



## UNCONFIRMED

### MINUTES OF A MEETING OF THE MAORI COMMITTEE

**Date:** Tuesday 25 October 2011

**Time:** 10.15am

**Venue:** Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
NAPIER

**Present:**

- H Hiha
- H Hilton
- P Paku
- A Riki
- J Aspinall
- T Gilbertson
- E McGregor
- L Remmerswaal
- M Mohi
- M Black (Proxy for Marei Apatu)
- Dr B Wakefield

**In Attendance:**

- F Wilson – Chairman HBRC
- A Newman – Chief Executive
- H Codlin – Group Manager Strategic Development
- G Ide – Team Leader Policy
- F Cameron – Data Analyst
- M Drury – Committee Secretary

## 1. KARAKIA – HAAMIL HILTON

### WELCOME

Chairman Mohi welcomed all present to the meeting and advised that agenda items 14, 4,5,6 and 7 would be discussed out of order. Chairman Mohi also advised that Chairman Wilson would give the Committee an update on Council activities.

MC1/11

#### Resolution:

Apologies were received from Messrs P Hohipa, M Apatu, A Manuel, F McRoberts and Mrs L Graham.

**Hiha/Aspinall  
CARRIED**

## 2. CONFLICT OF INTEREST DECLARATIONS

There were no conflicts of interest declared.

## 3. SHORT TERM REPLACEMENTS

MC2/11

#### Resolution:

That Mr Morry Black be appointed as a member of the Maori Committee of the Hawke's Bay Regional Council for the meeting of Tuesday, 25 October 2011 as short term replacement on the Committee for Mr Marei Apatu.

Mrs Riki also advised that Mr Rangi Spooner would act as a short term replacement for herself on the occasions she was unable to attend a meeting.

**Paku/Remmerswaal  
CARRIED**

## CHAIRMAN'S UPDATE

### Economic Development

Chairman Wilson advised that the Regional Economic Development Strategy had been well received by all Councils in the region with one of the biggest developments being the opportunity for all Councils to work with the recently formed Business Hawke's Bay.

### China Visit - Xuzhou

Chairman Wilson reported that this trip had been one of the most productive trips undertaken by Council. To date there had been some significant developments resulting from the visit and outlined two proposed business opportunities for the region.

Chairman Wilson praised the party from Hukerere College who were also part of the visit and noted that their presence had played a major role in the success of the visit. The school had received 2 substantial scholarships as a result of the trip also.

Chairman Wilson advised that the Terracotta Warrior exhibition would be held in Napier in 2014 – Napier was the only place the exhibition would be held in NZ and would be a huge event for the region.

### LTP

Responding to a question regarding a proposed reduction in financial support over a 3 year period for Maori initiatives from \$150,000 to \$50,000, Chairman Wilson advised that it was Council's intention to maintain relationships with Maori and to continue to grow them as Maori served a very important role with Council. How this was to be

resourced is still for discussion by Council and he undertook to promote the concerns expressed about this particular proposal.

MC3/11

**Resolution:**

That the Maori Committee receives the Council's Chairman's report.

**Mohi/Hiha  
CARRIED**

*Council Chairman Wilson and Mr Newman left the meeting at 11.05am*

**4. CONFIRMATION OF MINUTES OF THE MAORI COMMITTEE HELD ON 20 SEPTEMBER 2011**

MC4/11

**Resolution:**

Minutes of the Maori Committee held on Tuesday, 20 September 2011, a copy having been circulated prior to the meeting, were taken as read and confirmed.

**McGregor/Aspinall  
CARRIED**

**5. MATTERS ARISING FROM MINUTES OF THE MAORI COMMITTEE HELD ON TUESDAY 20 SEPTEMBER 2011**

**15. General Business**

**State of Takiwa Monitoring**

Mr Black updated the Committee on a very successful monitoring programme and advised that although there were some difficulties with the database, these problems have been solved and information can now be downloaded.

**6. CONSIDERATION OF GENERAL BUSINESS ITEMS**

Air Quality Standards

Environmental Awards

Walking Across new Zealand

Plan Changes around HPUDS

**7. ACTION ITEMS FROM PREVIOUS MAORI COMMITTEE MEETINGS**

MC5/11

**Resolution:**

1. That the Maori Committee receives the report "Action Items from Previous Meetings".

**Mohi/Paku  
CARRIED**

**8. VERBAL UPDATE ON ECONOMIC DEVELOPMENT BY COUNCILLOR ALAN DICK, MR MICHAEL BASSETT FOSS, ECONOMIC DEVELOPMENT MANAGER AND MR MURRAY DOUGLAS, PRESIDENT HAWKE'S BAY CHAMBER OF COMMERCE.**

The Committee noted that this agenda item would be presented at the December Maori Committee meeting.

MC6/11

**Resolution:**

1. That this agenda item does lie on the table.

**Mohi/Gilbertson  
CARRIED**

**9. COUNCIL POLICY ON "SIGNIFICANCE"**

Mr Moule presented this agenda item and noted that Council's policy on significance is required by Section 90 of the Local Government Act 2002 and any subsequent amendment must be adopted by the special consultative procedure. Mr Moule noted that Government had enshrined the need for Local Government to involve Maori in decision making processes to acknowledge the intent of the Treaty of Waitangi and Council is therefore required to involve Maori in decision making.

The Committee discussed Council's policy on significance and whether the policy and associated objectives were strong enough to protect Maori interest in the decision-making process. The important issue is that Maori interest are considered and protected whenever Council is making decisions.

Concern was expressed around the word "well being" as many Maori issues are akin to well being.

The Committee also noted that there were many changes occurring within society today and it was important that all policies relevant to iwi/hapu should be reviewed to take account of those ongoing changes.

MC7/11

**Resolution:**

1. That the Maori Committee receives the report on Council's policy on significance.

**Paku/Hiha  
CARRIED**

**10. HAWKE'S BAY LAND AND WATER STRATEGY**

Ms Codlin introduced Mr Tim Sharp, Council's Strategic Policy Advisor who had assisted her in the development of the Hawke's Bay Land and Water Strategy.

Ms Codlin advised that the document outlined the strategic direction for the management of land and water in the region, was a non statutory document and contained a range of actions that are necessary to implement it. Although many of the actions fall under HBRC's legal responsibilities, there were other actions which fitted under the mandate of other industry and statutory sector organisations.

The Committee discussed the Strategy and the affects it would have on any future plan changes such as the proposed Tukituki Plan Change and the implications that could result in the name of water efficiency. Ms Codlin confirmed that a change of thinking in regard to the value of water attached to the land was required.

Responding to a question, Ms Codlin outlined the communication process to be undertaken to inform the community of the proposed changes.

Mr Paku indicated that he believed the term used to describe those directly affected by the provisions of this strategy should be called 'mana whenua' rather than 'tangata whenua' to more accurately define their relationship to the land.

The Committee also discussed the issue of stock entering the region's waterways and expressed concern that Council had been unable to progress the problem to keep stock out

of Council's managed flood scheme areas.

MC8/11

**Resolution:**

The Maori Committee supports the Environmental Management Committee recommendation to Council 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. Adopts the Hawke's Bay Land and Water Strategy, as amended by feedback received at the Environmental Management Committee meeting.
3. Endorses the second Regional Land and Water Symposium event to be held on Wednesday, 30 November 2011 as the key engagement event.

**Hiha/Aspinall  
CARRIED**

The Maori Committee recommends Council:

4. Notes concern expressed by the Committee at the lack of progress by Council to keep stock out of Council managed flood scheme areas.

**Mohi/Remmerswaal  
CARRIED**

The Maori Committee:

5. Requests the words "Tangata Whenua" be replaced with the words "Mana Whenua".

**Hiha/Aspinall  
CARRIED**

11.

**PLAN CHANGE PROCESS FOR HERETAUNGA ZONE - INTEGRATED CATCHMENT MANAGEMENT**

Ms Codlin updated the Committee on Council's proposal to address the scheduled review of the minimum flow and allocation limits of the Karamu stream as part of an integrated catchment approach for the wider Heretaunga zone and outlined the risks involved in Council proceeding with a plan change at this time.

Responding to a question, Ms Codlin advised that the 30 consents which expire in 2013 will have to go through a formal consent process to determine the duration on those consents. It was hoped that eventually all consents in the Heretaunga zone would have the same renewal time frame however a framework had yet to be developed to achieve this outcome.

Ms Codlin confirmed it was necessary for Council to investigate all the hydrological impacts in the catchment before a decision was reached in regard to the minimum flow levels in the zone.

MC9/11

**Resolution:**

The Maori Committee receives the report "*Plan Change Process for Heretaunga Zone – Integrated Catchment Management*".

**Paku/Gilbertson  
CARRIED**

## 12. UPDATE ON TAHARUA STRATEGY FEEDBACK AND PROJECT REVIEW

Mr Ide gave a powerpoint presentation which updated the Committee on the preparation of a non statutory Strategy and subsequent plan changes to the Regional Resource Management Plan (RRMP) to restore and maintain the health of the Upper Mohaka river and its Taharua headwater tributary.

Mr Ide advised that as a result of public consultation and the issues that were raised, Council commissioned Mr Rob van Voorthuysen to undertake a preliminary review of Council's progress to date and his findings confirmed there was still a significant amount of work to be undertaken before a plan change would be ready for notification.

Mr Ide commented that the farmers are supportive of action taken to date however further work still needs to be undertaken as there was still the question of capping of nutrients across landowners.

Responding to a question, Mr Ide confirmed that forestry did remain a viable solution. He also noted that the existing activities are complying with the current rules even though there are environmental impacts.

Mr Ide agreed that there were lessons to be learnt from the Taharua and that any policy changes in the RPS to encompass the whole region would be assisted by the actions achieved by the Hawke's Bay Land and Water Strategy.

Dr Wakefield requested that Wairoa taiwhenua be kept fully up to date on progress as the work being undertaken on the Strategy included their area.

MC10/11

### **Resolution:**

1. That the Maori Committee notes and supports the Environmental Management Committee's recommendations to Council which are as follows:

That Council:

1. Notes the public feedback received on the 'Taharua and Upper Mohaka Draft Strategy.'
2. Receives the van Voorthuysen report.
3. Notes the van Voorthuysen report's conclusion that "*Notification of a Taharua – Upper Mohaka plan change by the end of 2011 is unrealistic.*"
4. Notes the complexity of the planning environment with respect to managing land uses for water quality enhancement purposes.
5. Agrees that staff continue to compile the information required in order to prepare a robust statutory plan change and associated section 32 evaluation.
6. Agrees that for future Environmental Management Committee meetings, staff present updates outlining progress on significant work streams and that at the February 2012 meeting a comprehensive programme for completion of a robust statutory plan change is prepared for the Committee's consideration.

**Mohi/Paku  
CARRIED**

## 13. WATER QUALITY TRENDS IN HAWKE'S BAY 1998-2011

Due to time restraints, the Committee agreed that this paper lay on the table until the December meeting.

MC11/11

### **Resolution:**

1. That this agenda item does lie on the table."

**Mohi/Hilton**

**14. FISH BARRIERS**

Ms Cameron gave a Powerpoint presentation which highlighted the difficulties fish face when migrating upstream or downstream. It was noted that 88 structures in 82 separate locations could become a significant obstacle to fish passage. Some of these structures were pumping stations to regulate stormwater flows, weirs on streams, tide gates and flood gates.

The Committee discussed the difficulties that poorly designed and installed culverts create for fish passage and noted that information contained within the report would be forwarded to TAs, NZTA and Department of Conservation to enable a review of those structures which are currently inhibiting fish passage.

MC12/11 **Resolution:**

1. That the Maori Committee receives the report.

**Aspinall/Black  
CARRIED**

**15. STATUTORY ADVOCACY MATTERS**

Mr Ide presented this agenda item, outlined current proposals under Council's statutory advocacy project and the Resource Management Act 1991 and answered questions from the Committee.

MC13/11 **Resolution:**

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

**McGregor/Aspinall  
CARRIED**

**16. GENERAL BUSINESS**

**Air Quality Standards**

Councillor Remmerswaal expressed concern that there was a lack of knowledge in the community that the deadline to ban the use of existing open fires was 1 January 2012 although new recommendations to Government extending timeframes had been approved.

**Environmental Awards**

Mrs Aspinall sought clarification if any Maori organisations had entered a project for the Environmental Awards and expressed concern that although she had been approached by several Maori organisations, they had decided not to enter the competition.

**Walking Across New Zealand**

Mr Black advised that there was a website called Walking Access NZ which illustrated land tenure, land ownership and details around subdivision. He recommended that all hapu should view this site.

**Plan Changes around HPUDS**

Following discussions with the iwi authority as part of the pre-notification process for plan change, Mr Black advised he had recommended to them they amend the proposed policy on papakainga so that papakainga are better enabled through a specific objective with its own discrete set of policies.

**Closure:**

There being no further business the Chairman declared the meeting closed at 1.10pm on Tuesday, 25 October 2011..

Signed as a true and correct record.

**DATE:** .....

**CHAIRMAN:** .....