



MINUTES OF A MEETING OF THE REGIONAL PLANNING COMMITTEE

- Date:** Wednesday 7 February 2018
- Time:** 1.00pm
- Venue:** Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER
- Present:** T Waaka – Co-Chair – *Ngāti Pāhauwera Development & Tiaki Trust*
Cr R Graham – Co Chair
Cr P Bailey
Cr R Barker – Deputy Co-Chair
Cr P Beaven
Cr T Belford
K Brown – *Te Kopere o te Iwi Hineuru*
Cr A J Dick
M Heperi Northcroft – *Ngāti Tūwharetoa Hapū Forum*
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*
A Tapine – *Tātau Tātau o Te Wairoa Trust*
Cr F Wilson
- In Attendance:** M Mohi – Chairman Maori Committee
J Palmer – Chief Executive
E Lambert – Group Manager External Relations
T Skerman – Group Manager Strategic Development
L Hooper – Governance Manager
G Ide – Manager, Policy and Strategy
B Harper – Senior Planner

1. Welcome/Apologies/Notices

The Chairman welcomed everyone to the meeting and Karauna Brown offered a karakia.

Councillor Alan Dick advised that he would need to be excused for a quarter hour around 3 or 3.30pm to deal with a Transport related issue.

Joinella Maihi-Carroll advised she needs to be excused at 2.55pm

The Chairman suggested that he would like to invite Mr Taine Randell to make a presentation to the Committee on carbon credits, requesting to know whether the RPC would like that to be organised.

Resolution

RPC1/18 That the apology from Rick Barker for lateness be received.

**Graham/Belford
CARRIED**

It was noted that Jenny Nelson-Smith, recently appointed to represent Heretaunga Tamatea Settlement Trust on the Committee, was not in attendance.

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

Mr Toro Waaka noted his appointment to the Iwi Chairs Constitutional Review Committee.

3. Confirmation of Minutes of the Regional Planning Committee Meeting Held on 1 November 2017

RPC2/18 **Resolution**

Minutes of the Regional Planning Committee held on 1 November 2017, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Wilson/Tapine
CARRIED**

4. Follow-ups from Previous Regional Planning Committee Meetings

Clarity was sought in relation to the TANK Iwi Stakeholder Engagement Plan being accepted in principle at the 1 November meeting, and noted that as there was no quorum at that point of the 1 November 2017 meeting (item 7, pg 5) the Committee had not resolved any decision.

Mrs Lambert provided an update on the follow-ups from previous meetings, including :

- Discussions with NCC to find solutions to prevent future paratyphoid outbreaks caused by contamination from 'human faeces' – one mechanism being through requirements for vessel owners berthing in the inner harbour via the NCC and Yacht Club lease /berthing agreements
- Ongoing discussions with Mana Ahuriri to schedule an appropriate time for them to present to RPC

RPC3/18 **Resolution**

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

**Bailey/Brown
CARRIED**

It was noted that there was no need to amend the Minutes of the 1 November 2017 RPC meeting as there was no quorum at the time the item in question (7, pg5) was discussed, and therefore the Committee did not make any resolution.

5. Call for Items of Business Not on the Agenda

Recommendation

That the Regional Planning Committee accepts the following “Items of Business Not on the Agenda” for discussion as Item 12:

Item	Topic	Raised by
1	RPC Terms of Reference	Toro Waaka
2	River Road	Fenton Wilson
3	Waitangi Day	Rex Graham
4	Wananga at PakiPaki	Rex Graham
5	Kahutia	Rex Graham
6	TANK	Tania Hopmans

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

Mr Tom Skerman introduced the item, refreshing the meeting on the process to date, having originally providing Tukituki/PC6 implementation issues for discussion at the 1 November RPC meeting, and what Council staff are seeking from the Committee in relation to possible plan change or policy options to be further developed as options to address Tukituki/PC6 implementation issues.

Discussions traversed:

- A Memo submitted to Council from irrigators with resource consents to take from surface water effectively not actioned by HBRC staff as decisions from RPC and Council required prior to staff furthering any discussions with affected parties
- Staff are again seeking direction from the Committee in relation to what options and discussions they agree staff should pursue to address issues for Council in meeting current requirements of Tukituki /PC6 within the timeframes set
- Alistair Haliburton, as a representative of the Surface Water Users Group in CHB, provided the Committee with the view that the users need the assistance of the technical experts to develop collaborative community solutions to the issues associated with meeting the minimum flow requirements of PC6. Believes that a community or collective scheme/ solution will be far and away the best rather than ad hoc solutions developed by individuals. Options may include community water storage scheme, global catchment-based consents, e.g. Twyford, and/or re-allocation of consented water not currently being used.
- Focus of Council’s implementation efforts currently (and has been to date) on Farm Environmental Management Plan requirements, and could potentially shift to water quantity and allocation investigations. Currently 287 FEMPs have been approved by HBRC, majority for hill country properties and others not affected by the low (minimum) flow conditions.
- \$1.5m funding for augmentation investigations is currently tagged to Ngaruroro, and Council will consult, through the LTP, on whether that funding is available for projects throughout the region.
- Investigations of solutions to include discussions with interested parties such as DoC, Forest & Bird and other ‘environmental’ parties to seek their views of solutions as part of the process of arriving at solutions to actually implement.
- Council decision not to invest any further capital in RWSS, however HBRIC as

consent holder still has decisions to make in relation to financial treatment of the Asset including whether the dam might be progressed under a different investment model, without HBRC funding.

- Proposal to engage stakeholders needs to be an holistic conversation about PC6 implementation without RWSS and the issues that implementation throws up for Council and for the community including constraints and limits given the existing limits and timeframes in the Plan.
- Timeframes do not allow for a Streamlined Plan Change process as put to the Committee for consideration late last year.
- Technical implementation (plan) changes are required, Board of Inquiry was aware of changes that Council would need to make to the Plan provisions
- Further investigations into solutions and options for implementation issues need to be carried out before being brought to the RPC to consider any decisions required.

RPC4/18 **Resolution**

1. That the Regional Planning Committee:
 - 1.1 receives and notes the “Policy Options for Addressing Urgent Tukituki (Plan Change 6) Implementation Matters” staff report.
 - 1.2 notes and supports the approach taken by the CHB Surface Water Users Group to find solutions to access water within the Tukituki Plan Change 6 framework.

**Hopmans/Northcroft
CARRIED**

Councillor Rick Barker arrived at 2.21pm

Councillor Alan Dick sought to move a motion that RPC item 6, resolution 1.2 be considered for passing as a resolution of Council, seconded by Councillor Debbie Hewitt. It was noted, however that the specific mechanism from Council allowing for this to occur has been provided only to the Environment & Services and Corporate & Strategic committees, not to the Regional Planning Committee and so a motion was not made.

Councillor Debbie Hewitt left the meeting at 2.25pm

7. Verbal 2018-28 Long Term Plan Process Update

Mr James Palmer updated the Committee on the LTP process, including advising that feedback has been sought from tangata whenua members in relation to finalising the consultation document and its supporting documents for Council’s adoption for consultation on 14 March.

Councillor Hewitt re-joined the meeting at 2.31pm

8. Update on Oil & Gas Plan Change Work Programme

Mr Gavin Ide introduced the item, which provides an interim update on the stakeholder and community engagement process under way and continuing.

Discussions covered:

- Option of organising 3 regional hui to seek feedback from tangata whenua as opposed to attempt to engage with each individual iwi or hapu
- The nature of stakeholder engagement to date has included online feedback form based on the information published on the HBRC website in addition to meetings with various groups to discuss the potential plan change rather than one single ‘mode’
- staff have made best endeavours to follow up on the groups invited to participate but that haven’t provided any feedback

Councillor Barker raised a point of order (24.7 the Chairperson has discretion about

whether to allow any other procedural motion that is not contained in these standing orders) in relation making the RPC resolution for item 6 a resolution of Council. The Chairman's decision was to not uphold the notice of motion.

Further discussions on the Update on Oil & Gas Plan Change Work Programme item under discussion included:

- proposed presentation by PEPANZ representatives
- the rules and legal requirements of plan change processes
- Staff hope to report back to 21 March RPC meeting with feedback provided from the pre-consultation with stakeholders
- Options initially provided to the Committee included 'status quo' which has not progressed further in accordance with the Committee's decision
- Communication with the wider public required, and to seek further feedback leading up to the tangata whenua hui

RPC5/18 **Resolutions**

That the Regional Planning Committee:

1. Receives and notes the "Update on Oil & Gas Plan Change Work Programme" staff report.
2. Requests that the Opus Oil and Gas Plan Change Report and background information is circulated to the Regional Planning Committee for discussion at the next meeting.

**Bailey/Tapine
CARRIED**

The meeting adjourned at 3.05pm and reconvened at 3.24pm, with the quorum having been lost as Councillors Rick Barker, Alan Dick and Fenton Wilson and Joinella Maihi-Carroll (excused) not in attendance.

9. Update - Outstanding Water Bodies Plan Change

Mrs Belinda Harper introduced the item, updating the Committee on progress to date to identify outstanding water bodies and associated cultural values assessments.

Councillor Alan Dick re-joined the meeting at 3.29pm

Councillors Rick Barker and Fenton Wilson re-joined the meeting at 3.31pm; and the quorum re-established.

Further discussions covered:

- PSGE issues in relation to having adequate resources and opportunities to discuss and provide feedback within timeframes requested by council
- Intention that the table prepared by staff summarising cultural values of water bodies in HB will be a living document that is continually being updated with new information

RPC6/18 **Resolution**

That the Regional Planning Committee receives and notes the "Update on Identification of Outstanding Freshwater Bodies Work Programme" staff report.

**Hopmans/Beaven
CARRIED**

10. February 2018 Resource Management Planning Project Update

Mr Gavin Ide introduced the item, including advice that staff will be bringing the focus back on the Taharua/Mohaka Plan Change and the redesign of that plan change work programme and process. Discussion traversed:

- Plan change processes for remainder of the Region signalled to commence in 2020-21 financial year (after TANK, Mohaka, OWB processes completed)

- The joint council HPUDS implementation working group has not convened to consider the new national policy statement on Urban Development Capacity
- TANK stakeholder group working to ensure Plan Change contains rules to specifically forbid any raw sewerage discharges to waterways including Ahuriri Estuary and considers Climate Change
- Plan provisions to address impacts of climate change, and ensure TLAs account for increased storm frequencies when managing and maintaining the three waters infrastructure

RPC7/18 **Resolution**

That the Regional Planning Committee receives and takes note of the '**February 2018 Resource Management Planning Projects Update**' staff report.

**Dick/Belford
CARRIED**

11. February 2018 Statutory Advocacy Update

Mr Gavin Ide introduced the update, highlighting a submission made by HBRC staff on a notified consent application for a retirement village on Ulyatt Road in Napier in relation to natural hazards and stormwater / wastewater management; as well as the Napier City Council Plan Change 11 for Park Island reconfiguration.

Suggested that HBRC should vigorously oppose the NCC PC 11 proposal due to significant impacts of 20% increase in residential development in that area. Ongoing surface water issues in the adjacent residential area raised with the NCC ward councillor by members of the public. Capacity of sewerage infrastructure to adequately provide for increased residential discharges, and not exacerbate current inadequacies.

Legal instruments through plan changes are the determinants of commissioners' decisions on Plan Changes, e.g. NCC PC 11, and councillors are free to express their personal views outside of those formal processes however HBRC must formally address issues through formal statutory processes.

Councillor Dick left the meeting at 4.05pm

Discussions and coordination are continuing between TLAs and HBRC in relation to TANK plan change and Long Term Plan.

RPC8/18 **Resolution**

That the Regional Planning Committee receives and notes the '**February 2018 Statutory Advocacy Update**' staff report.

**Bailey/Kirton
CARRIED**

12. Discussion of Items of Business Not on the Agenda

Item	Topic	Raised by
1	Waitangi Day hikoī from Celestial Compass to Clive very successful, with attendance by several regional leaders from Heretaunga.	Rex Graham
2	Attended a wananga at Pakipaki recently, based around water on the Heretaunga plains – particularly Karamu and included a trip up Te Mata Peak	Rex Graham
3	Kahutia – to cloak our land in trees Major commercial afforestation program (joint vision with NKII) with support of central government. Opportunity for marae to grow trees as nurseries cannot provide sufficient	Rex Graham

	plants. Model based on 50% native, 25% pine and 25% introduced species.	
4	Tangata whenua have reviewed the RPC Terms of Reference and request that adopting the updated ToR be considered as a priority for Council, given the length of time (6-8 months) without resolution and adoption required under the RPC Act	Toro Waaka
5	River Road Progress is being made to fix the road, and a plan has been submitted to the Wairoa District Council.	Fenton Wilson
6	TANK was on the agenda for the tangata whenua hui and discussed the inclusion of the RPC tangata whenua advisors in the Plan Change process	Tania Hopmans
7	RPC Agenda setting Seeks clarity of the process of agenda setting and participation of the Co-Chairs in that process	Apiata Tapine

13. Verbal Update on Ngaruroro & Clive Rivers Water Conservation Order Hearings

Tom Skerman advised that an update on the water conservation order was included in the Statutory Advocacy item, and that unless there are legal questions there is no need to move into public excluded session.

Cr Graham advised that Ngamatea Station has invited Council representatives to a meeting.

Closure:

There being no further business the Chairman declared the meeting closed at 4.29pm on 7 February 2018.

Signed as a true and correct record.

DATE:

CHAIRMAN: