



Meeting of the Regional Planning Committee

Date: Wednesday 20 June 2018
Time: 9.00am
Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Agenda

ITEM	SUBJECT	PAGE
1.	Welcome/Notices/Apologies	
2.	Conflict of Interest Declarations	
3.	Confirmation of Minutes of the Regional Planning Committee held on 2 May 2018	
4.	Follow-ups from Previous Regional Planning Committee Meetings	3
5.	Call for Items of Business Not on the Agenda	35
Decision Items		
6.	Regional Targets for Swimmable Lakes and Rivers	37
7.	Oil & Gas Plan Change Options	45
Information or Performance Monitoring		
8.	11:00am Presentation of Central Government and Ministry for the Environment Policy Work Programmes & Priorities	
9.	Discussion of Items of Business Not on the Agenda	51

Parking

There will be named parking spaces for Tangata Whenua Members in the HBRC car park – entry off Vautier Street.

Regional Planning Committee Members

Name	Represents
Karauna Brown	Te Kopere o te Iwi Hineuru
Tania Hopmans	Maungaharuru-Tangitu Incorporated
Nicky Kirikiri	Te Toi Kura o Waikaremoana
Jenny Nelson-Smith	Heretaunga Tamatea Settlement Trust
Joinella Maihi-Carroll	Mana Ahuriri Trust
Apiata Tapine	Tātau Tātau o Te Wairoa
Matiu Heperi Northcroft	Ngati Tuwharetoa Hapu Forum
Peter Paku	Heretaunga Tamatea Settlement Trust
Toro Waaka	Ngati Pahauwera Development and Tiaki Trusts
Paul Bailey	Hawkes Bay Regional Council
Rick Barker	Hawkes Bay Regional Council
Peter Beaven	Hawkes Bay Regional Council
Tom Belford	Hawkes Bay Regional Council
Alan Dick	Hawkes Bay Regional Council
Rex Graham	Hawkes Bay Regional Council
Debbie Hewitt	Hawkes Bay Regional Council
Neil Kirton	Hawkes Bay Regional Council
Fenton Wilson	Hawkes Bay Regional Council

Total number of members = 18

Quorum and Voting Entitlements Under the Current Terms of Reference

Quorum (clause (i))

The Quorum for the Regional Planning Committee is 75% of the members of the Committee

At the present time, the quorum is 14 members (physically present in the room).

Voting Entitlement (clause (j))

Best endeavours will be made to achieve decisions on a consensus basis, or failing consensus, the agreement of 80% of the Committee members present and voting will be required. Where voting is required all members of the Committee have full speaking rights and voting entitlements.

Number of Committee members present	Number required for 80% support
18	14
17	14
16	13
15	12
14	11

HAWKE'S BAY REGIONAL COUNCIL

REGIONAL PLANNING COMMITTEE

Wednesday 20 June 2018

Subject: FOLLOW-UPS FROM PREVIOUS REGIONAL PLANNING COMMITTEE MEETINGS

Item 4

Reason for Report

1. On the list **attached** are items raised at Regional Planning Committee meetings that staff have followed up. All items indicate who is responsible for follow up, and a brief status comment. Once the items have been reported to the Committee they will be removed from the list.

Decision Making Process

2. Staff have assessed the requirements of the Local Government Act 2002 in relation to this item and have concluded that, as this report is for information only, the decision making provisions do not apply.

Recommendation

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

Authored by:

Leeanne Hooper
PRINCIPAL GOVERNANCE ADVISOR

Approved by:

Liz Lambert
GROUP MANAGER EXTERNAL
RELATIONS

Attachment/s

- [↓1](#) Follow-ups from Previous Regional Planning Committee Meetings
- [↓2](#) HBRC Memo Updating the Special Tribunal 15 May 2018
- [↓3](#) 1 June 2018 Ngauroro WCO Tribunal Minute 14

Follow-ups from Previous Regional Planning Committee Meetings

Meeting held 2 May 2018

	Agenda Item	Action	Responsible	Status Comment
1	Hawke's Bay Regional Planning Committee Terms of Reference	Refer 2014 + tracked changes (2 May) version back to Co-Chairs & Deputy Co-Chairs for agreement to minor technical, spelling & format changes	T Skerman	Document provided to Dep Co Chair mid-May and then following feedback received early June a further marked-up version provided to wider group.
2	Hawke's Bay Regional Planning Committee Terms of Reference	Following endorsement of 'base' ToR by RPC Chairs/Deputies – a hui/workshop for all RPC members to be scheduled for free and frank discussion of substantive issues including Scope of the Committee, Quorum and Voting	T Skerman	Workshop for RPC members scheduled to follow 20 June RPC meeting
3	HB RPC Act 2015, Schedule S.10(2)(A) Review	Council workshop as an Appointer of Council Members of RPC	E Lambert	Held 6 June
4	TANK Plan Change Pathways Part 2	Memo to WCO Special Tribunal advising TANK timeframes to end of August and communicate progress	G Ide	HBRC memo distributed via email 17 May (item attachment 2), subsequently, the Special Tribunal has issued Minute #14 (item attachment 3) regarding timetabling events.
5	Candidate outstanding water bodies for cultural and spiritual values	Court documents recording agreed amendments to Policy LW1A in Plan Change 5 re outstanding water bodies.	G Ide	Distributed via email 6 May (ref 5 following)

Meeting held 21 March 2018

	Agenda Item	Action	Responsible	Status Comment
6	Identification of candidate outstanding water bodies	Letter to the Minister for the Environment requesting reconsideration and clarification of the Outstanding Water Bodies cultural values provisions in the National Policy Statement for Freshwater Management	T Skerman	Letter posted 2 May 2018 (Ref 6 following) and emailed to all RPC members and advisors 7 May.

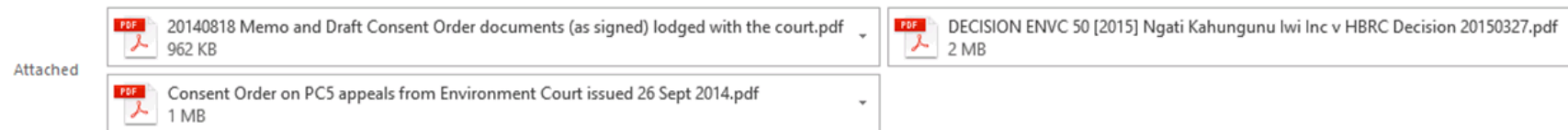
Reference 5

From: Gavin Ide **Sent:** Sunday, 6 May 2018 1:09 PM

To: Alan Dick; Fenton Wilson; Cr Peter Beaven; Cr Rick Baker; Cr Tom Belford; Debbie Hewitt; Neil Kirton; Paul Bailey; Rex Graham; Apiata Tapine; Joinella Maihi-Carroll; Karauna Brown; Maitu Heperi Northcroft; Nicky Kirkiri; Peter Paku; Tania Hopmans; Toro Waaka; Jenny Nelson-Smith; Mike Mohi

Cc: Tom Skerman; James Palmer; Belinda Harper; Billy Brough; Riki Ellison; Leeanne Hooper

Subject: Action arising from 2 May Regional Planning Committee FYI - Court documents relating to the notification of a plan change identifying outstanding freshwater bodies



Kia ora koutou RPC members,

At the Regional Planning Committee meeting on 2nd May, Cr Rick Barker asked to be sent a copy of the Court documents relating to the notification of a plan change identifying outstanding freshwater bodies ahead of any further catchment-based regional plan changes. That particular provision is referenced as new Policy LW1A in Change 5 (extract pasted below):

“POL LW1A Problem solving approach – Wetlands and outstanding freshwater bodies

1. To work collaboratively with iwi, territorial authorities, stakeholders and the regional community:

a) to identify outstanding freshwater bodies at a regional level and include provisions in the Regional Policy Statement to list those waterbodies and guide the protection of the outstanding qualities of those waterbodies; and

b) to prepare a Regional Biodiversity Strategy and thereafter include provisions in the Regional Policy Statement and/or regional plans to (amongst other things) guide the protection of significant wetland habitat values identified by the Strategy.

2. In relation to Policy LW1A.1, the identification of outstanding freshwater bodies will be completed and an associated change to the Regional Policy Statement will be publicly notified prior to public notification of any further* catchment-based plan changes^ prepared in accordance with Policy LW1.”

Footnotes:

* Plan Change 6 for the Tukituki River catchment pre-dates this provision.

^ Notwithstanding Policy LW1A.2, a catchment-based regional plan change for the Mohaka River catchment may proceed in the meantime. For the avoidance of doubt, issue-specific regional plan changes (for example, urban stormwater or natural hazards and oil and gas resources) may also proceed in the meantime.

NB: Policy LW1A was written at a time:

- a) pre-dating the 2014 amendments to the NPSFM
- b) after Plan Change 6 (Tukituki River catchment) had been publicly notified
- c) before the Regional Biodiversity Strategy was drafted and complete.

Links and references to attached PDFs appear below in reverse chronological order.

- 1. [Change 5 \(Latest Version as at March 2015\)](#)
- 2. 26 September 2014 Consent Order issued by Environment Court *[refer attached PDF]*
- 3. 18 August 2014, Memo and Draft Consent Order documents (as signed by parties) lodged with the court *[refer attached PDF]*
- 4. Notices of appeals by: [Ngati Kahungunu Iwi Inc](#) | [HB Fish and Game Council](#) | [Federated Farmers of NZ](#) | [HorticultureNZ](#)
- 5. [Change 5 \(as amended by council decisions as at August 2013\)](#).

For ease of reference, link here to [HBRC's NPS for Freshwater Management Progressive Implementation Programme, 2nd Edition as at Nov 2015](#) (which identifies a specific workstream for the outstanding freshwater bodies plan change)

For completeness and ease of reference, I've also attached a copy of the EnvCt's decision in Ngati Kahungunu Iwi Incorporated v HBRC [EnvC 50, 2015] issued on 27 March 2015. But that decision was not directly relevant to the matter of Policy LW1A and identification of outstanding freshwater bodies.

Nga mihi

Gavin Ide

Manager Strategy & Policy

Reference follow-up item 6



1 May 2018

Hon David Parker
Minister for the Environment
Parliament Buildings
Private Bag 18041
WELLINGTON 6160

Tēnā koe Minister,

OUTSTANDING FRESHWATER BODIES

The Hawke's Bay Regional Planning Committee is currently working through the process of identifying outstanding freshwater bodies as required by Objective A2(a) of the National Policy Statement for Freshwater Management (NPS-FM).

This has been a challenging process, particularly from a tangata whenua perspective.

Identifying a freshwater body as outstanding effectively identifies it as being more important or more 'outstanding' relative to other water bodies. For tangata whenua who are connected to their waters via whakapapa, which encompasses spiritual and physical cultural values, identifying one water body as outstanding but not other similar waterbodies associated with other iwi potentially discredits and diminishes the mana of those iwi whose water bodies aren't determined to be outstanding.

We understand an earlier attempt to identify 'water bodies of national importance' ultimately failed to progress for reasons similar to our concerns with the current outstanding water bodies requirements.

The Hawke's Bay Regional Planning Committee believe the NPS-FM requirement to identify outstanding water bodies is distracting from the important work of improving environmental outcomes across the Hawke's Bay region. While we acknowledge the positive intent behind the provisions, the application of this requirement is problematic and diverting scarce resources that could be more effectively utilised elsewhere.

We encourage you to reconsider these provisions as part of any review of the NPS-FM and would be happy to assist in anyway possible.

Heoi anō
Nā mauā, nā

A handwritten signature in blue ink, appearing to read "Rex Graham".

REX GRAHAM
CO-CHAIR
REGIONAL PLANNING COMMITTEE

Mobile: 021 424 972

A handwritten signature in blue ink, appearing to read "Toro Waaka".

TORO WAAKA
CO-CHAIR
REGIONAL PLANNING COMMITTEE

Mobile: 021 1840 180

Hawke's Bay Regional Council

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www.hbrc.govt.nz

Attachment 1

Item 4

**BEFORE THE SPECIAL TRIBUNAL FOR THE NGARURORO AND CLIVE
RIVERS WATER CONSERVATION ORDER**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a Special Tribunal appointed under s202 of the Act to consider an application for a Water Conservation Order made by New Zealand Fish and Game Council, the Hawke's Bay Fish and Game Council, Ngāti Hori ki Kohupatiki, Whitewater New Zealand, Jet Boating New Zealand, and the Royal Forest and Bird Protection Society of New Zealand (the Applicants) in relation to the Water Conservation Order

**MEMORANDUM OF COUNSEL ON BEHALF OF HAWKE'S BAY REGIONAL
COUNCIL**

15 May 2018

WYNN WILLIAMS
LAWYERS
CHRISTCHURCH

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MAY IT PLEASE THE SPECIAL TRIBUNAL

- 1 This memorandum is filed on behalf of the Hawke's Bay Regional Council (**HBRC** or **Council**).
- 2 The purpose of this memorandum is to update the Special Tribunal and parties in respect to the following matters:
 - (a) progress of the TANK collaborative process;
 - (b) progress of TANK investigations and reports; and
 - (c) attempts to engage with the co-applicants following the special pronouncement of the Tribunal.
- 3 At the outset, the Council notes that it had hoped to file this memorandum in March (as previously signalled), and had hoped to be in a position where it could report on constructive engagement with the co-applicants. However, as set out below, progress in that regard has been slow.

TANK collaborative process

- 4 Following the Special Tribunal's Pronouncement dated 6 December 2017, the TANK collaborative group has been working with renewed focus and commitment to delivering recommendations to Council regarding the future management of land and freshwater bodies within the TANK catchments.
- 5 Formal meetings were held in January, February, March and April this year. In order to achieve the timely delivery of recommendations to Council, TANK working groups set up in 2016 also met more frequently to address issues facing the TANK group. Those working groups have met on at numerous occasions with a view to narrowing down the key issues to be discussed by the full TANK collaborative group at its monthly meetings. Attached as **Appendix A** to this memorandum is a timetable for the TANK working group meetings and the TANK group meetings scheduled in 2018.
- 6 Significant progress has been achieved at the TANK monthly meetings this year. This progress can be seen in the ThinkTANK newsletters, copies of which are attached to this memorandum as **Appendix B**.

- 7 The last significant issue remaining for the TANK group to address relates to trigger flows in the Ngaruroro River. Recommendations in relation to that issue are likely to be made at the June meeting, once the economic modelling reports have been completed.
- 8 In order to conclude the TANK collaborative process, it is anticipated that three to four further meetings are required, as follows:
 - a. 31 May 2017; to consider (among other things) results from scenario testing on trigger flows, and to identify areas of dispute still remaining;
 - b. 27 June 2017; to finalise recommendations on minimum flows and other TANK Plan Change provisions prior to wider consultation with stakeholder groups;
 - c. 26 July 2017; to review input on the draft Plan Change prior to final approval of the draft for delivery to the Regional Planning Committee; and
 - d. 30 August 2017 (if required, and as provided for in the TANK Terms of Reference); to consider feedback from the Council's Regional Planning Committee on the draft Plan Change prior to making final recommendations to Council.
- 9 Counsel notes that these timeframes have been extended beyond those previously estimated. However, the decision to extend the timeframes was discussed at a TANK meeting and supported by the TANK group as being necessary to ensure that the collaborative process fulfils its purpose.
- 10 It had previously been anticipated that the TANK process would have concluded (in the sense that a draft plan change had been recommended by that Group) prior to the Stage 2 hearings commencing on the WCO in July 2018. However, in light of the revised timeframes set out in paragraph 8 above, that will no longer be possible.
- 11 Given the revised TANK timetable, but noting the progress that has been made, the Special Tribunal may wish to consider whether the Stage 2 hearings should be deferred beyond July 2018 to enable the TANK process to conclude. Whilst the Council is in a position to proceed with

the Stage 2 hearings if they are to commence in July 2018, a potential timetable for a deferred hearing is set out below:

- a. All scientific reports which underpin the TANK collaborative process will be completed by July 2018 (as discussed in the next section of this memorandum);
- b. The TANK group's final recommendations as to a draft plan change will be made by 30 August 2018;
- c. Evidence from the co-applicants in relation to Stage 2 could be filed and served in September 2018;
- d. Evidence from submitters in relation to Stage 2 could be filed and served in October 2018; and
- e. The hearing for Stage 2 could commence in November 2018.

Availability of TANK investigations

- 12 In its previous memorandum dated 31 January 2018, the Council provided an indication of the dates by which the various components of the modelling work being undertaken as part of the TANK collaborative process would likely be completed.
- 13 Regarding the MODFLOW Groundwater flow modelling, MT3DMS modelling, RHYHABSIM habitat and dissolved oxygen modelling, and SOURCE surface water flow and nutrient transport modelling, Council staff have made substantial progress. In particular, SOURCE Ngaruroro storage modelling is now complete. That report discusses investigations into how the stream depletion effects of groundwater takes on the Ngaruroro River could be mitigated or remedied.
- 14 Council staff anticipate that the following modelling scenarios will be completed by 31 May 2018:
 - (a) MODFLOW 1 – groundwater model development; and
 - (b) SOURCE 1 – surface water model development.
- 15 An addendum to the fish habitat modelling for the Ngaruroro and Tutaekuri rivers will be completed in June 2018.

- 16 Further, the MODFLOW 2 – groundwater scenario modelling and SOURCE 2 – surface water scenario modelling are both anticipated to be completed in July 2018. It is noted that this modelling has limited relevance to the WCO process as they are testing a series of scenarios with flow regimes that differ from the flow regime being pursued by the co-applicants for the WCO. Insofar as this modelling does have relevance to the WCO application, that relevance is limited to the analysis of the degree of hydraulic connection as between the Heretaunga Plains and the Ngaruroro and Clive Rivers. However, the preliminary results of the degree of hydraulic connection have previously been provided to the Special Tribunal and the parties in the affidavit of Dr Smith dated 27 September 2017.

Engagement between the parties

- 17 In the Pronouncement made by the Special Tribunal on 6 December 2017, the Tribunal encouraged the various WCO participants to engage with each other, the TANK members, and other interested parties in an attempt to reach common ground.
- 18 To this end, the Council has invested time meeting with landowners in the upper Ngaruroro River catchment to discuss the implications of the WCO as it is currently drafted.
- 19 With this information at hand, the Council is committed to maintaining an ongoing, constructive dialogue with the co-applicants and the landowners in the Upper Ngaruroro River catchment.
- 20 The Council has been actively seeking to engage with the co-applicants. Unfortunately to date, the Council's proposed terms of engagement have not been satisfactory to the co-applicants. Council is currently reflecting on how to best maintain an ongoing dialogue with all parties involved, and is hopeful of participating in meaningful discussions with the co-applicants on mutually agreeable terms.
- 21 In order to provide a platform for further engagement with the co-applicants, the Council will shortly provide the co-applicants with the information that they requested when they declined the Council's invitation to meet. That information will include comments on the terms

of the draft Order (noting that its primary position in opposition to the application remains at this point in time).

- 22 The Council will also continue to support Mana Whenua in the headwaters of the Ngaruroro River, in order to assist with meaningful dialogue as between them and the co-applicants.

DATED this 15th day of May 2018



P A C Maw

Counsel for the Hawke's Bay Regional Council

Appendix A

**Timetable for TANK working group meetings and
TANK group meetings scheduled in 2018**

Item 4

Attachment 2

TANK Working Group Meetings 2018	
11 January	TLA meeting – Urban Water Allocations
16 January	Dairy Farmers meeting – organised by Fonterra
17 January	Water Augmentation Working Group (WAG)
22 January	1-1 with Kim Anstey (NCC)
23 January	Economic Assessment Working Group (EAWG)
8 February	Mana Whenua Working Group (MWWG)
12 February	WAG
13 February	Morry Black 1-1 with Mary-Anne – review of draft plan
15 February	Meeting with Toro Waaka, Tanya Hopmans, Peter Paku & Billy Brough regarding the mana whenua meeting/presentation to RPC
16 February	TLA meeting – Stormwater & Urban Water
19 February	WAG
23 February	Meeting with Beef and Lamb re FRG
26 February	Farmer Reference Group
26 February	EAWG
27 February	Briefing to NZIPIM
1 March	Jerf van Beek meeting (with staff) to discuss Zone 1 & TIG
8 March	MWWG
8 March	Farmer Reference Group
9 March	1-1 Charlotte Drury (for Hort NZ)
12 March	WAG
20 March	RPC Tāngata Whenua Representatives meeting with Mana Whenua
21 March	RPC – paper on Pathway to draft TANK plan change
29 March	TLA meeting - stormwater
3 April	Stormwater Working Group
4 April	MWWG (now known as Treaty Partners Working Group – TPWG)

9 April	Draft Plan meeting with Marei and Joella
9 April	Farmer Reference Group
10 April	EAWG
11 April	Draft Plan meeting with Ngaio and Joella
11 April	1-1 Charlotte Drury (for Hort NZ)
13 April	Presentation to NCC, HDC & HBRC Councillors
13 April	Attendance and presentation to TIG
16 April	Community Reference Group meeting (social & cultural impact assessment)
16 April	Meeting with Twyford Irrigators
19 April	Community Reference Group
21 April	Community Reference Group
23 April	Community Reference Group
24 April	Community Reference Group
27 April	Community Reference Group
28 April	Community Reference Group
2 May	RPC – paper on TANK Plan Change Pathways Part 2
2 May	Dr Cole Presentation to RPC - Economic Theory and Accounting Methods to Support the Goal of Māori Cultural Survival
2 May	Meeting with NT, AP, JB, MB, KMcA, TK – water quality objectives
7-9 May	Justin Connolly undertaking interviews (4 per day) with farmers for Implementation barriers (MfE) project
15 May	EAWG – NimmoBell report
18 May	Beef and Lamb
29 May	Grower briefing (Tim H)
? May	Treaty Partners
? June	Farmer Reference Group
13 June	EAWG – Market Economics report

Item 4

Attachment 2

Attachment 2

Item 4

TANK Meetings 2018	
Meeting 36	30 January
Meeting 37	22 February
Meeting 38	22 March
Meeting 39	19 April
Meeting 40	31 May
Meeting 41	27 June
Meeting 42	26 July

7

Appendix B
ThinkTANK newsletters

Item 4

Attachment 2



Tutaekuri, Ahuriri Estuary, Ngaruroro, Karamū – the TANK project

There was a full room for the start of Meeting 37 with all eyes on urban water management. Presentations were given by both Hastings District Council and Napier City Council staff with a focus on urban stormwater and water supply networks, how these are currently managed and strategies for the future.

The TANK Group also gave direction to the project team on managing groundwater depletion and cost allocation related to augmentation schemes. The meeting ended with a reminder that the Group is moving to the next phase of decision-making. The comprehensive work done so far now starts to be shaped into Plan Change drafts. The Group will add their input to plan drafts as we progress.

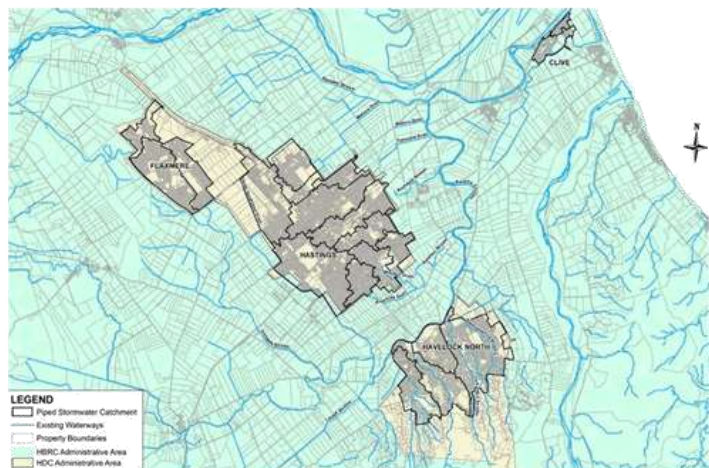
URBAN WATER MANAGEMENT

Hastings District Council and Napier City Council staff gave an overview of the stormwater and water supply networks.

Stormwater

In Hastings, the stormwater consent covers 15 urban catchments which ultimately discharge into Karamū Stream. The consent reflects a more integrated approach to managing stormwater and its effects on aquatic ecosystems than existed previously. It largely reflects a new approach now being advocated by the TANK Group. HDC has a stormwater management programme that recognises the following stages:

- A need for better understanding about the stormwater network and its effects on the receiving water (streams and rivers)
- Developing a detailed plan to address the issues raised in stage 1 including an upgrade programme for the existing infrastructure



Hastings urban stormwater catchment boundaries - the lighter areas in this image.

- Addressing contamination at its source (industrial sites, roads and impervious surfaces). Around 70% of the water contaminant issues are due to 'poor housekeeping' at a property level, such as unsecured drums on industrial sites, urban spills, etc.
- Review, update and further targeted monitoring.

An improved approach to new infrastructure and development will see low impact design, such as roadside swales, detention ponds and planting, being required as part of new developments to reduce impact on the stormwater network and receiving waterways.

In Napier, the stormwater network serves a mainly flat and low-lying catchment and relies mainly on an open drain system. A range of issues means the network doesn't meet desired standards in many areas – in response to contaminants, growth pressure and climate change. About 68% of stormwater discharges into the Ahuriri Estuary. Plans include a 2D hydraulic model, a master plan for the next 30 years to meet standards, including the Ahuriri master plan, Catchment Management Plans and low impact design – roadside swales, detention ponds and planting. The 30 year capital investment programme for stormwater totals \$86.8 million. Initiatives include working with high risk businesses in Thames-Tyne catchment to implement improvements and looking at a 'polishing' wetland in upper Ahuriri to filter contaminants. NCC continues to build a full picture of all the contaminants and issues influencing the catchment.

Draft Policy and Rules for Stormwater Management are now being considered by the wider TANK Group. The policies recognise the need to manage the legacy as well as ensure new development is carried out in a way that minimises adverse effects from stormwater discharges. The draft proposal also recognises the joint responsibilities and need for consistency between the three councils.

This draft will be further developed with input from TANK Group members, NCC and HDC.



The Lyndhurst development has detention ponds that double as park and play areas.



The Hastings focus on water conservation and demand management began in 2008.



Napier's water supply network.

Urban Water Supply

Hastings District Council supplies 57,000 people via 23,000 urban water connections, including Bridge Pa and Pakipaki. The Council is currently making a considerable investment into upgrading and treating the water supply network.

HDC actively manages water use and demand through measures that include pressure management for leakage control (saving 670 m³ per day), and pipe and asset repair and upgrades to minimise water losses. There is a strong commitment to ensuring better water use efficiency across the network.

Napier City Council supplies 61,000 people via 25,650 urban water connections, including Bay View. Like HDC, Napier has an active water management strategy including pressure management and leak detection, asset renewals, restrictions, benchmarking, conservation and education.

Napier aims to reduce consumption from the current 440 litres per capita per day (lcd) to 300 lcd. \$77.4 million is committed to water supply capital investment over the next 30 years.

Both Councils have indicated a commitment to working alongside TANK to adopt strategies that ensure water is used efficiently in their networks. Both councils also predict that gains through efficient use will meet the increasing water demand resulting from urban growth as planned for in the Heretaunga Plains Urban Development Strategy (HPUDS) and that they will work within these limits.

MANAGING WATER USE THAT DEPLETES GROUNDWATER

The TANK Group had received a discussion paper describing the measures considered by the Water Augmentation working Group (WAG) to address the stream depletion effects of groundwater takes in the Heretaunga Plains. The options they considered were:

- A flow enhancement scheme for lowland streams based on groundwater pumping (similar to how the Twyford water users enhance the flows of the Raupare stream)
- Reductions in water use, i.e. a further reduction in the allocation limit for the Heretaunga Plains
- Improved riparian land management (to provide additional shade, reduced water temperature and improved oxygen levels)
- Wetland construction to improve water flows
- A water storage scheme in the Ngaruroro catchment that enhances low flows.

An update to the discussion paper and the WAG recommendations was given by HBRC Water Management Advisor Monique Benson.

WAG mostly supports continuing investigation of the stream enhancement mitigation measure. Concerns about possible adverse effects were raised and it was acknowledged that further detail about scheme design and location would be needed. WAG wanted to ensure that if progressed as a solution, there would be fair and equitable cost distribution, establishing an implementation committee to oversee its development, and a flexible approach to different stream types and needs.

WAG also wished to promote wetlands and better riparian planting as a mitigation measure (acknowledging that these measures are both key measures to improve the state of the Karamu tributaries in any case).

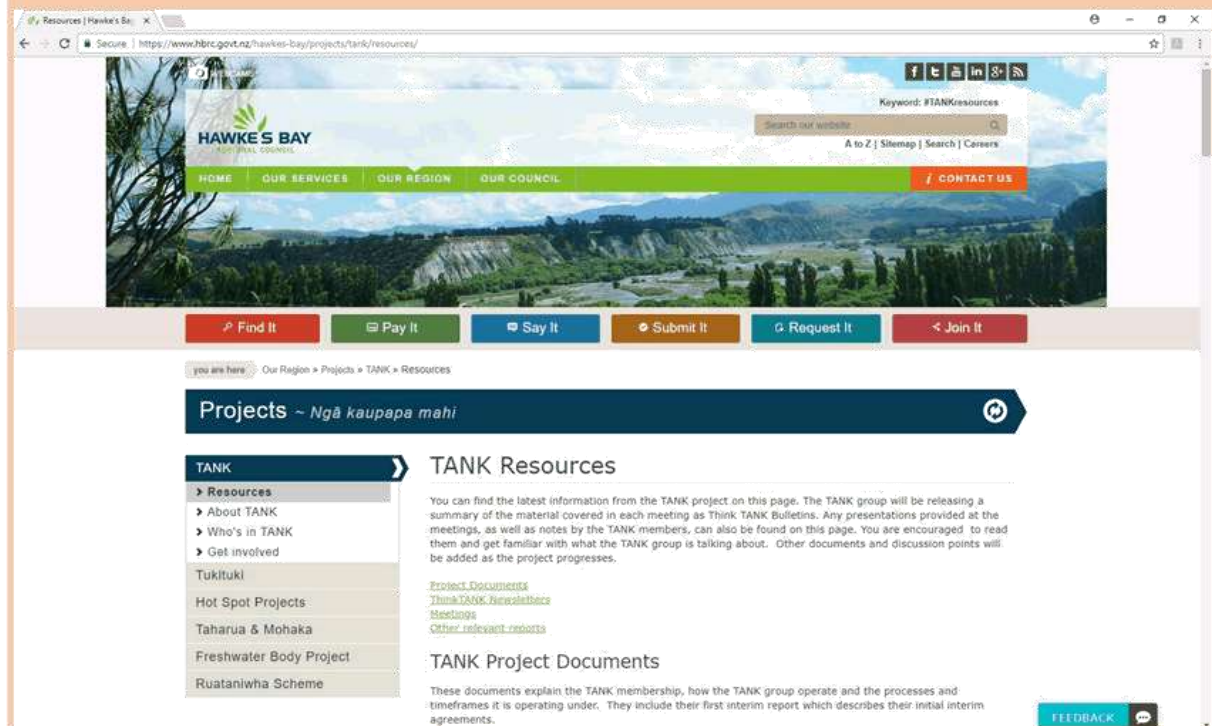
Relating to Ngaruroro River, WAG confirmed the need for further investigation of a flow enhancement scheme based on high flow storage. This would need to consider the range of possible adverse effects from such a scheme as well as the benefits that a storage scheme might provide for additional water supply.

CALCULATING & ALLOCATING COSTS RELATING TO FLOW ENHANCEMENT SCHEMES

Grant Pechey explained what the possible cost of stream enhancement would be and a potential cost allocation method. It was assumed costs would be imposed fairly and equitably according to the actual stream depletion effect caused by the groundwater use. There was a lengthy discussion about whether and to what degree exemption might apply to municipal supplies or water for essential human use.

TANK ONLINE

Previous ThinkTANK newsletters, meeting notes, slides and a range of related reports are online. If you need anything, jump to [hbrc.govt.nz](https://www.hbrc.govt.nz/hawkes-bay/projects/tank/resources/), search: [#TANKresources](https://www.hbrc.govt.nz/hawkes-bay/projects/tank/resources/).



[hbrc.govt.nz](https://www.hbrc.govt.nz) search: [#tankresources](https://www.hbrc.govt.nz/hawkes-bay/projects/tank/resources/)

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Mary-Anne.Baker@hbrc.govt.nz





Issue 19

Meeting 38

22 March 2018

Tutaekuri, Ahuriri Estuary, Ngaruroro, Karamū – the TANK project

A number of TANK members joined Jerf van Beek in Twyford before the TANK Group meeting to see the Raupare Irrigation Flow Enhancement Scheme first-hand. Jerf gave the group a summary of land use in the immediate area, the water-sharing scheme and demonstrated a new augmentation installation.

Meeting 38 then began with a focus on enhancing lowland stream flows using groundwater, before moving into rule-setting for high-flow allocation. This meeting also covered AgFirst's economic analysis reporting, and management scenarios that are being assessed to help with setting rules to manage the abstraction/taking of water from the Tutaekuri and Ngaruroro Rivers.

Lowland Streams

– flow enhancement from groundwater

Dr Jeff Smith talked to a discussion paper on targeted stream augmentation. He used the examples of the current Twyford Irrigators Scheme and similar schemes in Canterbury.

There was overall concern that the amount of water in the aquifer is being abstracted at levels resulting in adverse effects on stream and spring flows and groundwater levels in summer. The Group agree flow enhancement is not the silver bullet and that reductions in use also need to occur. The Group then worked through a detailed set of proposals to further help staff to draft policy for the TANK Plan.

TANK members agree that any flow enhancement must be implemented hand-in-hand with riparian planting, wetland development, water use efficiency and over-all reduction in water use.

The Group has already agreed to cap groundwater abstraction to a maximum of 90 million litres³ and to reduce allocation (over time) to actual use as existing permits are renewed. They debated the possibility of



Impressive when it's in action! This new augmentation structure is one of 2 in place in Twyford, to augment flow to Raupare Stream.

further reductions beyond this, but most TANK members agreed this should be a staged process. It would follow the initial re-allocation and revised management regime so that success in improving environmental outcomes and reducing water use could be assessed.

They acknowledged the benefits provided by a joint approach to solve environmental challenges, as demonstrated by the Twyford Group. Rather than leading to more water use, Jerf was able to report lower water abstraction. Water users have worked together to ensure minimum flows are maintained.

The Group sought further development of an approach to lead to lower water abstraction as well as mitigation measures being proposed.

Economic Analysis Reporting

Leander Archer of AgFirst presented the first part of an economic analysis report on Modelling Water Restrictions and Nutrient Losses for Horticulture in the TANK Catchment.

The analysis compares a base case of current irrigation restrictions on horticulture to three potential future management scenarios based on different flow regimes and water allocation options.

This work has modelled the impacts on crop production for a number of model or representative farms that reflected most of the land and water use regimes on the Heretaunga Plains.

The economic model used information generated by a plant and water use model (SPASMO) to predict the yield and quality likely under different water availability levels with each of the flow scenarios.

The modelling developed a 'base case' to represent the current management regime and then compared what would happen to farm income if the availability of water changed, which would happen if different trigger flows were used. → *Refer to the 'Habitat Protection' slides (at end) for flow recommendations.



The 'Unnamed Drain' (bottom right) contributes spring-fed flow to Raupare Stream. Raupare Stream flows at a rate of 300 litres per second through a tile drain created in the 1920s.

Base Case 60% of irrigators not attached to river-related flow trigger (minimum flow bans) 40% of irrigators currently attached to a flow trigger for 44% (Ngaruroro) and 60% (Tutaekuri) habitat protection* for torrentfish and trout (respectively) as the most flow-sensitive fish species.	Cumulative Cost of 18 Climate Years at the farm gate -\$113 M (EBIT)
Future Scenario A 80% of irrigators would have 9 in 10 year reliability of annual allocation volume 20% of irrigators would have 80-90% habitat protection* river-related flow trigger (bans) and a 4 in 5 year reliability of annual allocation volume.	-\$706 M (EBIT)
Future Scenario B 80% of irrigators on a 9 in 10 year reliability of annual allocation volume 20% of irrigators on 70-75% habitat protection* river-related flow trigger (bans) combined with 4 in 5 year reliability of annual allocation volume	-\$659 M (EBIT)
Future Scenario C – Water for 2013 Climate Year 80% of irrigators on a 2013 year reliability of annual allocation volume (similar to 19 in 20 year reliability)	-\$163 M (EBIT from 80% of area)
Future Scenario C – Water for 9 in 10 Climate Years 80% of irrigators on a 9 in 10 year reliability of annual allocation volume	-\$520 M (EBIT from 80% of area)

AgFirst's information is based on impacts at a farm scale and is the first part of the economic analysis. Work is now underway to assess the impact of water management on the supply and processing components of primary production in TANK's catchments. This work will take farm scale information and develop TANK scale economic models.

The information generated by this analysis will also be used in an assessment of social and cultural impacts of the Plan Change. The TANK Group questioned some aspects of the modelling, including:

- the accuracy of the grape production modelling
- how the use of stored water for some irrigated land was accounted for
- the impact of an allocation regime based on crop water demand for 9 in 10 years
- how changes were shown to the way some groundwater takes were to be classified.

River Flow Management

Additional information about the effect of different 'trigger flows' was provided by Dr Thomas Wilding.

He explained that the term 'minimum flow' was misleading. It implies that a management action like restricting surface water abstraction can ensure the flow is maintained at a minimum level.

Different flow levels are triggers for water management actions, which might include restrictions or bans. In reality, the flow would continue to fall if there is no rain in the ranges. Flows will vary naturally from year to year in response to climate variability, dropping to lower flows in dryer years. Water abstraction will change the frequency at which flows might drop to low flows.

Table 1 The number of water years in which the annual low flow dropped below each flow threshold (7-day mean minimum for the July to June water year). Both measured and naturalised flows are presented for the Ngaruroro at Fernhill (period 1998-2015) and the Tutaekuri at Puketapu (1981-2015). Naturalised flows are the flows estimated to have occurred if there was no water use (based on estimated actual use, rather than allocation). Water year July to June.

Flow L/sec	Ngaruroro measured	/18 years naturalised	Tutaekuri measured	/33 years naturalised
1000	0	0	0	0
2000	2	0	0	0
2400	7	2	2	2
3000	7	4	10	4
3500	10	7	17	14
4000	12	7	23	18
4500	13	9	28	25
5000	16	13	30	28

The duration of low flows increases with water use. The Ngaruroro is estimated to have spent 7 water years below 2,400 L/sec as a result of water use (average days/year for 1998-2015). During most years, flow did not fall below 2,400 L/s (11 out of 18 measured years; 16 out of 18 naturalised years). Dry years saw the biggest increase in the duration of low flows. There were 64 days below 2,400 L/s in 2013, compared to 8 days below from a model of naturalised flow (using daily mean flow).

Neither this data, nor RHYHABSIM (a river monitoring model that shows changes to habitat available to fish) provides the right flow trigger. Nor do they predict what would happen to the instream values of the river. They do however give information to help assess how much a river flow is affected by different types of water abstraction.

Habitat Protection flows - Ngaruroro

Ngaruroro River - downstream of Fernhill nat. MALF 4700 L/s (was 4500) exist. MALF 3800 L/s	Flow for 90% habitat	Flow for 80% habitat	Flow for 70% habitat	Habitat protection at 2400 L/s
Fast-water fish i.e. torrentfish	4400 L/s	4000 L/s	3600 L/s	44%
Moderate-water fish i.e. smelt	2700 L/s	2200 L/s	1800 L/s	86%
Slow-water fish i.e. common bully	1200 L/s	<1000 L/s	<1000 L/s	100%
Invertebrates (food producing)	4200 L/s	3700 L/s	3200 L/s	47%

Habitat Protection flows - Tutaekuri

Tutaekuri River - Puketapu nat. MALF 3900 L/s (was 3800) exist. MALF 3500 L/s	Flow for 90% habitat	Flow for 80% habitat	Flow for 70% habitat	Habitat protection at 2000 L/s
Fast-water fish i.e. adult trout	3300 L/s (3200)	2800 L/s (2600)	2300 L/s (2100)	65% (68%)
Moderate-water fish i.e. koaro	1600 L/s	1100 L/s	700 L/s	100%
Slow-water fish i.e. common bully	<500 L/s	<500 L/s	<500 L/s	100%
Invertebrates (food producing)	2700 L/s	2100 L/s	1600 L/s	79%



The TANK Group selected habitat flows for further economic analysis: 80% and 70% levels for Ngaruroro for torrent fish, and 90% and 75% for Tutaekuri for trout.

TANK members were asked to consider reducing the number of scenarios (to be modelled) for further assessment - to narrow the range of contested possible trigger flow regimes. This would also reflect the similar level of impact between Future A and Future B and allow further refinement of economic modelling once the impact of Future A was provided.

The TANK group agreed to carry on with modelling the impacts of Future A, provided it was understood that Future B is still considered a potential management option.

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TANK 
Safe, secure water for Heretaunga Plains



Issue 20

Meeting 39

19 April 2018

Tutaekuri, Ahuriri Estuary, Ngaruroro, Karamū – the TANK project

The TANK Group and the TANK Plan is in the home straight, with less than a handful of meetings remaining to provide a draft plan for public consultation. There are more details on TANK Plan timing at the end of this newsletter.

This meeting saw agreement to many of the numbers that represent agreed outcomes for water quality attributes, to ensure the community values for our freshwaters can be met. Agreement was reached on how to manage nutrient and sediment losses from land. Mana Whenua treaty partners also gave an insight to their perspective and contribution to the TANK Plan.

Water Quality Attributes

Sandy Haidekker reviewed the TANK attribute states being targeted to maintain or improve water quality. This work was last covered at TANK [Meeting 33](#). Since then, she has trawled data to update her recommendations to the TANK Group. She presented a comprehensive ‘monster’ table – even more impressive than the one shown below – which will be updated based on modifications agreed by the TANK Group.

“We have got a smorgasbord of guidelines from sources like ANZECC, National Policy Statement (NPS) objectives, the HB Regional Resource Management Plan (RRMP), National Objectives Framework (NOF) and science papers,” says Sandy.

“The purpose of this session is to agree on

		Zone 1 Upper catchments		Zone 2 Mid-low main stem		Zone 3 Hill country tributaries		Zone 4 Lowland tributaries		
		Ngaruroro	Tutaekuri	Ngaruroro mid-low	Tutaekuri mid-low	Ngaruroro	Tutaekuri	Ngaruroro	Karamū	Ahuriri
Attribute	Value/guideline									
Sediment - turbidity	Trout fishery ANZECC	maintain current	maintain current	maintain current	maintain current	maintain current	maintain current	maintain current	maintain current	improve ≤ 5.6 NTU
Sediment - clarity	Trout fishery recreation	maintain current	maintain current	maintain current	maintain current	maintain current	maintain current	improve >1.6 m	improve >1.6 m	improve >1.6 m
Deposited sediment	Waitangi/Ahuriri estuaries	maintain current	maintain current	improve	improve	improve	improve	improve	improve	improve
Algae - cover	Ecosystem health	maintain current	maintain current	maintain current	maintain current	improve ≤ 40%	maintain current	n/a	n/a	n/a
Algae - cover	Recreation	maintain current	maintain current	improve < 30%	improve < 30%	improve < 30%	improve < 30%	n/a	n/a	n/a
Macrophyte volume	Ecosystem health	maintain current	maintain current	n/a	n/a	improve ≤ 50%	n/a	improve ≤ 50%	improve ≤ 50%	improve ≤ 50%
MCI	Ecosystem health	maintain current	maintain current	maintain current >100	maintain current >100	maintain current	maintain current	improve >80	improve >80	improve >80
DTN	Algal growth/ estuary	maintain current	maintain current	maintain current	maintain current	improve <0.295 mg/L	improve <0.295 mg/L	improve <0.444 mg/L	improve <0.444 mg/L	improve <0.444 mg/L
DRP	Algal growth/ estuary	maintain current	maintain current	maintain current	maintain current	improve <0.015 mg/L	improve <0.015 mg/L	improve <0.015 mg/L	improve <0.015 mg/L	improve <0.015 mg/L

the numerical values to describe or represent the desired state that would meet the needs of all the water values. Sandy described the 'critical value' approach where the most sensitive value was used to determine the desired attribute state. If there was more than one value for an attribute then the most stringent value would be used.

Sandy took the Group through the process she has taken to interpret water quality objectives for TANK and presented the values table, then asked for a consensus decision from the TANK Group.

We noted that trout - while not a native species - are a good indicator of water quality for clarity and turbidity. A value that maintains a healthy habitat for trout sets a higher threshold than is needed by inanga/ eels, because trout are visual feeders. They need to see their food through clear water to thrive.

The Group considered whether or not to include all of the sediment related attributes – clarity, turbidity and deposited sediment. TANK members eventually agreed that objectives for all of these should be included, while understanding that there is currently limited data available for deposited sediment.

There was debate on how future-looking and aspirational the attribute values should be, and how practical it will be to achieve individual values. The Group debated this issue at length and considered:

- How the attributes table was to be used in the Plan to set priorities for action
- What the community would be looking for in long term management of freshwater
- The uncertainties around the relationships between the attributes
- The amount of information about the attribute state and the level to which a value is being provided for
- The wide range of values, including Māori values, for which there was no clear attribute or related objective
- In particular, higher attribute states were agreed by the group for MCI (MacroInvertebrate Index) in the lowland rivers and for *E. coli*.

The Group agreed that a two-stage approach to objectives should be explored. The first stage for priority actions is targeted at water bodies that don't meet specified attribute states related to agreed values. A longer term management approach would look to improve water quality to what could be considered reasonably possible for the river.

The Group is supporting a continuous improvement approach which would depend on regular monitoring, both through the Council's State of the Environment monitoring programme and also on local scale monitoring for more detail at the sub-catchment scale.

The TANK Group voted to accept Sandy's recommendations, with modifications to MCI and *E.coli*. They also agreed to further consider a two-stage approach to setting water quality objectives - a priority approach in the short term, with a view to improving water quality above that in the longer term.

Management for sediment and contaminants

A Farmer Reference Group grew out of meetings with landowners in Patoka, Sherenden and Maraekakaho to respond to the TANK Group objective to reduce sediment loss from farmland.

On behalf of the Farmer Reference Group, Peter Kay recommended a flexible sub-catchment-based approach to drive innovation, work across boundaries and support the achievement of water quality goals through collective landowner action. An alternative path would be provided to give choice to landowners, based on specific farm plans and resource consents. The proposal is for a PERMITTED collective/ industry and CONTROLLED individual approach. Key features of this approach would be collaboration, prioritisation,

specified obligations, reporting and auditing and council approval of catchment and farm plans. This approach would also be supported by rules relating to specified farming activities, to ensure minimum standards are complied with.

Many farmers are well down the road to adopting good farming practice as part of regular farming operations. Peter reported the landowner collective would work closely

with the Council to identify where meeting water quality objectives required changes to land use practices.

The role of the regional council will be to provide information, approve catchment management plans and ensure compliance with the rules and plan requirements. The Council will also assist in helping landowners understand local water quality issues and will work with industry groups and farmers to identify and implement the necessary mitigation measures.

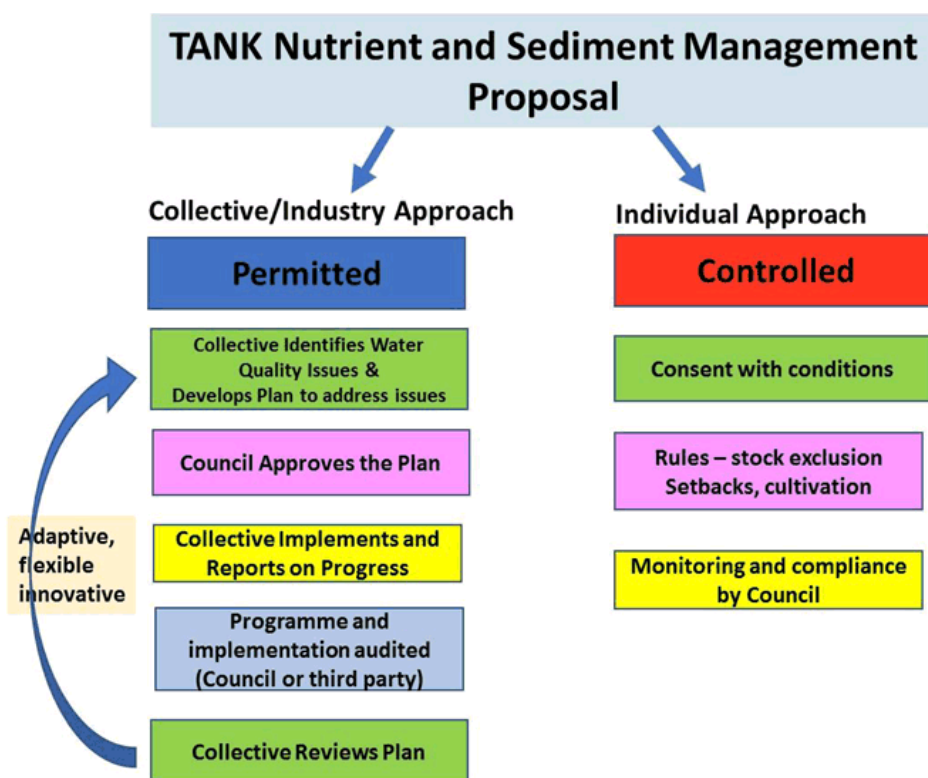
Forestry landowners can be included in the catchment collective, and obligations under the new National Environmental Standard for Plantation Forestry will also ensure minimum standards are understood and adopted.

Corina Jordan the Environment Policy Manager from Beef + Lamb NZ, who had been supporting and advising the Farmer Reference Group, also spoke to and supported the proposal and answered the Group's questions about how this management approach would work.

This framework is also being adapted for use with other sectors including the horticultural sector and to resolve other issues. While some of the issues are relevant to all industries and land use activities, there are also specific challenges relating to land uses on the Heretaunga Plains that will also be managed through this framework. This includes reducing macrophyte growth and improving the ecosystem health of the lowland rivers and streams on the Plains as well as addressing the rates of nitrogen and phosphorous loss from the range of land use activities being carried out there.

There were some suggestions for improvements to this management framework that will be further reported on through the next steps of the plan drafting process.

The TANK Group voted in favour of the approach proposed by the Farmer Reference Group.



Mana Whenua treaty partners update

Marei Apatu gave an update on the work being done by the Mana Whenua Group. A Values and Attributes report for the Ngaruroro River has already been delivered. There are three remaining catchments to cover.

This group is working closely with the Regional Council and Dr Anthony Cole in a model of partnership, reciprocity, active participation and mutual benefit – a PRAM model. Marei emphasised ‘we are all in this together’.

This group supports setting the bar high to create the best possible community, business and environmental outcomes, reflecting Tāngata Whenua rights and interests in the TANK Plan.

Timing

HBRC’s Strategic Planning Manager Tom Skerman wrapped up the meeting, offering an insight into the workload over the coming months.

“The Group is always challenged to make decisions under uncertainty and it was fantastic to see that challenge embraced again today. To land a plan change that HBRC can defend, the reality is that we will likely produce a plan you won’t all love as individuals but will hopefully support as a group. The January to April meetings have covered an enormous amount of policy and detail which has in turn placed significant time and energy demands on TANK group members. That being the case we propose to schedule two extra meetings to give TANK members an opportunity to digest and review the full draft which we still expect to complete in June.”

May – Economic assessment, Drinking water group report back, Tutaekuri Values, Draft implementation plan, and Social & cultural impact assessment

June – Draft TANK Plan

July – Feedback and review of the draft TANK Plan

A process for the formal handover to Regional Planning Committee and a walk through of the Plan Change decisions that have been reached is still to be determined.

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SPECIAL TRIBUNAL MINUTE OF MEETING 1 JUNE 2018

SPECIAL TRIBUNAL

WATER CONSERVATION ORDER: NGARURORO AND CLIVE RIVERS

WATER CONSERVATION ORDER

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of a Special Tribunal appointed under s202 of the Resource Management Act 1991 to consider an application for a Water Conservation Order made by New Zealand Fish and Game Council, the Hawke's Bay Fish and Game Council, Ngāti Hori ki Kohupatiki, Whitewater New Zealand, Jet Boating New Zealand, and the Royal Forest and Bird Protection Society of New Zealand (the applicants) in relation to the Water Conservation Order.

THE SPECIAL TRIBUNAL

Richard Fowler (Chair)
 Alec Neill (Member)
 Dr Roger Maaka (Member)
 Dr Ngaire Phillips (Member)
 John McCliskie (Member)

MINUTE 14: TELECONFERENCE HELD 1 JUNE 2018

ATTENDEES: RICHARD FOWLER (CHAIR), ALEC NEILL (MEMBER) , DR ROGER MAAKA (MEMBER), DR NGAIRE PHILLIPS (MEMBER), JOHN MCCLISKIE (MEMBER), MAREE BAKER-GALLOWAY (APPLICANT'S COUNSEL), PHILIP MAW (HBRC COUNSEL), JAMES GARDNER-HOPKINS (WINEGROWER'S COUNSEL)

Welcome

Meeting opened at 11.30am with introductions from parties. As Chair, Richard Fowler outlined that two matters would be discussed during the teleconference, one being the timetable going forward and the other being further notification.

Matter 1 – Timetable

The timetable going forward was discussed by all parties, with reference to the matters raised in the Memorandum of Counsel from the Applicants, dated 30 May 2018 and the Memorandum of Counsel from Hawke's Bay Regional Council (HBRC), dated 15 May 2018.

Resolution: HBRC will make the TANK science reports available on their website, as they come available from July 2018. The Special Tribunal will be advised when these reports are publically available.

Resolution: HBRC will make the TANK group's final recommendations, as to a draft plan change, available to the Tribunal by 30 August 2018.

Resolution: The Applicant's will circulate Version 3 of the draft Water Conservation Order to the Tribunal by 14 September 2018.

Resolution: The Tribunal will hold another conference, with parties to the process, in mid-October 2018 to discuss the timetable going forward. The Tribunal will advise at a later date whether this conference will be held by telephone or in person.

Matter 2 – Further Notification

Given that wider hydraulic connections to the Ngaruroro and Clive Rivers have been found through recent science investigations, the Tribunal discussed the need for additional notification of parties who may not have been made aware of the Water Conservation Order application in the initial notification in July 2017.

Action: The Special Tribunal's independent legal advice regarding additional notification is to be circulated on the EPA website on 1 June 2018.

Action: The Special Tribunal is to issue a Direction that any party can submit comment on the matters raised in this independent legal advice, to the EPA, by 5pm, 8 June 2018.

Action: After considering all submissions received, the Special Tribunal is to issue a Direction regarding the matter of additional notification.

Closure

Meeting adjourned at 12.25pm.

For the Tribunal:



Richard Fowler

Chairperson

Special Tribunal for the Ngaruroro and Clive rivers Water Conservation Order

Dated: 1 June 2018

HAWKE'S BAY REGIONAL COUNCIL

REGIONAL PLANNING COMMITTEE

Wednesday 20 June 2018

Subject: CALL FOR ITEMS OF BUSINESS NOT ON THE AGENDA

Item 5

Reason for Report

1. Standing order 9.12 states:

"A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with that item and the Chairperson provides the following information during the public part of the meeting:

(a) the reason the item is not on the agenda; and

(b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

Items not on the agenda may be brought before the meeting through a report from either the Chief Executive or the Chairperson.

Please note that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision making."

2. In addition, standing order 9.13 allows "A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion."

Recommendations

1. That the Regional Planning Committee accepts the following "Items of Business Not on the Agenda" for discussion as Item 9:

- 1.1. **Urgent** items of Business *(supported by tabled CE or Chairpersons's report)*

	Item Name	Reason not on Agenda	Reason discussion cannot be delayed
1.			
2.			

- 1.2. **Minor** items for discussion **only**

Item	Topic	Councillor / Staff
1.		
2.		
3.		

Leeanne Hooper
PRINCIPAL GOVERNANCE ADVISOR

Liz Lambert
GROUP MANAGER
EXTERNAL RELATIONS

HAWKE'S BAY REGIONAL COUNCIL

REGIONAL PLANNING COMMITTEE

Wednesday 20 June 2018

Subject: REGIONAL TARGETS FOR SWIMMABLE LAKES AND RIVERS

Item 6

Reason for Report

1. To provide the Committee with information on the swimmability targets set by the Government, and the role of the Hawke's Bay Regional Council in achieving these.

Summary

2. Commitments to improving water quality have already been made across the Hawke's Bay region and their effect on water quality has been modelled. Based on the existing commitments, staff are recommending that Council agrees to the draft targets of 90 % of rivers that are fourth order or larger to be in the blue, green or yellow category in terms of *E. coli* by 2030, and 76% of lakes with perimeters greater than 1.5 kilometres swimmable by 2030.
3. The National Policy Statement for Freshwater Management (NPSFM) requires Regional Councils to prepare draft Regional Targets to improve the quality of fresh water (Policy A6). These targets must contribute to achieving the national target for 90% swimmable lakes and rivers by 2040. The draft regional targets must be made publicly available by 31 March 2018, with final regional targets publicly available by 31 December 2018
4. A governance group and taskforce comprising MfE and MPI officials and staff from regional councils were set up to help councils meet this obligation. The taskforce has compiled information on work committed or underway in each region to improve water quality for swimming, and the associated likely costs. The information for each region was presented in a report made publicly available in March 2018.
5. The information in the taskforce report indicates that a draft regional target for the Hawke's Bay region of 90% of rivers and 76% of lakes swimmable by 2030, is realistic and achievable. The information sheet (attached) fulfils the reporting requirements under the NPSFM.

Background

6. On 23 February 2017, the Government announced its proposals to amend the National Policy Statement for Freshwater Management (NPSFM) and introduce a national (non-statutory) target for swimmable lakes and rivers (*Clean Water: 90% of lakes and rivers swimmable by 2040*). The Hon Dr Nick Smith (as Minister for the Environment) wrote to all regional councils on 28 February 2017 to inform them of the national target and to "encourage input and an early start to the implementation of these ambitious goals."
7. In that letter, Dr Smith asked regional councils to provide the following information.
 - 7.1. The rivers and lakes where interventions that are planned or in place will improve water quality so that it is swimmable
 - 7.2. The rivers and lakes where additional interventions will improve water quality so that they are swimmable more often, the level of improvement those interventions would achieve, and the timeframes to achieve them
 - 7.3. The likely costs of the interventions described above, and the parties on whom those costs would fall.
8. After considering submissions to the proposals in *Clean Water*, the Government made a suite of amendments to the NPSFM, which were gazetted in August 2017. These amendments included setting a national target for water quality improvement in rivers and lakes as follows.

- 8.1. 80% of specified rivers and lakes are suitable for primary contact (e.g. swimming) by 2030; and
 - 8.2. 90% are suitable by 2040.
9. The term “specified rivers and lakes” is defined in the NPSFM as rivers that are fourth order or above and lakes with a perimeter greater than 1,500 metres. Primary contact is defined as people’s contact with water that involves immersion, including swimming.
10. To achieve the national targets, the NPSFM directs regional councils to set regional targets. Draft regional targets must be made available to the public by 31 March 2018 and final targets made available by 31 December 2018. The NPSFM does not specify whether these regional targets should be for the 2030 or 2040 timeframe.
11. As a result of these deadlines HBRC resolved the following:
 - 11.1. Agrees to set a draft target for the Hawke’s Bay region of 90% of rivers and 76% of lakes swimmable by 2030, and make this target publicly available with the information sheet provided.
 - 11.2. Agrees to recommend that the Regional Sector works collaboratively with the Government on any amendments to the National Policy Statement for Freshwater Management and requirements to set final regional targets.
12. Some regional councils have raised concerns with the taskforce about the national targets. The concerns include:
 - 12.1. The targets focus on *E. coli* and cyanobacteria (human health attributes in the NPSFM) as measures of suitability for swimming. In some regions, the community outcomes sought will mean other contaminants such as nitrogen, phosphorus and sediment may be a higher priority.
 - 12.2. There is a risk that prioritising actions to achieve the national targets for swimming will affect the process of identifying other community values (such as irrigation or mahinga kai) and setting freshwater objectives and limits for those values as required under the NPSFM.
 - 12.3. The method of assessing and reporting *E. coli* takes no account seasonal effects that influence when people swim, or whether there is any public access to the rivers and lakes that are part of the target.
13. The Taskforce will continue to discuss these wider issues related to setting and achieving the targets and work with government officials to resolve them. In the meantime, to address these concerns our draft regional target includes how the draft targets fit with our regional programme for setting freshwater objectives and limits under our plan change programme.

Regional targets for swimmable lakes and rivers

14. The governance group has interpreted the NPSFM direction as being that the draft targets should be set for the 2030 target date, with the final targets, which must be made available by 31 December 2018, to be for both 2030 and 2040. This reflects that there has been insufficient time for a wider community consultation on where water quality improvements should be focussed and how quickly any mitigations works should be implemented. Because of the timing issue the Taskforce modelled the impact on water quality of commitments that have already been made, most of which have already been through a public consultation phase and investment allocated. Our intention is to carry out consultation throughout 2018 to establish what additional work programmes may be necessary to set realistic final targets for 2030 and 2040.
15. The taskforce used the “water quality for swimming map” on the MfE website as a basis for establishing the extent of water quality improvements that will be required region by region, and the associated costs. Regional councils provided information on areas where the maps were inaccurate; the maps were adjusted accordingly and taken as a baseline of national river “swimmability”. Councils also provided the taskforce with information about the commitments to water quality mitigation work in their region in regional plans, long term plans, annual plans and asset management plans – the

“committed work”. This committed work included investment in infrastructure and was assumed to include the stock exclusion requirements proposed by the Government in *Clean Water* in February 2017, although these have not yet been promulgated as national regulations.

16. The National Institute of Water and Atmosphere (NIWA) used the regional information to model the water quality improvements in rivers that should be achieved. The modelled improvements relate only to improvements in *E. coli* concentrations (a measure of the risk to human health) in rivers. They do not relate to improvements in lake water quality (due to modelling limitations) which are also required as part of achieving the swimmable lakes and rivers target, or to associated water quality improvements (such as nutrient levels or water clarity).
17. Estimations of the costs of the committed work have been modelled by Professor Graeme Doole of Waikato University.
18. The modelled results of water quality improvements in rivers and their associated costs are presented in the taskforce’s report “Regional information for setting draft targets for swimmable lakes and rivers”.
19. The March 2018 report relies on scientific modelling by NIWA using a national version of the Catchment Land Use for Environmental Sustainability (CLUES) water quality model, which is relevant to rivers only. Water quality improvements related to point-source discharge upgrades were included in the modelled estimations. For improvements that will arise from non-point source discharges, relevant information was provided to a mitigation expert panel who worked with NIWA to determine the effectiveness of mitigations in our region. The mitigation interventions largely fell into three categories: stock exclusion, riparian planting and management of farm dairy effluent.
20. The water quality and economic modelling provides an estimate of how far each council’s existing work programmes will go to meet the national targets and provides an informed interim (draft) target.
21. The assumptions and limitations of the modelling approaches taken are described in the report.
22. Copies of the report can be made available on request for Committee members.

The Hawke’s Bay Region

23. Nearly half of the land area is used for pastoral farming, primarily sheep and beef with some dairy farms and deer. One-third of the land cover is native vegetation, around 12 per cent is exotic forestry and the remainder is divided among horticulture, urban and industrial and other uses. Although they represent a relatively small proportion of the land area, the highly productive Heretaunga and Ruataniwha plains are essential to the region’s strong horticulture industry, known for its orchards, vegetable growing and viticulture. Agriculture is the largest employer in the region, and also the basis of much related industry, including fruit and vegetable processing, wine production, and transport of produce.
24. Hawke’s Bay has several major river catchments, generally with headwaters in the inland mountains and hills, leading to fast-flowing gravel-bottomed rivers with braided lower reaches. The Wairoa and Mōhaka rivers drain catchments from the northern and western hills into northern Hawke’s Bay. The Tūtaekurī and Ngaruroro rivers flow from the Kaweka and upper Ruahine ranges through the Heretaunga Plains, merging just before their mouth near Clive; and the Tukituki flows from the Ruahine Range across the Ruataniwha Plains towards Cape Kidnappers.
25. Lakes Whakaki, Rahui, Oingo, Runanga, Horseshoe, Tutira, Whatuma and Poukawa all have histories of algal blooms.
26. The main point-source discharges are sewage (Wairoa District Council and Central Hawke’s Bay District Council (Waipukurau, Waipawa)) and waste water from an Affco meat works.

Main sources of *E. coli*

27. The main source of *E. coli* throughout the region is ruminant. The following table provides more detail on the sources of *E. coli* in different catchments.

Table 1: Sources of *E. coli* in different catchments

Catchment	Sources of <i>E. coli</i>
Karamu	ruminant (up to 10%), plant, avian
Porangahau	ruminant up to 100%
Kairakau	ruminant (up to 100%), some dog
Wairoa	ruminant (10–50%), plant, avian
Kopuawhara (Maungawhio)	ruminant 10–50%
Kopuawhara (Te Mahia)	ruminant (up to 100%), avian
Kopuawhara (Opoutama)	ruminant up to 100%
Southern Coast (Waipuka stream)	ruminant (up to 50%), avian
Waipatiki	ruminant (up to 10%), plant, wildfowl

Planned Work

Point sources

28. Ongoing upgrades at Waipukurau and Waipawa are expected to overcome existing problems around capacity and design issues. Takapau Waste Water Treatment Plant is looking to discharge to land, and upgrades are currently occurring at Otane, which will involve ultra-violet treatment. Consent renewal discussions are currently under way for the Wairoa Affco discharge.

Urban

29. Stormwater treatment wetlands for the Napier watershed (Ahuriri estuary, Purimu Stream) could reduce *E. coli* load by 80 per cent, depending on design.
30. Napier City are investigating options to increase capacity within the sewerage network to prevent blowouts during high-flow events.

Rural

31. Attention on dairy effluent management will continue, with measures in place to ensure effective storage and deferred irrigation measures are in place (using effluent pond storage calculator). Appropriate conditions are placed on all dairy consents, and each farm is visited and checked every year by compliance officers.
32. The Tukituki Plan is currently being implemented (from Plan Change 6), and includes a requirement for 1100 Farm Environmental Management Plans to be completed (240 done so far). Farm plans include designation of critical source areas, with appropriate mitigation measures identified and a plan of implementation outlined. Stock exclusion rules (excluding sheep) essentially apply to any flowing waterways that have formed beds, if stocking rate is above 18 stock units, or slope is less than 15 degrees. The Tukituki Plan is the region's first to give effect to the National Policy Statement for Freshwater Management (NPS-FM), but expectations are that some form of Farm Environmental Management Plan, as well as compulsory stock exclusion rules, will be developed and apply to the rest of the region.
33. Hawke's Bay has an ongoing soil conservation control programme which, among other things, has included 2.4 million poles being planted, resulting in the protection of 46,000 hectares of highly erodible land. This includes stream bank stabilisation by protecting about 50 kilometres of gullies with willow poles each year. Up to 20,000 native plants are planted along streams each year, with fencing subsidies available outside of the Tukituki (where stock exclusion is not mandatory and so no longer subsidised).

34. There is currently a major focus on six 'hotspots' in Hawke's Bay, which include initiatives to improve overall water quality, including swimmability. The hotspots include the Ahuriri Estuary, Tutira Lakes, Whakaki Lake and Wairoa, Tukituki River and Lake Whatuma and the Karamu. Wide-scale stock exclusion and riparian planting will be a component of each workstream. Council had committed \$1 million across these hotspots in the 2017/18 year, and the Tutira Lakes and Whakaki Lake have received additional money from the Ministry for the Environment's Freshwater Improvement Fund.
35. During the development of this information Council was deliberating on an Integrated Catchments approach to its work in catchments alongside a regional scale reforestation programme. This work has not been included in this draft assessment due to the timing of the report development and Council's deliberations. This work will be included in the assessment and final report.
36. There is a project for Lake Tutira to develop an Integrated Catchment Management Plan, develop and implement farm environmental management plans throughout the catchment, reconnect Papakiri Stream to Lake Tūtira, install an oxygenation system, and implement a mauri monitoring programme.
37. Work at Lake Whakaki will include a recirculating wetland, the establishment of 80 hectares of mānuka plantation, and complete stock exclusion from the lagoon's perimeter.

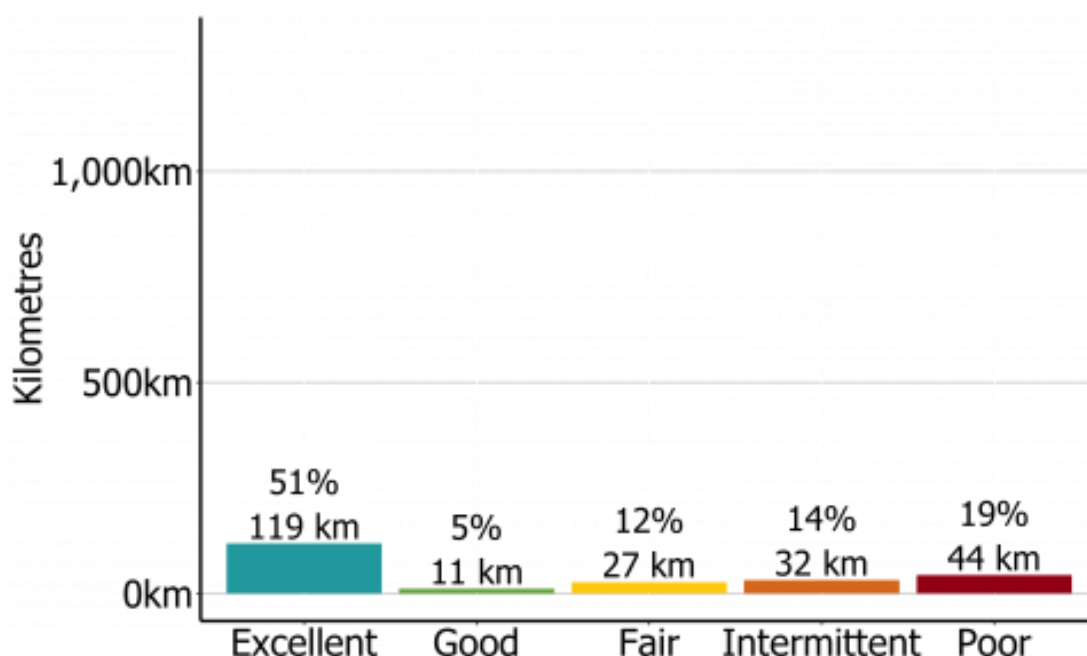
State of Swimmability in Hawke's Bay

38. Overall swimmability for the Hawke's Bay is 64 per cent of rivers and 68 per cent of lakes

Lakes

39. This work has not modelled the projected improvement in water quality for swimming in lakes, but the current state of water quality for lakes in Hawke's Bay is represented following.

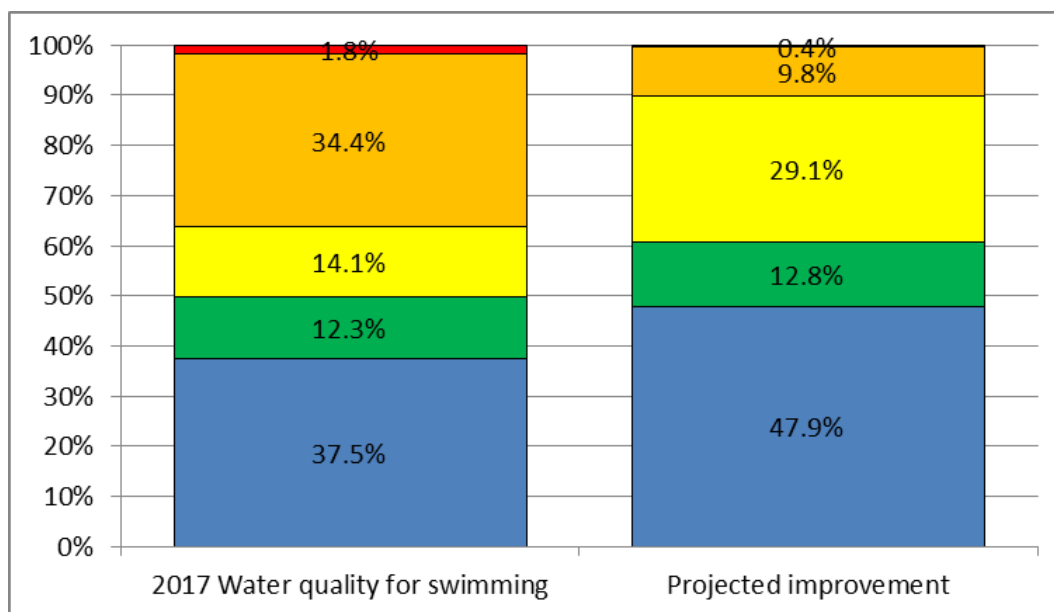
Figure 1: Percentage of Hawke's Bay lakes currently in each swimming category



Rivers

40. The modelling indicates an increase in the overall swimmability of rivers of 26 per cent, to 90 per cent of rivers being swimmable.

Figure 2: Projected improvement in water quality for swimming in Hawke's Bay rivers



41. The total annual cost of committed work in the rural area of the Hawkes Bay region is \$14.72 m. The rural costs of committed work are spread across the dairy (3%), dairy grazing (1%), sheep and beef (85%), deer (2%), and lifestyle (9%) sectors.

Specific modelling considerations

42. For modelling the implementation of activities in the Ahuriri catchment, the modelling has assumed uptake of 15–20 per cent riparian planting.
43. Fencing on slopes greater than 20 degrees will have a >3 metre setback. Eighty per cent of fencing on dairy farms have <3 metre setback, and 90 per cent of fencing on cropping land will have a <3 metre setback.
44. Where the regional plan focuses on stock exclusion or an extension to the Sustainable Dairy Accord, the modelling approach taken is to extend the stock exclusion provisions to all streams in that catchment.

Next steps

45. The government is seeking the implementation of a national target of 90% of rivers and lakes swimmable by 2040. For some regions of New Zealand this will be achieved with relative ease. For others it will be a distinct challenge.
46. The regional sector of local government established a Partnership Group to oversee the report produced in March. This group is now focussing its efforts working on what will be needed to be achieved collectively to meet the 2040 national targets. The sector is required to reconcile across boundaries to ensure the national targets are met.
47. Where regions will be required to undertake additional work over and above that which they have programmed consultation with affected communities will be undertaken.

Decision Making Process

48. Council is required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
- 48.1. The decision does not significantly alter the service provision or affect a strategic asset.
- 48.2. The use of the special consultative procedure is not prescribed by legislation.

- 48.3. The decision does not fall within the definition of Council's policy on significance.
- 48.4. The decision is not inconsistent with an existing policy or plan.
- 48.5. Given the nature and significance of the issue to be considered and decided, and also the persons likely to be affected by, or have an interest in the decisions made, Council can exercise its discretion and make a decision without consulting directly with the community or others having an interest in the decision.

Recommendations

That the Regional Planning Committee:

1. Receives and notes the ***“Regional Targets for Swimmable Lakes and Rivers”*** 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 the Committee 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. Instructs staff to provide regular reports to the Committee on progress towards agreement on meeting the national targets for Swimmable Lakes and Rivers.

Authored by:

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Approved by:

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Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL

REGIONAL PLANNING COMMITTEE

Wednesday 20 June 2018

Subject: OIL & GAS PLAN CHANGE OPTIONS

Item 7

Reason for Report

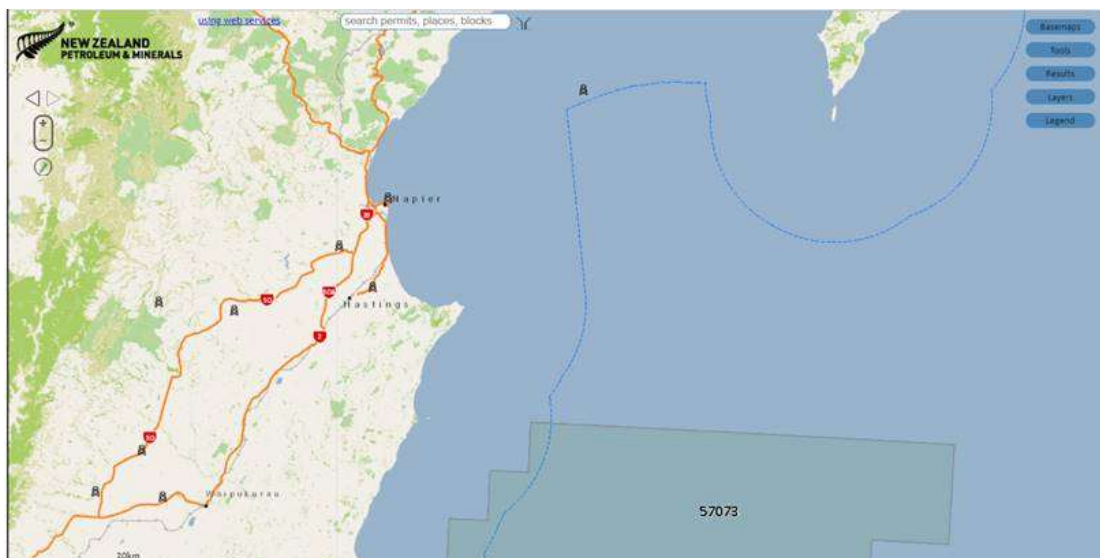
1. This report outlines the Government's recent announcements on oil and gas exploration in New Zealand in the context of Council's proposed Oil and Gas plan change. This report outlines several options for the Committee to consider (including a summary of pros and cons). Finally, the paper will seek direction from the Committee as to next steps regarding the Oil and Gas plan change project.

Background

Government announcements

2. On 12 April 2018 the Government announced that there will be no further offshore oil and gas exploration permits granted, with the exception of the 2018 block offer which will be limited to onshore acreage in Taranaki alone. Onshore block offers will continue in Taranaki for the next three years and will be reviewed after that. The announcement does not impact upon the 31 active exploration and mining permits (22 of which are offshore).
3. Further to this, on June 5 Government released a series of documents generated by officials in reaching this decision. This bundle of documents consists of details around the current state of the oil and gas industry in New Zealand, further information around the upcoming onshore Taranaki block offer, and emails between officials released in the Hawke's Bay.
4. In regards to Hawke's Bay, there is only one currently active permit located offshore that overlaps into the jurisdiction of Council- (permit 57073 held by OMV New Zealand Limited) as shown in Figure 1 (note that the dotted blue line denotes Council's regional boundary out to the 12 nautical mile limit). That permit is due to expire in 2030.

Figure 1 – location map of Exploration Permit #57073 held by OMV New Zealand Limited



5. For the avoidance of doubt, in 2012 an exploration permit was granted to TAG Oil limited for onshore exploration in the Central Hawke's Bay region, but that permit expired in 2017.

What is unknown?

6. Despite the further release of background information in early June, there is still a level of uncertainty concerning the Government's announcements. At the time of writing this paper it is understood that officials from New Zealand Petroleum and Minerals (NZP&M) continue to hone the details. Council planning staff remain in regular contact with these officials.
7. A key question is whether or not these announcements will result in amendments to the Crown Minerals Act (the legislation responsible for the ownership and management of Crown- owned minerals such as oil and gas), and its associated regulations. This is a key question as it would elevate the status of the ban from policy decisions to legislation. Once in legislation, this would be extremely difficult to reverse by future Governments.
8. Government has acknowledged that no Cabinet paper has been crafted and no vote has been taken on the matter. However, based on the announcements of 6 June it is understood that officials are developing further advice on implementing the decisions.

Current situation

9. At the March 21 RPC meeting staff provided a recap and update on the Oil and Gas plan change project. To broadly summarise that recap report, feedback had been sought on the proposals through a series of meetings with targeted stakeholders. Council also had an online feedback form on its website in order for the public to express views on oil and gas exploration in the region.
10. In mid- late April, staff in conjunction with relevant tangata whenua representatives were in the process of organising three Hui-a-iwi across the northern, central and southern parts of Hawke's Bay. However, in light of the announcements made by the Government and discussions with several RPC members, it was decided not to proceed with the hui until further information about implications of the Government's announcement were better understood.
11. Fundamentally, the Government's announcements would mean no new offshore or onshore oil and gas exploration permits would be granted for the Hawke's Bay region. That broadly aligns with the Committee's earlier preferred proposition to prohibit oil and gas exploration activities in specified parts of the region, including marine areas.
12. It appears that the Committee's pre-emptive move to propose prohibiting oil and gas exploration activities in the region's sensitive aquatic and marine areas, is now overtaken by the Government's broader sweeping policy shift on oil and gas exploration in New Zealand.

Options

13. Staff are of the view that in light of the announcements there are predominantly two options. An assessment of each option along with a summary of pros and cons is outlined following.

Option 1: Proceed with Oil and Gas plan change i.e. 'status quo'

14. This option recognises that despite these announcements, Council has embarked on a programme of plan change work that reaches back to a decision by the Regional Planning Committee in November 2016. In this option, staff would continue with the existing project plan and recommence stakeholder consultation including consultation hui and eventually drafting a stand-alone plan change to notify, call for public submissions, hold hearings, issue Council's decisions on those submissions and deal with potential Environment Court appeals.
15. Proceeding with the work would result in unnecessary effort and expenditure, given that the Government has effectively curtailed any such activities in the region. Furthermore, there is a risk that Council proceeds without having the benefits of more detail from NZP&M regarding the implications of the Government's announcement.

Option 2: 'Shelve' the current project and incorporate into the future regional plan reviews (preferred option)

16. This is the preferred option of staff. Council is scheduled to commence parallel reviews of the Regional Resource Management Plan (RRMP) and Regional Coastal Environment Plan (RCEP) in 2020. Under this option, staff would wrap up current work on the plan change and re-purpose the intel for informing the future RRMP and RCEP review projects.
17. The upside to this approach is that Council does not need to replicate efforts unnecessarily and would avoid further expenditure of Council's resources to regulate an activity that is already curtailed by Central Government. This approach also allows for a consideration of the effects of oil and gas exploration within the wider context of the RRMP and RCEP, particularly as they relate to other activities in the plans. It also allows time for more detail on the Government's position to emerge, which in turn will ensure Council is better equipped to understand impact and implications of these decisions.
18. It is noted that the RRMP and RCEP Reviews are not due to commence until 2020. While it would be several years until any new rules came into effect, the Government's announcement clearly indicated Block Offer processes over the next three years will be open for onshore Taranaki only. The likelihood of new oil and gas exploration permits being issued and activities occurring in the Hawke's Bay region in the meantime is considered minimal.

Comments on risks

19. There are both perceived and actual risks associated with closing the Oil and Gas plan change project. Firstly, a perceived risk is that if the plan change is halted, a company may still be granted a permit by NZP&M to explore in Hawke's Bay for oil and gas onshore, albeit granting any such permit would be contrary to the Government's own recent announcements. However, it is important to recognise that the only method to apply for exploration permits is to bid in the Block Offer process administered by NZP&M.
20. The proposed release area for Block Offer 2018 is limited to the onshore Taranaki Basin, owing to its known productivity. Under current rules in the RCEP and RRMP, it is also very likely that oil and gas drilling exploration activities would need to obtain a resource consent from the Regional Council in addition to any exploration permits from NZP&M.
21. It follows that the only feasible way for exploration permits to be granted in Hawke's Bay is if in the first instance, the Government was to hold a block offer offering acreage in this region. It is fair to say that the chances of this occurring are relatively low, given that onshore Taranaki has been specifically targeted due to its known productivity (in comparison with Hawke's Bay). It would also run counter to the Government's widely signalled aspirations for addressing climate change, namely through the Zero Carbon Bill, which would set a new 2050 greenhouse gas emission reduction target in law.
22. As noted above, NZP&M officials have pointed out that there is still further detail to come. For now, it remains uncertain if the Crown will move to amend the Crown Minerals Act and associated regulations to reflect the Government's recent policy announcements.

Financial and resourcing implications

23. If the Committee prefers to proceed with option 1 (the status quo project plan), then there are no further extraordinary financial and resourcing implications arising from a decision in favour of Option 1.
24. However, there are two notable financial and resourcing implications for Council to consider if the Committee were to decide that Option 2 is its preferred approach.
25. Firstly, Option 2 would effectively cease further work on preparing a stand-alone oil and gas plan change. The 'ring-fenced' financial resourcing for this project originates from a

Council loan specifically targeting regional strategic energy initiatives. The current unspent budget stands at approximately \$85,000 (from the original \$200,000 loan).

26. Secondly, ceasing further work on a stand-alone plan change would require an amendment to the Council's Long Term Plan to remove the plan change from the Strategic Planning Group of Activities. Assuming the Committee agrees to Option 2, then both of these financial and resourcing matters can be 'tidied-up' at the Council meeting on 27 June (when the Council will consider both the RPC's recommendations on this matter and, in a separate item, adoption of the 2018-28 Long Term Plan).

Considerations of Tangata Whenua interests

27. In considering whether or not to proceed with the consultation hui discussed in paragraph 7, staff conferred with relevant tangata whenua RPC representatives. The two principal options outlined in this report have considered the interests of tāngata whenua. It should be noted that the Crown (i.e. central government and its ministries) has its own duties and obligations regarding partnerships with tāngata whenua. Furthermore, section 4 of the Crown Minerals Act requires NZP&M and the Minister of Energy and Resources when exercising functions and powers under the Crown Minerals Act to have regard to the principles of the Treaty of Waitangi.
28. Those duties are not to be confused with the duties and responsibilities on regional councils (for example under the RMA and the Local Government Act). Having considered the matter in its entirety it is the view of council staff that there are no extra special considerations for interests of tāngata whenua in this matter that need to be addressed at this stage.

Decision Making Process

29. Council is required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
 - 29.1. The decision does not significantly alter the service provision or affect a strategic asset.
 - 29.2. The use of the special consultative procedure is not prescribed by legislation.
 - 29.3. The decision does not fall within the definition of Council's policy on significance.
 - 29.4. The persons affected by this decision are all persons with an interest in the region's management of natural and physical resources under the RMA;
 - 29.5. The decision is not inconsistent with an existing policy or plan.
 - 29.6. Given the nature and significance of the issue to be considered and decided, and also the persons likely to be affected by, or have an interest in the decisions made, Council can exercise its discretion and make a decision without consulting directly with the community or others having an interest in the decision.

Recommendations

1. That the Regional Planning Committee receives and notes the ***“Oil & Gas Plan Change Options”*** staff report.
2. The Regional Planning Committee recommends that Council:
 - 2.1. Agree that the decisions to be made are not significant under the criteria contained in Council’s adopted Significance and Engagement Policy, and that the Committee 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.
 - 2.2. Agrees to cease further work on preparation of the Oil and Gas plan change with a view to incorporating this work, as appropriate, in future upcoming reviews of the Regional Resource Management Plan and Regional Coastal Environment Plans, except that:
 - 2.2.1. Staff may wrap-up and close works on the current stand-alone oil and gas plan change project to enable smooth assignment of the project’s current intelligence over to the future plan review projects.
 - 2.3. Amends the 2018-28 Long Term Plan to remove the oil and gas plan change project from the Strategic Planning Group of Activities.

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Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL

REGIONAL PLANNING COMMITTEE

Wednesday 20 June 2018

Subject: DISCUSSION OF ITEMS OF BUSINESS NOT ON THE AGENDA

Item 9

Reason for Report

1. This document has been prepared to assist Committee Members to note the Items of Business Not on the Agenda to be discussed as determined earlier in Agenda Item 5.

1.1. ***Urgent*** items of Business (*supported by report tabled by CE or Chair*)

	Item Name	Reason not on Agenda	Reason discussion cannot be delayed
1.			
2.			

1.2. ***Minor*** items (*for discussion only*)

Item	Topic	Councillor / Staff
1.		
2.		
3.		
4.		
5.		