



## MINUTES OF A MEETING OF THE REGIONAL PLANNING COMMITTEE

**Date:** Wednesday 2 August 2017

**Time:** 10.00am

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

**Present:** T Waaka – Chair *Ngāti Pāhauwera Development & Tiaki Trust*  
Cr R Barker – Deputy Co-Chair (*assumed the Chair in R Graham's absence*)  
Cr P Bailey  
Cr T Belford  
Cr A J Dick  
M Heperi Northcroft – *Ngāti Tūwharetoa Hapū*  
Cr D Hewitt  
T Hopmans – Deputy Co-Chair *-Maungaharuru Tangitū Trust*  
Nicky Kirikiri – *Te Toi Kura O Waikaremoana*  
Cr Neil Kirton  
L Munroe – *He Toa Takitini*  
J Maihi-Carroll – *Mana Ahuriri Trust*  
P Paku – *He Toa Takitini*  
A Tapine – *Tātau Tātau o Te Wairoa Trust*

**In Attendance:** M Mohi – HBRC Maori Committee Chairman  
J Palmer – Chief Executive  
I Maxwell – Group Manager Resource Management  
T Skerman - Acting Strategic Development Manager  
M-A Baker – Senior Strategy and Policy  
C Edmonds – Planner Strategy and Policy  
J-A Raihania – Senior Planner – Iwi Liaison  
M Conway – Simpson Grierson  
J Buttery – Governance Administration Assistant

## 1. Welcome/Apologies/Notices

Chairman Barker welcomed everyone to the meeting and Mr Mike Mohi offered a karakia to open the meeting.

### Resolution

#### RPC37/17 Resolution

That the apologies for absence from councillors Rex Graham (on leave), Fenton Wilson and Peter Beaven and Karauna Brown be accepted.

**Beaven/Maihi-Carroll  
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 7 June 2017

#### RPC38/17 Resolution

Minutes of the Regional Planning Committee meeting held on Wednesday 7 June 2017, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Waaka/Bailey  
CARRIED**

## 4. Follow-ups from Previous Regional Planning Committee Meetings

In relation to item 5 on the list regarding a customary marine title applicant being invited to speak to the RPC, it was suggested that someone neutral should be called upon and the committee was assured that the proposed speaker would explain their experience as an applicant in very general terms only.

#### RPC39/17 Resolution

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

**Bailey/Northcroft  
CARRIED**

## 5. Call for Items of Business Not on the Agenda

### Resolution

That the Regional Planning Committee accepts the following "Items of Business Not on the Agenda" for discussion as Item 15

**Minor** items for discussion **only**

Item	Topic	Councillor / Member
1.	Information concerning overseas investment opportunities in Maori land including forestry revenue.	Cr Dick
2.	Forestry extraction plans - sediment	T Waaka

## 6. **Regional Planning Committee 2016-17 Annual Activity Report**

Ms Ceri Edmonds - planner in the Strategic Development Team, spoke to the report.

It was suggested that the committee would like surveys carried out to find out what people value. Mr Palmer advised that Council carried out such a survey every two years, which had just been completed, and the outcomes would be presented to a future RPC meeting.

In response to a query of whether quantifiable data on the value of the RPC was available Mr Palmer advised that it is extraordinarily difficult to assess, as most of the committee work is not measurable. In developing the next Long Term Plan staff are investigating more quantitative measurements around council/committee activities. Currently, outputs are activity based however in the future will be more outcome based.

It was suggested that a joint explanatory statement in the introduction to the LTP, from the Chairs of both the Regional Planning and Maori committees be included.

A view was expressed, that the video concept should be promoted, because that is what people in social media want to see, and most are not interested in hard copy reports.

It was suggested a way to feed information back through the Post Settlement Governance Entities (PSGEs) needs investigation, and suggested that material could be sent to RPC members so that they could post it on their own facebook pages and websites.

Mr Palmer agreed that recording and releasing a short video after each meeting is a really good idea and will ask that staff investigate how best to do that.

Upon viewing the current video, the Committee agreed that it needs refreshing. If there is a willingness and desire to go the next step, for representatives at the meeting to be engaged with HBRC communications people to disseminate the information to the wider community, it was agreed that Tangata Whenua are happy to lend support to staff where appropriate.

### RPC40/17 **Resolutions**

That the Regional Planning Committee

1. Receives and notes the Regional Planning Committee 2016-17 Annual Activity Report staff report
2. Requests that staff undertake the production of the Annual Activity Report 2016-2017 and complete it for presentation to the Regional Planning Committee meeting on 6 September 2017.

**Bailey/Tapine  
CARRIED**

## 7. **Ngaruroro Water Conservation Order Liaison**

Mr Palmer explained that this item was written prior to the previous week's TANK group meeting where a position statement was drafted, broadly mirroring the Council's position in relation to the Water Conservation Order in relation to the TANK Group process. That statement is currently before the TANK Group, awaiting feedback prior to endorsement by the whole group, and submission to the Tribunal.

Ms Baker explained a proposed addition to the recommendation, asking that the Committee delegate decision making to four representatives however there was general dissatisfaction with that approach.

Mr Palmer suggested staff would like to see the process broken up into stages, with the key question being whether the submission should remain on the process front, or

take a substantive position in relation to any aspect of the Order, in the event that the appeal for a better process is declined by the Tribunal.

It was agreed the submission should be focussed on the process, and that it should not go over top of the TANK process.

It was suggested that the item be adjourned to enable staff to prepare a short paper outlining the key issues for later in the meeting.

*Discussion was adjourned pending further information and a new recommendation coming back to the committee later in the meeting.*

*Councillor Barker left the meeting at 11:11 am, and Toro Waaka assumed the Chair for the remainder of the meeting*

#### **8. Appointments to the HBRC Hearings, Corporate & Strategic, and Environment & Services Committees, and the Biosecurity Working Party**

Mr Ricki Ellison – Tangata Whenua advisor, advised the meeting of the nominations discussed at the tangata whenua hui the previous afternoon, and that a nomination for the second representative on the Hearings Committee will be forthcoming at the September RPC meeting.

#### **Resolutions**

1. That the Regional Planning Committee receives and notes the “Appointments to the HBRC Hearings, Corporate & Strategic, and Environment & Services Committees” staff 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. Confirms the appointment of Toro Waaka as one of two Regional Planning Committee Tangata Whenua representatives on the HBRC Hearings Committee
  - 2.3. Confirms the appointment of Toro Waaka as the Regional Planning Committee Tangata Whenua representative on the HBRC Corporate and Strategic Committee
  - 2.4. Confirms the appointment of Peter Paku as the Regional Planning Committee Tangata Whenua representative on the HBRC Environment and Services Committee
  - 2.5. Confirms the appointments of Karauna Brown, Apiata Tapine and Nicky Kirikiri as the tangata whenua representatives on the Biosecurity Working Party, with the ability to co-opt technical assistance when required.

**Munroe/Bailey**

*Decision held until quorum regained*

*Councillor Belford left the meeting at 11:18am, and the quorum was LOST.*

#### **10. Resource Legislation Amendment Act 2017 Overview**

Matt Conway, partner with law firm Simpson Grierson provided a presentation of the key parts of the Resource Management Act amendments of interest to the committee.

*Councillor Barker returned to the meeting at 11:25 am*

*Councillor Belford returned to the meeting at 11:45 am, and the Quorum regained*

RPC41/17 **Resolution**

That the Regional Planning Committee receives and notes the “Resource Legislation Amendment Act 2017 Overview” staff report and presentation.

**Dick/Hewitt  
CARRIED**

**8. Appointments to the HBRC Hearings, Corporate & Strategic, and Environment & Services Committees, and the Biosecurity Working Party**

Having regained the Quorum, the Committee voted on the recommendations.

RPC42/17 **Resolutions**

1. That the Regional Planning Committee receives and notes the “Appointments to the HBRC Hearings, Corporate & Strategic, and Environment & Services Committees” staff report.
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  - 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.
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**Munroe/Bailey  
CARRIED**

**9. Tukituki (Plan Change 6) Implementation Matters**

Mr Tom Skerman introduced the presentation of the three areas of impact of the recent Supreme Court decision, and how HBRC work processes are affected, seeking guidance from the Committee on the way forward.

Mr Iain Maxwell further explained implementation impacts of not having the RWSS and clarified that staff are seeking high level advice and direction.

Discussions covered:

- The impacts on the community are significant, and will begin to bite in a big way when requirements come into effect in 2018. The changes offer potential for significant hardship and stress and it was suggested that achievable goals to mitigate stress on the community should be developed.
- There should be no tolerance for substantive changes to FEMPs and there is a need to ensure that the community does not get an impression that it is “off the hook” due to the RWSS uncertainty.
- Possibility of minor shifts to deadlines in order to reduce the impact of PC6 for those who were relying on the RWSS.

- Dialogue has commenced with CHBDC representatives of that community, but there is no desire to engage more broadly at this time.
- Premature to launch into future of RWSS at this stage.
- Constant dialogue between the farming community and staff, with efforts greater than ever to finalise FEMPs.
- Staff providing a range of options that could aid in the implementation of PC6.
- Are there options for adding water into the catchment?
- Alternatives to large water storage had been put forward through RWSS pre-feasibility phase, but financial viability of those schemes was questionable. Those alternatives may be able to be resurrected if required in future.
- PC6 implementation is more complex since the Supreme Court decision.
- If RPC requires more advice on amending PC6 through a Plan Change process, planning resource will have to be diverted to provide it and this will impact on other plan change processes under way, e.g. TANK, Mohaka.
- PC6 is operative and doing nothing is not an option.
- Suggested staff progress narrow plan change dealing with urgent implementation matters only.
- Education and consultation need to be very well put together so as not to create unrealistic expectations from the community.
- Quality of water needs to be addressed in the first instance and the quantity as a secondary consideration.

#### RPC43/17 **Resolutions**

1. That the Regional Planning Committee receives and notes the "Tukituki (PC6) Implementation Matters" staff report.
2. Requests that staff take feedback from the meeting in order to report back to the Regional Planning Committee as soon as practicable on options (including scope, timing and resources) for progressing a narrow plan change to address urgent implementation matters in Tukituki Plan Change 6.

**Dick/Hopmans  
CARRIED**

#### **7. Ngaruroro Water Conservation Order Liaison**

*Discussion resumed at 1.15pm*

Mrs Baker provided a revised proposal regarding the WCO submissions from HBRC, with the submission split into Part 1 - Process, and Part 2 - Content. Part 2 would provide information to support the Tribunal's decision making process, and Mr Palmer outlined the implications of each part.

#### RPC44/17 **Resolutions**

1. That the Regional Planning Committee:
  - 1.1. receives and notes the Ngaruroro Water Conservation Order Liaison staff report.
  - 1.2. appoints a sub-committee comprising Toro Waaka, Liz Munroe, Peter Paku, Councillors Rex Graham, Tom Belford and Peter Beaven to commence inputting to the draft submission
  - 1.3. agrees that a recommended draft submission will be circulated to all Regional Planning Committee members on or before 20 August, for consideration and adoption at a special Regional Planning Committee meeting to be held on Tuesday 22 August 2017.
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 Delegates the Sub-committee comprising Toro Waaka, Liz Munroe, Peter Paku, Councillors Rex Graham, Tom Belford and Peter Beaven to attend pre-hearing meeting with Special Tribunal on process.
- 2.3 Agrees to provide evidence on substantive matters but not take a position on whether or not a WCO should or should not be imposed, except for provisional support for upper reaches.
- 2.5 Adopts and lodges the submission as finalised and agreed by the Regional Planning Committee on 22 August 2017.

**Dick/Belford  
CARRIED**

**11. Greater Heretaunga (TANK) Project Update**

This item was taken as read.

RPC45/17 **Resolution**

That the Regional Planning Committee receives and notes the “Greater Heretaunga (TANK) Project Update” staff report.

**Tapine/Munroe  
CARRIED**

**12. August 2017 Statutory Advocacy Update**

This item was taken as read.

RPC46/17 **Resolution**

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

**Tapine/Munroe  
CARRIED**

**13. August 2017 Resource Management Planning Project Update**

This item was taken as read.

RPC47/17 **Resolution**

That the Regional Planning Committee receives and takes note of the ‘**August 2017 Resource Management Planning Projects Update**’ staff report.

**Tapine/Munroe  
CARRIED**

**14. Myrtle Rust**

This item was taken as read by the Committee.

RPC48/17 **Resolution**

That the Regional Planning Committee receives and notes the “Myrtle Rust” staff report.

**Tapine/Munroe  
CARRIED**

**15. Items of Business Not on the Agenda**

Items of business raised under item 5 were not discussed.

Mr Mohi closed the meeting with a Karakia.

**Closure:**

There being no further business the Chairman declared the meeting closed at 1.28pm on Wednesday 2 August 2017.

Signed as a true and correct record.

**DATE:** .....

**CHAIRMAN:** .....