019, 12:30pm-2:30pm, Te Puke Library	Final brief for Cultural Management Plan, Iwi Engagement Framework post plan change, introduction to Landscape Management Plan
NPES	4 July 2019, 12noon – 1pm Papamoa Plaza, Papamoa	Representation, areas of interest
TTWP	July 2019	Cancelled
Tauranga City Tangata Whenua Committee	15 August 2019, Tauranga City Council	Presentation of project overview, who has been engaged, literature review, key themes, issues of concern, opportunities, Kaituna River, Cultural Management Plan, links to other plans.
TTWP	August 2019	Cancelled

Meeting	Date, time, venue	Agenda / Topics
TTWP	September 2019	Cancelled
TTWP	October 2019	Cancelled
TTWP	November 2019	Cancelled
TTWP	Jan 2020	No Meeting

Appendix 3 – Key Issues and opportunities identified during engagement

- Literature review
- Cultural Impact Assessments

Literature Review

Prepared by Te Onewa Consultants Dec 2018.

Issues and Options for addressing those issues

Issue	Options for Addressing these issues	Responsibility
When preparing or amending a district plan, a local authority must recognise and provide for the vision, objectives, and desired outcomes of the Kaituna River document. This is particularly relevant as the Kaituna River is the southern boundary of the Te Tumu lands. The Kaituna River document was launched in June 2018.	In regard to Treaty Settlements this report recommends: <ul style="list-style-type: none"> • When preparing or amending a district plan, a local authority must recognise and provide for the vision, objectives, and desired outcomes of the Kaituna River document. This is particularly relevant as the Kaituna River is the southern boundary of the Te Tumu lands. The Kaituna River document was launched in June 2018. 	TCC
For each resource consent application for an activity within, adjacent to, or directly affecting a statutory area, provide a summary of the application, notice of the application and determine whether the settlement group is an affected party. This will apply for the following areas and group: <ul style="list-style-type: none"> ○ Kaituna River – Tapuika ○ Coastal Marine Area from Little Waihi to Wairakei – Tapuika ○ Coastal Area from Maketu to Mauao – Waitaha ○ Wairakei Stream – Waitaha ○ Wairakei Stream – Ngā Pōtiki ○ Coastal Marine Area from Waioaro to Maketu – Ngai Te Rangī (entire area) 	<ul style="list-style-type: none"> • For each resource consent application for an activity within, adjacent to, or directly affecting a statutory area, provide a summary of the application, notice of the application and determine whether the settlement group is an affected party. This will apply for the following areas and group: <ul style="list-style-type: none"> ○ Kaituna River – Tapuika ○ Coastal Marine Area from Little Waihi to Wairakei – Tapuika ○ Coastal Area from Maketu to Mauao – Waitaha ○ Wairakei Stream – Waitaha ○ Wairakei Stream – Ngā Pōtiki ○ Coastal Marine Area from Waioaro to Maketu – Ngai Te Rangī (entire area) and Ngā Pōtiki (Parakiri to Maketu) • The above statutory acknowledgements will be included in statutory plans. 	TCC

Issue	Options for Addressing these issues	Responsibility
and Ngā Pōtiki (Parakiri to Maketu)		
Recognition of the Kaituna River and Wairakei Stream	<p>In regards to The Kaituna River and the Wairakei Stream consider:</p> <ul style="list-style-type: none"> • The Stage 2 Wairakei Stream Corridor Landscape Plan and Wairakei Stream Cultural Management Plan being developed and implemented in consultation with Māori landowners and tangata whenua groups. This should include the removal of plant pests. • Consider a similar approach (Wairakei Stream Corridor Landscape Plan and Wairakei Stream Cultural Management Plan) for the areas adjacent to the Kaituna River. • Clarify with tangata whenua options for access to the Kaituna River. • Clarify with tangata whenua that sites of significance have been identified and appropriate protection mechanisms are in place including access. • Clarify with tangata whenua if there are other sites not identified in IMP that may require recognition. Clarify with tangata whenua if sites of significance including taonga waka adjacent to the Kaituna River within the Te Tumu project area should be identified (if not already) and recognised appropriately. • Support collaborative relationships that foster and enable sustainable industry and business practices to actively enhance the Kaituna River. • Clarify with tangata whenua if sites of significance adjacent to the Kaituna River within the Te Tumu project area should be recognised with pou or other appropriate markers. Carved pou and other appropriate markers are erected adjacent to the Kaituna River where considered appropriate by iwi, to indicate sites of special significance. • Technical reports are accessible to tangata whenua through an appropriate online or cloud-based system. Information on the environmental state of the Kaituna River is regularly exchanged between iwi and relevant agencies (through 	TCC Tangata Whenua Landowners Te Maru o Kaituna

Issue	Options for Addressing these issues	Responsibility
	<p>provision of technical documents) and meetings with a forum.</p> <ul style="list-style-type: none"> • Significant ecological areas precluded from development. • Projects for Wairakei Stream to include restoring stream and wetland ecosystems. • Ecosystem health, habitats that support indigenous vegetation and species, and wetlands within the Kaituna River are restored, protected and enhanced. Explore opportunities to create, increase and enhance the extent and quality of wetlands in the lower Kaituna catchment. • Replanting of native vegetation along the riverbanks, stop banks, and ridges of the waterways. • Wastewater is reticulated. 	
Protection of sites of significance to Māori	<p>In regards to ngā wāhi tuturu - sites and areas of significance including kōiwi consider:</p> <ul style="list-style-type: none"> • Identifying and implementing a suite of appropriate protection mechanisms (planning, legal and physical) in consultation with tangata whenua and agreed to by landowners, <ul style="list-style-type: none"> ○ e.g Planning - SMAs, archaeological landscapes, kōiwi (silent file) ○ e.g Legal - covenants, agreements, reserves ○ e.g Physical - vegetation, signage/interpretation, fencing, formal access provided, design of movement (vehicle, pedestrian, bicycle), avoidance. • Identifying and providing for access to sites and areas of significance (where appropriate), with priority to those identified as SMAs and sites of significance adjacent to the Kaituna River. • Nominating the most significant sites and areas of cultural significance for registration under the Heritage NZ Pouhere Taonga Act 2014. • Development and agreement to a Protocol for Te Tumu that addresses the accidental discovery of archaeological sites, kōiwi (human 	TCC Landowners Tangata whenua

Issue	Options for Addressing these issues	Responsibility
	<p>remains) and taonga tuturu (artefacts).</p> <ul style="list-style-type: none"> • Prepare a heritage assessment of SMAs adjacent to the Kaituna River to confirm the spatial extent of the sites in cultural and archaeological terms. • Developing planning and design solutions that consider the interface/ transition between urban and cultural heritage spaces. 	
Development of Māori owned land	<p>Some of the solutions or mechanisms that may be appropriate for Māori owned land include:</p> <ul style="list-style-type: none"> • Rezoning Māori land to deliver options for development should they wish to do so. • Provision of infrastructure to or nearby to allow access and development options in the future. • Meeting with Māori Land Trusts to confirm the nature and scope of development they would support on their lands. • The provision of a zone that allows housing for landowners and descendants on 7B1 as appropriate. 	
Employment	<p>Some of the solutions or mechanisms that may be appropriate for employment include:</p> <ul style="list-style-type: none"> • The Structure Plan and Plan Change enables commercial and employment opportunities through zoning and infrastructure. • The development of the lands will facilitate the need for a significant number of construction and service industry staff. • Check to see if there has been any economic feasibility and assessment conducted to identify the types of business and commercial activity that will occur as a result of the urbanisation of Te Tumu. 	
Cultural Recognition	<p>In regards to cultural recognition, consultation and participation:</p> <ul style="list-style-type: none"> • Invite Ngāti Rangiwewehi, Ngāti Uenukukopako and Ngāti Rangiteaorere to join the Tauranga Moana Tangata Whenua Collective, and/ or establish a formal relationship with the hapū that relates to the Te Tumu lands. 	

Issue	Options for Addressing these issues	Responsibility
	<ul style="list-style-type: none"> • Explore the potential for the Te Tumu Tangata Whenua Working Group continuing its role following the Plan Change to facilitate participation and involvement of tangata whenua in the implementation of urban growth at Te Tumu. This could potentially include landowners. • Incorporate requirements of statutory acknowledgements in consenting team procedures. This relates to the Tapuika (Kaituna River), Waitaha (Wairakei Stream), and possibly Ngā Pōtiki (Wairakei Stream) and possibly Ngai Te Rangi (Coastal area). • Develop a single protocol (for archaeology, kōiwi and taonga tuturu) in consultation with tangata whenua groups and landowners. • Technical reports are accessible to tangata whenua through an appropriate online or cloud-based system. Information on the environmental state of the Kaituna River is regularly exchanged between iwi and relevant agencies (through provision of technical documents and meetings with a forum). • With regard to Māori design principles, iwi and hapū articulate their aspirations in cultural impact assessments, workshops of Tangata Whenua Working party and submissions to the proposed plan change. • Explore avenues for participation of tangata whenua in decision-making and management of sites of significance, customary resources and other issues of importance to tangata whenua. These could include the Tangata Whenua Working party, formal relationships and protocol(s). 	
	<p>Some of the solutions or mechanisms that may be appropriate for ecological enhancement of wetlands, dunes and waterways include:</p> <ul style="list-style-type: none"> • Identification of indigenous habitat, significant ecology and sites of significance has been conducted as part of the review of the City Plan 	

Issue	Options for Addressing these issues	Responsibility
	<p>and the Te Tumu project. Further review of this work could be conducted at a later date.</p> <ul style="list-style-type: none"> • Stage 2 Wairakei Stream Corridor Landscape Plan and Wairakei Stream Cultural Management Plan to be developed and implemented in consultation with Māori landowners and tangata whenua groups. • Replanting of native vegetation along the river banks, stopbanks, and ridges of the waterways. A planting programme implemented that concentrates on the river / stream / estuary banks. • Significant ecological areas precluded from development. 	
Water Quality	<p>Some of the solutions or mechanisms identified in literature for water quality include:</p> <ul style="list-style-type: none"> • Wastewater will be reticulated. • Stage 2 Wairakei Stream Corridor Landscape Plan and Wairakei Stream Cultural Management Plan to be developed and implemented in consultation with Māori landowners and tangata whenua groups. • Creation, restoration, replanting and utilisation of wetlands. • Stormwater consents have been sought and achieved. The approach to stormwater is being developed in consultation with tangata whenua. The current approach involves establishing a series of wetlands, swales and holding ponds that will manage stormwater within the Te Tumu lands. Large storm events will be mitigated through overflow system and wetlands adjacent to the Kaituna River. The stormwater approach will enhance ecological values at Te Tumu. • Stormwater management will utilise soakage, swales, wetlands and holding ponds. • Consider the size and scale of composting or septic tank options on small Māori land blocks. It may be uneconomic and impractical for connected infrastructure in some instances (e.g. constructing infrastructure for 1-2 dwellings). 	

Issue	Options for Addressing these issues	Responsibility
Improved land practises	<p>Some of the solutions or mechanisms identified in literature regarding improved land practises include:</p> <ul style="list-style-type: none"> • Fine tuning the proposed stormwater system with tangata whenua. • Incorporating Māori Design principles, low impact design and development and energy use efficiency measures. • Introduction of pervious surfaces and water conservation and use efficiency measures. • Height restrictions of buildings at Te Tumu. • Building colours that are sympathetic to the natural environment to minimise the landscape effects of development on Maketū. • Public transport use to reduce reliance on motor vehicles. • Large-scale landscaping of locally sourced native plants. • Fruit trees, rongoā plants and cultural materials (e.g. harakeke) in communal areas such as reserves and open spaces. 	TCC Landowners Developers
Natural Hazards	<p>Some of the solutions or mechanisms for addressing natural hazards include:</p> <ul style="list-style-type: none"> • Stormwater consents have been granted. The next stage will be implementing these consents in alignment with the conditions and in consultation with tangata whenua groups. The current approach involves establishing a series of wetlands, swales and holding ponds that will manage stormwater within the Te Tumu lands. Large storm events will be mitigated through overflow system and wetlands adjacent to the Kaituna River. • Several studies have been undertaken including archaeology, special ecological areas, outstanding natural features and important amenity landscapes, natural character areas, natural hazards – flooding, tsunami, liquefaction. • Roadway access should provide emergency access. • Dwellings will need to be constructed at levels that recognise risk from tsunami. 	TCC Landowners

Issue	Options for Addressing these issues	Responsibility
Community facilities	<p>The provision of reserves, open space, and community facilities is part and parcel of urban development. It will be an important and essential element of the Te Tumu urban development to make it attractive and sustainable to a resident community.</p> <p>There could be further discussion among the tangata whenua working party members regarding expectations of information and principles to apply to consideration of recreation, sport and leisure activities. This might be particularly important in areas adjacent to sites and areas of cultural heritage value, areas adjacent to the Kaituna River and Wairakei Stream and the foredunes.</p>	TCC Landowners
Opposition to the bridge and marina.	It may be beneficial in understanding the underlying reasons for the opposition in one management plan to the bridge and marina as the reasons are not articulated in the iwi management plan.	
Some iwi have been heavily involved in Te Tumu, Wairakei and Papamoa resource management since at least 2004.	<p>Waitaha and Tapuika but also Ngā Pōtiki, Ngai Te Rangi (including Te Whanau o Tauwhao) and Ngāti Whakaue ki Maketu have been heavily involved in resource management processes involving the development of Papamoa and Wairakei since at least 2004.</p> <p>They have consistently responded to and participated in decision-making processes in planning and development along the coast, writing cultural impact assessments, cultural management plans and iwi management plans.</p>	
Addressing issues and recommendations provided in cultural impact assessments.	It is understood that several cultural impact assessments are being prepared for the Te Tumu project. These are from Ngāti Whakaue ki Maketu, Uenukukopako, Ngāti Pūkenga and possibly others. These may have recommendations supplementary or complimentary to those contained in this report.	TCC
The scope of the Wairakei Landscape Plan and Wairakei Cultural Management Plan.	At the time of this report the Wairakei Landscape Plan and Wairakei Cultural Plan is in its initial stages of planning and engagement with tangata whenua and will begin shortly. This will be an important project for tangata whenua. Some consideration should be given to extending	TCC Tangata Whenua Landowners

Issue	Options for Addressing these issues	Responsibility
	the coverage of the cultural management plan for the Wairakei Stream, to include areas immediately adjacent to the Kaituna River, and the sand dunes to address matters raised in the literature regarding the special significance of these areas. Much of these areas have archaeology, significant Māori areas, wāhi tapu and ecological habitats that are likely to be excluded from urban development.	

Ngāti Pūkenga Cultural Impact Assessment

Prepared by Buddy Mikaere for Ngāti Pūkenga ki Tauranga Iwi Trust Environmental Unit, Feb 2019

Issues and Opportunities

- Earthworks unearthing kōiwi
- Stormwater runoff washes sediment into the waterways and ocean
- Water quality issues require kaitiaki obligations for water and environmental protection
- River, waterways, and wetlands placed at risk – a failure of kaitiakitanga obligations
- Affordable housing
- Areas adjacent to former Te Tumu Pā are significant
- Restoration and enhancement of river water quality and habitat
- Residential development close to the river will diminish the mauri
- Application of standard protocols for known and recorded archaeological sites and protocols for accidental finds from earthworks.
- Te Tumu was a traditional harvesting area. Ngāti Pūkenga have lost access to this area and activity.

Main Recommendations

- Ngāti Pūkenga wish to be consulted at all stages of the project development.
- Ngāti Pūkenga wish to be included in the dissemination of any information, reports etc. arising from any archaeology assessments and ecological assessments in the project area.
- Ngāti Pūkenga wish to be involved in any earthworks monitoring.
- Ngāti Pūkenga wish to be informed and where practicable, involved, in any environmental monitoring e.g. water quality monitoring.
- Ngāti Pūkenga seek to be involved in the formulation of any resource consent conditions; particularly those related to water and stormwater treatment and discharge to the ocean and the Kaituna river.
- Wide riparian strips and building setbacks.
- Set aside a specific reserve space for a Pā harakeke.

- Communal vegetable gardens and orchards.
- A surf lifesaving club.
- Catching roof water and solar energy panels for all new dwellings.
- Ngāti Pūkenga wish to be involved in any cultural proposals for the development such as ancestral carved pou, art installations, street names and similar which might mark or commemorate our ancestral interests with the Te Tumu development.
- On the assumption that any development work will be preceded by appropriate ceremonial - karakia, Ngāti Pūkenga seeks to be involved along with other participating hapū/iwi.

Waitaha Cultural Impact Assessment

Prepared by Whareoteriri Rahiri, 2019

Issues of concern

- Four areas of cultural significance – Te Tumu, O-tu-Matawhero, Wairakei (river), Te Kopua
- Other sites of Significance to Waitaha
- Recognition of Nga Tikanga o Waitaha
- Opportunity to input into management plans
- Gathering and possessing cultural materials.

Recommendations

- To minimise the effects Waitaha are directing Tauranga City Council to its responsibilities to the Waitaha legislation (Deed of Settlement) and Conservation Protocol.
- That all pā sites be reserved for public / passive reserves and at least one be set aside for the burial of Tūpapaku found.
- That all shell middens to be removed to be included in the makeup of a Memorial garden /s and used along the road median strips or footpaths. Not to remove from area.
- That land be set aside along the water ways for wetlands and passive walkways.
- That land along the rivers be set aside for recreational fishing and white baiting or eeling.
- That the overall environment reflects the natural uniqueness of this area as special to Māori.
- That Iwi have the opportunity to tell their story.
- That the waterways and rivers be left in Iwi ownership.
- That Waitaha be represented in all planning / coastal, marine, water ways, habitats, indigenous flora, fauna, to the environment as an example.

Draft Ngāti Whakaue ki Maketu Cultural Impact Assessment

Prepared by Maria Horne, 16 April 2019

Issues of concern and opportunities

- Cutting of pine trees disturbing kōiwi, unearthing artefacts.
- Excavating the land block unearthing kōiwi, artefacts, evidence of kainga, pā and urupā.
- Wairakei and Horopia swamps restored or enhanced and maintained.
- Parks and reserve for cultural landscaping and plants.
- Lighting from intensive land development interferes with our night sky, we are unable to connect with our Atua.
- Bridges and roads leading to Maketu impact on the aesthetic views of Ngāti Whakaue we currently enjoy. We can see the whole coastline from Maketu to Mauao maunga.
- Loss of history of land and tangata whenua recognition
- Noise levels – wellbeing of whānau and hapū, ensuring we can use our marae with minimal interference from the construction development.
- Bilingual signage – promotion and obligation to promote Te Reo Māori on public buildings, public amenities, reserves, road signage.

Recommendations

- Cultural monitoring of the development is carried out by Ngāti Whakaue ki Maketu.
- Wahi Tapu areas avoided from destruction.
- Access walkways over wetland and sensitive areas provided.
- Ngāti Whakaue ki Maketu Hapū Management Plan is taken into consideration.
- Recognition of the Māori history through appropriate cultural art, history boards that tell our story and street names in remembrance of our history.
- Significance of the water bodies are swamplands. Ensuring they are protected or restored enhanced and maintained.
- Parks, reserves, and streets are landscaped and planted with useful trees and plants that provide shade, plants that are edible and that are medicinal, plants that are useful.
- Historical Pā Sites and Urupā avoided,
- Wairakei stream enhanced and any enhancement maintained.
- Wetlands are restored and enhanced with appropriate funding tagged to maintenance.
- Tangata whenua employment or apprenticeship opportunities.
- A maximum height of buildings so as not to intrude on the neighbours.
- The adverse effects on our hapū who are the neighbours of this development are living at Maketu recognised and our voices heard and acknowledge.
- Noise levels of the construction are controlled and in compliance with council protocols.
- Take into consideration that Ngāti Whakaue ki Maketu are the neighbours of this development and the adverse effects this will have on their lifestyles.
- Minimal to no adverse effects on the Kaituna River or the coastal space.
- Annual funding tagged to protect and maintain these recommendations.

Draft Ngāti Uenukukopako Cultural Impact Assessment

Prepared by Ngāti Uenukukopako Iwi Trust, March 2019

Hapū issues of concern

- We don't want to sell the land
- What will we leave for our mokopuna?
- Why did they divert the Wairakei Stream?
- Why does it look like that all or most sites of significance are in the flood zone?
- Is there a plan to protect Te Tumu?
- How will the continued coastal erosion be managed?
- What are the benefits for and against this development?
- Are we losing our connection to this whenua?
- Why build out, why not build up?
- Should have a plan to gradually replace single level buildings to multi levels within the SmartGrowth Strategy for Tauranga
- Water supply: Where will that come from?
- Look at an alternate system to the current infrastructure to treat sewage.
- Why is Te Tumu used as a storm water run-off?
- Do we need to give land for infrastructure or can we lease?
- This land was natural swamp would that be the same scenario as the development at Ngongotaha?
- How many people are we talking about that this project will be accommodating?
- There are bones all over the whenua what will happen to them?
- Prime land: worth more: sell or develop?
- Why can't we have a Papakainga development?
- Why was the Kaituna straightened?
- Could we have DNZ testing of the bones?
- Plan for harvesting rain water from roofs.
- Will this project add to the pollutants already entering the Kaituna and Wairakei Stream?
- Who will manage the reserves and will the Tangata whenua have a seat as of right on the reserve board?
- You talked about managing storm water on site, is that in the plan we have?
- Will we have access to our wahi tapu?
- Will Tauranga's sewage system handle an extra 15,000 inhabitants and if so, are we not adding to the pau being pumped into the sea?
- If there was a Tsunami, how quickly can they evacuate especially when the in and out of Te Tumu is through Papamoa?
- Are they consulting with land owners?
- What does consulting mean?
- Protect Te Tumu as a historical area and Highlight as a place of significance.
- Are we against development, if so why and if not why?
- Who's been looking after our interest out on the east coast?
- Do we have a voice on Te Maru Kaituna River Authority?
- If the development of the reserves was to proceed what would you want for it to look like or have within it?
- Where were the bones found and what happened to them?

- A whale was found on the beach at Te Tumu recently, why was it buried and why did we have no input into the decision?
- It seems that the little guys are being forced or have no option but to be part of this project.
- Need a MOU with TCC.
- Need to set protocols of engagement.
- Isn't flooding in Papamoa an issue?

Issues of concern (covered in CIA)

- Streams and rivers are a taonga – maintain and enhance the quality and quantity of water.
- Altering the state of the mauri (Wairakei Stream) to a point of no return is offensive and culturally insensitive.
- The responsibility of managing and paying for stormwater management.
- Support for any initiative to revive or restore wetlands. Wetlands area taonga, to be protected and enhanced.
- Wetlands are sources of traditional materials. Protocols for harvesting in the future are required.
- Risk of flooding and tsunami – emergency procedures and measures.
- Oppose loss of land through sale that may cause disconnection, loss of history, no spiritual ties and failure to protect Papatuanuku.
- Support active management of kōiwi.
- Pine tree removal may uncover kōiwi.
- Carbon dating of kōiwi.
- Monitoring of earthworks.
- Inadequate historical protection of wahi tapu. protect and preserve cultural sites of significance.
- Land-based wastewater disposal is preferred.
- Acknowledge reserves within Te Tumu development. Recommend a reserve board is established.
- Ngāti Uenukukopako have a cynical view of government practices and policies.
- Hapū need time and resources to fully appreciate the complexities of this development.
- Suggest a mauri model decision-making framework evaluation.

Tapuika Cultural Impact Assessment

Prepared by Te Rangipuatata Joseph Maxwell on behalf of Tapuika Iwi Authority, Feb 2020

Issues of Concern

- Tangata whenua recognition
- Mana whenua recognition
- Tumu Kaituna Pre-European sites of significance
- Incorrect recording of Tumu Kaituna Pakanga sites
- Incorrect recording of Tumu Kaituna Taniwha sites
- Incorrect recording of Tumu Kaituna Wahi Tupuna sites
- Incorrect recording of Tumu Kaituna Wahi Tapu sites
- Damages caused to Taniwha sites of significance
- Damages caused to Pakanga sites of significance
- Damages caused to Wahi Tupuna sites of significance
- Damages caused to Wahi Tapu sites of significance
- Limited scope and survey Pre-European sites of significance
- Overlay of European historical context Pre-European sites of significance
- Historical context and analysis focus on European early settlement.

Engagement Expectations

THE ACTIVITY	CULTURAL IMPACT	MITIGATION OPTIONS
Within the study area Te Tumu advance Maori Well Being	Meeting the needs and support the aspirations of Tamariki and their whānau	Provide legal safe access to sporting and recreation at Tumu Kaituna
Tangata whenua whanau ora	Invest in marae to be self-sustaining and prosperous	Promote Maori success, innovation and enterprise
Grow Māori intergenerational well being	Showcase Tangata whenua Maori identity and vibrant Maori culture	Grow Maori intergenerational wealth
Advance mana whenua rangatiratanga in leadership	Advance mana whenua rangatiratanga and decision-making and provide for customary rights	Celebrate Māori culture and support te reo Maori to flourish
Recognise and provide for te Tiriti o Waitangi outcomes	Strengthen rangatahi employment outcomes	Strengthen rangatahi leadership, education and
Reflect mana whenua mātauranga and Maori design principles	Focus study Area including throughout Tauranga Mt Maunganui Papamoa and Te Tumu	Review the 2002 LGA Four well beings for Maori whanau and children within Te Tumu

Responses to Development

THE ACTIVITY	CULTURAL IMPACT	MITIGATION OPTIONS
Tangata whenua Mana whenua values is being affected by occupation loading densities and discharge	Developments including or involving discharges to, or may enter, the sea, rivers, streams, , wetlands, aquifers	Residential densities, retail and light commercial developments subject to or involve acknowledgements treaty settlement Tangata whenua Maori land interests)
Development projects as potentially causing damage Wahi Tupuna pre European occupation sites of significance at Tumu Kaituna Damage to Mana whenua Wahi Tapu pre European occupation sites of significance at Tumu Kaituna	Historic heritage overlay sites of significance tangata whenua specific sites of significance focus Wahi Tupuna and Wahi Tapu sites Historic heritage overlay sites of significance tangata whenua specific sites of significance focus Wahi Tupuna and Wahi Tapu sites	Historic heritage overlay sites of significance tangata whenua specific sites of significance focus Wahi Tupuna and Wahi Tapu sites Site management protection of sites of significance. Permission for archaeological surveys and excavations
Tapuika Te Arawa Waka Iwi (TTWI) sites of significance are highly prized areas of land water spatial exhibits and cultural assets that exhibit the following	Areas identified for cultural and spiritual purification cleansing and / or ceremonial purposes, activities, natural places; fisheries and food gathering sites within Tumu Kaituna	Restoration preservation and enhancement of Tumu Kaituna wetlands with incubations ponds for native species fauna and flora research and education
Planning and re zoning make provision and provide to project a review the 2002 LGA Four well beings for Iwi Hapū Maori whanau and children within Te Tumu	Tapuika Te Arawa waka iwi Tribal importance existing and historical pre European marae, papakaainga (communities) urupaa (burial grounds) monuments and areas of celebration	Engage and provide for mana whenua mātauranga and Māori design principles
There is no 'One fits all definition' and engagement with mana / tangata whenua with the 2018 study of recoded sites will identify resource use activity sites within Te Tumu	There are broadly accepted types of waahi tapu/waahi tuupuna sites. Tapuika rohe has many areas of significance that are associated to the history of its people, its environment and culture.	After the confiscation of Tapuika lands and the subsequent industry and urban development, many known sites of significance were destroyed, and shifted to the ownership and management of other persons and organisations

Responses to sites of significance

THE ACTIVITY	CULTURAL IMPACT	MITIGATION OPTIONS
Tangible objects within the study area and scope, such as types of heirlooms, artefacts, carvings land and fisheries, those things that are highly prized and derived from iwi, hapu and whaanau. They are whakapapa connected and are passed on from one generation to the next.	Tapuika Te Arawa Waka Iwi sites have been and continue to be lost, they cannot be replaced and there is no mitigation that can restore its original significance. Therefore Mana / tangata whenua must protect their waahi tapu and waahi tuupuna for the benefit of future generations and to acknowledge the sacrifices of tuupuna	After the confiscation of Tapuika lands and the subsequent industry and urban development, many known sites of significance were destroyed, and shifted to the ownership and management of other persons and organisations.

Accidental Discoveries of artefacts It is the position of Tapuika Te Arawa Waka Iwi that any taonga of Maori origin within the rohe, is not subject to the provisions of the Protected Objects Act 1975. Therefore, Tapuika Te Arawa Waka Iwi are the rightful owners of the taonga tuku iho (or taonga tuturu).	Taonga such as whakairo (carvings), toki (axes, adzes), koo (digging implements), hiinaki (eel traps) and other objects are considered to be taonga tuku iho to	Tapuika. Under the Tapuika Iwi Accord with the Ministry for Culture and Heritage, 'taonga tuku iho' and ownership may also accrue to Tapuika Te Arawa Waka Iwi marae and/or hapūu either individually or, in the case of shared interests, collectively
Tapuika Te Arawa Waka Iwi are the rightful owners of the taonga tuku iho (or taonga tuturu). This ownership may accrue to Tapuika Te Arawa Waka Iwi marae and/or hapūu either individually or, in the case of shared interests, collectively	TTWI are also temporary Custodians of Taonga Tuturu, as defined under the protected objects Act 1975	Therefore, at the point of discovery, within the Te Tumu Development Project area; TTWI is temporary custodian of found taonga until ownership is determined and arrangement's is considered for the transfer of ownership and / or custodian ship
<p>Before site works commence clear protocols exists to manage the site</p> <p>The potential and actual discovery of wahi tapu and or / taonga tuku iho. Often Tapuika iwi may not want to reveal the location or type of a waahi tapu and waahi tupuna site.</p> <p>Lack of understanding of who to talk to within Tapuika Te Arawa Waka Iwi and the protocol to be followed can lead to modification and destruction</p>	Tapuika concerns at the ways that waahi tapu and waahi tupuna sites have been managed whether they be owned privately or by Iwi; that has led to destruction and / or in appropriate use of waahi tapu and waahi tupuna sites. Often Tapuika Te Arawa waka Iwi are not informed of impending use and or / destruction	<p>Tapuika Te Arawa Waka iwi needs confidence that resource users and activity operations that impact the rohe o Tapuika have clear site management protocols</p> <p>However unless Tapuika Te Arawa Waka Iwi are involved in managing waahi tapu and waahi tupuna, such hidden sites cannot be appropriately managed</p>
<p>The discovery of taonga tuku iho or archialogocal sites must be accompanied with protocols so that all parties are clear on how best to manage the discovery for the benefit of the preservation of the taonga site.</p> <p>Clear protocols will enable the discoveries to be managed including user activity operators activity</p>	Te Arawa Waka Iwi aspirations for preservation Taonga or site, clear protocols will enable the discovery to be managed in a way that is best for cultural, social, and environmental outcomes and to hopefully to ensure minimum disruption to the resource	Tapuika. Under the Tapuika Iwi Accord with heritage Iwi aspirations for preservation Taonga or site. Clear protocols will enable the discovery to be managed in a way that is best for cultural, social, and environmental outcomes and to hopefully to ensure minimum disruption to the resource
Advance mana whenua rangatiratanga in leadership	Advance mana whenua rangatiratanga and	Celebrate Maori culture and support te reo Maori to flourish

	decision-making and provide for customary rights	
Recognise and provide for te Tiriti o Waitangi outcomes	Strengthen rangatahi employment outcomes	Strengthen rangatahi leadership, education and
Reflect mana whenua mātauranga and Maori design principles	Focus study Area including throughout Tauranga Mt Maunganui Papamoa and Te Tumu	Review the 2002 LGA Four well beings for Maori whanau and children within Te Tumu

Principles values beliefs practices relationships

THE ACTIVITY	CULTURAL IMPACT	MITIGATION OPTIONS
Within the study area Te Tumu advance Maori Well Being	Meeting the needs and support the aspirations of Tamariki and their whānau	Provide legal safe access to sporting and recreation at Tumu Kaituna
Tangata whenua whanau ora	Invest in marae to be self-sustaining and prosperous	Promote Maori success, innovation and enterprise
Grow Maori intergenerational well being	Showcase Tangata whenua Maori identity and vibrant Maori culture	Grow Maori intergenerational wealth
Advance mana whenua rangatiratanga in leadership	Advance mana whenua rangatiratanga and decision-making and provide for customary rights	Celebrate Maori culture and support te reo Maori to flourish
Recognise and provide for te Tiriti o Waitangi outcomes	Strengthen rangatahi employment outcomes	Strengthen rangatahi leadership, education and
Reflect mana whenua mātauranga and Maori design principles	Focus study Area including throughout Tauranga Mt Maunganui Papamoa and Te Tumu	Review the 2002 LGA Four well beings for Maori whanau and children within Te Tumu

Tangata Whenua Impacts

Proposed Activity	Impact on Cultural Values	Mitigation response from Iwi Hapu
Sites on private lands may need to be protected through working with local authorities, the land owner or working through different strategies Te Tumu sites of significance undergoing rapid development and rezoning	Mana whenua can help you to: understand the history of Te Tumu and site be informed about the values and beliefs of mana whenua ensure the Assessment of cultural (CIA) Environmental Effects (AEE) that must accompany application fully	Strategies preventing the decline of peripheral areas the compensation of economic site working through different strategies Te Tumu sites

of Rural areas, application agglomeration policy)	identifies and addresses the effects of your proposal	
Tumu Kaituna Coastal area development is a volatile environment	Natural forces and human interventions can have significant impact on the area.	Storms and flooding expose koiwi human remains increased activities through open access impact waahi tapu and area of significance to Tapuika Te Arawa Waka Iwi wish to protect sites and prevent human activity exposing taonga
Advance mana whenua rangatiratanga in leadership	Advance mana whenua rangatiratanga and decision-making and provide for customary rights	Celebrate Maori culture and support te reo Maori to flourish
Recognise and provide for te Tiriti o Waitangi outcomes	Strengthen rangatahi employment outcomes	Strengthen rangatahi leadership, education and
Reflect mana whenua matauranga and Māori design principles	Focus study Area including throughout Tauranga Mt Maunganui Papamoa and Te Tumu	Review the 2002 LGA Four well beings for Maori whanau and children within Te Tumu

Appendix 4 – Letter to iwi Authorities

A letter was sent to the following iwi authorities on 30 April 2019:

Tauranga Moana Trust Board

Te Rūnanga o Ngai Te Rangi Iwi Trust

Ngāti Pūkenga Iwi ki Tauranga Trust

Te Kapu o Waitaha

Tapuika Iwi Authority

Ngāti Uenukukopako Iwi Trust

Ngāti Rangiteaorere Koromatua Council

Te Pumautanga o Te Arawa (Ngāti Whakaue)

Te Maru o Ngāti Rangiwehehi Iwi Authority

Click here to enter a date



[Address]

Tēnā koe [Recipient's First name/s Last name/s]

PROPOSED PLAN CHANGE TO THE TAURANGA CITY PLAN – TE TUMU URBAN GROWTH AREA

The purpose of this letter is to outline a proposed plan change to the Tauranga City Plan. Council are currently progressing the structure planning and preparation of a plan change to rezone the Te Tumu Urban Growth Area. Te Tumu is planned to help support the region's future growth as part of the SmartGrowth strategy.

Located in Papamoa East, Te Tumu Urban Growth Area includes the following blocks; Te Tumu Kaituna 14, Te Tumu 7B1, 7B2, Te Tumu 8B1, Carrus-Hickson Block, Ford lands Block, Te Tumu 11B2 and several others. The structure plan and plan change proposes to protect and preserve the area's natural character while building a sustainable community around the planned town centre, employment precincts, schools and sportsfields, walkways and cycleways. Based on our investigations to date, approximately 400ha of the 740ha of land within Te Tumu could be developed, providing new housing for more than 15,500 people.

Council have established the Te Tumu Tangata Whenua Working Party (TTTWWP) in August 2017. The TTTWWP meet monthly to provide guidance and advice to the Te Tumu structure plan and rezoning project on behalf of tangata whenua iwi and hapu. The working party also identify issues, concerns and opportunities for tangata whenua. The following parties are currently part of the TTTWWP:

- Nga Potiki represented by Nga Potiki o Tamapahore Trust (Matire Duncan);
- Ngati He represented by Ngati He Hapu Trust (Pine McLeod);
- Ngai Te Rangī represented by Te Runanga o Ngai Te Rangī Iwi Trust (Whitiora McLeod);
- Ngati Whakaue ki Maketu represented by Te Runanga o Ngati Whakaue ki Maketu (Maria Horne, Manu Pene);
- Tapuika represented by Tapuika Iwi Authority (Hohepa Maxwell);
- Waitaha represented by Te Kapu o Waitaha (Whareoteriri Rahiri, Vivienne Robinson);

- Ngati Rangiwewehi (Uenuku Fairhall, Gina Mohi);
- Uenukukopako represented by Ngati Uenukukopako Iwi Trust (Nereaha Pirika, Aroha Bradley)
- Rangiteaorere represented by Ngati Rangiteaorere Koromātua Council (Dr Ken Kennedy, Rangimahuta Easthope)
- Ngati Pukenga represented by Ngati Pukenga ki Tauranga Trust (Rehua Smallman, Buddy Mikaere); and
- Tauranga City Council (TCC).

The TTTWWP will continue to meet until notification of the plan change.

Council are working towards finalising technical assessments and the structure plan. Preparation of the plan change to rezone the land is also underway. We have identified you as a relevant iwi authority to consult with as part of the preparation of the plan change.

While we continue to consult with the iwi and hapu authorities set out above, we would like to invite you to consult with us if you have an interest in the proposed plan change.

If you require any further information or wish to meet, please do not hesitate to contact Antoine Coffin, Te Onewa Consultants Ltd at **s 9(2)(a)**

Naku noa

A handwritten signature in black ink, appearing to read "Campbell Larking".

Campbell Larking
Senior Project Manager: Urban Growth

s 9(2)(a)

s 9(2)(a)

Bay of Plenty Regional Council

Resource Consent

Pursuant to the Resource Management Act 1991, the **Bay of Plenty Regional Council**, by a decision dated 9 July 2008, **hereby grants**:

A resource consent:

- Pursuant to section 15(1)(a) of the Resource Management Act 1991 and to Rule 30A of the Proposed Bay of Plenty Regional Water and Land Plan to undertake a restricted discretionary activity being to discharge urban stormwater to the Wairakei Stream and to the Kaituna River from:
 - Four outlet structures to the Wairakei Stream within the Part I (Wairakei) area;
 - A total of six discharge points to the Kaituna River including two of three optional high level overflows within the Part 2 (Te Tumu) area;
 - The existing outfalls to the Wairakei Stream within the Existing Urban Areas included in Application 61153 and set out in Appendix A to this consent;
 - Outfalls and associated works and structures, to the Wairakei Stream operating under resource consents presently held by the consent holder and set out in Appendix B; and
 - Once transferred to the consent holder, the structures, ponds and swales authorised by existing privately held resource consents;
 - Any future discharges from urban development in the comprehensive stormwater consent area not listed above, that comply with the relevant provisions of this consent;

subject to the following conditions:

1 Scope

- 1.0 This comprehensive stormwater consent is limited to the extent shown on BOPRC Plan Number RC 63636/1.

2 Locations and Timing of Discharge Points

- 2.1 Stormwater discharged to the land where that water may enter the Pacific Ocean at the discharge points known as "Harrison's Cut" and at Grant Place, Papamoa, shall be as shown on BOPRC Plan Number 63636/1 and from the existing outfalls to the coastal dune strip listed in Appendix C to this consent.
- 2.2 Stormwater discharged to the Kaituna River shall be from a maximum of six discharge points via wetlands, including two of three optional high level weir discharge structures as shown on BOPRC Plan Numbers 63636/2, 63636/3 and 63636/4.
- 2.3 The consent holder shall identify the selected options for the locations of the high level weir discharge structures from the three options identified in Condition 2.2 above, and shall notify (in writing) the Chief Executive of the Regional Council, or delegate, of the locations of the selected options prior to the submission of final stormwater discharge design plans for the Part 2 (Te Tumu) lands. The selected locations and size of the high level weir discharge structures are subject to the approval of the Chief Executive of the Regional Council, or delegate, at the stage of detailed design.
- 2.4 The consent holder shall ensure that the selected high level discharge from the Wairakei Stream to the Kaituna River, is constructed and operational the earliest of either:

2.4.1 The commencement of development as a result of urban rezoning within the Northern Catchment of Part 2 (Te Tumu) as identified on BOPRC Plan Number RC63636/3; or

2.4.2 A review of the Comprehensive Stormwater Consent Catchment Management Plan pursuant to Condition 14.2 which shows that the high level discharge is necessary in order to comply with the maximum flood level performance as set out below, at the Hickson/8B1 level gauge monitoring site shown on BOPRC Plan Number RC 63636/5:

Flood Event Return Period	Level (Relative to Moturiki datum)
5 year	3.4 m RL
10 year	3.7m RL
50 year	4.4 m RL
100 year	4.6 m RL

- 2.5 The consent holder shall provide three emergency overland flowpaths from the Papamoa Catchment to the Bell Road Catchment, in accordance with the locations shown on BOPRC Plan Numbers RC63636/6A and RC63636/6B.

2.5.1 The consent holder shall ensure that the design and management of stormwater within the Papamoa Catchment will not result in the run-off in a 1 in 100 year (1% AEP) rainfall event spilling onto the proposed Tauranga Eastern Motorway.

2.5.2 The consent holder shall ensure that the three emergency overland flowpaths have the capacity to convey excess flood overflow in up to a 1 in 500 year (0.2% AEP) rainfall event. The minimum corridor widths and the overland flowpath levels shall be specified in the Catchment Management Plan as required in condition 13.2.

3 Map References

- 3.1 The outfalls and culverts listed below shall be located generally in accordance with the following map references:

3.1.1

Existing Outfalls

New Zealand

Transverse Mercator

Grant Place Outfall

1891692mE

5821871mN

Harrison's Cut Outfall

1888722mE

5822345mN

3.1.2

Kaituna River Outfalls

New Zealand

Transverse Mercator

Outfall 1

1896139mE

5817236mN

Outfall 2

1897035mE

5816987mN

Outfall 3

1897740mE

5816979mN

Outfall 4

1898553mE

5816622mN

Outfall 5

1899980mE

5816365mN

Outfall 6

1900702mE

5816373mN

3.1.3

Culverts

New Zealand

Transverse Mercator

Palm Springs Boulevard

1893590mE

5820365mN

Golden Sands Drive

1894384mE

5819954mN

Emerald Shores Drive

1895203mE

5819473mN

Gravatt Road

1889026mE

5822353mN

Palm Beach Boulevard

1888556mE

5822933mN

Domain Road

1889593mE

5822009mN

Opal Drive

1890164mE

5821817mN

Longview Drive

1890841mE

5821598mN

Parton Road

1890841mE

5821598mN

Evans Road

1887473mE

5823600mN

A total of three culverts in Part 2 (Te Tumu) shall be located between map reference 1895663mE 5819198mN and Map Reference 1898616mE 5817448mN.

- 3.2 Of the Kaituna River Outfalls 1, 3 and 4, two shall be constructed to also be high level weir outfalls.

4 Stormwater Systems and Structures

- 4.1 The stormwater systems, culvert crossings and all associated structures shall be designed, constructed, operated and maintained in accordance with the Papamoa Comprehensive Stormwater Consent Catchment Management Plan Volume 1 dated August 2007 (incorporating Volume 3 Technical Reports) and Volume 2 dated April 2006 and any approved revisions pursuant to Condition 14.8.

Change: CH22-02779

- 4.2 The consent holder shall ensure that the culverts referred to in Condition 4.1 above are in general accordance with BOPRC Plan Numbers RC63636/6A and RC63636/B and sized as follows to provide similar capacity/convenience in with the following details:

- Palm Springs Boulevard - twin 3 m x 2 m box culvert
- Golden Sands Drive - twin 4 m x 2 m box culvert
- Emerald Shores Drive - twin 4 m x 2 m box culvert
- Gravatt Road - additional twin 1600 mm diameter culverts
- Palm Beach Boulevard - additional twin 1600 mm diameter culverts
- Domain Road - additional twin 1600 mm diameter culverts
- Opal Drive - additional twin 1600 mm diameter culverts
- Longview Drive - additional twin 1600 mm diameter culverts
- Parton Road - additional twin 1600 mm diameter culverts
- Evans Road - replace the existing culvert with twin 1.8m x 1.2m box culverts
- Part 2 (Te Tumu) Wairakei Stream - three crossings, with no more than two culverts with a maximum total head loss of 130 mm located to the west of the high-level weir from the Wairakei Stream.

No deviation of the culvert sizes or types as listed above, shall be undertaken without prior certification from the Regional Council. The consent holder shall supply the details of the proposed alternative, the hydrological calculations and/or modelling to the Bay of Plenty Regional Council for certification by an environmental engineer.

- 4.3 The consent holder shall notify (in writing) the Chief Executive of the Regional Council, or delegate, of the intention to upgrade the capacity of the existing culverts under Evans Road, Gravatt Road, Palm Beach Boulevard, Domain Road, Opal Drive, Longview Drive and Parton Road.

- 4.4 Notwithstanding Condition 4.3 above, the consent holder shall submit detailed design and erosion and sediment control plans for approval by the Chief Executive of the Regional Council, or delegate, no less than one calendar month prior to construction or upgrade of any structures in the bed of the Wairakei Stream.
- 4.5 The consent holder shall ensure that all areas of exposed earth resulting from the installation of the culverts is stabilised by vegetative cover or other suitable method to an equivalent standard as soon as practicable but no later than 3 months following installation works.

5 Mitigation of Stormwater from Development

- 5.1 The consent holder shall ensure that stormwater discharges to the Wairakei Stream, from new urban developments within the Papamoa Catchment, outside the Part 1 (Wairakei) and Part 2 (Te Tumu) areas and on land that is not subject to privately held discharge consents at the time of granting of this consent, are mitigated so that the developments provide storage equal to 40% of the difference in volume, between the 1 in 50 year (2% AEP) 48 hour rainfall event runoff hydrograph for the land in its undeveloped state, as of the date of commencement of this consent and the 1 in 50 year (2% AEP) 48 hour rainfall event runoff hydrograph in its developed state.
- 5.2 Notwithstanding Condition 5.1 above, the consent holder shall ensure that the Top Water Level in the Wairakei Stream Corridor within the Papamoa Catchment, outside the Part 1 (Wairakei) and Part 2 (Te Tumu) areas, does not exceed a height of 4.5 m RL (relative to Moturiki Datum) in a 1 in 50 year (2% AEP) 48 hour rainfall event, as far as practicable, taking into account the level of development provided for by the operative Tauranga City Council District Plan; the notified version of proposed Plan Change 44 and the indicative development for the Part 2 (Te Tumu) area as shown on BOPRC Plan Numbers 63636/2, 63636/3 and 63636/4.
- 5.3 The consent holder shall ensure that any new urban developments in Part 1 (Wairakei) and within the Northern Catchment of Part 2 (Te Tumu) as identified on BOPRC Plan Number RC63636/3 on land that is not subject to privately held discharge consents at the time of granting this consent, provide storage equal to 40% of the difference in volume between the 1 in 100 year (1% AEP) 48 hour rainfall event runoff hydrograph for the land in its modelled undeveloped state (as included in the Papamoa Comprehensive Stormwater Consent Catchment Management Plan) and the 1 in 100 year (1% AEP) 48 hour rainfall event runoff hydrograph in its developed state.
- 5.4 Notwithstanding Condition 5.3 above, the consent holder shall ensure that the Top Water Level in the Wairakei Stream Corridor within the Part 1 (Wairakei) and Part 2 (Te Tumu) areas does not exceed a height of 4.6 m RL (relative to Moturiki Datum) in a 1 in 100 year (1% AEP) 48 hour rainfall event, taking into account the level of development provided for by the operative Tauranga City Council District Plan; the notified version of proposed Plan Change 44 and the indicative development for the Part 2 (Te Tumu) area as shown on BOPRC Plan Numbers 63636/2, 63636/3 and 63636/4.
- 5.5 The consent holder shall require that for all new urban developments that are outside the Part 1 (Wairakei) and Part 2 (Te Tumu) areas, for which there are no privately held discharge consents at the time of granting this consent, flood storage areas sufficient to meet the requirements of Condition 5.1 above, are provided for by including (but not restricted to) the use of ponds, grassed swales, reserves and local roads.
- 5.6 The consent holder shall require that for all new urban developments in the Part 1 (Wairakei) and Part 2 (Te Tumu) areas, for which there are no privately held discharge consents at the time of granting this consent, flood storage areas sufficient to meet the requirements of Condition 5.3 above, are provided for by including (but not restricted to) the use of ponds, grassed swales, reserves and local roads.
- 5.7 In addition, the consent holder shall ensure that mechanisms to achieve the mitigation of additional stormwater resulting from the development of land in the Papamoa Catchment, are in accordance with the Papamoa Comprehensive Stormwater Consent Catchment Management Plan and any subsequently approved revisions of the plan.

- 5.8 Notwithstanding Conditions 5.1 to 5.6 above, where an existing privately held consent is transferred to the consent holder to be included in this consent, the specific conditions of that consent will continue to govern the discharge permitted by that consent. The specific conditions of the discharge resource consent transferred to the consent holder shall be recorded in the Comprehensive Stormwater Consent Catchment Management Plan.

6 Water Quality

- 6.1 The concentration of suspended solids in the stormwater discharges to the Pacific Ocean, the Wairakei Stream and the Kaituna River shall not exceed 150g/m³ at any time except where the design event of a 1 in 10 year (10% AEP) rainfall event is exceeded.
- 6.2 Stormwater discharged to the Pacific Ocean, the Wairakei Stream and the Kaituna River shall be substantially free of floatable solids, oil and grease.
- 6.3 The consent holder shall take all practicable measures to prevent the discharge of any toxic substance that may be harmful to any form of aquatic life, via the stormwater system to the Pacific Ocean, the Wairakei Stream and the Kaituna River.
- 6.4 The consent holder shall ensure that stormwater ponds, grassed swales and wetlands are designed, constructed, operated and maintained in a manner consistent with the Papamoa Comprehensive Stormwater Consent Catchment Management Plan and any subsequently approved revisions of the plan.

7 Hydrological Monitoring

7.1 Water Level

The consent holder shall maintain continuous permanent water level monitoring gauges in the Wairakei Stream at the following points (as shown on BOPRC Plan Number RC 63636/5) as a minimum:

- Royal Palm Beach Estate
- Grant Place Inlet
- Emerald Shores Drive crossing
- Hickson/Te Tumu 8B1 Boundary at the Wairakei Stream back arm

The consent holder shall ensure that when the high level discharge from the Wairakei Stream to the Kaituna River referred to in Condition 2.3 is constructed, the water level monitoring gauge at the Hickson/Te Tumu 8B1 boundary is replaced with a permanent water level monitoring gauge in the Wairakei Stream adjacent to the weir structure of the high level discharge.

7.2 Groundwater Monitoring

The consent holder shall maintain groundwater monitoring bores in the existing urban zoned areas at the locations shown on BOPRC Plan Number RC 63636/5.

- 7.3 In addition to the groundwater monitoring bores referred to in Condition 7.2, the consent holder shall provide a minimum of four permanent groundwater monitoring bores in the Part 1 (Wairakei) area and two permanent groundwater monitoring bores at the boundary of Part 1 (Wairakei) and Part 2 (Te Tumu) in the locations shown on BOPRC Plan Number RC 63636/5 or other locations as approved by the Chief Executive of the Regional Council, or delegate, when land vests in the consent holder for stormwater purposes.
- 7.4 Subject to access to Part 1 (Wairakei) land being provided, the consent holder shall record the water levels at eight of the temporary groundwater monitoring bores in the Part 1 (Wairakei) area, until such time as the temporary bores are replaced with the permanent bores referred to in

Condition 7.3. For the avoidance of doubt, six of the eight temporary bores are generally located where the two permanent bores at the boundary of Part 1 (Wairakei) and Part 2 (Te Tumu) and the four permanent bores within the Part 1 (Wairakei) area are shown on BOPRC Plan Number RC 63636/5. The remaining two temporary bores are shown on BOPRC Plan Number RC 63636/5.

7.5 In addition to the groundwater monitoring bores referred to in Conditions 7.2 to 7.4 and subject to access being provided to the land, the consent holder shall provide permanent groundwater monitoring bores in the Part 2 (Te Tumu) area within 12 months from the commencement of this consent, in the locations shown on BOPRC Plan Number RC 63636/5.

7.6 The consent holder shall record the water level in the groundwater bores, as set out above in Conditions 7.2 to 7.5 on a monthly basis, subject to access being provided to the land.

7.7 Surface Flow Monitoring

The consent holder shall operate and maintain continuous flow recorders at the Grant Place and Harrisons Cut outlets, the Parton Road crossing and at the Emerald Shores Drive crossing, in the locations shown on BOPRC Plan Number RC 63636/5.

8 Water Quality Monitoring

8.1 The consent holder shall monitor stormwater quality at the frequency set out for each parameter in Appendix D attached to this consent.

8.2 The consent holder shall monitor water quality at Harrison's Cut outfall, Grant Place outfall, the Emerald Shores Drive crossing, and subject to Condition 8.3 the Hickson/Te Tumu 8B1 boundary, as shown on BOPRC Plan Number RC 63636/5 for the duration of this consent.

8.3 The consent holder shall ensure that when the high level discharge from the Wairakei Stream to the Kaituna River referred to in Condition 2.3 is constructed, water quality monitoring at the Hickson/Te Tumu 8B1 boundary ceases and is replaced with monitoring within the swale immediately downstream of the high level overflow weir structure. Samples within the swale are to be taken in flowing water (not ponded), at a distance no greater than 10m from the weir structure.

8.4 The consent holder shall ensure that when the outfalls from the Part 2 (Te Tumu) area to the Kaituna River become operative, water quality monitoring is also undertaken at the two of the six outfalls to the Kaituna River. The selection of the two outfalls to be used for water quality monitoring will be made in consultation with Te Maru o Kaituna, and with its member Iwi/Hapu groups, including their own representative organisations/trusts/groups and is subject to the approval of the Chief Executive of the Regional Council, or delegate.

8.5 In the event that exceedences of any Trigger Value (set out in Appendix D), are recorded on two consecutive sampling results or two results for the same quarter in consecutive years, the consent holder shall carry out an appropriate contaminant source investigation and prepare and submit a report to the Regional Council, and Te Maru o Kaituna, and to its member Iwi/Hapu groups, including their own representative organisations/trusts/groups, and Nga Potiki a Tamapahore Trust, on the results of the investigation within three months of receipt of results of the second trigger exceedence.

8.6 Within six months of commencement of this consent, the consent holder shall carry out a baseline biota survey within the Wairakei Stream adjacent to the Emerald Shores Drive crossing and shall prepare and submit to the Regional Council, a report on the results of that baseline survey (see Advice Note 13).

8.7 Notwithstanding Condition 8.6 above, the consent holder shall undertake a biota survey in the 6 months prior to the preparation of the report "Long term trends in water quality and biota" pursuant to Condition 11.6 (see Advice Note 13).

- 8.8 Within six months of the Regional Council giving effect to the National Policy Statement for Freshwater Management 2014 (NPSFM) through changes to the Bay of Plenty Regional Policy Statement (RPS) or any Bay of Plenty Regional Plan (Regional Plan) that establishes water quality standards for the lower Kaituna River / Wairakei Stream, the consent holder will prepare and submit to the Regional Council a report on the consistency or inconsistency between the water quality standards in the RPS or Regional Plan, and Appendix D to the consent. The report shall also identify what further treatment methods, if any, are required to ensure compliance with the water quality standards if the standards are more stringent than the current water quality trigger levels in Appendix D.

9 Wairakei Stream Corridor Landscape Plan

- 9.1 The consent holder shall prepare a draft Stage 1 Wairakei Stream Corridor Landscape Plan to cover the part of the Wairakei Stream Corridor from Pacific View Road to the boundary of Wairakei (Part 1) and Te Tumu (Part 2), before 31 December 2016 and a final Stage 1 Wairakei Stream Corridor Landscape Plan by 31 December 2017.
- 9.2 The consent holder shall prepare a draft Stage 2 Wairakei Stream Corridor Landscape Plan to cover the part of the Wairakei Stream Corridor that extends from the boundary of Wairakei (Part 1) and Te Tumu (Part 2) in an easterly direction through Te Tumu (Part 2) to where the Wairakei Stream terminates in a 'back arm' within 12 months of the rezoning of Te Tumu (Part 2) for urban development; and a final Stage 2 Wairakei Stream Corridor Landscape Plan 12 months thereafter.
- 9.3 The consent holder shall consult on any draft Stage 1 Wairakei Stream Corridor Landscape Plan with:
- Nga Potiki a Tamapahore Trust
 - Te Kapu O Waitaha
 - Te Runanga o Ngai Te Rangi;
 - Ngati He, should they wish to participate;
 - Te Whanau a Tauwhao, should they wish to participate;
 - Other directly impacted landowners that own land in or have land bordering the Wairakei Stream Corridor; and
 - Local Community Groups.
- 9.4 The consent holder shall consult on any draft Stage 2 Wairakei Stream Corridor Landscape Plan with:
- Nga Potiki a Tamapahore Trust;
 - Te Kapu O Waitaha;
 - Te Runanga o Ngai Te Rangi;
 - Ngati He, should they wish to participate;.
 - Te Whanau a Tauwhao, should they wish to participate;
 - Tapuika Iwi Authority;
 - Ngati Whakaue;
 - Te Tumu Kaituna 14 Trust;
 - Te Tumu Kaituna 7B2 Trust;
 - Te Tumu Kaituna 8B1 Trust;
 - Te Tumu Kaituna 7B1 Trust;
 - Other directly impacted landowners that own land in or have land bordering the Wairakei Stream Corridor; and
 - Local Community Groups.
- 9.5 The consent holder shall report to the Regional Council on how any Wairakei Stream Corridor Landscape Plan has taken into account the following:
- The stormwater function of the stream corridor; including the Papamoa Comprehensive Stormwater Consent Catchment Management Plan;
 - Cultural matters of relevance to the Wairakei Stream Corridor, determined in consultation with Nga Potiki a Tamapahore Trust, Te Kapu O Waitaha, Ngai Te Rangi, Tapuika Iwi Authority, Ngati Whakaue, Te Tumu Kaituna 14 Trust, Te Tumu Kaituna 7B2 Trust, Te Tumu Kaituna 8B1 Trust, and Te Tumu Kaituna 7B1 Trust;
 - Any available Wairakei Stream Cultural Management Plan prepared as per Condition 10

- Protection and enhancement of ecological values, including indigenous planting appropriate to the stormwater management functions of the Wairakei Stream Corridor;
 - Public use and accessibility, including urban design, civil defence, and Crime Prevention Through Environmental Design (CPTED) requirements; and
 - The scope of issues and information included in the draft Boffa Miskell May 2005 Design Report Wairakei Stream Landscape Development.
- 9.6 The consent holder shall consult the parties listed in 9.3 and 9.4 before implementing any Wairakei Stream Corridor Landscape Plan.
- 9.7 The Wairakei Stream Corridor Landscape Plan shall give effect to the cultural recognition for Stage 1 as required by condition 10, taking into account the factors set out in condition 9.5.
- 9.8 The consent holder shall implement the Stage 1 Wairakei Stream Corridor Landscape Plan by 31 December 2025 [refer to Advice Note 23].
- 9.9 The consent holder shall commence implementation of the Stage 2 Wairakei Stream Corridor Landscape Plan within 10 years of any rezoning of Te Tumu (Part 2) for urban development, such implementation being commensurate with each subsequent stage of development adjacent to the Wairakei Stream.
- 9.10 In the event that any iwi authority or hapu group recognised by an iwi authority not listed in conditions 9.3 and 9.4 and 10.3 are determined by the Maori Land Court or a Treaty Claims Settlement deed as having kaitiakitanga (as defined in the RMA) in respect of Wairakei Stream and immediate surrounds the iwi authority or the hapu group recognised by the iwi authority shall be deemed from that time to be included in the list of groups under the relevant parts of Conditions 9.3 and 9.4 and 10.3. For the avoidance of doubt, if such determination is made subsequent to Stage 1 of the Plan being finalised, this condition does not require the Consent Holder to re-do Stage 1 of the Plan by virtue of an additional group being added.

10 Wairakei Stream Cultural Management Plan

- 10.1 The consent holder shall provide for cultural recognition along the Wairakei Stream Corridor and Taylor Reserve (in recognition of where the Wairakei Stream once flowed out to sea) through the Wairakei Stream Corridor Landscape Plan process under condition 9. The form and detail of the cultural recognition shall be set out in the Wairakei Stream Cultural Management Plan. For the purposes of this condition, cultural recognition elements refers to structural or artistic elements, including for example, carvings, pou or structural elements and planting of native species for the purpose of recognising the cultural associations to the Wairakei Stream corridor and Taylor Reserve.
- 10.2 The consent holder shall facilitate the preparation of a staged Wairakei Stream Cultural Management Plan as follows:
- Stage 1: relating to the part of the Wairakei Stream extending from Pacific View Road in an easterly direction through Wairakei (Part 1) to its boundary with Te Tumu (Part 2) and including Taylor Reserve.
 - Stage 2: relating to the part of the Wairakei Stream extending from the Wairakei (Part 1)/ Te Tumu (Part 2) boundary in an easterly direction through Te Tumu (Part 2) to where the Wairakei Stream terminates in a 'back arm'.
- 10.3 The consent holder shall invite the following parties to a collective forum to develop the two stages of the Wairakei Stream Cultural Management Plan:
- Stage 1: Nga Potiki a Tamapahore Trust, Te Kapu o Waitaha, Te Runanga o Ngai Te Rangi, Ngati He and Te Whanau a Tauwhao
 - Stage 2: Nga Potiki a Tamapahore Trust, Te Runanga o Ngai Te Rangi, Ngatii Runanga o Ngai Te Rangi, Ngati He, Te Whanau a Tauwhao, Te Kapu o Waitaha, Tapuika Iwi Authority, Ngati Tauwhao Whakaue, Te Tumu Kaituna 14 Trust, TeTumu Kaituna 7B2 Trust, Te Tumu Kaituna 8B1 Trust, and Te Tumu Kaituna 7B1 Trust.

- 10.4 The consent holder shall facilitate the preparation of a draft Stage 1 Wairakei Stream Cultural Management Plan with a view to it being available by 30 June 2016 and a final Stage 1 Wairakei Stream Cultural Management Plan being available by 28 February 2017.
- 10.5 The consent holder shall facilitate the preparation of a draft Stage 2 Wairakei Stream Cultural Management Plan with a view to it being available within one year of any rezoning of Te Tumu (Part 2) for urban development; and a final Stage 2 Wairakei Stream Cultural Management Plan being available one year thereafter.
- 10.6 The purpose of the Wairakei Stream Cultural Management Plan is to recognise the important cultural values and landscape associated with the Wairakei Stream Corridor in the context of the surrounding area. Any Cultural Management Plan shall be used to inform the development of the relevant stage of the Wairakei Stream Corridor Landscape Plan as set out in 10.2 above and include:
- Identification of areas of cultural significance within and adjacent to the relevant part of the Wairakei Stream Corridor.
 - Recognition of cultural values for the Wairakei Stream, including measures to protect and enhance:
- Resources of significance to tangata whenua:
 - Customary practices;
 - The 'mauri' of the Wairakei Stream:
 - Mahinga kai;
 - Tuna habitat;
 - Waka portage
- Setting out cultural practices which occurred along or adjacent to the Wairakei Stream Corridor and / or cultural practices that tangata whenua wish to continue to undertake or undertake in future in and adjacent to the Wairakei Stream Corridor. This shall also inform the Catchment Management Plan (including any reviews).
 - The cultural effects of the activities authorised by this consent, particularly the connection of waters from the Wairakei Stream to the Kaituna River as determined by Te Maru o Kaituna, and by its member Iwi/Hapu groups, including their own representative organisations / trusts / groups , and Nga Potiki a Tamapahore Trust. This shall also inform the Catchment Management Plan (including any reviews).
 - Cultural recognition elements, including:
- For example:
 - Carved pou, fencing, gateway features (especially where the Wairakei Stream bisects roads and in the vicinity of any cultural sites;
 - Elements to be incorporated into any existing and future bridges/culverts of the Wairakei Stream (where practicable);
 - Planting of native species of cultural importance to tangata whenua;
 - Cultural elements at Taylor Reserve;
- In relation to any boardwalk/cycle way features or other structures within the Wairakei Stream corridor.
 - Planting of native species of cultural importance to tangata whenua.
 - Consider and address any other matters that may be agreed with the consent holder.
- 10.7 Any Cultural Management Plan may also address cultural monitoring methods to be undertaken in relation to the Wairakei Stream. This information will inform the Catchment Management Plan (including any reviews).

11 Reporting

- 11.1 The consent holder shall maintain full records of the water level, ground water and flow monitoring

pursuant to Conditions 7.1 to 7.7 above and shall make these available to the Regional Council and the general public upon request.

- 11.2 After two years of monitoring water level, groundwater and surface flow data, the consent holder shall prepare a Water Balance Model to determine the direction and rate of the groundwater discharge into and out of the catchment, the relationship between outflow rate and the water level in the eastern end of the Wairakei Stream, and the effects of development on seasonal flow rates and water levels in the stream. The model shall be updated at the time of the Comprehensive Stormwater Consent Catchment Management Plan review required by Condition 14.2 and at the time of any significant departure from the level of development assumed in the modelling.
- 11.3 The consent holder shall maintain an appropriate up to date numerical Flood Prediction Model suitable for analysing catchment hydrology and stream hydraulics. The model shall be updated at the time of the Comprehensive Stormwater Consent Catchment Management Plan review required by Condition 14.2 and at the time of any significant departure from the level of development assumed in the modelling, that determines compliance with Conditions 5.1 to 5.7 above.
- 11.4 Results of ongoing monitoring of surface water levels, groundwater levels, surface flow and water quality shall be collected, validated, collated and interpreted to allow the Water Balance Model, required pursuant to Condition 11.2 and the Flood Prediction Model, required pursuant to Condition 11.3, to be updated.
- 11.5 The consent holder shall ensure that the results of water quality monitoring required under Conditions 8.1 to 8.4 and any reports prepared under Condition 8.8 above are submitted to the Regional Council within one month of completion of the quarterly monitoring and also to Te Maru o Kaituna, and to its member Iwi/Hapu groups, including their own representative organisations/trusts/groups, and to Nga Potiki a Tamapahore Trust and Ngai Te Rangi, and shall be made available to the general public on request.
- 11.6 One year prior to each review of the Comprehensive Stormwater Consent Catchment Management Plan as required by Condition 14.2, the consent holder shall prepare a report entitled "Long term trends in water quality and biota". This report shall summarise the results and trends from water quality monitoring specifically including dissolved nitrogen and phosphorus and Chlorophyll A and the following heavy metals (copper, lead and zinc) and the results and trends from the biota survey pursuant to Condition 8.7. The report shall identify what further treatment methods are required to mitigate any observed adverse effects, such as algal blooms, within the Wairakei Stream adjacent to the Emerald Shores Drive crossing and shall recommend any changes to the monitoring regime (see Advice Note 13).

12 Maintenance

- 12.1 The consent holder shall ensure that all its structures including culvert crossings, treatment structures and devices, weirs and outfall structures, are maintained in an effective capacity at all times for the duration of this consent (refer condition 13.2).
- 12.2 The consent holder shall ensure that the water level monitoring sites as set out in Condition 7.1 above are, subject to access being provided to the land, maintained in an effective capacity for the duration of this consent.
- 12.3 The consent holder shall ensure that the groundwater monitoring bores required by Conditions 7.2 to 7.5 above are, subject to access being provided to the land, maintained in an effective capacity at all times while required by the conditions of this consent.
- 12.4 The consent holder shall ensure that the flow monitoring gauges required by Condition 7.7 above are, subject to access being provided to the land, maintained in an effective capacity at all times for the duration of this consent.
- 12.5 The consent holder shall ensure in the event that any of the monitoring sites or equipment as set out in Conditions 7.1 to 7.5 and 7.7 above are damaged or lost, that subject to access being

provided to the land, they are replaced with an equivalent site or equipment within a timeframe which allows monitoring regimes to be continued.

- 12.6 The consent holder shall implement a calibration regime for surface flow, surface water level and groundwater level monitoring on at least an annual basis appropriate to the equipment to ensure the accuracy of all measuring devices.

13 Comprehensive Stormwater Consent Catchment Management Plan

- 13.1 The consent holder shall ensure that the Comprehensive Stormwater Consent Catchment Management Plan, where practicable, gives effect to the following general principles of stormwater management:
- The use of Low Impact Design solutions as a preferred option to stormwater management where this is practicable. The aim of this is to mimic natural stormwater runoff characteristics, thereby helping to reduce the adverse off-site effects associated with stormwater from developed sites.
 - The use of wide grassed swales for stormwater treatment and flow attenuation.
 - The use of a system of stormwater detention ponds to provide treatment and attenuation functions.
 - The use of ground soakage as a preferred option for the disposal of stormwater from roofs of buildings where this is practicable. Groundwater soakage shall be required for residential buildings (where practicable) and encouraged for commercial buildings.
 - The use of appropriate riparian planting to achieve improved water quality and habitat outcomes.
 - The creation, enhancement, protection and use of wetlands to achieve improved water quality and biodiversity outcomes.
 - Ensuring that planting within the Wairakei Stream is appropriate and does not unduly impede flows.
 - The use of rain gardens.
 - The use of stored stormwater for non-potable domestic or industrial uses.
- 13.2 The Comprehensive Stormwater Consent Catchment Management Plan shall include as a minimum:
- A reference section setting out the guidelines for the implementation of stormwater management within the catchment, as required by these conditions of consent and the Catchment Management Plan
 - The environmental parameters and principles to be adopted for the installation and/or upgrade of the culverts, including parameters for sediment control and revegetation, and the provision for customary activities such as waka portage.
 - Operational criteria for the pumpstation at the Part 1 (Wairakei)/Part 2 (Te Tumu) boundary to manage water levels in Part 2 (Te Tumu).
 - Details of the existing privately held discharge permits transferred to the consent holder pursuant to Condition 5.8 and the specific conditions of those consents.
 - Hydrological parameters used in the modelling and associated drawings.
 - Monitoring requirements.
 - Part 1 (Wairakei) Development Plan including the three emergency overland flowpaths required by condition 2.5.
 - Maintenance (refer to condition 12).

14 Review of the Catchment Management Plan

- 14.1 The consent holder shall within six months of the commencement of this consent, complete a review of the Papamoa Comprehensive Stormwater Consent Catchment Management Plan (dated August 2007) to ensure consistency with the conditions of this consent.
- 14.2 The consent holder shall complete a review of the Papamoa Comprehensive Stormwater Consent Catchment Management Plan no later than 6 October 2015 and at five yearly intervals thereafter.
- 14.3 At least one calendar month prior to any review of the Papamoa Comprehensive Stormwater Consent Catchment Management Plan, the consent holder shall notify (in writing) the Chief Executive of the Regional Council, or delegate, and Te Maru o Kaituna, and its member Iwi/Hapu

groups, including their own representative organisations/trusts/groups, and Nga Potiki a Tamapahore Trust and Ngai Te Rangi, of the intention to initiate a review of the Catchment Management Plan pursuant to Conditions 14.1 and 14.2 above.

- 14.4 A review pursuant to Condition 14.2 above shall be undertaken in consultation with the Chief Executive of the Regional Council, or delegate, Te Maru Ō Kaituna, and its member Iwi/Hapu groups, including their own representative organisations/trusts/ groups, and Nga Potiki a Tamapahore Trust and Ngai Te Rangi, any submitter on this consent who wishes to be involved and other such parties as nominated by the Chief Executive of the Regional Council, or delegate, at the time of notification of the review in accordance with Condition 14.3 above.
- 14.5 The review pursuant to Condition 14.2 above shall include as a minimum:
- Effectiveness of the application of general principles under Condition 13.
 - All available data collected relevant to flooding in the catchment and the flood level/frequency relationship predicted from analysis of this data.
 - The latest Flood Prediction Model update.
 - The latest Water Balance Model update.
 - The implementation of the Wairakei Stream Corridor Landscape Plan and the Cultural Management Plan; including a report on how the Long Term Plan has allocated resources to implementing the Wairakei Stream Corridor Landscape Plan and Wairakei Stream Cultural Management Plan and how funds have been allocated compared with the amounts budgeted for the Long Term Plan 2015/25.
 - Protection and enhancement of:
 - Customary practices;
 - Mahinga kai;
 - The mauri of the water bodies;
 - Tuna habitat;
 - Waka portage.
 - Review of any technological updates or feasibility of an outlet from the Wairakei Stream to the Papamoa coast as opposed to the Kaituna River.
 - Any trends shown by data collection related to water levels, flow rates, groundwater, water quality or habitat.
 - Consideration of the trends and monitoring data in relation to its consistency with the current model predictions and potential model refinement.
 - That development trends are consistent with the assumptions of the Catchment Management Plan.
 - All reviews shall have particular regard to methods designed to protect and enhance the water quality and ecosystems of the Kaituna River and Ongatoro/Maketu Estuary, including but not limited to:
 - Passage of all stormwater through wetlands before entering the Kaituna River.
 - Protection and enhancement of wetlands utilised for stormwater treatment.
 - Riparian planting to minimise erosion and protect aquatic ecosystem values.
 - Infrastructure associated with discharges that respects the wider environmental and cultural context of the Kaituna River.
 - Consideration of any relevant Iwi/Hapu Management Plans that have been lodged by Iwi/Hapu with whakapapa links to Papamoa/Wairakei and acknowledged by the Bay of Plenty Regional Council prior to the date of the review to the extent that they have a bearing on methods designed to protect and enhance water quality and ecosystems (mauri) of the Wairakei Stream.
 - Consideration of any relevant Iwi/Hapu Management Plans that have been lodged by Iwi/Hapu with whakapapa links to Maketu and the Kaituna River and acknowledged by the Bay of Plenty Regional Council prior to the date of the review to the extent that they have a bearing on methods designed to protect and enhance water quality and ecosystems (mauri) of the Kaituna River, the Wairakei Stream and Ongatoro/Maketu Estuary.
 - Consideration of methods designed to protect and enhance water quality and ecosystems of the Kaituna River and Ongatoro/Maketu Estuary as detailed in the Kaituna River and Ongatoro/Maketu Estuary Strategy approved in 2009 or any successor, or any document prepared in accordance with section 125 of the Tapuika Claims Settlement Act 2014.

- 14.6 As part of the review, there should be a full update of the Flood Prediction Model and Water Balance Model including a full calibration using monitoring data, a re-run of the development scenarios, including an update for the current levels of development at the time of the review, plus any updated plans for future development areas.
- 14.7 At the conclusion of each review of the Papamoa Comprehensive Stormwater Consent Catchment Management Plan, the consent holder shall submit a report to the Chief Executive of the Regional Council, or delegate, of the outcome of the review and shall include a copy of the revised Catchment Management Plan. The report shall be made available to the general public on request.
- 14.8 Any changes to the Comprehensive Stormwater Consent Catchment Management Plan resulting from a review under Conditions 14.1 to 14.6 above, shall be approved in writing by the Chief Executive of the Regional Council, or delegate, and the relevant amended version shall be made available to the general public at the offices of the consent holder (Tauranga City Council).

15 Review of Consent Conditions

- 15.1 The Regional Council may, as a result of compliance and/or impact monitoring which shows adverse effects on the environment, serve notice on the consent holder under section 128(1)(a)(i) and/or (iii) of the Resource Management Act 1991 of its intention to review the conditions of this consent. The purpose of such a review would be to change and/or impose new conditions of consent requiring upgrades, modifications, and/or maintenance of components of the stormwater system(s) and treatment device(s) to improve water quality in the discharge.
- 15.2 The Regional Council may, within three months of the receipt of any report required pursuant to Conditions 8.5 and 11.6 which shows an adverse effect on the environment, serve notice on the consent holder under section 128(1)(a)(i) and/or (iii) of the Resource Management Act 1991 of its intention to review conditions of this consent. The purpose of such a review would be to change and/or impose new conditions of consent requiring upgrades, modifications, and/or maintenance of components of the stormwater system(s) and treatment device(s) to improve water quality in the discharge.
- 15.3 The Regional Council may, within six months of the receipt of a revised Catchment Management Plan pursuant to Conditions 14.2 and 14.7, serve notice on the consent holder under section 128(1)(a)(i) and/or (iii) of the Resource Management Act 1991, of its intention to review the conditions of this consent. The purpose of such a review would be to require the consent holder, if necessary and appropriate, to adopt the best practicable option to reduce or remove adverse effects on the environment that are resulting from the exercise of this consent.
- 15.4 The Regional Council may within six months of receipt of a contaminant source investigation report submitted as a requirement of Condition 8.5, serve notice on the consent holder under section 128(1)(a)(i) and/or (iii) of the Resource Management Act 1991, of its intention to review conditions of this consent. The purpose of the review would be to require the consent holder to implement measures to manage contaminant inputs in order to bring levels in the Wairakei Stream back to or less than trigger value levels.
- 15.5 The Regional Council may within six months of receipt of the report entitled "Long term trends in water quality and biota" (required by Condition 11.6) serve notice on the consent holder under section 128(a)(i) and/or (iii) of the Resource Management Act 1991, of its intention to review the conditions of this consent. The purpose of the review would be to set a trigger level for DRP, Total Nitrogen and TP in Appendix D of this consent.
- 15.6 The Regional Council may within six months of receiving the report under condition 8.8 of this consent serve notice on the consent holder under section 128(1)(a)(i) and/or (iii) . of the Resource Management Act 1991 of its intention to review the conditions of this consent. The purpose of the review would be to assess the trigger values in Appendix D and any other relevant condition of this consent to ensure that they are not inconsistent with the National Policy Statement for Freshwater Management 2014 or any Regional Policy Statement or Regional Plan which gives effect to the National Policy Statement for reshwater Management 2014.

16 Term of Consent

16.0 This consent shall expire 35 years after commencement.

17 Resource Management Charges

17.0 The consent holder shall pay the Bay of Plenty Regional Council such administrative charges as are fixed from time to time by the regional council in accordance with Section 36 of the Resource Management Act 1991.

18 The Resource Consent

18.0 The Resource Consent hereby authorised is granted under the Resource Management Act 1991 and does not constitute an authority under any other Act, Regulation or Bylaw.

Advice Notes

- 1
 1. *The consent holder is advised that this consent does not authorise the construction of proposed stormwater ponds, swales or wetlands shown on the relevant plans attached to the application and consent documents. All such works will require authorisation in their own right prior to construction.*
 2. *The consent holder is advised that this consent does not authorise the earthworks, wetland modification or disturbance of the beds of any water bodies associated with the construction of discharge outfall structures to the Kaituna River.*
 3. *This consent does not authorise the following activities:*
 - *Subdivisional development earthworks.*
 - *Discharges of storm water from sites under earthworks development.*
 - *Discharges that have not been mitigated as required by the conditions of the consent and the Catchment Management Plan.*
 - *Contaminant discharges which do not comply with the water quality requirements of this consent or which result in breaches of trigger values in the consent.*
 - *Culverts not specifically authorised by this consent or any culvert that does not comply with the requirements of Condition 4.2.*
 - *Excavation within the Wairakei Stream drainage reserve.*
 - *Excavation of material for construction of road embankments at the culvert crossings authorised by this consent.*
 4. *This consent should be read in conjunction with Resource Consent Numbers 65120, 65089, 65090, 65119 which all relate to storm water management options within the Papamoa Catchment area.*
 5. *This consent does not authorise the holder to modify, damage or destroy any archaeological sites within the area affected by this consent. Work affecting archaeological sites is subject to a consenting process under the Historic Places Act 1993. There are recorded archaeological sites in the vicinity of the proposed activity and written authorisation must be obtained from the NZ Historic Places Trust (NZHPT) for work prior to commencement. It is an offence to modify, damage or destroy an archaeological site for any purpose without an authority. The consent holder is advised to contact Heritage New Zealand and the respective Iwi/Hapu group for the archaeological site for further information;*
 6. *The Regional Council recognises that storm water sampling programmes are weather dependent and that at times it may not be possible to carry out sampling on a strict quarterly basis.*
 7. *The consent holder is advised that failure to comply with any of the conditions of this consent may result in enforcement action being taken against the consent holder, contractors or agents.*
 8. *Notification and reporting in writing pursuant to Conditions 2.3, 4.3, 4.4, 11 and 14 should be addressed to the Pollution Prevention Manager, Environment Bay of Plenty, P0 Box 364, Whakatane and should quote the consent number 63636.*
 9. *Existing, privately held discharge permits do not form part of this consent unless transferred to the consent holder in accordance with Condition 5.8.*
 10. *It is recommended that the consent holder continue to explore the options for a further coastal outfall structure throughout the term of the consent and consider this in terms of the overall permanent stormwater management for the catchment.*
 11. *An integral component of the management of storm water in the Papamoa Catchment is the Wairakei*

Pump Station (authorised by Resource Consent No. 65119) which pumps water from the Wairakei Stream in circumstances prescribed in that consent and discharges the water via Pond G to the Bell Road Drain.

12. It is recommended that when the consent holder reviews the storm water pumping regime for the Wairakei Pump Station as required in Condition 14 that this review also considers where possible benefits to upstream flood levels provided it does not cause any adverse effects to the water levels in the Part 2 Te Tumu area.

13. For the purposes of this consent "biota" as referred to in Conditions 8.6, 8.7, 11.6 and 15.5 means macroinvertebrates and fish, both native and introduced species. When carrying out the biota survey, the consent holder is encouraged to engage Te Kokopu Trust to assist as an appropriate expert.

14. It is recommended that the consent holder, as part of the overall educational initiatives within the catchment develop some publicity in the form of "notice boards" to be placed within the catchment itself explaining the basic concepts and principles of the comprehensive consent implementation.

15. For clarification the Papamoa Comprehensive Stormwater Consent Catchment Management Plan sets out the storm water management concept for Part 2 (Te Tumu) including the Northern, Middle and Riverside catchments, as described in the report titled "Papamoa East (Te Tumu) Part 2 - Storm water Management Concept" by Beca dated 22 March. 2006. In particular:

- Middle catchment - stormwater runoff containment and soakage to ground, combined with a high level overflow that spills to the Kaituna River at the same frequency as the Northern (Wairakei) Catchment high level overflow
- Riverside catchment - water quality treatment followed by direct discharge to the Kaituna River.

16. The expected frequency of spill over the high level overflow weirs would be approximately once every 7 years on a long term average basis. For the purposes of this consent the operation of the high level discharges means a continuous flow of storm water over the high level discharge structure over at least a 6 hour period.

17. For clarification, modelling has indicated that if the mitigation levels set out in condition 5.3 are applied, then 3000 residential lots and associated roads (or impervious surfaces equivalent to that level of development) could be constructed prior to the trigger levels specified in condition 2.4.2 being reached, and the construction of the high level overflow to the Kaituna River being required.

18. All references to protection or enhancement of "customary practices", 'waka portage' and 'mahinga kai' cannot be seen as implying that contact recreation and food gathering are safe in terms of public health standards. However, there is an acknowledged Tangata Whenua aspiration to restore the Wairakei Stream to provide for contact recreation and food gathering (mahinga kai), with this matter being reviewed on an ongoing basis.

19. The conditions in this consent are not based on any expression of 'mana whenua' i.e. it is not the intention of these conditions to confirm 'mana whenua' status.

20. For the purposes of preparing the Wairakei Stream Cultural Management Plan, the extent of the 'Wairakei Stream corridor' includes the land immediately adjoining the Wairakei Stream; such land extending from Pacific View Road (in the west) to the end of the Wairakei Stream (in the east) within Te Tumu Part 2 urban growth area. This comprises all land that has been vested, acquired or designated by the consent holder for storm water management along the Wairakei Stream corridor, particularly within existing Papamoa and Wairakei Part 1, but does not include the wider Papamoa area. It also includes future land yet to be acquired by the consent holder that is alongside the Wairakei Stream and currently held in private or multiple ownership; particularly within Te Tumu Part 2, being generally a corridor of a width of 100m across the Wairakei Stream and Wairakei Stream back- arm.

21. The consent holder may take a staged approach to planting and landscape related works included in any Wairakei Stream Corridor Landscape Plan. Such works will only be able to be implemented on land that the consent holder either owns or has sufficient rights over to carry out the works.

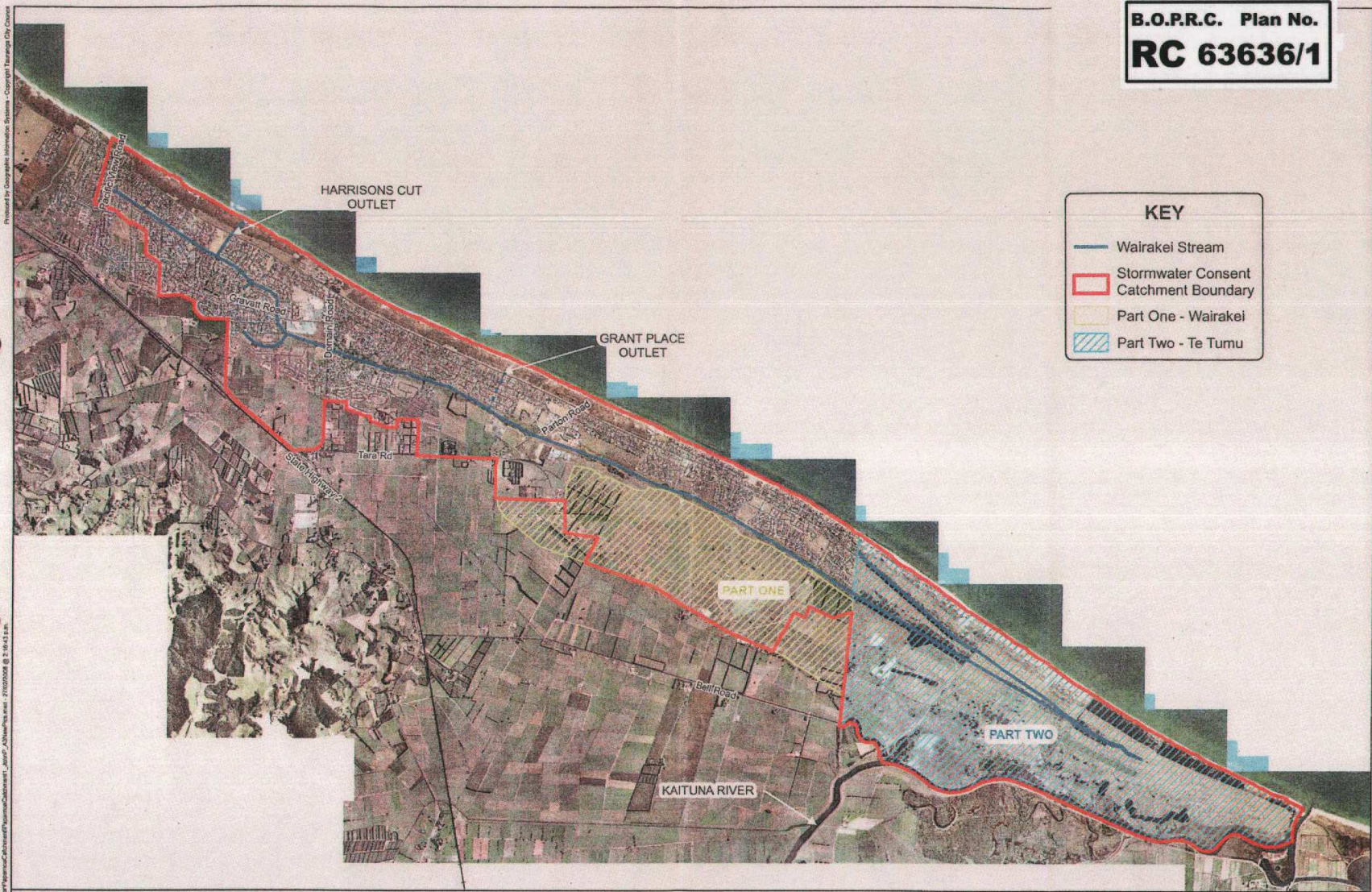
22. The consent holder is advised, that in accordance with facilitating ongoing tangata whenua involvement, that the Regional Council has agreed to take a paper to Te Maru o Kaituna (or their successor) with recommendations of review options of this consent based on the report required under condition 8.8.

23. The consent holder has advised that it will be responsible for costs associated with cultural recognition elements of any Cultural Management Plan prepared for Stage 1 under condition 10 to the value of \$300,000.

B.O.P.R.C. Plan No.
RC 63636/1

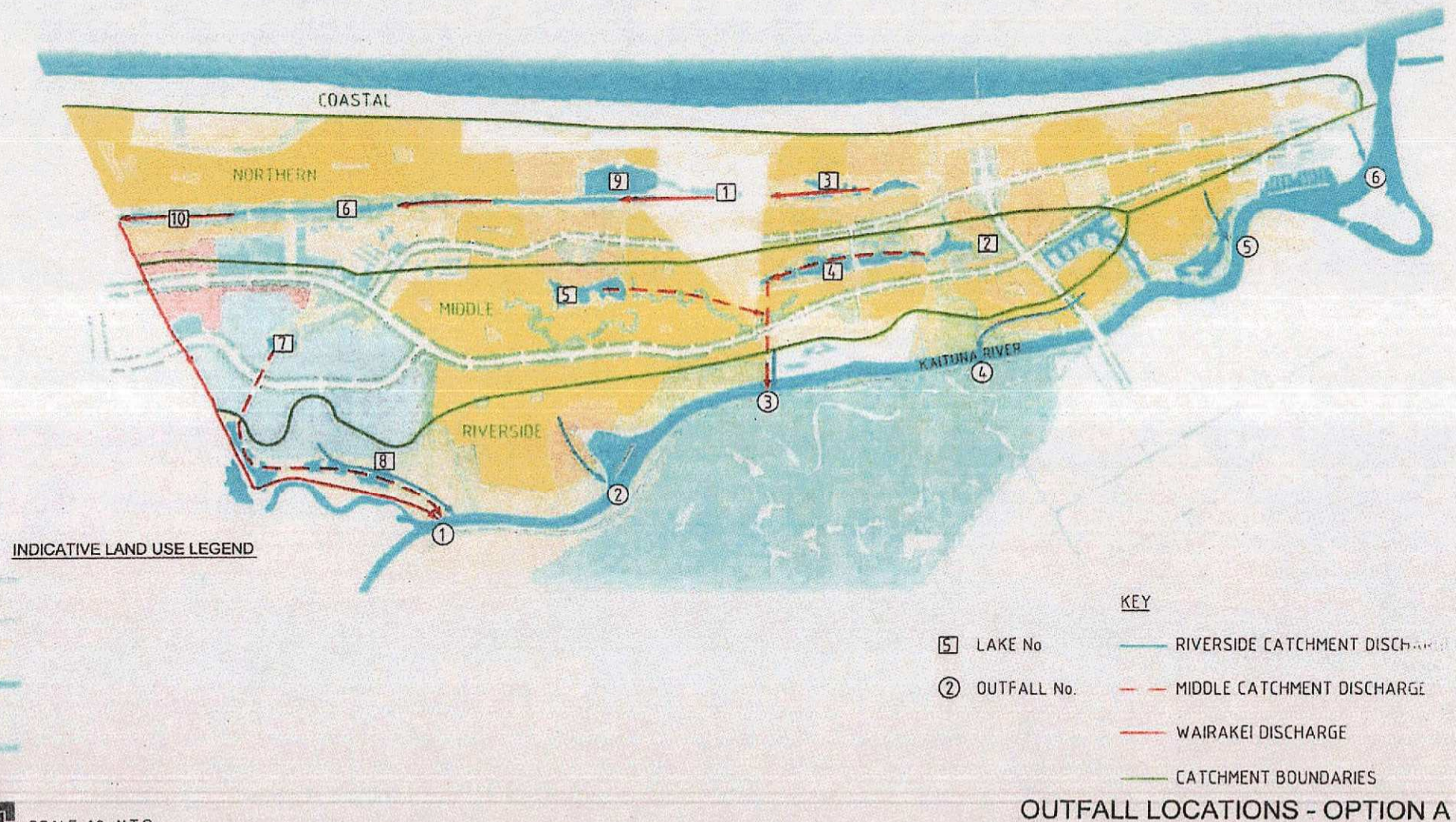
KEY

- Wairakei Stream
- Stormwater Consent Catchment Boundary
- Part One - Wairakei
- Part Two - Te Tumū



PAPAMOA EAST (TE TUMU) PART 2
STORMWATER MANAGEMENT CONCEPT

B.O.P.R.C. Plan No.
RC 63636/2

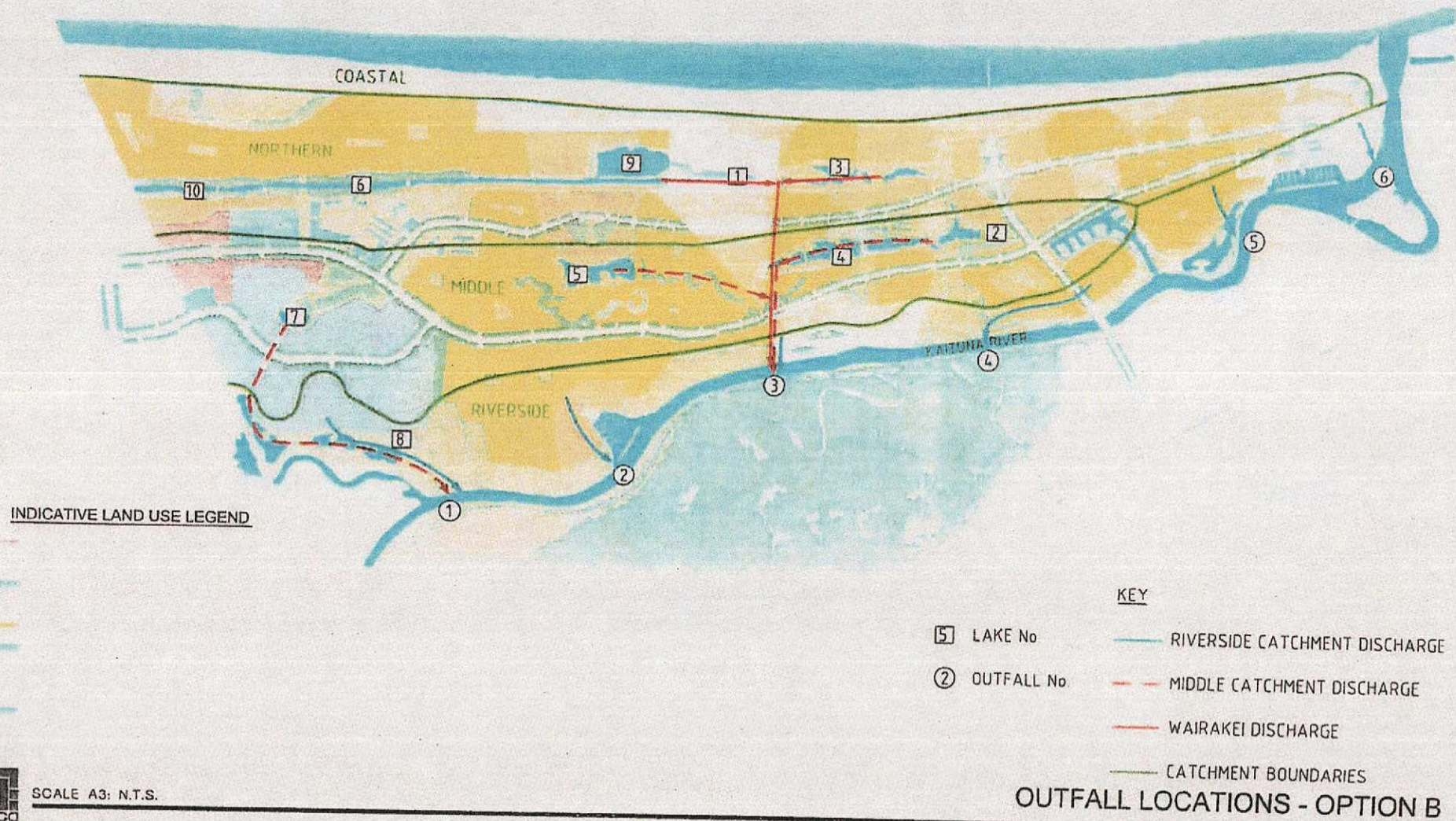


SCALE A3: N.T.S.

PROJECT No.
CAD FILE No.

FIGURE 1

**PAPAMOA EAST (TE TUMU) PART 2
STORMWATER MANAGEMENT CONCEPT**



SCALE A3: N.T.S.

PROJECT No.
CAD FILE No.

FIGURE 2

**PAPAMOA EAST (TE TUMU) PART 2
STORMWATER MANAGEMENT CONCEPT**

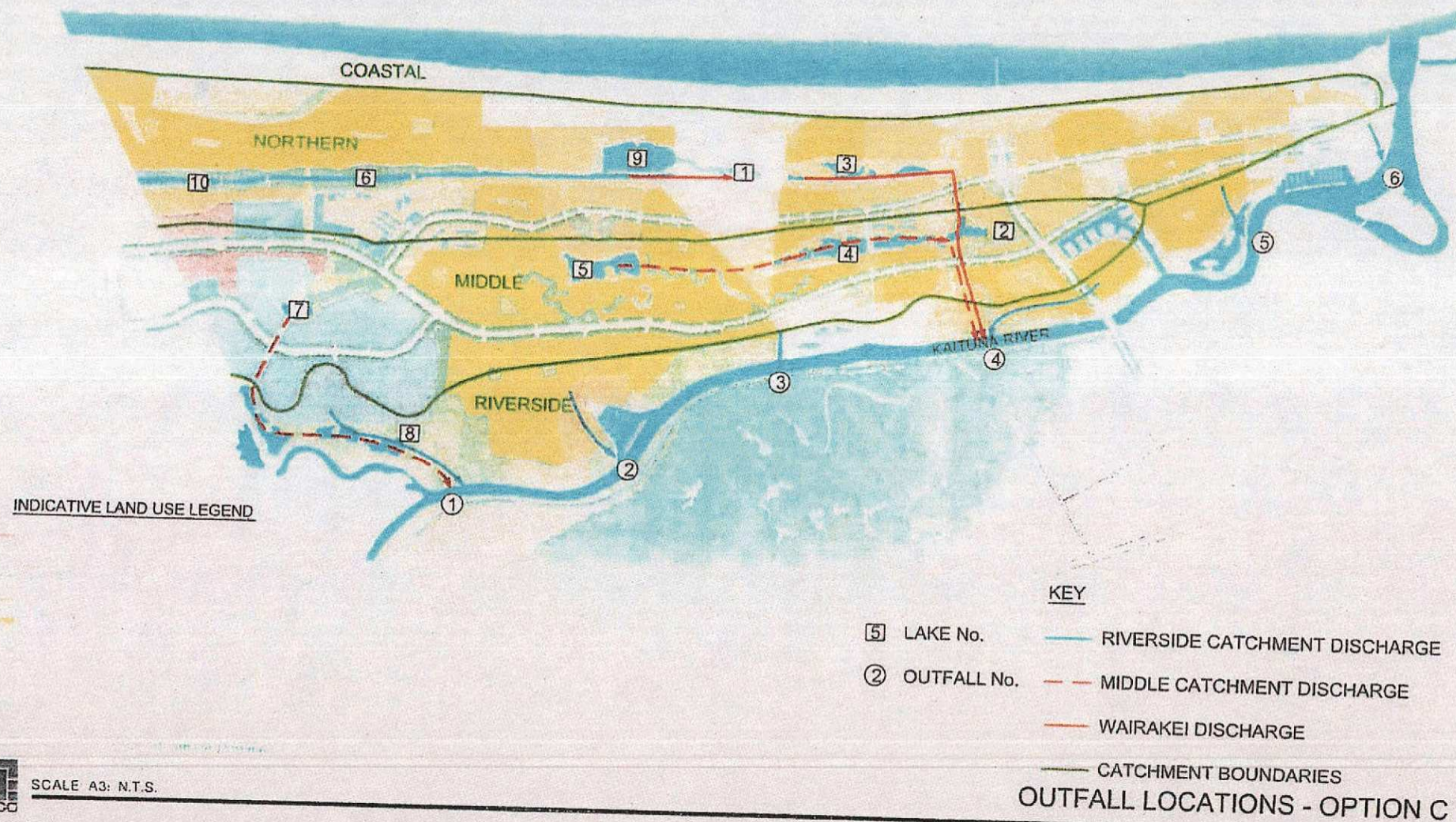
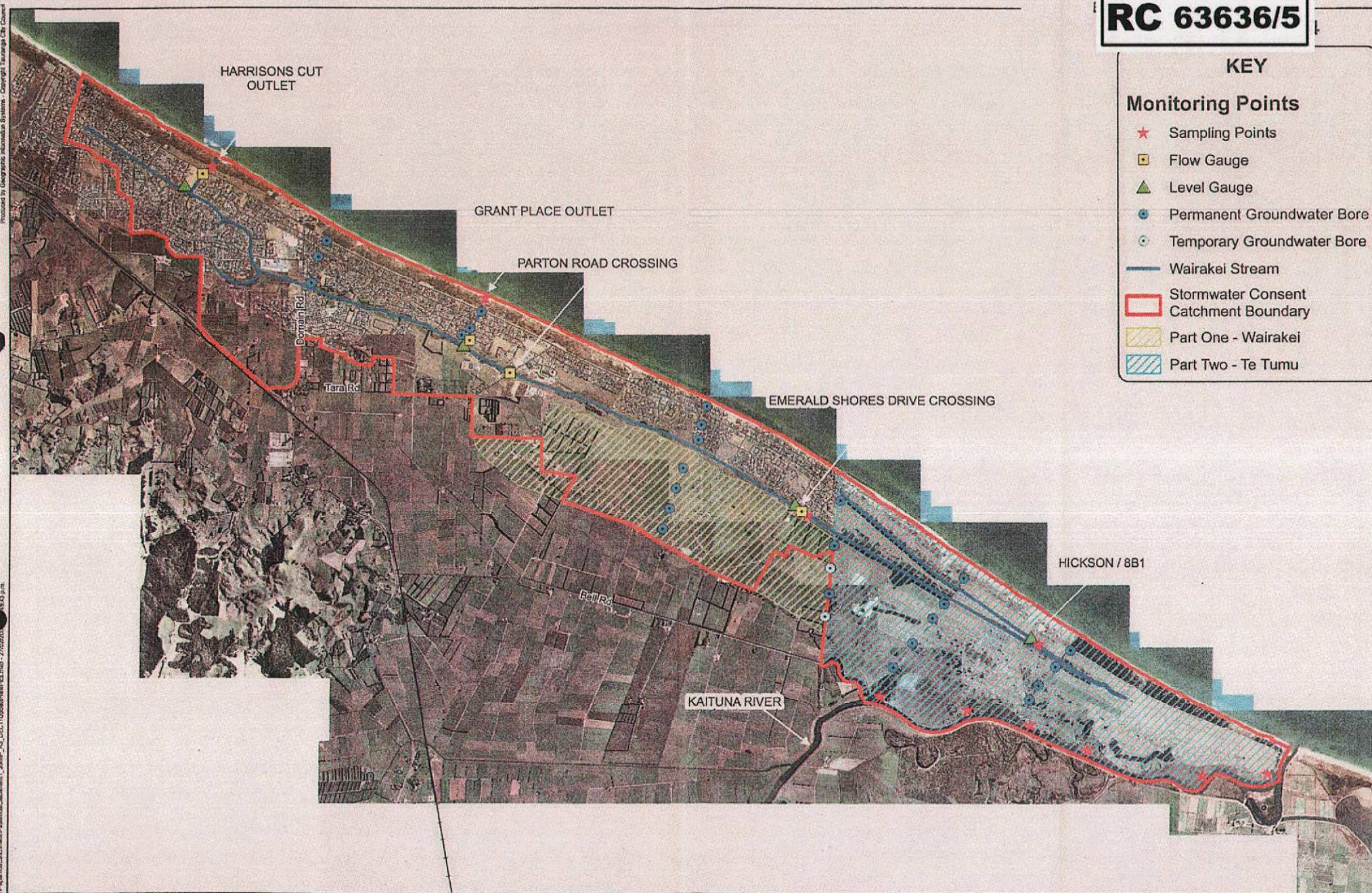


FIGURE 3

Monitoring Points

- ★ Sampling Points
- Flow Gauge
- ▲ Level Gauge
- Permanent Groundwater Bore
- Temporary Groundwater Bore
- Wairakei Stream
- Stormwater Consent
- Catchment Boundary
- Part One - Wairakei
- Part Two - Te Tumu



Information shown on this plan is indicative only. The Council accepts no liability for its accuracy and it is your responsibility to ensure that the data contained herein is appropriate and applicable to the end use intended.

PAPAMOA STORMWATER CATCHMENT MONITORING POINTS

Scale 1:40,000 (at A3)

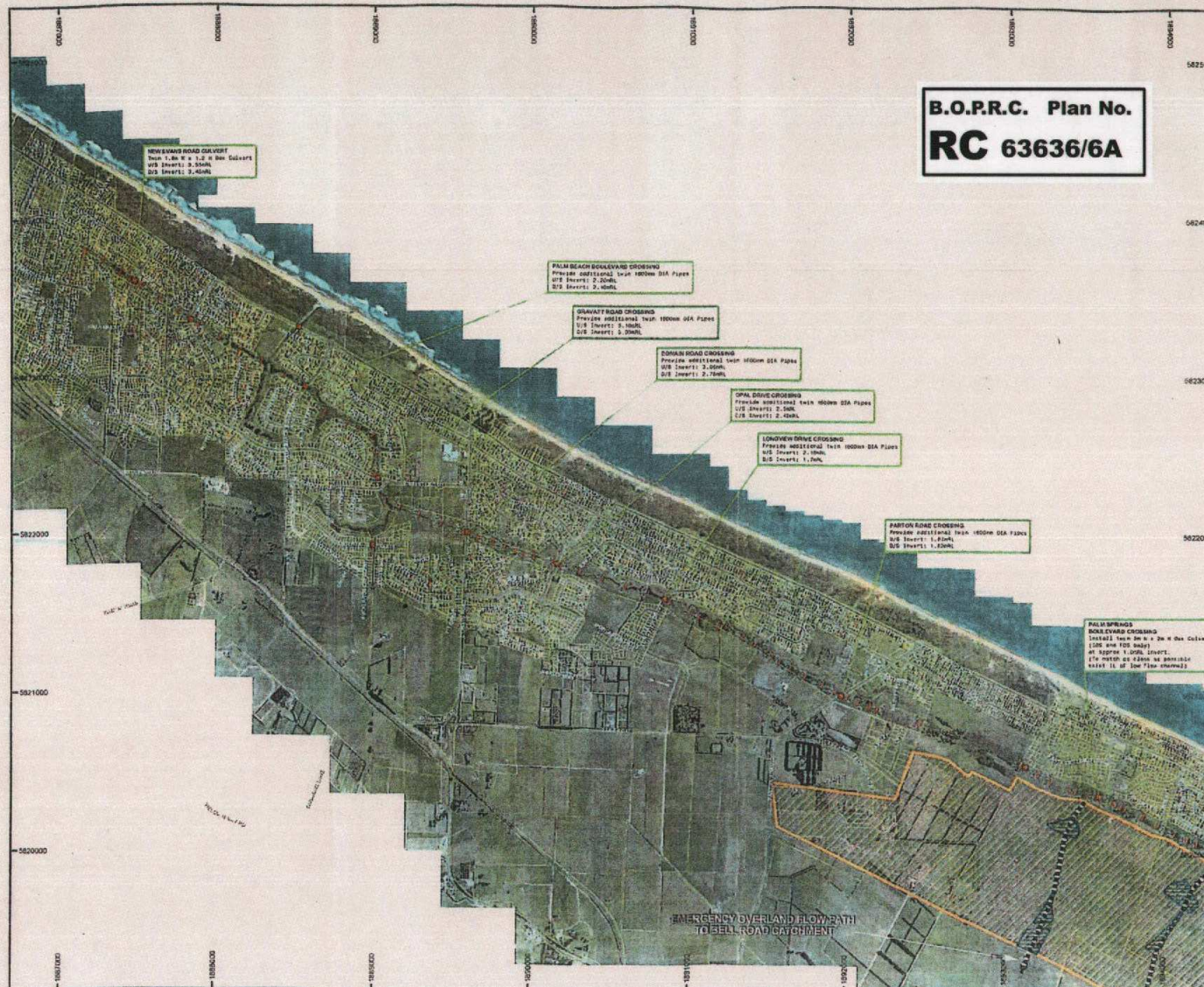


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BOPRC Plan No. 63636/6

**B.O.P.R.C. Plan No.
RC 63636/6A**



- Legend**
- Part 1 Block
 - Part 2 Block
 - Channel Cross Section
 - Part 1 Boundary
 - Revetment Crossings
 - Storage pond
 - Emergency overland flow path to Sell Road catchment

Rev	Date	Revision Details	Rev	Date	Revision Details
1	12/12/2003	Initial design for consent	1	12/12/2003	Initial design for consent
2	18/08/2004	Revised design for consent	2	18/08/2004	Revised design for consent
3	18/08/2004	Revised design for consent	3	18/08/2004	Revised design for consent
4	18/08/2004	Revised design for consent	4	18/08/2004	Revised design for consent

Connell Wagner
Civil Engineering Limited
200 Rangi Road
Rangi Road, Rangi Road, Rangi Road
Rangi Road, Rangi Road, Rangi Road
Rangi Road, Rangi Road, Rangi Road



**Wairakei Drainage System
Hydrological and
Hydraulic Assessment**

**Location of proposed
upgrade works on WDS
channel**








Drawn	By	Date	Checked	By	Date
AM	AM	12/12/2003	AM	AM	12/12/2003
Designed	By	Date	Checked	By	Date
AM	AM	12/12/2003	AM	AM	12/12/2003
Project No.	5003 004	Scale	1:100	Sheet No.	A3
Drawing No.	Figure D1a	Revision			

Key Plan

1

2

Legend

-  Part 1 Block
-  Part 2 Block
-  Choleage Cross Section
-  Parcel Boundaries
-  Stream Centerline
-  Storage point
-  Emergency overland flow path in the flood catchment

1	13122007	2ND AMENDMENT FOR CONSENT LONG TERM	Final	Yes	
1	13122007	2ND AMENDMENT FOR CONSENT LONG TERM	Final	Yes	
2	04182008	AMENDED FOR 2ND CONSENT DAILY DRUG	Final	Yes	
1	21062007	FOR CONSENT	Final	Yes	
Rev	Date	Revision Details	Dis	Ver	

Connell Wagner

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110 Customhouse Quay PO Box 1031
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Email: enquiry@cnv.co.nz

1. *Quel est le rôle principal de la Commission de la vérité ?*



Wairakei Drainage System Hydrological and Hydraulic Assessment

Location of proposed upgrade works on WDS channel

Drawn AM	Signed <i>AM</i>	Date	Verified GEM	Signed <i>GEM</i>	Date
Designed GEM	Signed <i>GEM</i>	Date	Approved	Signed	Date

Project No	5003 004	Leaf	122 500	Sheet No	A3
Drawing title	Figure D1b	Revision			4

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