



## MINUTES OF A MEETING OF THE ENVIRONMENTAL MANAGEMENT COMMITTEE

**Date:** Wednesday 13 April 2011  
**Time:** 9.00am  
**Venue:** Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
NAPIER

**Present:** M Black  
A J Dick  
T Gilbertson  
N Kirton  
P Paku  
L Remmerswaal  
K Rose  
C Scott  
E von Dadelszen - Chairman  
F Wilson

**In Attendance:** A Newman – Chief Executive  
D Lew – Group Manager Resource Management  
H Codlin – Group Manager Strategic Development  
EA Lambert – Group Manager External Relations  
L Hooper – Executive Assistant and Acting Administration Manager  
G Ide – Team Leader Policy  
C Drury – Senior Consents Officer  
C Reed – Senior Planner  
B Powell – Land Management Advisor  
A Uytendaal – Principle Scientist, Water Quality and Ecology  
F Cameron – Data Analyst  
EA Bate – Planner

**1. WELCOME/APOLOGIES/NOTICES**

The Chairman welcomed everyone to the meeting, and gave notice that item 10 was scheduled for 10.45am. Apologies were received from Councillor McGregor.

**Wilson/Scott  
CARRIED**

**2. CONFLICT OF INTEREST DECLARATIONS**

There were no conflict of interest declarations.

**COMMITTEE HELD ON 16 FEBRUARY 2011**

**Resolution**

Minutes of the Environmental Management Committee held on Wednesday, 16 February 2011, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and accurate record.

**Scott/Rose  
CARRIED**

**4. MATTERS ARISING FROM MINUTES OF THE ENVIRONMENTAL MANAGEMENT COMMITTEE HELD ON WEDNESDAY 16 FEBRUARY 2011**

There were no matters arising from the minutes.

**5. ACTION ITEMS FROM ENVIRONMENTAL MANAGEMENT COMMITTEE MEETINGS**

Mr Newman advised that work on revising Council paper templates had commenced and that a new version of that would be brought to Councillors for their comment in the next month or so.

In regards to the Te Awa Structure Plan, Ms Codlin stated that clarification of the 'sticking points' would be addressed as part of the Statutory Advocacy item (12).

At the 16 February Environmental Management Committee meeting, item 8 Opoutama Wastewater Scheme – Collaborative Approach with Wairoa District Council had been left to lie on the table and in order to ensure that it be followed up, was added to the Actions list as an item to be brought back to the next (15 June) EMC meeting.

**Resolution**

1. That the Environmental Management Committee receives the report "Action Items from Environmental Management Committee Meetings".

**Scott/Wilson  
CARRIED**

**6. CONSIDERATION OF GENERAL BUSINESS ITEMS**

- a. Tukituki River Water Quality (Gilbertson)
- b. Twyford Appeals (Scott)
- c. Environmental Awards (Scott/Wilson)

## **7. SUBMISSION ON PROPOSED NATIONAL POLICY STATEMENT ON INDIGENOUS BIODIVERSITY**

Ms Lambert outlined the drafted submission and the rationale for the issues and concerns raised in that document.

In summary, the submission supports a National Policy but raises key concerns about implementation.

It was suggested that the submission include additional comment on biodiversity off sets, the identification of significant areas of indigenous biodiversity, and a statement expressing concern that the proposed NPS was being developed through a process that does not include a Board of Enquiry to hear submissions and instead would be considered and decided upon solely by the Minister for the Environment.

### **Resolutions**

The Environmental Management Committee recommends that Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
2. Agrees to lodge the attached submission to the Minister for the Environment, subject to amendments arising from the meeting.

**Scott/Rose  
CARRIED**

## **8. OVERALL STATUS REPORT ON PLAN CHANGE WORKSTREAMS**

Ms Codlin and Mr Ide updated councillors on the status of Plan Change work streams currently under way.

### **Resolutions**

That the Environmental Management Committee:

1. Receives the report titled 'Overall Status Report on Plan Change Workstreams'.

The Environmental Management Committee recommends that Council:

2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
3. Agrees that public notification of stormwater-related provisions be staggered, with the Regional Policy Statement (growth and infrastructure) provisions to be notified in October 2011 and the Regional Plan provisions notified following analysis of submissions received on the RPS change.

**Dick/Rose  
CARRIED**

## **9. WASTEWATER PLAN CHANGE**

Mrs Drury outlined the proposed changes, which were intended to align the rules with the

environmental effects as opposed to zoning.

Staff clarified that the statutory RMA processes for plan changes would be followed and that the initial targeted consultation with TLAs and industry would be followed by the required public consultation on the Proposed Plan Change and associated section 32 analysis.

### **Resolutions**

The Environmental Management Committee recommends that Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
2. Instructs staff to prepare a proposed PRCEP and RRMP plan change to address on-site wastewater issues, enter into targeted consultation with the Sewage on Site (SOS) group and TLAs, and present the proposed plan change to the 15 June 2011 Environmental Management Committee meeting for consideration.

**Scott/Kirton  
CARRIED 9:1**

Councillor von Dadelszen then moved an additional Recommendation (3), which was seconded by Councillor Kirton:

3. Instructs staff to include interested members of the public such as Ratepayer associations in the targeted consultation on the draft Plan Change.

**von Dadelszen/Kirton  
CARRIED 6:4**

The meeting adjourned at 1040am and reconvened at 11am.

### **10. TAHARUA UPDATE**

Chairman von Dadelszen welcomed members of the public, including representatives of the Taharua Stakeholders group – Charlie Lambert, Toro Waaka and Gerald Aranui (Ngati Pahauwera), Steve Smith (Poronui), David Hunt (Federated Farmers), and Tony and Carla Fleming (Country Spirit).

Mr Reed, Ms Codlin, Mr Powell and Mr Uytendaal provided the Committee with an overview of the progress made by the RSG and staff in working toward completion and implementation of the Taharua Catchment strategy.

### **Resolutions**

That the Environmental Management Committee:

1. Receives and notes the report titled '*Taharua update*'.

The Environmental Management Committee recommends that Council:

2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
3. Instructs staff to schedule a Councillor workshop to examine policy options in more detail.
4. Instructs staff to prepare a draft Taharua Strategy for informal consultation with additional stakeholders such as recreational users of the waterways and environmental groups.

- 5 Approves the postponement of the notification date for the Plan Change to December 2011.

**Kirton/Scott  
CARRIED**

## **11. FISH BARRIERS**

Ms Cameron outlined the issues related to the movement of native fish at various stages in their life cycle and the findings of the Fish Barrier project as well as how the information would be used.

### **Resolution**

1. That the Environmental Management Committee receives the report and approves release of the report to those stakeholders responsible for existing structures.

**Wilson /Gilbertson  
CARRIED**

## **12. STATUTORY ADVOCACY MATTERS**

Mr Ide provided clarity in relation to the submission made on Napier City Council's Te Awa Structure Plan and responded to other queries in relation to the Statutory Advocacy project.

### **Resolution**

1. That the Committee receives the Statutory Advocacy Update report.

**Kirton/Wilson  
CARRIED**

## **13. GENERAL BUSINESS**

- a. Tukituki River Water Quality (Gilbertson)  
An item from CHB press about the recent Trout Fishing Competition was brought to the attention of the Committee.
- b. Twyford Appeals (Scott)  
25 parties who received consents for water under separate A and B allocations (57 consents) have lodged appeals with the Environment Court.
- c. Environmental Awards (Scott/Wilson)  
Councillors would appreciate receiving a full report on the recent Ballance and Chamber of Commerce Awards, including the judging criteria and benefits to Council from providing support for this event.

## **14. CONFIRMATION OF PUBLIC EXCLUDED MINUTES FOR THE MEETING HELD ON WEDNESDAY 16 FEBRUARY 2011**

That the Council exclude the public from this section of the meeting being Agenda Item 14 Confirmation of Public Excluded Minutes for the Meeting held on Wednesday, 16 February 2011 with the general subject of the item to be considered while the public is excluded; the reasons for passing the resolution and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution being as follows:

**GENERAL SUBJECT OF THE  
ITEM TO BE CONSIDERED**

Confirmation of Public  
Excluded Minutes for the  
Meeting held on Wednesday,  
16 February 2011

**REASON FOR PASSING THIS RESOLUTION**

7(2)(b)(ii) To protect information which  
otherwise would be likely unreasonably to  
prejudice the commercial position of the  
person who supplied or who is the subject  
of the information.

**FOUNDATIONS UNDER SECTION 48(1) FOR  
THE PASSING OF THE RESOLUTION**

The Council is specified, in the First  
Schedule to this Act, as a body to  
which the Act applies.

**Wilson/Gilbertson  
CARRIED**

***The meeting went into public excluded session at 12.50pm***

14. Public Excluded Minutes of the Environmental Management Committee held on Wednesday, 16 February 2011, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and accurate record.

**Scott/Wilson  
CARRIED**

15. There were no matters arising from the Public Excluded Minutes of the Environmental Management Committee held on Wednesday, 16 February 2011.

***The meeting moved out of public excluded session at 12.55pm***

**Rose/Wilson  
CARRIED**

**Closure:**

There being no further business the Chairman declared the meeting closed at 12.55pm on Wednesday 13 April 2011.

Signed as a true and correct record.

**DATE:** .....

**CHAIRMAN:** .....