

Meeting of the Hawke's Bay Regional Council Maori Committee

Date: Tuesday 3 December 2013

Time: 10.15am

Venue: Council Chamber

Hawke's Bay Regional Council

159 Dalton Street

NAPIER

Agenda

| Iтем | Subject | PAGE |
|--------|---|------|
| 1. | Welcome/Notices/Apologies | |
| 2. | Conflict of Interest Declarations | |
| 3. | Short Term Replacements | 3 |
| 4 | Follow Ups from Previous Maori Committee Meetings | 5 |
| 5. | Call for any Minor Items Not on the Agenda | 9 |
| Decisi | on Items | |
| 6. | Appointment of Tangata Whenua Representatives to the Maori Committee | 11 |
| 7. | Election of Chairman of the Maori Committee | 13 |
| 8. | Membership of Council Committees by Tangata Whenua Nominated Members of the Maori Committee | 15 |
| Inform | nation or Performance Monitoring | |
| 9. | Update on Current Issues by the Interim Chief Executive | |
| 10. | Verbal Update from Dr Roger Maaka on the "Establishment of Taiwhenua" | |
| 11. | Future of Ahuriri Estuary Management | 17 |
| 12. | Climate Change Update | 21 |
| 13. | Tukituki Water Permit Renewal Process Update | 31 |
| 14. | Air Quality Monitoring Update | 33 |
| 15. | Statutory Advocacy Update | 39 |
| 16. | Minor Items Not on the Agenda | 47 |

Please Note - Pre Meeting for Māori Members of the Committee begins at 9 am

1. As building alterations are currently underway on site, access to parking spaces on site is unavailable.

Green Parking permits have been included with this agenda to allow you to park in the Napier City Carpark in Vautier Street for the meeting.

There is no requirement for you to purchase a ticket from the machine.

2. Please note the instruction on the permit which state the green permit should be placed right side up inside your car windscreen.

MAORI COMMITTEE

Tuesday 03 December 2013

SUBJECT: SHORT TERM REPLACEMENTS

REASON FOR REPORT:

 Council has made allowance in the terms of reference of the Committee for short term replacements to be appointed to the Committee where the usual member/s cannot stand.

| RECC | MME | NDA ⁻ | ΓΙΟΝ: |
|------|-----|------------------|-------|
| | | | |

| I hat the Maori Commi | ttee agree: |
|------------------------|--|
| That | be appointed as member/s of the Maori Committee of the Hawke's |
| Bay Regional Council | for the meeting of Tuesday, 3 December 2013 as short term |
| replacements(s) on the | e Committee for |
| | |

Viv Moule HUMAN RESOURCES MANAGER Liz Lambert CHIEF EXECUTIVE

Attachment/s

MAORI COMMITTEE

Tuesday 03 December 2013

SUBJECT: FOLLOW UPS FROM PREVIOUS MAORI COMMITTEE MEETINGS

Introduction

Attachment 1 lists items raised at previous meetings that require actions or follow-ups.
 All action items indicate who is responsible for each action, when it is expected to be completed and a brief status comment. Once the items have been completed and reported to Council they will be removed from the list.

Decision Making Process

2. Council is required to make a decision in accordance with Part 6 Sub-Part 1, of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within this section of the Act in relation to this item and have concluded that as this report is for information only and no decision is required in terms of the Local Government Act's provisions, the decision making procedures set out in the Act do not apply.

Recommendation

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

Viv Moule HUMAN RESOURCES MANAGER Liz Lambert
CHIEF EXECUTIVE

Attachment/s

1 Follow- up Items

Follow Ups from Previous Maori Committee Meetings

28 August meeting

| | Agenda Item | Action | Person Responsible | Due Date | Status Comment |
|----|--|--|-----------------------|-------------|---|
| 1. | Ngati Kahungunu Iwi Incorporated Marine And Freshwater Fisheries Strategic Plan | Strategic Plan to be referred back to Ngati Kahungunu for further consultation | MM/VM | Ongoing | Verbal update at 3 December Committee meeting |
| 2. | | | | | |
| 3. | | | | | |

MAORI COMMITTEE

Tuesday 03 December 2013

SUBJECT: CALL FOR ANY MINOR ITEMS NOT ON THE AGENDA

Reason for Report

1. Under standing orders, SO 3.7.6:

"Where an item is not on the agenda for a meeting,

- (a) That item may be discussed at that meeting if:
 - (i) that item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion."
- The Chairman will request any items councillors wish to be added for discussion at today's meeting and these will be duly noted, if accepted by the Chairman, for discussion as Agenda Item 16.

Recommendations

That Maori Committee accepts the following minor items not on the agenda, for discussion as item 16.

1.

Leeanne Hooper GOVERNANCE & CORPORATE

ADMINISTRATION MANAGER

Liz Lambert
CHIEF EXECUTIVE

MAORI COMMITTEE

Tuesday 03 December 2013

SUBJECT: APPOINTMENT OF TANGATA WHENUA REPRESENTATIVES TO THE MAORI COMMITTEE

Reason for Report

 At the first ordinary meeting of the Regional Council held on 6 November 2013 the Māori Committee was re-established as a Committee of Council. The Terms of Reference, Chairman, membership and frequency of meetings are to be as follows:

Terms of Reference:

- To make recommendations to the Council on matters of relevance affecting the tangata whenua of the Region, and to help fulfil the Maori consultative requirements of the Council particularly with regard to the principles of the Treaty of Waitangi and the Local Government Act 2002.
- 3. To prepare, within the first six months of the Committee's establishment, a work plan for the Committee which will set out in general terms what the Committee aims to achieve over its **three year term.**

Members

- 4. Up to four elected members of the Council being:
 - 4.1. Councillor Rick Barker
 - 4.2. Councillor Tom Belford
 - 4.3. Councillor Rex Graham
 - 4.4. Councillor Dave Pipe
 - 4.5. The Chairman of Council ex officio being Councillor Fenton Wilson
- 5. Twelve representatives nominated by the Tangata Whenua who are to be appointed at the first meeting of the Committee by the four elected members of the Council and with Tangata Whenua Members of the Maori Committee able to propose to the Committee short term replacements to attend in their place if they are unable to attend any meeting with one representative nominated from each of the following groups.
 - 5.1. Kaumatua (Wairoa)
 - 5.2. Kahungunu Executive (Wairoa)
 - 5.3. Wairoa Taiwhenua (Wairoa)
 - 5.4. Kaumatua (Hastings)
 - 5.5. Heretaunga Executive (Hastings)
 - 5.6. Heretaunga Taiwhenua (Hastings)
 - 5.7. Tamatea Executive (Central Hawke's Bay)
 - 5.8. Kaumatua (Central Hawke's Bay)
 - 5.9. Tamatea Taiwhenua (Central Hawke's Bay)
 - 5.10. Kaumata (Napier)
 - 5.11. Te Whanganui a Orotu Taiwhenua (Napier)
 - 5.12. Ahuriri Executive (Napier)

- 6. Chairman A Tangata Whenua member of the Committee as elected by the Committee.
- 7. Meeting Frequency Bi-monthly but with the Chairman of the Committee authorised to arrange additional meetings should the need arise with the fourth Tuesday in the month being he normal meeting day.
- 8. Staff Executive Chief Executive

Background

- At the inaugural meeting Council adopted the Terms of Reference above and appointed Councillors Rick Barker, Tom Belford, Rex Graham, and Dave Pipe to the Māori Committee.
- 10. It is now necessary to formally appoint the 12 representatives, nominated by the Tangata Whenua, to the Committee.
- 11. The Committee can also nominate short-term replacement members who attend committee meetings when any of the relevant representatives are unavailable.
- 12. Chairman Fenton Wilson will act as Chairman of the Committee until Agenda Item 5.
- 13. The nominations received from Tangata Whenua are:
 - 13.1. **Wairoa:** Fred McRoberts (Kaumatua), Shaun Haraki, Adrian Manuel and Bill Blake (short term replacement).
 - 13.2. **Ahuriri:** Piri Prentice (Kaumatua), Joinella Maihi-Carroll, Beverley Kemp-Harmer and Rangi Puna (short term replacement)
 - 13.3. Heretaunga: Haami Hilton (Kaumatua), Michael Paku, and Marei Apatu.
 - 13.4. **Tamatea:** Roger Maaka (Kaumatua), Mike Mohi, Brian Gregory, Marge Hape (short term replacement).

Recommendations

The Maori Committee recommends that Council confirms:

- 1. Fred McRoberts, Shaun Haraki and Adrian Manuel representing the Wairoa area; Piri Prentice, Joinella Maihi-Carroll and Beverley Kemp-Harmer representing the Ahuriri area; Haami Hilton, Michael Paku and Marei Apatu, representing the Heretaunga area; Roger Maaka, Mike Mohi and Brian Gregory, representing the Tamatea area, be appointed as members of the Māori Committee of the Hawke's Bay Regional Council.
- 2. Bill Blake (Wairoa), Rangi Puna (Ahuriri) and Marge Hape (Tamatea) be nominated as short term replacement members of the Committee.

(Note: Only Councillors Barker, Belford, Graham, and Pipe are able to vote on this item.)

Viv Moule HUMAN RESOURCES MANAGER Liz Lambert CHIEF EXECUTIVE

Attachment/s

MAORI COMMITTEE

Tuesday 03 December 2013

SUBJECT: ELECTION OF CHAIRMAN OF THE MAORI COMMITTEE

REASON FOR REPORT:

- 1. The Chairman of the Maori Committee is elected by the full Maori Committee and endorsed by the Hawke's Bay Regional Council.
- 2. At a Maori Committee workshop held on 2 October 2013 Mr Mike Mohi was proposed as Chairman of the Maori Committee for a further three year term. This paper is to now formalise the appointment of the Chairman for the new term of the Maori Committee.

RECOMMENDATION:

The Maori Committee recommend Council:

1. Confirms the appointment of Mr Mohi as Chairman of the Māori Committee.

Viv Moule HUMAN RESOURCES MANAGER Liz Lambert
CHIEF EXECUTIVE

Attachment/s

MAORI COMMITTEE

Tuesday 03 December 2013

SUBJECT: MEMBERSHIP OF COUNCIL COMMITTEES BY TANGATA WHENUA NOMINATED MEMBERS OF THE MAORI COMMITTEE

REASON FOR REPORT:

- 1. With the re-establishment of the Māori Committee, the Committee is required to nominate representatives to sit on three other committees of Council, being the Environment and Services Committee, the Corporate and Strategic Committee and the Regional Transport Committee.
- 2. Statute does not allow for the provision of a voting appointment to the Regional Council; however a representative the Chairman of the Māori Committee- is able to attend meetings with full speaking rights.
- 3. If required, an appointee(s) to the Hearings Committee will be decided at a future time after Council reviews the membership and Terms of Reference for that Committee. Any Maori member nominated for Hearing Committee work must undertake accreditation training to be able to fulfil their role.

RECOMMENDATIONS:

| Th | That the Maori Committee recommends Council confirms: | | |
|----|---|---------------------|-----------|
| 1. | 1be apլ Environmental and Services Committee. | pointed members of | the |
| 2. | 2and the Corporate and Strategic Committee. | be appointed m | embers of |
| 3. | 3be appointed as a member of Committee. | the Regional Transp | oort |
| | | | |

Viv Moule HUMAN RESOURCES MANAGER Liz Lambert CHIEF EXECUTIVE

Attachment/s

MAORI COMMITTEE

Tuesday 03 December 2013

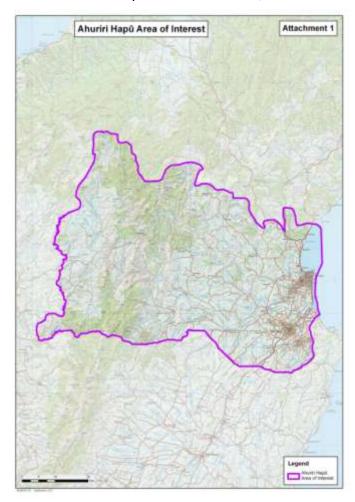
SUBJECT: FUTURE OF AHURIRI ESTUARY MANAGEMENT

Reason for Report

 This agenda item was discussed at the Environmental and Services Committee on Wednesday, 20 November 2013, and the following recommendations from the committee will be considered at the Council meeting on 28 November 2013.

That Council:

- 1. Commits to engaging with Mana Ahuriri, the Crown and other parties in the development of the Ahuriri Estuary Committee, and advises the Crown of its decision prior to 4 December 2013.
- Authorises the Interim Executive to represent the Council in negotiations on the development of detail on the purpose and functions of the committee, together with membership and appointment criteria and any other matters that may arise during discussions.
- 3. Notes that a paper will be brought back to Council seeking a councillor appointment to the Ahuriri Estuary Committee once that Committee has been finalised.
- 2. Mana Ahuriri is a collective of seven hāpu who are working with the Crown to settle their Treaty claim. The timing of their negotiations has the parties signing an Agreement in Principle in December 2013.
- Figure 1 below shows the Ahuriri Hāpu Area of Interest (Source: Office of Treaty Settlements).



- 4. It has been agreed with the Hāpu that a key element of the settlement to be included in the Agreement in Principle is a framework for the management of the Ahuriri Estuary.
- The purpose of this report is to seek commitment from Council to engage in discussions with other interested parties on the establishment of an Ahuriri Estuary Group with a mandate to undertake a range of functions that address the needs of Mana Ahuriri to have a joint management regime for the Ahuriri Estuary.

Background

- 6. The Ahuriri Estuary is a remnant of a 3,840 hectare area of water which, prior to 1931, Europeans called the Napier Inner Harbour or the Ahuriri Lagoon. The lagoon was separated from the sea by a narrow sand and shingle bank. Two main rivers discharged into the lagoon, the Waiohinganga (Esk) and the Tutaekuri. Periodically, the Ngaruroro and Tukituki Rivers flowed north to join the Tutaekuri.
- 7. The earthquake of 3 February 1931 lifted the bed of the lagoon between 1.5m and 3.4m and exposed about 1300 ha of the bed of the lagoon. Various reclamations since 1931 have reduced the estuary by a further 1700ha to its present size.
- 8. The Hāpu have a long-standing cultural connection with Te Whanganui a Orotu (of which Ahuriri Estuary is a part) where they have resided since well before European settlement. Historically this area was a main source of food for the hapu. There are also a large number of wahi tapu in the area.
- 9. The Hāpu of Mana Ahuriri wish to have their interests in Te Whanganui a Orotu recognised through their Treaty settlement. Key to their reaching a durable settlement will be the recognition of their mana in Te Whanganui a Orotu, and, importantly, the Estuary. They are seeking to have their kaitiaki status over the Estuary effectively recognised, and to ensure that there is a coordinated and comprehensive approach to the Estuary's management involving all stakeholders with management responsibilities and interests in the Estuary.
- 10. On 19 September 2013 these stakeholders met with representatives of Mana Ahuriri and the Crown to discuss a Crown proposal for redress over the Ahuriri Estuary as part of the Mana Ahuriri Treaty Settlement. In attendance at the meeting were representatives from the Department of Conservation, Napier City Council, Hastings District Council and the Hawke's Bay Regional Council.

Current Statutory Functions, Power and Duties

11. A brief summary of the relevant statutory responsibilities of management agencies is as follows.

12. **Department of Conservation**

- 12.1. Resource Management Act: preparation of a New Zealand Coastal Policy Statement
- 12.2. Conservation Act: manage land held under the Act for conservation purposes
- 12.3. Wildlife Act protect and promote wildlife
- 12.4. Reserves Act: preserving and managing areas for the benefit and enjoyment of the public

13. Napier City and Hastings District councils

- 13.1. Resource Management Act: preparation of district plans
- 13.2. Health Act: management of offensive trades
- 13.3. Local Government Act: control, maintenance and repair of drains and watercourses
- 13.4. Harbours Act: NCC responsible for marinas, wharves, jetties, boat ramps and other harbour facilities (outside Napier Port)
- 13.5. Reserves Act: creation of reserves for a range of purposes

14. Hawke's Bay Regional Council

- 14.1. Resource Management Act: preparation of regional policy statement, regional coastal plan, regional plans
- 14.2. Soil Conservation and Rivers Control Act: prevention of drainage by erosion and the protection of property from damage or floods
- 14.3. Local Government Act: control, maintenance and repair of drains and watercourses
- 14.4. Harbours Act: navigation and safety within harbour limits.

Waitangi Tribunal findings (1998)

- 15. Claim Wai 55, dealing with Te Whanganui-a-Orotu, was lodged with the Tribunal in March 1988 by seven local hapu. It was granted urgency because leasehold sections in the claim area were about to be sold.
- 16. The claimants sought a finding that Te Whanganui-a-Orotu was their taonga and that they had never knowingly or willingly relinquished their tino rangatiratanga over it. The Tribunal heard the claim between July 1993 and July 1994, and the report was released in July 1995.
- 17. The Tribunal found that a number of clear breaches of Treaty principles had occurred, beginning with the Crown's inclusion of Te Whanganui-a-Orotu in the Ahuriri purchase in 1851, and it recommended that there be no further alienations of any Crown or State-owned enterprise land within the pre-1851 boundaries of Te Whanganui-a-Orotu. In June 1998, the Tribunal released its report on remedies, which included the following recommendation:

"that a new joint management regime be developed for the Ahuriri Estuary. The claimants, DoC and other authorities with management responsibilities should work together in accordance with the treaty principles of central exchange and partnership."

18. The proposal now being put to Council for its consideration is based upon this recommendation.

The Draft Proposal

- 19. In August 2013 Ministers agreed that Crown officials could explore with Mana Ahuriri Hāpu, Councils and the Department of Conservation the development of arrangements for management of the Estuary which could include a stand-alone, multiparty, statutory committee (the "Committee") being provided for in settlement legislation for Mana Ahuriri.
- 20. It is envisaged that the Committee could, among other things:
 - 20.1. Promote, advocate, advise, facilitate and coordinate activities relating to the Estuary;
 - 20.2. Provide monitoring, evaluation and reporting on the Estuary; and
 - 20.3. Produce an estuary management plan, which would be lodged with the councils and the Department of Conservation.
- 21. The weighting of an estuary management plan for councils and DoC needs further discussion. The current proposal is that statutory RMA plans and policy statements would be required to "have regard to" an Estuary Management Plan. Other options under the Resource Management Act include (but are not limited to) regional and district plans "taking into account" or "giving effect to" an estuary management plan.
- 22. It is proposed that the Committee would not itself undertake work on the estuary, as this would remain the role of the responsible agencies.

Recommended Council Role

23. The Crown and Mana Ahuriri are seeking the support of the Hawke's Bay Regional Council to engage in the development of the Ahuriri Estuary Committee and to

participate in the committee once it is established. This would have several benefits for the Council:

- 23.1. Recognition of the mana of the hāpu groups over the Ahuriri Estuary and thei expression of kaitiakitanga
- 23.2. The continuation of a positive and proactive working relationship with Mana Ahuriri
- 23.3. An enhanced opportunity to deliver collaboratively the long-term goal of Mana Ahuriri which is for "a healthy estuary".
- 24. It is recommended that Council commits to engaging with the other parties in the development of the Ahuriri Estuary Committee with a further paper to be brought back to Council seeking an appointment to the committee once it is finalised.
- 25. The Crown wishes to provide an indication in the Agreement in Principle with Mana Ahuriri of stakeholder support for the establishment of the Ahuriri Estuary Committee. Council needs to advise the Crown of its position of support no later than 4 December. Further details are unlikely to be included in the Agreement in Principle but it is expected that the settlement legislation would include:
 - 25.1. The purpose of the committee
 - 25.2. The functions of the Committee
 - 25.3. Committee membership
 - 25.4. An appointment process it is anticipated that each party to the Committee would appoint their own representatives.
- 26. It is recommended that Council authorises the Interim Chief Executive to represent the Council in negotiations on the development of detail on the purpose and functions of the committee, together with membership and appointment criteria and any other matters that may arise during discussions.

Decision Making Process

27. Staff have assessed the requirements contained within Part 6 Sub-Part 1, of the Local Government Act 2002 (the Act) in relation to this item and have concluded that, as this report is for information only and no decision is to be made, the decision making provisions of the Local Government Act 2002 do not apply.

Recommendation

1 That the Māori Committee receives the "Future of Ahuriri Estuary Management" report.

Liz Lambert
CHIEF EXECUTIVE

Attachment/s

MAORI COMMITTEE

Tuesday 03 December 2013

SUBJECT: CLIMATE CHANGE UPDATE

Reason for Report

- Following a request from Council for staff to provide a report updating Council on the latest science on Climate Change and how it can actively mitigate against it by reducing CO₂ emissions this agenda item was presented to the Environmental and Services Committee on Wednesday, 20 November 2013.
- 2. This briefing paper;
 - 2.1. Updates Council on the latest science on climate change as provided by the Intergovernmental Panel on Climate Change (IPCC),
 - 2.2. Outlines a range of projects and activities being undertaken by HBRC to increase the resilience of the Hawke's Bay community to the potential impacts of climate change, and
 - 2.3. Advises Council on initiatives being undertaken by HBRC as an organisation to reduce organisational CO₂ emissions.

Predicted impact on Hawke's Bay

- In late September 2013 the Intergovernmental Panel on Climate Change (IPCC) released its 5th Assessment Report on the scientific evidence of climate change and its projections of changes in the climate system. The report concludes that
 - 3.1. "Warming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades to millennia. The atmosphere and ocean have warmed, the amounts of snow and ice have diminished, sea level has risen, and the concentrations of greenhouse gases have increased."
- 4. Climate change is generally accepted as having a future impact on Hawke's Bay. Warming temperatures are expected to cause sea level rise and increased frequency and intensity of storm events.
- 5. The IPCC frames future climate change in terms of four potential scenarios called Representative Concentration Pathways (RCPs). The RCPs prescribe a certain level of radiative forcing by the year 2100 and an associated level of greenhouse gases in the atmosphere. Radiative forcing values are expressed in Watts per 100 square metres (W/m⁻²).
- 6. The scenarios vary from radiative forcing of 2.6 W m⁻² (RCP2.6) to 8.5 W m⁻² (RCP8.5). RCP8.5 represents a "no climate policy" scenario, RCP2.6 requires stringent emissions reductions while RCP4.5 and RCP6.0 lie somewhere in between. In general, the implications for New Zealand and Hawke's Bay are similar across scenarios but vary in magnitude.
- 7. Predicted impacts:
 - 7.1. For the warmest scenario (RCP8.5), a sea level rise of 1.08m by 2100.
 - 7.2. A reduction in annual rainfall, mainly due to a decrease in rainfall during winter and spring as a result of an increase in westerlies.
 - 7.3. An increase in both flood and drought occurrence.
 - 7.4. An increase in storm intensity but not necessarily an increase in storm frequency.
 - 7.5. Average temperature rising 1-2°C by 2100, with an associated decrease in frost frequency and an increased frequency of high temperature extremes.
- 8. Further work is in progress to downscale the predicted changes in global climate to New Zealand and to provide more detail at a regional level. The IPCC will be releasing

ITEM 12 CLIMATE CHANGE UPDATE PAGE 21

additional reports in 2014 which will look more specifically at the impacts of climate change, vulnerability and options for adaptation and mitigation.

HBRC strategy

- 9. HBRC undertakes a range of activities and projects which are part of a broad strategy to make the community resilient to some of the likely impacts of climate change. These activities and projects reduce the impact of sea level rise and meteorological events on the community, or assist or encourage the community to adapt to the climate changes predicted.
- 10. Projects and activities include the following:
 - 10.1. More frequent droughts will increase the risk of irrigation bans being imposed and therefore the risk to the primary sector. The Ruataniwha Water Storage Project is a response to this risk. In addition a prefeasibility study for water harvesting for the benefit of land within the Ngaruroro River catchment has been completed and may be progressed in the future.
 - 10.2. Assessment of the impact of sea level rise on coastal risks, including erosion and inundation from the sea. Coastal hazard zones are now included in the HB Regional Coastal Environment Plan through which land use is managed. The coastal hazard risk is programmed to be reviewed within the next 2 years.
 - 10.3. A long term programme of capital works to increase the level of flood protection provided to the Heretaunga Plains community from a "100 year standard" to a "500 year standard" has been agreed by Council and is programmed to commence in 2015/16 when loans taken out to fund sawfly remediation work will be paid off. Reviews of other flood control and drainage schemes are programmed to determine whether increased levels of flood protection in the future are justified and affordable.
 - 10.4. The brief for the Land Management section includes a focus on the resilience of region's primary productive sector. Activities include an ongoing focus on hill country erosion and efficient use of water. The team works closely with the Water Initiatives team to encourage irrigators to utilise industry good practice.
 - 10.5. The outcome of HBRC's investment in the Heatsmart programme is healthier homes and more efficient use of energy use for home heating.

Reduction of CO₂ emissions by HBRC as an organisation

- 11. In 2011 HBRC attained Enviromark Silver Certification. Enviromark is an Environmental Management System designed to encourage organisations to identify and reduce environmental impacts which may in turn result in a possible reduction in corporate running costs. HBRC will be renewing the Enviromark certification in early 2014 and aiming for Gold Certification once the remedial works are completed to the Dalton Street offices.
- 12. Council monitors its carbon footprint by graphing energy use, fuel use and air travel. Attached are graphs showing the corporate emissions associated with these for the past three years.
- 13. In 2011 a sustainable vehicle purchasing policy was introduced which put a focus on procuring vehicles that were more fuel efficient and produced less emissions compared to other makes of vehicles in the same class. Due to initial purchase cost, HBRC cannot always justify purchasing vehicles with the lowest emissions, however since this policy was introduced a reduction in corporate vehicle emissions has been achieved as shown in the attached graphs.
- 14. This year HBRC started to introduce Eco Hybrid vehicles in to the fleet, with the objective of further reducing corporate emissions.
- 15. An energy audit of the Dalton Street offices was completed in 2011. The recommendations from this audit have been implemented. Recommendations included improvements to the climate control system and the gradual introduction of LED lighting. Professional energy management advice is sourced annually to assist with energy efficiency.

- 16. The feasibility of installing a 20V Solar Panel System to the north facing roof of HBRC has been assessed. The initial install cost of solar panels was estimated at \$45,430 and would result in a reduction in annual energy costs of \$3,000. It was decided that with a payback period of 16 years, this system was not worthwhile. Grant funding options that could assist with this initiative are being explored.
- 17. Offsetting the carbon emissions as a result of energy use for HBRC buildings, pump stations and vehicle fleet, HBRC are responsible for the planting of trees and shrubs.
- 18. An annual programme of planting both exotic and indigenous trees and shrubs is undertaken under the following programmes:
 - 18.1. Flood protection and river control works on the region's rivers.
 - 18.2. Environmental enhancement projects associated with waterways (e.g. Harakeke and Pekapeka).
 - 18.3. Enhancement of HBRC managed open spaces.
 - 18.4. Land management activities including hill country erosion and riparian strip plantings.
 - 18.5. Expansion of the HBRC forestry asset.

Decision Making Process

19. Council is required to make a decision in accordance with Part 6 Sub-Part 1, of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within this section of the Act in relation to this item and have concluded that, as this report is for information only and no decision is to be made, the decision making provisions of the Local Government Act 2002 do not apply.

Recommendation

1. That the Maori Committee receive the "Climate Change Update" report.

Kathleen Kozyniak SENIOR SCIENTIST CLIMATE & AIR

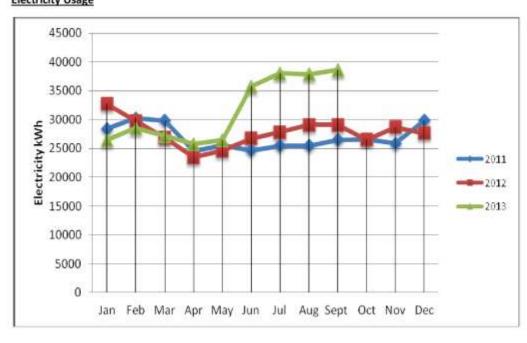
Mike Adye GROUP MANAGER ASSET MANAGEMENT

Iain Maxwell
GROUP MANAGER
RESOURCE MANAGEMENT

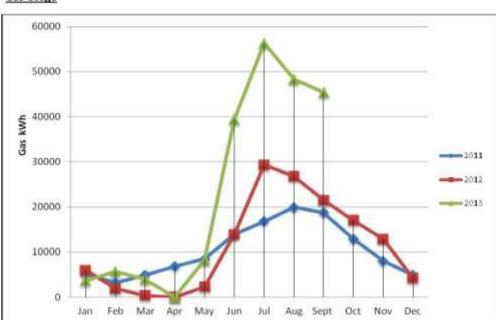
Attachment/s
1 CO2 Report

ITEM 12 CLIMATE CHANGE UPDATE PAGE 23

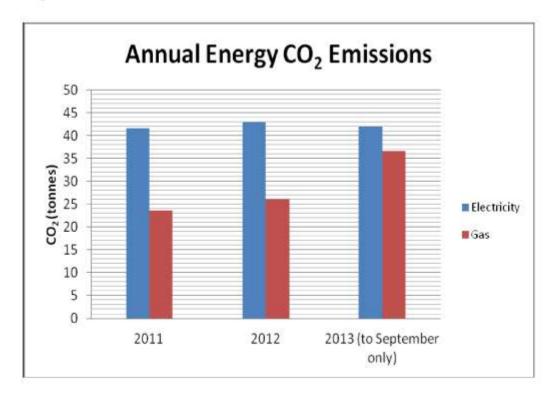
Energy Electricity Usage



Gas Usage



CO₂ Emissions - Energy



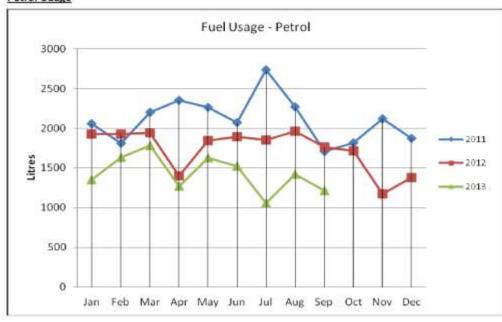
The Council heating system is powered by three boilers that run off gas. The gas use data has been fairly inconsistent over the three years it has been monitored due to various mechanical problems. Near the end of 2011 the original boilers broke down and required total replacement which caused the gas use to drop off around November 2011 – April 2012.

In April 2013 the Council heating system had to be decommissioned due to the remedial works on the Dalton Street offices, this caused another significant decline in energy use. Following reinstatement, energy use peaked to an all time high mid 2013 which can be attributed to heat loss while the remedial works to the exterior walls and roof were being undertaken.

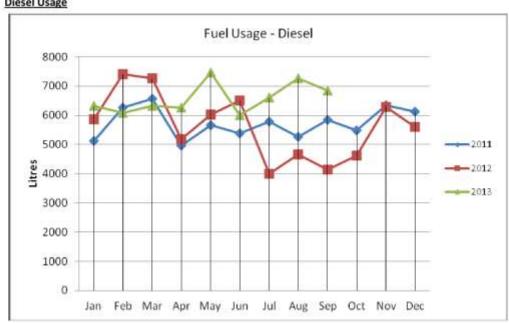
2014 should provide a more consistent overview of Council energy use once the office building defects have been remedied.

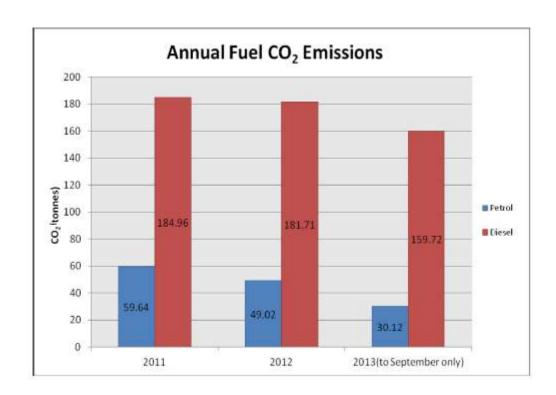
Attachment 1

Fuel Petrol Uaage







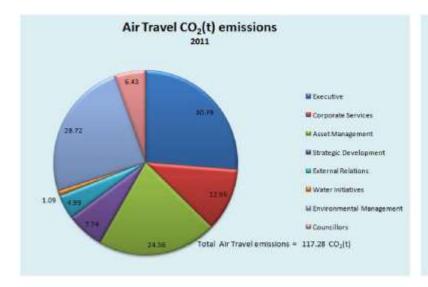


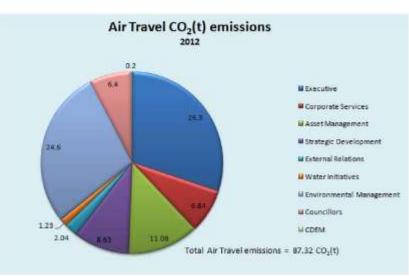
CO₂ Emissions - Fuel

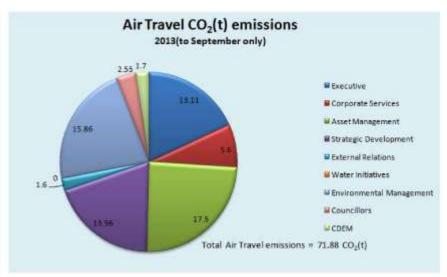
In the summer months there is generally always an increase in Diesel use. Surplus Ute's are retained for students to undertake water sampling runs and forestry work during their summer employment at Council.

In 2011/12, a Vehicle Purchasing Policy was put in effect to encourage the purchase of vehicles with better fuel economy statistics. This may have contributed to the decline in petrol usage over 2012 - 2013. In addition, most new vehicle models that are introduced are far more economical than some of the older model utilities that have since been replaced.

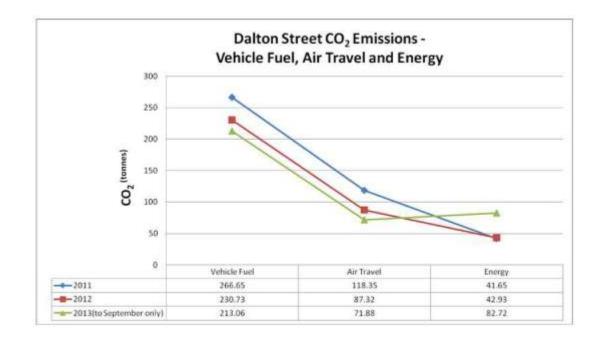
Overall, there has been a slight decrease in CO2 emissions even though the amount of diesel vehicles slightly increased in 2012. This would indicate that as vehicles with lower CO₂ emissions are slowly introduced, our overall CO2 emissions and fuel usage are expected to continue to decline.







Combined Annual CO² Emissions - HBRC Dalton Street



HBRC own a number of forests. Forests planted pre 2010 have been measured for their accrued carbon. Forests planted since 2010 will be measured in future under emissions trading scheme (ETS) rules. The total amount of carbon sequestered in the 2012/13 year was approx 5,100 tonnes.

Note: This assessment does not include HBRC's river berm and open spaces plantings. New plantings in these areas for the past 3 years are set out below.

| | Winter | Winter | Winter |
|-------------------|--------|--------|--------|
| Wetlands | 2011 | 2012 | 2013 |
| Pekapeka | 1000 | 1000 | 100 |
| Pakowhai CP | 700 | 845 | 46 |
| Tutira CP | 2125 | 2225 | 200 |
| Karamu Stream | 12000 | 12457 | 1490 |
| Harakeke Waterway | 18205 | 1000 | 100 |
| Waitangi Wetlands | 1600 | 3293 | 200 |
| Raupare Stream | 0 | 0 | 50 |
| | 35630 | 20820 | 2186 |
| Rivers | | | |
| Natives | 3500 | 3500 | 350 |
| Exotics | 12000 | 12000 | 1200 |
| Willows | 4550 | 4240 | 390 |
| | 20050 | 19740 | 1940 |
| Total plantings | 55680 | 40560 | 4126 |

ITEM 12 CLIMATE CHANGE UPDATE
PAGE 2

MAORI COMMITTEE

Tuesday 03 December 2013

SUBJECT: TUKITUKI WATER PERMIT RENEWAL PROCESS UPDATE

Reason for Report

1. This report is to update the Committee on the progress of the 46 replacement consent applications to take water from the Tukituki River catchment.

Background

- 2. A group of consents authorising the taking of water from the Tukituki River and its tributaries expired on 31 May 2013. Consent holders largely made replacement consent applications prior to the end of November 2012, and in doing so gained the ability to operate under their previous consents until a decision was made on their replacement consent applications (in accordance with RMA s124).
- 3. While in this "expired" state, and subject to s124, consents cannot be changed or transferred.
- 4. The group of applications were publicly notified in June, and four submissions were received. Two of the submissions were made by applicants in support of their own applications. The other two were made by Fish and Game (FG) and the Department of Conservation (DOC).
- 5. DOC made a neutral submission, and did not request a hearing.
- 6. FG made a submission opposing the applications, and wished to be heard.
- 7. Council officers met with FG to discuss the applications and their concerns. Subsequently, FG decided that they would withdraw their request to be heard. The two submitters who submitted on their own applications also withdrew their request to be heard.
- 8. Given that no parties wished to be heard, a hearing was not required, with a decision able to be made under delegated authority by Mr Maxwell (Group Manager, Resource Management).

Update

- Without the requirement to hold a hearing, the consent process was able to be completed on 11 November 2013, and new consents were issued to 42 of the 46 applicants.
- 10. It is expected that the remaining consents will be issued soon, after some technical details relating to these applications are confirmed.
- 11. The new consents generally provide the applicants with the same rate and volume of water as was allocated under their previous consents, except where lesser rates and/or volumes were sought by applicants, or where the volume sought exceeded the Councils' crop water requirement model estimated for the proposed irrigation area and crop type.
- 12. As Plan Change 6 has been notified, its policies and objectives are required to be considered, and weight attributed to them as appropriate. A balance has been sought over the need to give clear direction to consent holders over the water management direction contained in Plan Change 6, while also recognising that a decision on the plan change has not been made, and that some of the proposed provisions are subject to submissions and could be changed through the Board of Inquiry (BOI) process.
- 13. Some key points of note on the new consents include:
 - 13.1. They incorporate the minimum flows proposed in Plan Change 6, and the implementation timeframes (i.e. higher minimum flows from 2018). Review

- conditions are included which will provide the ability to review the consents should the decision on Plan Change 6 result in different minimum flows or implementation timeframes.
- 13.2. They have a term of 7 years, expiring in 2020. This will give the opportunity to better align them with other water permits in the catchment.
- 13.3. Consents either have a lapse date of five years or two years, depending on their history of water use. A shorter lapse date has been given to those with a history of no or little reported water use.
- 13.4. They do not include annual/seasonal volumes, but these may be implemented through review if that is consistent with the decision of the BOI.
- 13.5. Telemetry is required to be installed to monitor each take prior to 1 July 2014 (i.e. prior to the start of the next water year).
- 14. At the start of the consent process, applicants were given a cost estimate range of between \$4,000 –\$6,000. This anticipated the cost of a hearing. Without the need for a hearing, it is expected that the costs of processing these applications will be significantly less than this (estimated at approximately \$1,500 per consent application). Invoices will be finalised and sent out once all consents are issued and the period for objection and appeal has closed.

Decision Making Process

15. Council is required to make a decision in accordance with Part 6 Sub-Part 1, of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within this section of the Act in relation to this item and have concluded that, as this report is for information only and no decision is to be made, the decision making provisions of the Local Government Act 2002 do not apply.

Recommendation

1. That the Maori Committee receive the "Tukituki Water Permit Renewal Process Update" report.

Malcolm Miller
MANAGER CONSENTS

lain Maxwell GROUP MANAGER RESOURCE MANAGEMENT

Attachment/s

MAORI COMMITTEE

Tuesday 03 December 2013

SUBJECT: AIR QUALITY MONITORING UPDATE

Reason for Report

- 1. Air quality in Hawke's Bay is, for the most part, very good but typically fails to meet the National Environmental Standards for Air Quality (NESAQ) in Napier and Hastings during winter months. More specifically, it is the standard for fine particulates, known as PM₁₀, averaged over a 24 hour period, that is exceeded in both cities due to cold and stable atmospheric conditions trapping smoke emitted from biomass burning. The predominant source of PM₁₀ emissions is the burning of wood to heat residential homes.
- The Council has implemented a number of measures, both regulatory and non-regulatory, to improve winter air quality in Napier and Hastings and to comply with the NESAQ. The purpose of this report is to update the Council on the year to year variation in the number of times the NESAQ is exceeded in the cities' airsheds and to compare the air quality during the winter of 2013 with those of previous years. A brief update on the activities of the Council's Heatsmart programme is also included.
- 3. The report will also present the results of a monitoring campaign undertaken in Napier and Hastings this year to measure the concentrations of other contaminants covered by the NESAQ and also monitoring of PM₁₀ in Waipawa which is due to be completed at the end of the year.

Background

- 4. Fine particulates less than 10 microns in size are collectively called PM₁₀. There are both anthropogenic and natural sources of PM₁₀. Exposure to PM₁₀ has been identified as a health risk and has been linked to respiratory and cardiovascular ailments as well as being potentially carcinogenic.
- 5. The Ministry for the Environment has set a standard for PM₁₀ of 50 μgm⁻³ averaged over 24 hours. While there is no known "safe level" of PM₁₀, the standard has been set at a level which is considered to be of an "acceptable risk". Other contaminants included in the NESAQ are nitrogen dioxide, sulphur dioxide, carbon monoxide and ozone. When the NESAQ regulations were established in 2004, a requirement was placed on Regional Councils to designate airsheds within their regions and to monitor in any airsheds where the NESAQ is or is likely to be exceeded.
- 6. For the purpose of monitoring compliance with the NESAQ, the Hawke's Bay region has four gazetted airsheds, namely the Napier, Hastings, Awatoto and Whirinaki airsheds as shown in Figure 1, with the remainder of the region effectively being a fifth airshed. PM₁₀ has been monitored continuously in the Napier and Hastings airsheds since 2005/6 and in Awatoto since February 2012. In the Whirinaki airshed, Pan Pac monitor PM₁₀ continuously on-site as part of an air discharge permit. Across the wider region, screening monitoring methods have been deployed in rural centres, typically for a period of one year, to determine the likelihood of the NESAQ being exceeded in those centres. At present, screening monitoring is being carried out in Waipawa.

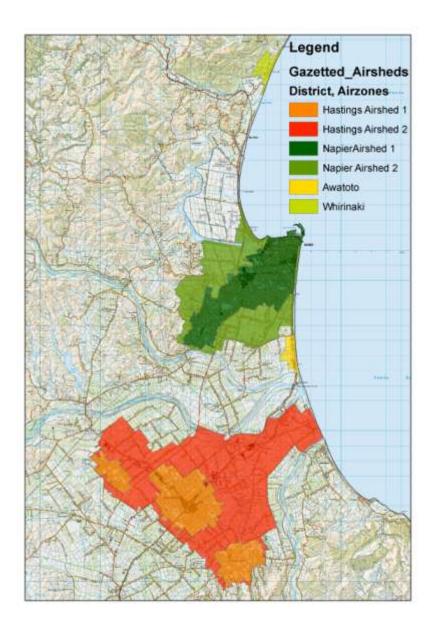


Fig 1: Napier, Hastings, Awatoto and Whirinaki Airsheds. Both Napier and Hastings airsheds have designated areas called Airzones 1 and 2.

PM₁₀ Monitoring in Hastings

7. Monitoring for PM₁₀ in the Hastings airshed is undertaken at St John's College. The NESAQ for PM₁₀ has been exceeded in the Hastings airshed every year since continuous monitoring commenced, as shown in Figure 2. The worst year for exceedances was 2008 with a total of 28 and the best year was 2012 when 10 were recorded. There were a total of 16 exceedances in Hastings during the 2013 winter and in addition to there being more exceedances than last year, the maximum recorded PM₁₀ concentration and the winter average PM₁₀ concentration were also higher. Weather conditions vary from winter to winter and this influences the number of exceedances that occur. The graph in Figure 2 shows the number of days during winter that weather conditions were conducive to episodes of poor air quality (labelled "Characteristic days") and there were more of these days during winter 2013 than there have been for the past six years. In particular winds, which appear to be the most controlling factor, were lighter.

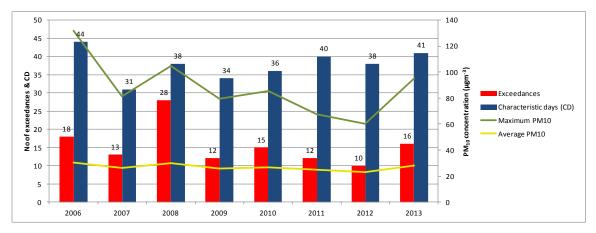


Fig 2: The number of PM_{10} exceedances and characteristic days (when air quality might be expected to be poor) in the Hastings airshed for the years 2006 to 2013. Also shown are the maximum PM_{10} concentration recorded and the average winter PM10 concentration for each year.

8. The strong influence of the weather on exceedances and the variable nature of the weather from year to year makes it difficult to determine trends in PM₁₀ concentrations. One way of removing the weather component is to focus on the concentrations recorded during the "characteristic days", a process called "normalising". Figure 3 shows the trends in normalised PM₁₀ concentrations and on the whole the concentrations appear to have decreased since 2006 but this year saw higher levels than in the recent past. The reasons for this are not clear.

