



MINUTES OF A MEETING OF THE REGIONAL PLANNING COMMITTEE

Date: Wednesday 1 November 2017

Time: 11.15am

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

Present: Cr R Graham – Chair
Cr P Bailey
Cr R Barker – Deputy Co Chair
Cr P Beaven
Cr T Belford
K Brown – *Ngāti Hineuru Iwi Inc*
M Heperi Northcroft – *Ngāti Tūwharetoa Hapū*
Cr D Hewitt
T Hopmans – Deputy Co Chair -*Maungaharuru Tangitū Trust*
N Kirikiri – *Te Toi Kura O Waikaremoana*
Cr N Kirton
J Maihi-Carroll – *Mana Ahuriri Trust*
P Paku – *He Toa Takitini*
Cr F Wilson

In Attendance: M Mohi – Maori Committee Chairman
J Palmer – Chief Executive
E Lambert – Group Manager External Relations
T Skerman – Group Manager Strategic Development
I Maxwell – Group Manager Resource Management
G Ide – Manager, Strategy and Policy
J-A Raihania - Senior Policy and Strategic Advisor
M-A Baker - Senior Planner Strategy & Policy
B Brough – Consultant
R Ellison – Consultant
J Buttery – Governance Administration Assistant

1. Welcome/Apologies/Notices

The Chairman welcomed everyone to the meeting.

RPC60/17 Resolution

That the apologies for absence from Mr Toro Waaka, Cr Alan Dick, Ms Liz Munroe, and Mr Api Tapine and Mr Karauna Brown's apologies for early departure at 2.00pm be accepted.

**Bailey/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 4 October 2017

RPC61/17 Resolution

Minutes of the Regional Planning Committee meeting held on Wednesday, 4 October 2017, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Maihi-Carroll/Hewitt
CARRIED**

4. Follow-ups from Previous Regional Planning Committee Meetings

The item was taken as read.

In relation to the Oil and Gas Plan Change work programme, disappointment was expressed about the content of the information pack distributed, and insufficient notice of stakeholder engagement dates to enable attendance.

Regarding the paratyphoid outbreak, Napier City Council has taken ownership of the issue and is working directly with vessel owners and the Napier Sailing Club.

In response to a question around compliance and monitoring of other sites around the Estuary, Mr Palmer told the committee of the general issue with resources and the proposal to Council as part of the LTP.

RPC62/17 Resolution

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

**Beaven/Bailey
CARRIED**

5. Call for Items of Business Not on the Agenda

Minor items for discussion **only**

Item	Topic	Raised by
1.	Communication back to Hapū and marae	M Mohi
2.	Meeting in Wairoa	R Graham

6. Policy Options for Addressing Urgent Tukituki (Plan Change 6) Implementation Matters

Mr Gavin Ide spoke to the item, which resulted from a request from the committee for staff to provide options for the scope of a narrow plan change arising out of the presentation by CHB community representatives. Key issues are:

- Deferral of the dates when the new minimum flows come into effect, the pros and cons of this part of the change and the option of the new, and as yet untested, Streamlined Planning Process (SPP).
- Urgent PC6 implementation changes and policy options, only a few urgent things that were assessed by staff at this time as warranting fixing by a plan change.

Discussions traversed:

- There are no budgets or staff resources provided in the 2017-18 Annual Plan for this proposed plan change
- the timeframes for either a Council Initiated Plan Change or Streamlined Planning Process will not be swift
- the legal view around the mechanics of the SPP process, which is open to individuals to initiate and they will bear the costs of
- Without a signaled intention of a plan change, Council could not make a discretionary decision to not enforce compliance
- Options for global consent water take consents
- Potential negative economic impacts for the wider CHB community
- landowners are not resting on their laurels, and are investigating aquifer recharge, harvesting of winter flows, global consents, resource consent applications for tranche 2 water and on farm water storage options

RPC63/17

Recommendations

1. That the Regional Planning Committee receives and notes the "Policy Options for Addressing Urgent Tukituki (Plan Change 6) Implementation Matters" staff report.
2. The Regional Planning Committee recommends that Council:
 - 2.1. Considers the Local Government Act decision-making requirements in relation to what approach(es) may be preferred.
 - 2.2. Directs staff to undertake further discussions with Ministry for the Environment officials, relevant iwi authorities and key stakeholders (namely HB Fish and Game Council, NZ Royal Forest and Bird Society and the Department of Conservation) regarding:
 - 2.2.1. The potential of an application from the Council to use a streamlined plan change pathway for a plan change proposing to defer dates from which Plan Change 6 increased minimum flows take effect; and
 - 2.2.2. The potential of a standard council-initiated plan change in relation to a short list of other potential amendments to ease challenges with implementing elements of PC6 subject to relevant resourcing being provided through the 2018-28 Long Term Plan.
 - 2.3. In relation to 2.2.1 above, requests staff report back to the Regional Planning Committee meeting on 6 December 2017 outlining preliminary responses from the parties.

Hewitt/Wilson

Councillor Peter Beaven moved an amendment, being an additional

recommendation:

- 2.4 Directs staff to report back to the Regional Planning Committee on the range of options currently available to consent holders under the provisions of Tukituki Plan Change 6.

Councillor Beaven's amendment was accepted by the mover and seconder for inclusion in the substantive motion.

Councillor Rick Barker moved an amendment, being an additional recommendation:

- 2.5 The irrigators affected be invited to submit to Council, either individually or collectively, what plans they have for the use of the time afforded by the extension and what achievements they would expect to achieve by such a delay as requested.

Councillor Barker's amendment was accepted by the mover and seconder for inclusion in the substantive motion.

Resolutions

1. That the Regional Planning Committee receives and notes the "Policy Options for Addressing Urgent Tukituki (Plan Change 6) Implementation Matters" staff report.
2. The Regional Planning Committee recommends that Council:
 - 2.1. Considers the Local Government Act decision-making requirements in relation to what approach(es) may be preferred.
 - 2.2. Directs staff to undertake further discussions with Ministry for the Environment officials, relevant iwi authorities and key stakeholders (namely HB Fish and Game Council, NZ Royal Forest and Bird Society and the Department of Conservation) regarding:
 - 2.2.1. The potential of an application from the Council to use a streamlined plan change pathway for a plan change proposing to defer dates from which Tukituki Plan Change 6 increased minimum flows take effect; and
 - 2.2.2. The potential of a standard council-initiated plan change in relation to a short list of other potential amendments to ease challenges with implementing elements of Tukituki Plan Change 6 subject to relevant resourcing being provided through the 2018-28 Long Term Plan.
 - 2.3. In relation to 2.2.1 above, requests staff report back to the Regional Planning Committee meeting on 6 December 2017 outlining preliminary responses from the parties.
 - 2.4. Directs staff to report back to the Regional Planning Committee on the range of options currently available to consent holders under the provisions of Tukituki Plan Change 6.
 - 2.5. The irrigators affected be invited to submit to Council, either individually or collectively, what plans they have for the use of the time afforded by the extension and what achievements they would expect to achieve by such a delay as requested.

**Hewitt/Wilson
LOST 10/ 4**

**For: Graham, Bailey, Barker, Beaven, Maihi-Carroll, Northcroft, Hewitt, Kirton,
Paku, Wilson**

Against: Belford, Brown, Hopmans, Kirikiri

Resolutions require 80% support to pass, and

the resolutions were therefore DEFEATED

The meeting adjourned at 12.45pm and reconvened at 1.15pm.

7. TANK Iwi Engagement Plan

Mrs Raihania spoke to the item, requested by Tangata Whenua at the 6 September RPC meeting. Discussions traversed:

- Maungaharuru Tangitū Trust PSGE representation on the stakeholder group
- efforts to supplement representation to ensure maximum inclusiveness
- Concerns about the time given to Tangata Whenua to present to the TANK Group and steps taken to improve this
- Issues around resourcing and satisfying the scientific requirements for the plan change
- Understanding streams are taonga to Tangata Whenua and each other's values

Councillor Graham left the meeting at 01:45 pm and the quorum was lost.

Councillor Barker assumed the chair.

Recommendation

That the Regional Planning Committee receives and notes the "TANK Iwi Engagement Plan" staff report.

This item could not be received because of the lack of a quorum.

8. Update on Regional Planning Committee Terms of Reference Review Process, including Remuneration

Councillor Graham returned to the meeting and resumed the Chair, and Mr Karauna Brown left the meeting at 01:58 pm.

Discussions continued despite the meeting not having a quorum.

Mrs Raihania outlined progress on the Term of Reference and remuneration reviews.

The expectation of tangata whenua representatives was that their work on the Terms of Reference is finished and they are interested in when they will be finalised, with the remuneration being only one part of the review. Councillors have sought clarification on one or two outstanding matters.

Mr Palmer outlined the substantive questions raised at the Council workshop, RMA documents and the functions of the committee necessary to give effect to the RMA. The Act is not entirely clear, and opens the door for the committee have either a very wide or a very narrow view of Council business, giving rise to questions about the purpose of the Maori Committee and clarification of the division of labour between the two committees.

The objective of the Tangata Whenua is effective co-governance of resource management.

Recommendation

That the Regional Planning Committee receives the "Update on Regional Planning Committee Terms of Reference Review Process, including Remuneration" staff report.

This item could not be received because of the lack of a quorum.

9. Items of Business Not on the Agenda

Minor items (for discussion only)

Item	Topic	Raised by
1.	Communication back to Hapu and marae At a Kohupatiki meeting, complaints from Tangata Whenua asked what Council is doing. How can communications to the marae be improved? Maori Committee and RPC need to be reporting back to marae 4 or 5 times a year.	M Mohi
2.	Meeting in Wairoa on 31 October talking to a group about the river, a group under the Taiwhenua. A lot of passion about the Wairoa River. Disillusionment that things do not get better. All want the same thing. Huge part of the catchment is moving after deforestation.	R Graham

Mr Mike Mohi closed the meeting with a karakia.

Closure:

There being no further business the Chairman declared the meeting closed at 2.14pm on 1 November 2017.

Signed as a true and correct record.

DATE:

CHAIRMAN: