



MINUTES OF A MEETING OF THE REGIONAL PLANNING COMMITTEE

Date: Wednesday 2 May 2018
Time: 10.15am
Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Present: Cr R Graham – Co Chair
T Waaka – Co Chair *Ngāti Pāhauwera Development & Tiaki Trust*
Cr P Bailey
Cr R Barker – Deputy Co Chair
Cr P Beaven
Cr T Belford
K Brown – *Ngāti Hineuru Iwi Inc*
Cr D Hewitt
T Hopmans – Deputy Co Chair *-Maungaharuru Tangitū Trust*
(via Skype until 12.20pm)
N Kirikiri – *Te Toi Kura O Waikaremoana*
Cr N Kirton
J Maihi-Carroll – *Mana Ahuriri Trust*
J Nelson-Smith – *Heretaunga Tamatea Settlement Trust*
P Paku – *He Toa Takitini*
A Tapine – *Tātau Tātau o Te Wairoa Trust*
Cr F Wilson *(until 12.45pm)*

In Attendance: J Palmer – Chief Executive
E Lambert – Group Manager External Relations
I Maxwell – Group Manager Resource Management
T Skerman – Group Manager Strategic Development
L Hooper – Governance Manager
G Ide – Manager, Policy & Strategy
R Ellison – Wakataurua Ltd

1. Welcome/Apologies/Notices

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

Resolution

RPC16/18 That the apologies for absence from Councillor Alan Dick, Matiu Heperi-Northcroft and Mike Mohi be accepted.

**Bailey/Barker
CARRIED**

The Chairman advised that there is a guest presenting to the Committee at 1pm and asked that committee members be mindful of the need to break for lunch at 12.30pm.

Tania Hopmans advised she will sign off of Skype at 12.15pm.

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

3. Confirmation of Minutes of the Regional Planning Committee meeting held on 21 March 2018

RPC17/18 Resolution

Minutes of the Regional Planning Committee held on Wednesday, 21 March 2018, 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

The follow-ups item was taken as read, with discussion covering:

- In relation to #2 the Chairs and Co-Chairs had not had the opportunity to meet to discuss the ToR prior to the meeting.

RPC18/18 Resolution

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

**Wilson/Paku
CARRIED**

5. Call for Items of Business not on the Agenda

That the Regional Planning Committee accepts the following ***“Items of Business Not on the Agenda”*** for discussion as Item 13:

Item	Topic	Raised by
1.	Long Term Plan supplementary report	Apiata Tapine
2.	Oil & Gas Plan Change	Tom Belford
3.	Genetically Modified Organisms	Paul Bailey
4	Matariki REDS	Rex Graham

Secretarial note: Clarity was sought in relation to Quorum and Voting entitlements; with explanations being 1. Quorum for the meeting is 75% or 14 members physically present and does not include any members attending via Skype or audio link; 2. For purposes of voting, those members attending via Skype or audio link to have their votes recorded; 3. Membership of the committee is equal numbers of tangata whenua and Council appointees, 4. For a motion to be CARRIED at least 80% of the votes cast by those present and voting must be in favour.

6. **Hawke's Bay Regional Planning Committee Terms of Reference for Adoption**

Mr Tom Skerman introduced the item, outlining the changes to the 2014 Terms of Reference for the committee, including provision of a table outlining clause by clause changes recommended for adoption by staff. Discussions traversed:

- Main objective of the review of the RPC Terms of Reference, to begin with, was to align the ToR with the RPC Act and ensure there are no discrepancies between the two documents
- Clarification of references to 'vanilla' changes was provided, being those amendments considered non-controversial, not contentious, or of a minor technical nature
- Suggestion that the Terms of Reference presented in today's Agenda be left until it can be considered and discussed by the Co-Chairs and Deputy Co-Chairs prior to being brought back to a future RPC meeting as 'recommended' by them. Today's version reflects iterative changes made through the process of tangata whenua's review workshops and hui, and has been accepted by PSGEs.
- Suggestion that the discussion should take place today so that everyone has the opportunity to hear and express their views, while the counter view was also expressed, with eventual general agreement to a hui or workshop being organised where all committee members could express their views and issues could be discussed out of the public arena
- General agreement that uncontentious changes (spelling, capitalisation, use of terms, formatting) should be discussed and agreed with the Co-Chairs and Deputies so that the substantive or contentious issues can then be the focus of attention through the hui
- Suggestion that a working group be set up to resolve contentious issues, however it was subsequently agreed that all other committee members would want to contribute and participate in the review process to ensure their views are heard and considered
- It was suggested that it would be much easier to bring the substantive issues to the fore if the technical or vanilla changes were agreed and made first – and then bring everyone together for a workshop to work through the ToR, discussing the substantive issues
- Terms of Reference must be agreed by all Appointing Bodies including Council.

RPC19/18 **Resolution**

That the item is left to lie on the table, for referral of a version with minor technical amendments agreed by the Co-Chairs and Deputy Co-Chairs to a workshop session for all Committee members to attend.

**Graham/Wilson
CARRIED**

7. **HB RPC Act 2015, Schedule S.10(2)(A) Review**

Mrs Liz Lambert introduced the item, being a review of the RPC's performance by all of the appointing bodies as required by the legislation. Queries and discussions covered:

- Informal collective feedback to be sought from all appointers at one or more hui, and formal individual responses to be sought from each of the appointers (Post-settlement Governance Entities or mandated Treaty groups)
- Tangata whenua discussed at the hui on 1 May and generally agree with the process proposed, suggesting that the Co-Chairs sign the letter going to the appointers advising of the review

RPC20/18 Resolutions

That the Regional Planning Committee:

1. Receives and notes the **“HB RPC Act 2015, Schedule s.10(2)(a) Review”** staff report.
2. Confirms, subject to amendments made at the meeting, the letter from the RPC Co-Chairs to the tangata whenua appointing bodies seeking their written feedback on the performance of the Regional Planning Committee.
3. Notes the timeline for feedback during the review process, with the next item on the review to be brought to the Regional Planning Committee meeting on 1 August 2018.

**Bailey/Tapine
CARRIED**

8. **List of Candidate Outstanding Water Bodies in Hawke’s Bay – Cultural and Spiritual Value Set**

Mr Gavin Ide introduced the item as a follow-up to a matter considered by the Committee at its meeting in March. Mr Riki Ellison then presented the list of candidate water bodies as agreed by the tangata whenua representatives at a hui on 24 April. Discussions and queries included:

- Plan change processes and catchment management approach taken by HBRC
- Water bodies for secondary analysis for recreational values were agreed at the March RPC meeting, and staff now seeking the Committee’s agreement to a list of candidate water bodies for secondary analysis for cultural and spiritual values
- Opposition to a further filter being applied to water bodies that have been recognised as significant through a Treaty settlement process
- Secondary analysis will gather additional information to support (reinforce) nomination of the water bodies, and is not used as a tool to eliminate water bodies from the list
- The identification is a requirement of the NPS for Freshwater Management, previous decisions of RPC agreed to the methodology for identifying the significant values of OWB and that consumptive values would not be included
- If water body is identified as being significant for cultural values, those values take pre-eminence when council considers proposals for development or activities that could impact on that water body
- Ngati Pahauwera view that the aquifer is the only outstanding water body for water quality values and that cultural values are already compromised or degraded to the extent that they will not nominate any as outstanding
- Mr James Palmer reminded the Committee of the options that had been presented to, and considered by, the Committee in 2017 as being: 1. notify a plan change for outstanding water bodies with other values (not cultural/spiritual values); 2. Carry out the secondary analysis on the list provided by tangata whenua for inclusion in the Plan Change; and 3. Proceed with notification of the Plan Change, including the list provided by tangata whenua, without conducting the secondary analysis. Risk that challenges through submissions and Environment Court processes against those identified for cultural and spiritual values are successful due to Council not having sufficient ‘supporting’ evidence due to the secondary ‘analysis’ not having been done, or information unavailable to reinforce nominations
- Reiterated that the secondary analysis is not a tool to eliminate, but a process of gathering relevant evidence available to support or justify why the water body is included on the list
- NKII and other appellants including Fish & Game were given undertaking out of Plan Change 5 decisions that HBRC would notify a Plan Change for Outstanding Water Bodies

RPC21/18 Resolutions

The Regional Planning Committee recommends that Council:

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. Agrees that the following list of candidate outstanding water bodies will be subject to a secondary analysis for the cultural and spiritual value set for potential incorporation in the outstanding water body plan change:
 - 2.1. Te Whanganui ā Orotu (Ahuriri Estuary)
 - 2.2. Porangahau River
 - 2.3. Upper Mōhaka River
 - 2.4. Karamu River
 - 2.5. Lake Waikaremoana
 - 2.6. Lake Waikareiti
 - 2.7. Ngaruroro River
 - 2.8. Taruarau River
 - 2.9. Ruakituri River
 - 2.10. Lake Whakakī
 - 2.11. Mangahauanga Stream
 - 2.12. Wairoa River
 - 2.13. Heretaunga aquifer
 - 2.14. Ruataniwha aquifer
 - 2.15. Lake Whatuma
 - 2.16. Tukituki River
 - 2.17. Waipawa River
 - 2.18. Lake Tūtira (including Papakiri and Waikōau/Arapawani streams)
 - 2.19. Makirikiri River
 - 2.20. Waipunga River
 - 2.21. Aropaoanui River.

**Hopmans/Graham
CARRIED**

10. TANK Plan Change Pathways Part 2

Mr Tom Skerman introduced the item, which updates the Committee on where the process is up to and seeks input about how best to transfer the recommendations soon to be made by the TANK Stakeholder group to the RPC members to enable adoption of a draft Plan Change for public notification. A 2 month extension has been agreed with the stakeholder group, resulting in potential handover to RPC in early August through workshops. Discussions covered:

- Powhiri intended to formalise and recognise the process of the handover
- Include as many experts involved through the process as possible in the workshops to walk through the plan change and what it's trying to achieve
- RPC's agreed terms of reference with the TANK stakeholder group includes refer

back to the TANK Group for further advice/recommendation if required, prior to recommending a TANK plan change to Council for public notification

- Communication of the cultural values assessment to the wider TANK group meeting scheduled 31 May.

RPC22/18 **Resolutions**

That the Regional Planning Committee:

1. Receives and notes the **“TANK Plan Change Pathways Part 2”** staff report, particularly:
 - 1.1 formal handover of the Draft Plan Change from TANK members to RPC; and
 - 1.2 attendance at two workshops and a field trip to become familiar with the key components of the Draft Plan Change (prior to consideration of the content).
2. Recognises the option to refer matters back to the TANK Group for further advice/recommendation prior to recommending a TANK plan change to Council for public notification as a proposed plan.

**Wilson/Tapine
CARRIED**

Tania Hopmans left the meeting at 12.20pm

11. **RMA Planning Projects update and RRMP Effectiveness Review Follow-up**

The item was taken as read, with discussions highlighting:

- Central Government recently announced that, essentially, no new offshore Oil & Gas exploration permits to be granted and limiting new onshore permits to the Taranaki region, so staff seeking clarification of those policies before pursuing further work on Council’s related plan change. Staff will bring an item back to the June RPC meeting for the committee’s consideration of decision on next steps for HBRC policy development on this matter
- Information gaps identified in the 2004 and 2018 Effectiveness Review reports prepared by HBRC staff and Mitchell Daysh Limited respectively
- Progressive reviews of, and Changes to, the Regional Coastal Environment Plan and Regional Resource Management Plan (including the Regional Policy Statement) are resolving some of the gaps identified (including outcome measures) in the effectiveness reports through progressive, ongoing catchment based (spatial as per previous Council and RPC decisions) and other (e.g. OWB) plan changes over the years leading up to 2020 when a review of remaining matters will be commenced according to work programming in the 2018-28 LTP.

RPC23/18 **Resolution**

That the Regional Planning Committee receives and takes note of the **‘RMA Planning Projects Update and RRMP Effectiveness Review Follow-Up’** staff report.

**Kirton/Wilson
CARRIED**

The meeting adjourned at 12.45pm and reconvened at 1.15pm – with Cr Wilson having excused himself.

9. **Dr Anthony Cole Presentation - Economic Theory and Accounting methods to support the goal of Māori Cultural survival**

Jenny Mauger, as a member of the TANK Treaty Partners Working Group, introduced Dr Anthony Cole, a kaupapa Māori transdisciplinary researcher, who presented on his work in the field of accounting and economics.

- Dr Cole has been engaged by HBRC to develop a social and cultural values

- assessment framework with mana whenua for the TANK plan change
- The presentation covered economic models, methods and theories
- financial and non-financial measures of economic growth and the social/cultural costs of that growth
- Comparisons between Genuine Progress Indicator (GPI) and Gross Domestic Product (GDP) as measures of growth and/or success
- Impacts (costs) of financial accounting practice based economic success measured by GDP on the natural, social, human, and cultural capital
- Challenge of co-existence of the 2 economic models in NZ - NZ mixed market economy and Ōhanga Māori (The Māori cultural economy)

RPC24/18 Resolution

That the Regional Planning Committee receives and notes the “Dr Anthony Cole Presentation - Economic Theory and Accounting Methods to Support the Goal of Māori Cultural Survival”.

**Kirton/Hewitt
CARRIED**

Item - 10. TANK Plan Change Pathways Part 2 - was addressed immediately following item 8.

Item - 11. RMA Planning Projects Update and RRMP Effectiveness Review Follow-Up - was addressed immediately preceding item 9.

12. May 2018 Statutory Advocacy Update

The item was taken as read.

RPC25/18 Resolution

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

**Hewitt/Maihi-Carroll
CARRIED**

13. Discussion of Items of Business not on the Agenda

Item	Topic	Raised by
1.	Long Term Plan supplementary report Tabled recommendations from RPC tangata whenua representatives to HBRC about opportunities to build capacity and capability – for noting and future reference	Apiata Tapine
2.	Oil & Gas Plan Change As advised earlier by Gavin Ide, a report on options for the HBRC plan change in light of central government’s recent policy announcements in relation to Oil & Gas exploration will be brought to the 20 June RPC meeting.	Tom Belford
3.	Genetically Modified Organisms – Announced that Court challenges in Northland regarding regulation of GMOs had been resolved. That was one of three court proceedings that were pending when the RPC and HBRC had previously considered a possibility of a regional plan change.	Paul Bailey
4	Matariki REDS Regional economic development strategy has now established a governance group consisting of Mayors, HBRC Chair, 5 treaty claimant groups, iwi, Business Hawke’s Bay and the DHB – to strategically take the region forward.	Rex Graham

Karauna Brown closed the meeting with a karakia.

Closure:

There being no further business the Chairman declared the meeting closed at 2.37pm on Wednesday, 2 May 2018.

Signed as a true and correct record.

DATE:

CHAIRMAN: