



## MINUTES OF A MEETING OF THE REGIONAL PLANNING COMMITTEE

**Date:** Wednesday 20 February 2019

**Time:** 10.00am

**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  
Cr A J Dick  
Cr D Hewitt  
N Kirikiri – *Te Toi Kura O Waikaremoana*  
Cr N Kirton  
J Nelson-Smith – *Heretaunga Tamatea Settlement Trust*  
P Paku – *Heretaunga Tamatea Settlement Trust*  
A Tapine – *Tātau Tātau o Te Wairoa Trust*  
Cr F Wilson

**In Attendance:** M Mohi – Chairman Maori Committee  
J Palmer – Chief Executive  
J Lawrence – Group Manager External Relations  
T Skerman – Group Manager Strategic Planning  
I Maxwell – Group Manager Integrated Catchment Management  
C Dolley – Group Manager Regional Assets  
P Munro – Te Pou Whakarae – Māori Partnerships  
G Ide – Principal Advisor Strategic Planning  
C Edmonds – Manager Policy & Planning  
B Brough – Brough Resource Management Ltd  
R Ellison – Wakataurua Ltd  
D Meredith – Senior Planner  
A Roets – Governance Administration Assistant

## 1. Welcome/Apologies/Notices

The Chairman, Mr Rex Graham welcomed everyone to the meeting and Pieri Munro offered a karakia, acknowledging those present.

### Resolution

RPC1/19 That the apologies for absence from Matiu Heperi-Northcroft (*Ngāti Tūwharetoa Hapū*), Joinella Maihi-Carroll (*Mana Ahuriri Trust*), Karauna Brown (*Te Kopere o te Iwi Hineuru*), and Tania Hopmans (*Maungaharuru Tangitū Trust*) be accepted.

**Barker/Tapine  
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 12 December 2018

### RPC2/19 Resolution

Minutes of the Regional Planning Committee meeting held on Wednesday, 12 December 2018, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Nelson-Smith/Waaka  
CARRIED**

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

There was a request for an update on feedlots across the region and James Palmer advised that a media release on feedlot compliance, reminding landowners of their obligations, will be made on this topic heading into winter. In addition, an invitation to visit a Raupunga operation was extended by Toro Waaka.

In relation to the TANK Plan Change (PC9) Pre-Notification Planning Pathway, Tom Skerman advised a request from one of the territorial local authorities to extend the pre-notification consultation by 2 weeks is under consideration and staff will inform all parties of whether the extension is granted.

### RPC3/19 Resolution

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

**Bailey/Beaven  
CARRIED**

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

### Reason for Report

That Regional Planning Committee accepts the following ***“Minor Items of Business Not on the Agenda”*** for discussion as Item 10:

	Topic	Raised by
1.	Update on when HBRC plans will be amended to give effect to the National Environmental Standard for Plantation Forestry	T Waaka
2.	HBRC Youth Council	Cr P Bailey
3.	Eels at Puketapu	Cr P Bailey
4.	Waitangi Day celebrations	Cr R Graham

## 6. Potential Tukituki Plan Change

Mr Tom Skerman introduced the item.

Councillor Hewitt moved a motion that the item be deferred to the RPC's next meeting on 17 April as the matter has not been discussed by the Tukituki Taskforce. Seconded by Councillor Dick.

Debate on the motion traversed:

- Cannot expect unanimous support and suggestion that there needs to be an opportunity for the Taskforce and the Community to discuss the outcomes before any decisions are made – potentially at the next Taskforce Group meeting 12 March, which Tom Kay has been invited to, acknowledging that the Forest & Bird (not the only party opposed) needs to form part of the solution. A letter from the Taskforce to the Forest & Bird National Office will be shared with the committee members.
- In response to a query about whether, if the report was deferred to the 17 April meeting, it is possible to have a Plan Change in effect for the 2019-20 summer, Tom Skerman advised that timeframes are incredibly tight, a deferring until April would make them even tighter.
- Stated that committee members need to understand the implications and consequences that the deferral of this item by one/two months will have.

### RPC4/19 Resolutions

That the Regional Planning Committee defers consideration of the *Potential Tukituki plan change* item to its meeting scheduled for 17 April 2019 to give the community, through the Tukituki Taskforce, an opportunity to consider it.

**Hewitt/Dick**

**For: Dick, Hewitt, Paku, Nelson-Smith, Wilson, Kirton, Kirikiri, Tapine, Waaka (9 /65%)**

**Against: Barker, Bailey, Belford, Beaven, Graham (5 /35%)**

**RPC threshold for at least 80% agreement of members in attendance was not met, and therefore the motion was LOST**

After loss of the motion to defer the item to the April meeting, consideration of the item commenced, with discussions covering:

- Forest & Bird frustrations are with HBRC's management of the process and not with the CHB community
- Forest & Bird national office has submitted formal confirmation of the CHB branch opposition to the proposed plan change and unhappiness with the Tukituki Taskforce advocating for policy change when the terms of reference for the group clearly state that it is not a policy advocacy group.
- The terms of reference for Tukituki Taskforce also contains provisions similar to the TANK stakeholder group, to give people an opportunity to link back to their organisations with discussions and decisions taken at meetings
- Initial proposal to extend minimum flow effective dates for 2 years (summers) as staff view that 2 years is the minimum time required to allow the community to meet the objectives
- Of the 55 responses to the request for feedback received, 21 generally supported the proposal to defer, 29 generally opposed the proposal and 5 took a neutral position
- Request for the feedback was part of the fast fail approach, where if significant opposition encountered at the outset then plan change process does not progress
- Approximately 50 surface water consents are affected by the low flow limits, with opinion expressed that this group wants the deferral and not the community. That view was disputed with statement that others affected by the minimum flow limits include Medallion Meats which hires 120 staff, 65% of which are Māori, the consent is not for irrigation, nor held by a grower.
- The view expressed by staff for example is that a streamlined plan change

process would have to clear a very high bar with significant support for the current Minister for the Environment to look favourably on agreeing to use a streamlined planning pathway.

- Indications are that the current Government and Minister do not generally support use of the streamlined Planning pathway as that was something the previous government had introduced.
- Request for a copy of the Taskforce Group's Water Conservation Plan to be circulated to the Committee members
- James Palmer explained that if the motion is passed, staff would bring further advice back to the Committee on whether the standard or streamlined planning track is the best option to achieve desired outcomes
- opposing views of whether to proceed with a plan change were expressed during debate on the recommendations

### **Recommendations**

1. That the Hawke's Bay Regional Planning Committee receives and notes the "**Potential Tukituki plan change**" staff report.
2. The Hawke's Bay Regional Planning Committee recommends that Hawke's Bay Regional Council:
  - 2.1. Agrees that the decision to be made is not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that the Committee can exercise its discretion and make this decision without conferring directly with the community in addition to the feedback already provided by stakeholders.
  - 2.2. Agrees **to progress** a proposed plan change to defer the 2018 minimum flow regime by a further two years to 1 July 2021 using the **standard or streamlined path** for plan making, pending a staff recommendation on the best pathway to be used.

**Moved by Cr Hewitt/  
Seconded by Cr Dick**

*Cr Fenton Wilson left the meeting at 11.15am, part way through debate, and the quorum was lost with item 6. Potential Tukituki Plan Change unresolved.*

*Due to loss of quorum the meeting lapsed and the following items in addition to item 6 Potential Tukituki Plan Change are deferred to the April 2019 Regional Planning Committee meeting.*

*Councillor Bailey left the meeting at 11.19am and Councillor Kirton left the meeting at 11.20am*

7. **Regional Three Waters Review**
8. **Tangata Whenua Remuneration Review Process Update**
9. **Resource Management Policy Projects Update**
10. **Statutory Advocacy Update**
11. **Discussion of Minor Items of Business Not on the Agenda**

### **Closure:**

Pieri Munro offered a karakia to formally close the meeting.

The quorum having been lost and the meeting having lapsed, the Chairman declared the meeting closed at 11.30am on Wednesday, 20 February 2019.

Signed as a true and correct record.

**DATE:** .....

**CHAIRMAN:** .....