

# Minutes of Te Tai Uru meeting

<b>Venue</b>	Trust Tairāwhiti offices, Shed 3 The Esplanade, Gisborne
<b>Date</b>	Wednesday 29 January 2020
<b>Time</b>	2:00pm to 5:00 pm

## Attendees

Sarah Hunter, Gisborne District Council	SH
Ian Ruru, Whānau a Iwi	IR
Pene Brown, Whānau a Iwi	PB
Amohaere Houkamau, Ngāi Tāwhiri / Ngāti Maru	AH
Murray Palmer, Ngāi Tāwhiri / Ngāti Maru	MP
Samuel Lewis, Rongowhakaata	SL
Athena Emmerson, Ngāi Tāmanuhiri	AE
Judy Campbell, Ngāi Tāmanuhiri	JC
Angus Ngarangioue, Ngāi Tāmanuhiri	AN
Andrew Gaddum, Eastland Port	AG
Marty Bayley, Eastland Port	MB
Katherine Evett, Eastland Port	KE
Suzanne Winterflood, Eastland Group	SW
Kohe Whenuaroa, Eastland Group	KW

Opening Karakia delivered by SL

## 1. Welcome and introductions

- AH noted that Ngāti Maru and Ngāi Tāwhiri are still deciding who will be their representatives in the Te Tai Uru group. MP and AH are attending today but are not the confirmed members of Ngāi Tāwhiri/Ngāti Maru.
- IR requested an item be added to the agenda. Discussion of an application to the Sustainable Seas Innovation Fund – an upcoming funding opportunity to fund a potential work towards kōura in the harbour.

## 2. Te Tai Uru draft protocol document discussion

### Te Tai Uru draft protocol document - Background

- MB introduced the Te Tai Uru protocol document and provided background information pertaining to the group's establishment. Acknowledgment that all parties in the room have agreed to terms that allow Eastland Port (EPL) to progress with development. However, the consent is still being appealed by Ngāti Oneone, with whom discussions are ongoing.
- AH noted that more time was needed to review the Te Tai Uru protocol document. Advised that Ngāi Tāwhiri / Ngāti Maru will be providing some suggested changes, as they believe there are variations from what they perceived to be the conditions of the group.

### Te Tai Uru draft protocol document - Role of Te Tai Uru and purpose

- MB noted that the Te Tai Uru group does not negate the process of RMA. It is intended to provide a forum for hapū to discuss matters of cultural and environmental interest relating to EPL, covering consents upcoming and existing. Te Tai Uru offers an opportunity for members to work alongside the leadership of EPL, facilitating shared knowledge between parties - mātauranga Māori - and provide the opportunity for group members to undertake kaitiaki responsibilities.
- MP suggested putting conditions about twin berth into the protocol.

### Te Tai Uru draft protocol document - Functions of Te Tai Uru

- MP asked if there is scope within Te Tai Uru for hapū to meet independently and follow up on points.
- AH agreed there will be requirements to have rūnanga/wānanga meetings with other hapū and with the wider constituencies they each belong to, which should be recognised as part of resourcing, as it is not limited to attending meetings.

### Duties of representatives

- AG noted that EPL wants this group to have a life outside of consents processes, as EPL is looking for this to be a long-term relationship well beyond its consenting obligations. Both EPL and the hapū of Tūranganui-a-kiwa have long term interests in the area and this relationship should reflect that. The Twin Berth development is the immediate process we are working through. However, there are other matters around and past this that will need to be discussed.
- AH agreed and suggested the group have two meetings a year to do the business, plus 2/3 wananga for the group to share their views and long-term aspirations.

***NOTE: the draft protocol suggests a minimum of 2 meetings per annum.***

- AH said revised resource consent conditions need to be read before we agree to the protocol.

***NOTE: MB can provide these to those who do not have them already.***

- AG asked group members to note that EPL is not owned by an out-of-region company, it is owned by the people of our region via Trust Tairāwhiti. Benefits flow through and into our region, culturally, economically and environmentally. It is in all of our interests to make the group work.

### Te Tai Uru draft protocol document – Administration

- MB acknowledged that the papers were not provided 20 working days before the meeting (as per the draft protocol) but that this would be observed going forward.

- The group agreed that minutes from the meetings can be published on EPL's website, providing that a suitable timeframe is agreed that allows Te Tai Uru members to check minutes and to report back to constituents prior to them going on the website.
- AH suggested adding a clause within the protocol document detailing regular protocol reviews for the duration of the group, and to not specify the group duration of 6 years long. This is to ensure that there is consistent genuine intent behind the group, as per the **conditions** approved by the court.
- PB noted that the draft protocols are sufficient for Te Tai Uru to proceed and we can refine them as we progress.

***Amohaere Hokamau excused herself and left meeting 3:35pm.***

- MB noted that invoices for member participation must be submitted by the hapū, and not by the individual who is participating in the group.
- MP identified that there are some discrepancies between the use of terminology within the protocol document to be addressed, including the use of the term hapū to be addressed.
- AN noted that Ngāi Tāmanuhiri have not identified a hapū. JC noted that the matter is an internal matter for Ngāi Tāmanuhiri to decide. At this time in the consent it is noted as [*The Hapū o Ngāi Tāmanuhiri – TBC*]

***ACTION: JC to add to agenda for next Ngāi Tāmanuhiri board meeting.***

- PB noted that the protocol needs to be initiated ASAP. Acknowledging that while some members may not be able to sign immediately, an initial would suffice to move forward.
- AG supported adding a review clause into the protocol to alleviate concerns amongst the group.

***SUGGESTED ACTION: MB to update draft protocol document detailing regular reviews of group protocols.***

## Te Tai Uru draft protocol document – Role in reviewing management plans

- PB noted that members' "back rooms" are extensive and that plenty of time is needed to take recommendations back to constituents for discussion. The group was supportive of this.
- AG advised that EPL management plans are extensive and complex. He expressed a desire for the group to focus on the relevant parts of the management plans and not be "bogged down" by the details.
- JC suggested that a good faith clause be added to the protocol identifying that EPL would provide relevant summaries of management plans, and will not hide any important information from the group.
- MB advised that EPL intends to provide a booklet/brief of their consent applications and management plans, summarising key information. They will have all associated documents on EPL's website, fully accessible to everyone.
- PB questioned Gisborne District Council's role in the group.
- MB clarified that their participation is a result of the consent process which led to the formation of this group and EPL's desire to keep the Gisborne District Council informed. Their participation will help hapū members to elevate any issues or objections should they arise and GDC would be abreast of any concerns.
- JC suggested a MOU between Te Tai Uru and GDC to avoid council indicating one thing then not acting on it. JC further suggested it should be a commitment from EPL, members of council and Iwi as entities that says we can hold each other to account. Suggested an addition to the protocol about how GDC and Port will behave.
- AG expressed EPL have been, and are constantly, held to account.

***Note: Te Tai Uru's role and purpose are outlined in the draft protocol. This also indicates the powers and limits of the group. Te Tai Uru functions as an MOU in itself.***

***SUGGESTED ACTION: MB to update draft protocol document detailing good faith behaviour of group members.***

- MP noted that members will need to have access to review full management plans as early as possible.

### Te Tai Uru draft protocol document – Cultural values and relationship framework

- JC noted that the protocol document only covers EPL understanding what other Te Tai Uru members value, and asked how the group can better understand what the Port values to enable members to better understand the Port's long-term intentions.

***SUGGESTED ACTION: EPL to provide its values and vision with the group.***

### Te Tai Uru draft protocol document - Cultural impact assessment

- JC asked the group how they all plan to manage timings and workload of cultural impact assessments. MP noted that EPL agreed to receive impact assessments hapū by hapū (member by member). When asked to indicate a timeline, AG advised members that there was no reason not to start it now.
- MP clarified that this is specific to Twin Berth consents and was supportive of members getting together to discuss.
- PB suggested that EPL should create an action e.g. Twin Berth development, dredging etc. then group members provide cultural impact assessments for the specific action.

***ACTION: MB to provide timeframes of anticipated consent applications and items requiring hapū participation.***

- SL noted that consideration should be given to the specific impacts on each area, for example, Ngāi Tāmanuhiri who have the spoils disposed in their rohe.
- AG acknowledged that the group might need to test the cultural impact assessment process to find the most efficient way of doing it. Suggested that they begin testing the cultural impact process with current consents e.g. dredging, ULY water treatment.
- JC asked that the group's contact details be checked and updated as she has not been receiving Te Tai Uru information.

### Te Tai Uru draft protocol document - Independent technical expertise

- MB summarised there may be areas of knowledge outside hapū expertise/resources and EPL has made a provision to provide up to \$50,000 per annum to Te Tai Uru, to commission independent technical expertise on matters of concern.

### Te Tai Uru draft protocol document – Draft protocol revision

- MP advised that Ngāi Tāwhiri/Ngāti Maru are not far away from providing feedback. MP and JC agreed that MP will circulate feedback to JC before submission to EPL.
- The group agreed on a six-week deadline for providing feedback – 11 March 2020.
- AG advised that once we have the protocol confirmed it will need to be signed by individual parties and representatives. It was proposed that Te Tai Uru meet four times in 2020 while the group is in its infancy and official meetings begin.
- The group agreed to return the draft protocol with feedback by **Wednesday 11<sup>th</sup> March** for discussion at the next meeting on **Friday 27<sup>th</sup> March**.

***ACTION: MB to send out meeting invite. Location TBC.***

- MP suggested adding how the different hapū relate to each other into the protocol.

## Te Tai Uru protocol document – Independent facilitator role

- Group discussion about potential candidates for Te Tai Uru facilitator, noting that he/she must be independent from members. It was raised what qualities and experience does the group wish the facilitator to have? They do need mediation experience.

***Action: EPL to prepare draft job description for the role.***

- MP asked if Commissioner Kevin Prime, who helped this process through the court-assisted mediation, was a suitable candidate.
- AG acknowledged that while the facilitator does not have to be local, it does become problematic as they must be flexible enough to be available to attend all meetings. Reg Proffit, who is no longer at GDC, was suggested by EPL as one of the suitable candidates who they would put forward.

***Action: Te Tai Uru members asked to put forward any independent facilitator suggestions to MB with draft protocol revisions by 11<sup>th</sup> March.***

## Additional agenda item - Sustainable Seas Innovation Fund

- IR explained the Sustainable Seas Innovation Fund is an upcoming government funding opportunity which could help fund a potential innovative concept to harvest and grow kōura puerulus on land. IR would like to apply for funding to test the feasibility of his concept and was seeking the group's support.
- IR noted that he is happy to circulate the application to the group for feedback. The application will be ready in one month.
- IR's concept is to catch kōura puerulus in winter from the harbour, reseed a third into the ocean, grow a third of them in tanks on land for two years, and sell a third of them. IR views this as mitigating the effects of port developments on the puerulus habitat.
- MB advised that EPL have been working on a project to provide an artificial kōura puerulus settlement habitat to protect kōura at the Port. Currently a team from the University of Auckland are testing kōura collectors under wharves 6 and 7. Counts of the collectors take place monthly, and EPL are currently waiting on results from a count of collectors last week.
- IR noted that his application takes it to the next step, allowing us to do something with the kōura after the count.
- PB advised that Te Tai Uru will not be making any funding applications as group protocols do not give members the mana to sign applications. The opportunity of Te Tai Uru is for everyone at the table to see how the port are doing things and share with the group.
- AG invited interested parties to visit the port to learn more about the University of Auckland project.

***NOTE: MB can be contacted to show interested parties this project.***

- MB said the port could have discussions with IR re this concept outside of the Te Tai Uru.

***Ian Ruru excused himself and left meeting at 4:35pm.***

## 3. Te Toka-a-Taiau location spatial analysis

- MB presented a report that gives EPL's best estimate of the original location of Te Toka-a-Taiau. The geo-spatial report is an analysis of historical maps, photos and surveys, overlaid with EPL's current assets map, with dialogue that explains the rationale that led EPL to believe Te Toka-a-Taiau was located opposite Wharf 6 adjacent to the River Training Wall.
- JC asked if it can be shared with people outside of the group as a lot of people would be interested in it.

- AG advised that it can be shared, but it must be acknowledged that it is a European-centric view and this needs to be taken into context.
- MB added this will an addendum to EPL's upcoming maintenance dredging resource consent application.

## 4. Upcoming resource consent applications

- MB – EPL has two resource consent applications to be lodged in the next month.

### Maintenance dredging of the Port navigation channel, vessel turning basin, and wharves 4, 5, 6, 7 & 8 resource consent application brief.

- MB presented a resource consent application brief for the renewal of EPL's maintenance dredging and disposal consents. MB noted the following
  - The dredging consent does not include the movement of any rock. It is for silt and sediment that settles in the channel and harbour.
  - On average every year 12.7 million tonnes of sediment flow out of the Waipaoa and Waimata river catchments and enter Poverty Bay/Tūranganui-a-kiwa. EPL want to renew its consents to move the portion, around 100,000 cubic metres that settles in the harbour and channel each year. This volumes varies according the seasonal weather patterns, la nina/el nino, and how much material flows
  - EPL have held permits/consents to maintenance dredge since the introduction of the Resource Management Act 1991 and have dredged intermittently since the 1920's, and regularly since the 1960's.
  - EPL have determined what the effects are of taking dredged material across the bay is and have the required reports on this from the effects on the shoreline, to surf breaks, to ecology of the disposal ground.
  - EPL survey the channel and harbour four times a year to see what needs to be dredged. It takes about half a day to complete a survey. The disposal ground is also surveyed to check it is functioning as it is supposed with material being picked up and moved off the continental shelf.
  - EPL's disposal spoil ground is located in the current location for several reasons. It is away from any reefs of ecological value, there is low benthic value within it, the seabed is consistent with what is dredged (like-for-like material). It is located in a position where the material is uplifted by the flows of the Waipaoa river and moved out of the bay.
- AN questioned the effects of the disposal ground on the sediment that has accumulated along Te Kuri-a-Pāoa. MBs suggested is was unlikely the disposal ground was affecting the coastline of Te Kuri-a-Pāoa.
- AN asked if the group could undertake a cultural assessment to investigate this matter further.
- AG and MB discussed the sediment test both in the harbour and disposal ground EPL already undertakes to provide assurance of these processes.
- JC asked if the group could spend the \$50,000 on a report to determine exactly what happens to the disposed material and if this ended up at Te Kuri-a-Pāoa.
- AG explained this could possibly be modelled, but that it would be very difficult to identify and track specific sediment particles through the bay.
- JC noted the group could still consider a study to prove whether silt is from the river, and not Port.

- MB presented slides detailing EPL's sediment testing. He advised that EPL complete annual sediment monitoring of the harbour and have never had any levels out of consent guidelines.

### Upper log yard water treatment upgrade consent resource consent application brief

- MB presented information on the second resource application to be lodged soon with GDC, an application to change conditions on an existing consent to include the water treatment upgrade in Upper Log Yard.
- MB described water treatment plant operations and invited members to come and see it themselves. MB explained the process that had been followed under GDC's approval to implement this system and that it was an improvement on the current consent.
- It was also explained the same system has been implemented in the Wharfside Log Yard, and that EPL intends to push this same system through the rest of the port over the next 12 months.
- There were also some changes to other conditions of the consent to update them to best practice, and the removal of the crayfish resin flesh testing conditions that were impractical to achieve, and of little value.

MB added that members do not have to wait for meetings of this group to bring ideas or issues to EPL's attention - anyone is welcome to reach out at any time.

Closing Karakia delivered by SL

Meeting closed 5:05PM