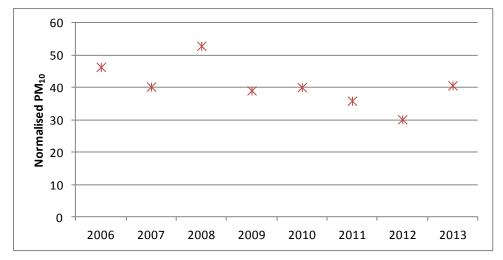


Fig 3: Normalised winter PM₁₀ concentrations for the Hastngs airshed from 2006 to 2013.

PM₁₀ Monitoring in Napier

9. Monitoring for PM₁₀ in the Napier airshed is undertaken at Marewa Park. The number of times the NESAQ for PM₁₀ is exceeded in the Napier Airshed is considerably less than in Hastings (Figure 4) and has only ever reached a maximum of five occasions in any one winter. Last year was a particular good year with no exceedances recorded, however like Hastings, the 2013 winter saw an increase in the number of exceedances compared to the last few years.

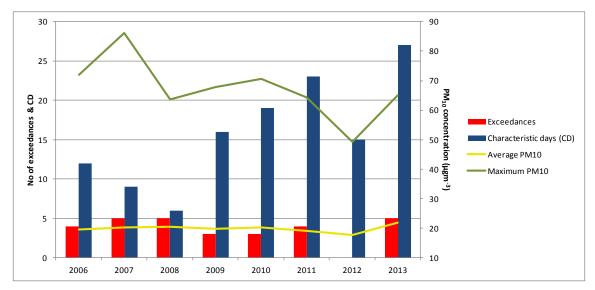


Fig 4: The number of PM_{10} exceedances and characteristic days (when air quality might be expected to be poor) in the Napier airshed for the years 2006 to 2013. Also shown are the maximum PM_{10} concentration recorded and the average winter PM10 concentration for each year.

10. The normalised PM_{10} concentrations show an increase in 2013 compared to more recent years, which is a deviation from what appeared to be a downward trend over time. As with the Hastings results, the reasons for this are not clear.

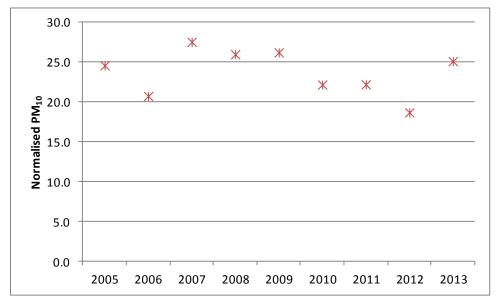


Fig 5: Normalised winter PM₁₀ concentrations for the Napier airshed from 2006 to 2013.

PM₁₀ Monitoring elsewhere in the region

- 11. While the Napier and Hastings airsheds are residential in nature, the Awatoto airshed is dominated by industrial emissions. Continuous PM₁₀ monitoring began in the airshed in February 2012 and since that time two exceedances of the NESAQ for PM₁₀ have been recorded, one in 2012 and one in June 2013. Earthworks were the likely cause of the exceedance in 2012 and the exceedance in June of this year may have been the result of sea spray in a period of high seas and onshore winds.
- 12. PM₁₀ monitoring has been underway in Waipawa, at Waipawa Primary School, since December 2012. This monitoring has been carried out using filters that are exposed for 24 hours every one in three days. The results to date indicate that there have been no exceedances of the NESAQ for PM₁₀.

Heatsmart Update

- 13. HBRC is supporting the replacement of 10,000 fires by 2020 in order to meet exceedance targets set by the MfE for PM₁₀. The Heatsmart programme also offers loans for insulation. Since starting the programme in 2009, to the end of October 2014, the programme has provided 1928 insulation loans to the value of \$3.6m, and 1196 loans to the value of \$3.2m for replacing non-compliant fires with clean heating. In addition 2178 homes have taken the option of grants for clean heating to the value of \$1.3m. The programme is therefore on target for replacing 10,000 fires by 2020. Requests for financial assistance are trending toward more grants than loans since applications were opened to public, compared with when funding was only accessed through approved suppliers.
- 14. The HBRC Dry wood scheme (7 Registered merchants) is also contributing to reduction of PM₁₀ by encouraging the purchase of wood with a moisture content of less than 25%. Last winter was disappointing for the number of exceedances, (16 in Hastings and 5 in Napier) moderating the downward trend over five years with the second highest levels since 2008.

Monitoring other NESAQ contaminants

15. In Hawke's Bay, the concentrations of the other contaminants included in the NESAQ (carbon monoxide, sulphur dioxide, nitrogen dioxide and ozone) are typically well within the standards. A campaign is run every four years in Napier and Hastings to check that this remains the case. Monitoring was undertaken during July and August this year and no exceedances of the NESAQ were recorded.

Summary

16. Hawke's Bay's air quality remains good for the most part but levels of PM₁₀ during the winter remain a problem in our main urban centres. The results for this winter have been disappointing compared to those of last year but to a large extent meteorological conditions will have influenced the higher number of exceedances. It is expected that the uptake of assistance provided by the Council for clean heat conversions will see the PM₁₀ concentrations reduce and this will be required if Hawke's Bay is to comply with the NESAQ.

Decision Making Process

17. Council is required to make a decision in accordance with Part 6 Sub-Part 1, of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within this section of the Act in relation to this item and have concluded that, as this report is for information only and no decision is to be made, the decision making provisions of the Local Government Act 2002 do not apply.

Neale Hudson

MANAGER ENVIRONMENTAL SCIENCE

Recommendation

1. That the Maori Committee receives the "Air Quality Monitoring Update" report.

Kathleen Kozyniak SENIOR SCIENTIST CLIMATE & AIR

Iain Maxwell
GROUP MANAGER
RESOURCE MANAGEMENT

Attachment/s

ENVIRONMENT AND SERVICES COMMITTEE

Tuesday 03 December 2013

SUBJECT: STATUTORY ADVOCACY UPDATE

Reason for Report

 This paper firstly provides a background to the Statutory Advocacy project and secondly, reports on proposals forwarded to the Regional Council and assessed by staff acting under delegated authority as part of the Council's Statutory Advocacy project between 9 August and 8 November 2013.

Background

- 2. The Statutory Advocacy project ('Project 196' under Strategic Planning Policy Implementation in the 2012-22 Long Term Plan) centres on resource management-related proposals on which the Regional Council has an opportunity to make comments or to lodge a submission. These include, but are not limited to:
 - 2.1. resource consent applications publicly notified by a territorial authority
 - 2.2. district plan reviews or district plan changes/variations released by a territorial authority
 - 2.3. private plan change requests publicly notified by a territorial authority
 - 2.4. notices of requirements for designations in district plans
 - 2.5. any of the above proposals in an adjoining region (e.g.: Gisborne, Bay of Plenty);
 - 2.6. non-statutory strategies, structure plans, registrations, etc. prepared by territorial authorities, government ministries or other agencies involved in resource management.
- 3. It is important to note that in all cases the Regional Council is <u>not</u> the decision-maker, applicant or proponent. In the Statutory Advocacy project, the Regional Council is purely an agency with an opportunity to make comments or lodge submissions on others' proposals. The Council's position in relation to such proposals is informed by the Council's own plans, policies and strategies, plus its land ownership or asset management interests.

Process and Procedures

- 4. There is no 'one-size-fits-all' process, but a typical sequence of steps is outlined in Figure 1 below. While these steps relate to statutory proceedings, earlier pre-lodgement discussions are often had with would-be proponents of proposals before statutory processes commence.
- 5. The Regional Council would generally be notified of an application if the consenting authority considers the Regional Council to be an affected party or if the consenting authority is seeking specialised information from Regional Council staff. For example, flood modelling expertise or if a building consent application relates to say, building work within a coastal hazard zone.
- 6. Submissions are not lodged on every application/proposal referred to the Council. Proposals are reviewed by a number of staff across different teams (e.g. policy, science, consents, compliance, engineering, transport, land management, etc.). Teams' responses to proposals are coordinated by the Policy team with any decision to lodge a submission on a proposal being made by the Group Manager Strategic Development. Such decisions are made under delegated authority, in order to (in part) meet often tight statutory timeframes lodging of submissions.

Figure 1: Indicative steps of receipt, review and response to proposals under 'Statutory Advocacy' project

Proposal disseminated across HBRC teams
Feedback from teams coordinated
Assessment made if submission is to be prepared; stance of submission; and what submission would request

Action

Proposal disseminated across HBRC teams
Feedback from teams coordinated
Assessment made if submission is to be prepared; stance of submission; and what submission would request

Any submissions on local proposals are made under delegated authority by the Group Manager Strategic Development
Any submissions on national proposals [e.g. Bills, proposed Regulations: National Policy Statements: National Environmental Standards etc.] are considered by the Council (if meeting schedules permit with submission deadlines) or by Chief Executive if Council meeting time tables do not fit submission deadlines.

If submission lodged, then item noted in regular Statutory Advocacy Update reports presented to Environment and Services Committee and Maori Commitee.

7. Typically, submissions might support or oppose a proposal (in full or part), with reasons also stated. The steps that follow lodgement of a submission often involve Regional Council staff engaging in further discussions with the applicant and/or local council. This can lead to more formal pre-hearing meetings, mediation and hearings. During these negotiations, Regional Council staff make representations for the best resolution of the Regional Council's concerns in terms of the policies and rules contained in the Regional Coastal Environment Plan and the Regional Resource Management Plan and also in relevant strategic documents (e.g.: Land and Water Management Strategy, Regional Land Transport Strategy, and Heretaunga Plains Urban Development Strategy).

Work programme

- 8. The Statutory Advocacy work programme is highly influenced by the number and complexity of resource consent applications, plan changes and designations notified by territorial authorities in the region. Over the past year or two, the number of consent applications publicly notified by territorial authorities in the region has noticeably declined. This is probably another indicator of the global financial crisis and local economy slowing over that period.
- 9. Hastings District Council is due to publicly notify its second generation district plan review on 9 November. Meanwhile, Napier City Council has drafted and will soon also release a suite of plan changes for specific issues to 'harmonise' planning provisions. These two examples have, to date, involved Regional Council staff participating in stakeholder meetings, reviewing draft policies and lodging comments before the formal process begins. Further input on both Hastings District Plan and Napier City Council's plan changes is anticipated in 2014 in the form of submissions and appearances at hearings.
- 10. Central Hawke's Bay District Council is about to commence a wholesale review of its district plan, but due to resource constraints, this is unlikely to be rapidly completed.
- 11. A range of significant initiatives continues to emerge from Central Government (e.g. National Policy Statements and implementation guidance; National Environmental Standards and Regulations; plus further reforms to the RMA). Collective regional council sector responses are also likely to be part of the Statutory Advocacy role. In this regard, staff work closely with other regional council interests and also through Local Government New Zealand as an advocate for the local government sector as a whole.

What's currently on the books?

- 12. The attached summary plus accompanying map outlines those proposals in Hawke's Bay that the Council's Statutory Advocacy project is currently actively engaged in.
- 13. Similar updates will continue to be regularly reported to both the Maori Committee and the Environment and Services Committee.

Decision Making Process

14. Council is required to make a decision in accordance with Part 6 Sub-Part 1, of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within this section of the Act in relation to this item and have concluded that, as this report is for information only and no decision is to be made, the decision making provisions of the Local Government Act 2002 do not apply.

Recommendation

1. That the Maori Committee receive the "Statutory Advocacy Update" report.

Esther-Amy Bate PLANNER

Helen Codlin
GROUP MANAGER STRATEGIC DEVELOPMENT

Attachment/s

- 1 Statutory Advocacy Update
- 2 Statutory Advocacy Map

Statutory Advocacy Update (as at 8 November 2013)

| Received | TLA | Map Ref | Activity | Applicant/ Agency | Status | Current Situation |
|------------------|-----|------------|--|---|----------|---|
| 1 August 2013 | N/A | 3 | Application under Coastal and Marine (Takutai Moana) Act 2011 Rongomaiwahine lwi has made an application in the High Court for a Protected Customary Rights Order and a Customary Marine Title Order. The applications relate to the coastal marine area extending from Nuhaka River mouth, around Mahia Peninsula, and north beyond Mahanga. These applications are made under s100 of the Marine and Coastal Area (Takutai Moana) Act 2011. | Rongomaiwahine Iwi (Pauline Tangiora) | Notified | 8 November 2013. HBRC has lodged a notice in the High Court to join these proceedings. HBRC's notice cited opposition to granting of the Orders unless the nature and geographical extent of the Orders is specified with sufficient detail to enable the Council to appropriately understand the effect of the orders sought. For example, greater specificity of the area and customary activities within that area to which the Orders would apply. High Court is considering HBRC's notice (and similar notices lodged by several other parties) before determining next procedural steps. |
| 10 April 2013 | HDC | 2 | Draft District Plan Review of the Hastings District Plan in its entirety. Includes the harmonisation of district wide provisions between the Napier District Plan with the Hastings District Plan where relevant. | Hastings DC | Draft | 8 November 2013 No specific advice received from HDC regarding what revisions were made in response to HBRC's comments on draft version of plan. Meanwhile, HDC has indicated that the Proposed District Plan will be publicly notified 9 November 2013. Submissions will close 14 February 2014. 31 May 2013 As a Draft the document has no legal status yet under the Resource Management Act. The Draft is precursor to a Proposed District Plan. Various informal comments made by staff on draft content, particularly relating to natural hazards, HPUDS and RPS Change4, riparian management. Deadline for comments is 31 May 2013. |
| 5 April 2013 | NCC | 1 | Draft Plan Change 10 A community driven Plan Change to harmonise district wide provisions between the Napier District Plan with the Hastings District Plan; incorporate the Ahuriri Subdistrict Plan; and update provisions as a result of recent Napier City Council policy changes and decisions into the Napier District Plan. | Napier CC | Draft | 8 November 2013 No specific advice received from NCC regarding what revisions were made in response to HBRC's comments on draft version of plan change. Meanwhile, NCC has yet to adopt the Plan Change for public notification. Advice from NCC staff suggests they anticipate the draft plan change will be adopted by NCC Committee during November and a Proposed Plan Change will be publicly notified in early December. This would mean submission deadline is likely to be Jan/Feb 2014. 31 May 2013 As a Draft the document has no legal status yet under the Resource Management Act. The Draft is precursor to a Proposed District Plan NCC intend publicly notifying in September 2013. Informal comments made by staff on draft content relating to HPUDS and RPS Change4. Deadline for comments is 31 May 2013. |

ITEM 15 STATUTORY ADVOCACY UPDATE PAGE 43



Statutory Advocacy

- 1. Draft Plan Change 10 NCC
- 2. Draft District Plan HDC
- Application under Coastal and Marine (Takutai Moana) Act 2011

HAWKE'S BAY REGIONAL COUNCIL MAORI COMMITTEE

Tuesday 03 December 2013

SUBJECT: MINOR ITEMS NOT ON THE AGENDA

Reason for Report

This document has been prepared to assist Committee membersnote the Minor Items Not on the Agenda to be discussed as determined earlier in Agenda Item 6.

| Ітем | TOPIC | COUNCILLOR/COMMITTEE MEMBER / STAFF |
|------|-------|-------------------------------------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |