



MINUTES OF A MEETING OF THE REGIONAL PLANNING COMMITTEE

- Date:** Wednesday 7 June 2017
- Time:** 1.00pm
- Venue:** Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER
- Present:** T Waaka – Chair - *Ngāti Pāhauwera Development & Tiaki Trust*
Cr P Bailey
Cr P Beaven
Cr T Belford
K Brown – *Ngāti Hineuru Iwi Inc*
Cr A J Dick
M Heperi Northcroft – *Ngāti Tūwharetoa Hapū*
T Hopmans – Deputy Co Chair -*Maungaharuru Tangitū Trust*
N Kirikiri – *Te Toi Kura O Waikaremoana*
Cr N Kirton
J Maihi-Carroll – *Mana Ahuriri Trust*
M Mohi – *HBRC appointee*
L Munroe – *He Toa Takitini*
P Paku - *He Toa Takitini*
A Tapine - *Tātau Tātau o Te Wairoa Trust*
Cr F Wilson
- In Attendance:** J Palmer – Group Manager Strategic Development
E Lambert – Group Manager External Relations
G Ide – Manager Strategy and Policy
B Harper– Senior Planner
B Brough – Consultant
R Ellison – Consultant
J Buttery – Governance Administration Assistant

1. Welcome/Apologies/Notices

The Chairman welcomed everyone to the meeting, with a special welcome to Matiu Heperi Northcroft and Councillor Kirton, who were unable to attend the hui that morning.

Mr Palmer advised the Committee:

- Council has made a further submission on the fresh water reforms, the timetabling of which did not allow it to be brought to this committee.
- Last week the Council resolved to join with the Environmental Defence Society and Fish and Game to seek an Environmental Court declaration in relation to the Ruataniwha Water Storage Scheme consents and requested that staff bring advice back to this committee regarding issues around Plan Change 6.
- 29 June 2017 Local Government New Zealand will be offering a one hour Webinar on the Resource Legislation Amendment Act changes to the RMA and information from that webinar will be brought back to this committee. Staff also intend to provide an overview of the recent RMA amendments at the July committee meeting.

Resolution

RPC27/17 That the apologies for absence from Councillors Hewitt, Graham and Barker are accepted.

**Wilson/Beaven
CARRIED**

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

3. Confirmation of Minutes of the Regional Planning Committee meeting held on 3 May 2017

RPC28/17 Resolution

Minutes of the Regional Planning Committee meeting held on Wednesday, 3 May 2017, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Bailey/Tapine
CARRIED**

4. Follow-ups from Previous Regional Planning Committee Meetings

Most of the issues on the follow-ups were to be dealt with on the agenda.

Mr Palmer tabled a letter from the Special Tribunal regarding the Water Conservation Order Application (Ngaruroro and Clive Rivers).

RPC29/17 Resolution

That the Regional Planning Committee receives the report Follow-up Items from Previous Meetings.

**Bailey/Tapine
CARRIED**

5. Call for Items of Business Not on the Agenda

Item	Topic	Councillor / Staff
1.	Hearings Committee	Clr Beaven

6. **Framework for Outstanding Water Bodies in Hawke's Bay**

Discussion of the options took place, with further explanation provided by Belinda Harper. The prevailing view amongst Committee members was that Option four was preferred.

RPC30/17 **Resolutions**

1. That the Regional Planning Committee receives and notes the "Framework for Outstanding Water Bodies in Hawke's Bay" report.
2. The Regional Planning Committee recommends that Council:
 - 2.1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion 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.
 - 2.2. Supports Option Four as the preferred approach to the preparation of the plan change to assess and identify outstanding water bodies in Hawke's Bay. This option includes coastal areas.
 - 2.3. Agrees that for the purposes of drafting the outstanding water body plan change values which can potentially make a waterbody outstanding are limited to ecological, cultural, recreational, landscape and spiritual values.
 - 2.4. Agrees that in order for a waterbody to be classed as outstanding, it must contain at least one value which stands out from the rest on a national basis.
 - 2.5. Acknowledges the potential risk to the policy work programme if outstanding freshwater bodies are not identified in the region prior to the notification of the next catchment management plan in accordance with Change 5, however Council considers this risk to be minimal and are comfortable with staff not adhering to this timeframe.

**Bailey/Hopmans
CARRIED**

7. **OECD Environmental Performance Review and Public Perception Survey of NZ'S Environment 2016**

James Palmer explained that this is an information item Councillors received at the 17 May Environment & Services Committee meeting.

The perspective was expressed, that Māori are generally more concerned about environmental issues than pakeha people.

It was worth noting that the work being carried out by this Council is highly consistent with the OECD recommendations, particularly with respect to water management, collaborative decision making, the involvement of tangata whenua in the management of natural resources, and also in the area of public transport and climate change.

In response to a motion that HBRC write to the American Embassy and Minister of Climate Change to express concern regarding the USA withdrawing from the Paris Climate Accord, Mr Palmer agreed that this would be entirely appropriate and that he would be happy to draft a letter to the Minister of Climate Change and the US Ambassador.

RPC31/17 **Resolutions**

That the Regional Planning Committee:

1. Recommends that Council writes to the USA Ambassador and the Minister of Climate Change to express concern regarding the USA withdrawing from the Paris Climate Accord.

**Dick/Beaven
CARRIED**

2. Receives and notes the OECD Environmental Performance Review and Public Perception Survey of NZ's Environment 2016 report.

**Dick/Maihi-Carroll
CARRIED**

8. June 2017 Statutory Advocacy Update

Gavin Ide spoke to this update, in particular the "work in progress" concerning customary recognition under the Marine and Coastal Areas (Takutai Moana) Act. Almost 30 applications have been received by the Crown and High Court for areas within the Hawke's Bay region.

It was suggested that one of these groups be invited to make a presentation to the Committee explaining what these customary marine title applications are about and what is involved.

Accurate information about these applications is important because as soon as the application is made, it is the HBRC's legal responsibility to refer any resource consent applicant to liaise with the customary marine applicant.

RPC32/17 **Resolution**

That the Regional Planning Committee receives and notes the June 2017 Statutory Advocacy Update staff report.

**Bailey/Wilson
CARRIED**

9. June 2017 Resource Management Planning Project Update

Gavin Ide spoke to this regular update, highlighting:

- the senior planner in charge of the Mohaka Plan Change has resigned, and his replacement, once recruited, will recommence development of the plan change.
- the proposed scope of the RRMP effectiveness review and advice that the report on the Plan's effectiveness will be delivered up to 6 months later than planned because of staff priorities
- in response to a query whether it is necessary to, as part of the RRMP review, look at the relationships with the TLAs in light of recent issues Mr Palmer advised that the review would be carried out issue by issue in line with best practice
- Feedlots are not likely to be looked at as part of the RRMP review, as these are an issue for catchment based plan changes already focussing on land and freshwater management.

RPC33/17 **Resolutions**

That the Regional Planning Committee:

1. Recommends that the RRMP effectiveness report includes consideration of Section 4 of the plan relating to generic consenting/compliance relationship of local authorities.

**Kirton/Beaven
LOST**

2. Receives and takes note of the June 2017 Resource Management Planning Projects Update staff report.

**Wilson/Bailey
CARRIED**

10. Items of Business not on the Agenda

1.	<p>Hearings Committee</p> <p>Met on Tuesday and discussed the Terms of Reference, which allow for up to four ‘Making Good Decisions’ accredited tangata whenua representatives be appointed to the Committee.</p> <p>An invitation to a workshop on the Resource Consent Application process will be extended to all those interested, including Maori Committee members - at the next Tangata Whenua hui. The Session will be up to an hour long, depending on the number of questions.</p>	Peter Beaven
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11. Confirmation of the Public Excluded Minutes of 3 May 2017

RPC34/17 Resolution

That the Council excludes the public from this section of the meeting being Confirmation of Public Excluded Minutes Agenda Item 11 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:

GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION	GROUNDS UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
Plan Change 5 Appeal - Confidential Settlement Offer	<p>7(2)(c)(ii) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of that information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide and would be likely otherwise to damage the public interest.</p> <p>7(2)(g) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to maintain legal professional privilege.</p> <p>7(2)(i) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**Wilson/Tapine
CARRIED**

11. Confirmation of Public Excluded Minutes of the Regional Planning Committee meeting held on 3 May 2017

RPC35/17 Public Excluded Minutes of the Regional Planning Committee meeting held on Wednesday, 3 May 2017, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Wilson/Bailey
CARRIED**

Resolution

RPC36/17 That the meeting moves out of Public Excluded session.

**Bailey/Wilson
CARRIED**

The meeting went into public excluded session at 2.05pm and out of public excluded session at 2.08pm.

Mr Mike Mohi gave a Karakia to close the meeting.

Closure:

There being no further business the Chairman declared the meeting closed at 2.09pm on Wednesday 7 June 2017.

Signed as a true and correct record.

DATE:

CHAIRMAN: