



MINUTES OF AN EXTRAORDINARY MEETING OF THE REGIONAL PLANNING COMMITTEE

Date: Wednesday 18 March 2020

Time: 1.00pm

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

Present: Cr R Graham – Co-chair
J Maihi-Carroll – Co-chair *Mana Ahuriri Trust*
Cr R Barker – Deputy Co-chair
K Brown – *Te Kopere o te Iwi Hineuru*
Cr W Foley
Cr C Foss
T Hopmans – Deputy Co-chair *-Maungaharuru Tangitū Trust*
T Huata – *Ngāti Pāhauwera Development & Tiaki Trust*
N Kirikiri – *Te Toi Kura O Waikaremoana*
Cr N Kirton
M Mohi – *Ngāti Tuwharetoa Hapu Forum*
L Munroe – Deputy Co-chair *Heretaunga Tamatea Settlement Trust*
Cr H Ormsby
P Paku – *Heretaunga Tamatea Settlement Trust*
A Tapine – *Tātau Tātau o Te Wairoa Trust*
Cr J van Beek
Cr M Williams

In Attendance: T Skerman – Group Manager Strategic Planning
J Palmer – Chief Executive
P Munro – Te Pou Whakarae Māori Partnerships
L Hooper – Governance Lead
C Edmonds – Manager Policy & Planning
M Baker – Senior Planner
L Lambert – Group Manager Regulation
J Lawrence – Group Manager Office of the CE & Chair

1. Welcome/Apologies/Notices

It was noted that a mihi to welcome Tania Huata as the representative of *Ngāti Pāhauwera Development & Tiaki Trust* replacing Toro Waaka to her first meeting was performed prior to the meeting starting.

Pieri Munro led the group in offering a karakia, after which Co-chair Cr Rex Graham welcomed everyone to the meeting, advising that he and Joinella Maihi-Carroll will share the role of Chair today.

Acknowledgement of the passing of Lady Isobel Morgan and the first reading of the Mana Ahuriri claim settlement Bill

Resolution

RPC1/20 That the apologies for absence from Charles Lambert and for lateness from Karauna Brown be accepted.

**Barker/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 11 December 2019

RPC2/20 **Resolution**

Minutes of the Regional Planning Committee held on Wednesday, 11 December 2019, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Maihi-Carroll/van Beek
CARRIED**

4. TANK Plan Change Notification

James Palmer introduced the item which seeks a resolution from the Committee to notify the plan change, either with or without the inclusion of a reference to 90 million cubic metres in Policy 37.

RPC3/20 **Resolutions**

1. That the Regional Planning Committee:
 - 1.1. Receives and considers the "TANK Plan Change Notification" staff report.
 - 1.2. Agrees to notify the Plan Change as adopted 18 September 2019.

Williams/Kirton

Cr Barker moved an amendment, seconded by Cr Graham, to add:

- 1.2. Agrees to amend Policy 37 of the Proposed TANK Plan Change to insert reference to 90 million cubic meters as the interim allocation limit for the Heretaunga Plains groundwater and amends the section 32 report accordingly.

**Barker/Graham
CARRIED**

The amendment having been CARRIED, the SUBSTANTIVE motion was put

1. The Regional Planning Committee receives and considers the "TANK Plan Change Notification" staff report.
2. The Regional Planning Committee recommends that Hawke's Bay Regional 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 the decisions on this issue without conferring directly with the community.
- 2.2. Agrees to amend Policy 37 of the Proposed TANK Plan Change to insert reference to 90 million cubic meters as the interim allocation limit for the Heretaunga Plains groundwater and amends the section 32 report accordingly.
- 2.3. Notifies the Proposed TANK Plan Change as amended for public submissions on 28 March 2020 for a period ending 29 May 2020
- 2.4. Requests that staff identify a shortlist of suitable qualified and experienced Resource Management Act accredited Hearing Commissioners for consideration by the Regional Planning Committee for appointment to the Hearing Panel to hear and make recommendations on the proposed Plan Change 9 in response to submissions and further submissions received.

**Williams/Kirton
CARRIED**

Karauna Brown joined the meeting at 1.30pm

Rex Graham stood down, and Joinella Maihi-Carroll assumed the Chair at 1.35pm.

5. Tukituki: Request for Plan Change

Liz Lambert introduced the item, which seeks a decision on whether to proceed with preliminary consultation on a technical Plan Change to recalibrate nitrogen figures from 2012 to be in line with the latest version of Overseer-FM (2019) to calculate nitrogen leaching rates and nutrient budgets. Discussions traversed:

- legal risk of challenge to Council for the use of outdated science as well credibility of the Council and land owners' willingness to comply with requirements
- Staff time involved has not been budgeted and so will divert planning team resource from other work under way
- Enables the shift of conversations from whether or not the model is right to talking about how to meet Tukituki plan requirements
- Proposal to go with fixed table as most recently updated
- If agreed to proceed, a 'fast fail' process of preliminary consultation will be undertaken

RPC4/20 Resolutions

That the Regional Planning Committee:

1. Receives and considers the "Tukituki: Request for Plan Change" staff report.
2. 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.
3. Directs staff to proceed to undertake preliminary consultation on a possible Plan Change to recalibrate the nitrogen figures in Table 5.9.1D

**van Beek/Barker
CARRIED**

Pieri Munro sought and was granted leave to formally mihi Mike Mohi as the Ngāti Tuwharetoa representative on the Committee, following which Mike Mohi spoke in response.

Council's Chairman Rex Graham acknowledged Mike Mohi's work and thanked him for his contributions as a member and Chair of the Māori Committee, representing the people of his community.

Pieri Munro led the group in offering a karakia to close the meeting.

Closure:

There being no further business the Chair declared the meeting closed at 2.30pm on Wednesday, 18 March 2020.

Signed as a true and correct record.

DATE:

CHAIRMAN: