



## MINUTES OF A MEETING OF THE REGIONAL PLANNING COMMITTEE

**Date:** Wednesday 11 September 2013

**Time:** 1.00 pm

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

**Present:** T Gilbertson  
T Hopmans  
N Kirikiri  
E McGregor  
P Paku  
L Remmerswaal  
K Rose  
C Scott  
R Spooner  
T Waaka  
F Wilson (Chairman)  
W Wilson

**In Attendance:** E Lambert, Interim Chief Executive  
M Mohi, Maori Committee Chairman  
G Ide, Team Leader Policy  
E Bate, Planner  
L Hooper, Governance & Corporate Administration Manager  
T Sharp, Strategic Policy Advisor

## **1. Welcome/Apologies/Notices**

Chairman Wilson welcomed everyone present to the meeting, this being the last RPC meeting of the current triennium.

Walter Wilson offered the Karakia.

The absence, without apologies, of Councillor Neil Kirton and Mr Nigel Baker was noted.

Apologies for absence from Councillors Murray Douglas and Alan Dick and Mr Karauna Brown and an apology for lateness from Councillor Kevin Rose had been extended.

It was noted that given the sufficient notice of meetings and the importance of the issues being considered, it was expected that apologies would only be made in extraordinary circumstances and that it was very disappointing there were not sufficient members of the committee present to achieve a quorum.

Due to there not being a quorum a move to adjourn the meeting was sought at 1.15pm

After further discussion, however the decision was made by those present to continue the meeting in order to receive and discuss the information prepared for members today although no formal receipt, nor decision would be made.

## **2. Conflict of Interest Declarations**

Due to lack of quorum, this item was not considered and no resolution was passed.

## **3. Confirmation of Minutes of the Regional Planning Committee Held on 7 August 2013**

Due to lack of quorum, this item was not considered and no resolution was passed.

## **4. Matters Arising From Minutes of the Regional Planning Committee Held on Wednesday 7 August 2013**

Due to lack of quorum, this item was not considered and no resolution was passed.

## **5. Action Items From Previous Regional Planning Committee Meetings**

Due to lack of quorum, this item was not considered and no resolution was passed.

## **6. Call for General Business Items**

Due to lack of quorum, this item was not considered and no resolution was passed.

## **8. Tukituki River Catchment Issues - Te Taiwhenua Tamatea Update - Mike Mohi**

Mr Mohi introduced himself prior to providing an update on discussions at the Maori Committee in relation to the Ngati Kahungunu Marine and Freshwater Fisheries Strategic Plan. At that meeting, the Maori Committee resolved to recommend that Council refer the Plan back to NKII for further consultation with iwi and also that the Plan be considered by the Regional Planning Committee.

Mr W Wilson provided comment from his perspective that, in principle, the Plan picked up a lot of the generic issues across Ngati Kahungunu, was overall very good, and that the issues had not significantly changed since 2008 when the Plan was developed.

Mr Gavin Ide provided an outline of Council requirements under the Resource Management Act and Local Government Act in terms of receiving Hapu/Iwi

management plans.

Mr Rangi Spooner expressed his view that the Plan needed additional consultation with iwi before being presented to Council.

Mr Toro Waaka acknowledged that further consultation and discussion with iwi should have taken place prior to the document being lodged for Council's receipt.

Ms Tania Hopmans expressed concerns that the input from the larger natural groups had not been sought and that the Manugaharuru-Tangitu hapu would not feel comfortable supporting a Plan to which they had had no input.

It was clarified that receiving the Strategy would mean that the Council must take the strategy into account when making plan changes or setting policy, while if Council had not officially received the document it didn't have 'official' standing to require that Council consider it.

Mr Mohi explained the history of the Maori Committee and that the Council would be reviewing the role of that Committee after the upcoming elections.

As a member of Tamatea taiwhenua, Mr Mohi provided his understanding of the development of the Ruataniwha Water Storage Scheme and, further, the concept of how the dam came about. Mr Mohi explained his involvement in the process to date in order to put iwi in a place of being able to take best advantage for the benefit of the iwi should the project proceed. There could be significant development in CHB if the water storage project does go ahead, not only during the period of building the dam but also for years to follow with development of the distribution network, ongoing nutrient and farm management and other businesses supporting and/or contributing to the primary sector. It was important to the iwi that they were able to participate in the resulting growth and outcomes, and develop and grow their people to be part of the workforce that would benefit socially and economically.

## **9. Greater Heretaunga/Ahuriri Catchment Plan Change Update**

Mr Tim Sharp updated the Committee on where the TANK group work had progressed to, to date, and advised that the Group was developing a progress report, which would be finalised before being distributed to the Regional Planning Committee meeting ahead of the 4 December meeting.

It was noted that Fish and Game had not been fully engaged in the Group collaboration.

Collaborative effort will bring the best outcome – is the group's recently agreed 'vision statement' for the work they're doing.

## **10. Resource Management Reform Proposals - Update**

Mr Gavin Ide advised that a 20 page summary document of the proposed Resource Management Act reforms was all that had been released, and that no Bill had been produced to date.

Discussions covered:

- What are the implications of the new section 7 "methods" with respect to councils exercising functions under the RMA?
- Are any of the section 6 principles likely to undermine the government's stated objectives?
- Will each section 6 principle provide certainty to councils as implementer – is it clear and unambiguous? If there is an unacceptable ambiguity is there any

better suggestion to offer which still meets the Government's objectives?

- Will each section 6 principle stand alone and provide sufficient direction without an accompanying National Policy Statement?
- What are the implications that some principles (e.g. amenity values) have been deleted with respect to a council's functions under the Act? Better wording?
- Is there anything in the obligation to apply "a broad judgment approach" which would cause operational difficulties to functionaries such as local government that would require qualification or amendment?
- In practice, what are the implications of the new section 7 "methods" with respect to councils exercising functions under the RMA (given they are also referred to other sections of the Act e.g. s 37, 85?)
- Are there particular issues with the wording of some of the methods?

The government's objectives for the reforms include:

- Enable economic growth while ensuring good environmental outcomes
- Provide an effective and efficient resource management system
- Ensure greater confidence for businesses to grow
- Better management of risk re natural hazard
- Provide greater certainty for communities to plan for their areas of need
- Ensure stronger environmental outcomes
- Water is managed and used sustainably
- A National Planning template containing a common structure, format, definitions and possible content – to be delivered by central government in 2 years time. Local authorities would then be expected to adopt some aspects of the template within 1 year and all aspects within 5 years.
- Local Authorities will be required to incorporate all plans into a single resource management plan using the national template, and adopt that single plan within 3 years for delivery through a website.
- 3 alternative options for plan development are:
  - 1- Schedule 1 with 'strengthened consultation requirements'
  - 2- Collaborative Planning Process (freshwater mgmt only)
  - 3- Joint Council Planning Process for non-freshwater plan content

Ms Lambert advised that Local Government New Zealand has begun work on submissions to the proposed changes, and is also working with the policy writers on drafting the legislation.

Further discussions continued, covering:

- Collaborative Process for Freshwater – CPP is optional and for "freshwater content" only. Process involves:
  - Regional councils appoint collaborative group to deliver consensus report
  - Council decides whether consensus report is comprehensive enough to draft plan / plan change
  - Plan / plan change must give effect to consensus report
  - Submissions and hearings
  - Independent review panel reviews plan against the consensus report (Role of "independent review panel" unclear – how does this compare with an independent hearings panel)
  - Restricted appeal rights

- Joint Council Planning processes
  - Regional and district councils work together to produce an integrated set of plan provisions (not just rules)
  - More than just stitching the 'single plan' bits together
  - cannot be used for freshwater related plan content
  - Independent hearing (JCCP prescribes independent hearings panel)
  - Panel makes recommendations to council(s?)
  - Reduced appeal rights (limited appeal rights depending on response to recommendations)
- Council Planning Agreement – between regional and Territorial Authorities, and intended to facilitate and clarify development of a single RM plan – to be adopted within 6 months of enactment of reforms and reviewed triennially.
- It was noted that this is the type of (collaborative) work that was carried out through the Heretaunga Plains Urban Development Strategy process.
- Maori participation – Local authorities required to seek and have regard to iwi/hapu views on proposed plans. Hearing/review panels for plan processes will include members with knowledge of tikanga and perspectives of local iwi/hapu (Implications re accreditation requirements for hearings panels to make this work). Local authorities to invite iwi/hapu to engage in collaborative arrangements. "Existing arrangements" under Treaty settlements maintained and can be supplemented by other arrangements.
- Changes to sections 6 and 7 may be amended, as just today the Maori Party and United Future have withdrawn their support for this part of the Bill.
- Goal of government is to have 'broad overall judgement' on matters of national importance.
- Section 8 (principles of the Treaty) have not been altered.

There was concern expressed about the submissions process being drawn out and frustrating. The aim of Council's submissions is always to constructively feed back on ways to successfully implement the legislation.

## **7. Regional Planning Committee Annual Report**

It was suggested that email be used as a means of getting amendments to the RPC Annual Report to be processed and agreed by Wednesday 18 September to enable the finalised plan to be adopted for publication by Council at its 25 September meeting. Those members of the Committee present were asked to forward any suggested amendments to Esther-Amy Bate, who would be responsible for incorporating amendments into the document and then forwarding the 'final' version to all Committee members for their 'written agreement' to the document.

Due to lack of quorum, no resolution was passed.

## **12. General Business**

Due to lack of quorum, this item was not considered.

***Due to lack of quorum, no resolutions were passed and the following item was deferred to the next meeting.***

## **11. Ngati Kahungunu Iwi Incorporated Marine and Freshwater Fisheries Strategic Plan**

**Closure:**

**Karakia – W Wilson**

There being no further business the Chairman declared the meeting closed at 3.10pm on Wednesday, 11 September 2013.

Signed as a true and correct record.

**DATE:** .....

**CHAIRMAN:** .....