



## Meeting of the Regional Planning Committee

### LATE ITEMS

**Date:** Wednesday 12 September 2018  
**Time:** 11.00am  
**Venue:** Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
NAPIER

### Agenda

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ITEM	SUBJECT	PAGE
<b>Decision Items</b>		
12.	Additional Candidate Outstanding Fresh Water Body for Cultural and Spiritual Values Assessment – Tūtaekurī River	3

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## HAWKE'S BAY REGIONAL COUNCIL

### REGIONAL PLANNING COMMITTEE

Wednesday 12 September 2018

#### **Subject: ADDITIONAL CANDIDATE OUTSTANDING FRESH WATER BODY FOR CULTURAL AND SPIRITUAL VALUES ASSESSMENT – TŪTAEKURĪ RIVER**

Item 12

#### **Recommendation**

1. That the Regional Planning Committee accepts the late item "Additional Candidate Outstanding Water Body for Cultural Values Assessment" for consideration and decision at today's meeting in accordance with HBRC Standing Order 9.12; with the reason why the discussion of the item cannot be delayed until a subsequent meeting being that the process of further assessment of candidate outstanding water bodies is already well advanced to meet Plan Change notification timelines that Council prefers are not further delayed while the additional assessment work is undertaken.

#### **Reason for Report**

2. This report explains why the Tūtaekurī River is recommended for inclusion on the candidate list of Outstanding Water Bodies (OWB) for cultural and spiritual values for further assessment by staff.

#### **Background**

3. In June 2017, the Council endorsed an approach that was co-designed with the Tāngata Whenua representatives of the Committee to identify OWB in the Hawke's Bay region.
4. In November 2017, the HBRC provided a draft table of information to the Tāngata Whenua representatives to assist with the process of selecting water bodies that have significant cultural and spiritual values.
5. At the 21 March 2018 meeting, the Committee agreed to select OWB for the recreation, landscape and ecology value sets based on Council numerical assessment criteria.
6. The Committee also agreed to defer a decision on the final list of candidate water bodies until the Tāngata Whenua representatives had an opportunity to kōrero and nominate water bodies that have significant cultural and spiritual values.
7. On 24 April 2018 the Tāngata Whenua representatives convened a hui to further explore the identification of a list of candidate OWB for the cultural and spiritual value set.
8. Numerical assessment criteria was proposed by the Council to generate a list of water bodies with significant cultural and spiritual values. At the 21 March Committee meeting Tāngata Whenua representatives proposed an alternative pathway to select candidate waterbodies.
9. The approach adopted by the Tāngata Whenua representatives focused on their traditional knowledge of the cultural and spiritual values associated with their water bodies, in conjunction with the Council's report "Summary of cultural values associated with water bodies in Hawke's Bay" (March 2018) and assisted by the criteria developed by the independent technical advisors to the Tāngata Whenua representatives.
10. At the 23 April 2018 hui, the Tāngata Whenua representatives discussed water bodies using their traditional knowledge of those values which were deemed to be significant. The robust kōrero was based on water bodies within the respective rohe of each group. At that hui the Tāngata Whenua representatives agreed to nominate 21 waterbodies.
11. Unfortunately the Tāngata Whenua representative for Mana Ahuriri Trust was unable to attend that hui and in any event had understood that the Tūtaekurī River would be included in the list. Due to an oversight, the Tūtaekurī was not included in the list that

was approved by the Tāngata Whenua representatives, nor the list subsequently approved by the Committee at its hui on 2 May 2018.

12. At their hui on 11 September 2018, the Tāngata Whenua representatives discussed the omission of the Tūtaekurī River and unanimously agreed to support its inclusion on the candidate list of Outstanding Waterbodies for cultural and spiritual values.

### **Considerations of Tāngata Whenua**

13. The hapū of the Tūtaekurī River have special cultural, spiritual, historical and traditional associations with the river as evidenced by, among other documents, the Tūtaekurī Awa Management and Enhancement Plan (2015) and the Statutory Acknowledgement of the Tūtaekurī River in the Mana Ahuriri Trust Deed of Settlement (2016).

### **Next steps**

14. If the Regional Planning Committee agrees with the addition of Tūtaekurī River as detailed in this item, council staff will commence secondary assessment work necessary during September. The secondary assessment will provide a more detailed description of the cultural and spiritual values associated with the Tūtaekurī River and will occur in a similar manner as the secondary assessments completed by staff in June 2018<sup>1</sup>.
15. The inclusion of the Tūtaekurī River on the candidate list of outstanding waterbodies is not expected to significantly impact on the OWB work programme. Staff are currently undertaking consultation with iwi authorities, territorial authorities and key stakeholder groups until early October.
16. In December 2018, the findings of the secondary assessment work, and associated consultation, will be reported back to the Regional Planning Committee.

### **Decision Making Process**

17. 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:
  - 17.1. The decision does not significantly alter the service provision or affect a strategic asset.
  - 17.2. The use of the special consultative procedure is not prescribed by legislation.
  - 17.3. The decision does not fall within the definition of Council's policy on significance.
  - 17.4. 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.
  - 17.5. The decision is not inconsistent with an existing policy or plan.
  - 17.6. 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.

<sup>1</sup> Secondary assessments for each candidate outstanding water body are located on HBRC's website.

## Recommendations

1. That the Regional Planning Committee receives and notes the “Additional Candidate Outstanding Fresh Water Body for Cultural and Spiritual Values Assessment – Tūtaekurī River” report.
2. The Regional Planning Committee recommends that the 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 decision 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 that the Tūtaekurī River be included on the candidate list of Outstanding Fresh Water Bodies for cultural and spiritual values for further assessment by staff.

### Authored by:

**Riki Ellison**  
**TANGATA WHENUA ADVISOR**

### Approved by:

**Tania Hopmans**  
**CO-DEPUTY CHAIR**  
**MAUNGAHARURU-TANGITU**  
**INCORPORATED**

### Attachment/s

There are no attachments for this report.