



## Meeting of the Hawke's Bay Regional Council Maori Committee

**Date:** Wednesday 10 February 2021  
**Time:** 10.00am  
**Venue:** Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
NAPIER

### Agenda

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4.	Confirmation of Minutes of the Maori Committee held on 18 November 2020	
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<b>Information or Performance Monitoring</b>		
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15.	Long Term Plan 2021- 31 Development Update	61

### Parking

1. Free 2-hour on-road parking is available on Vautier Street adjacent to the HBRC Building & on Raffles Street.
2. There is free all day parking further afield – on Munroe Street or Hastings Street by Briscoes.
3. There are limited parking spaces (3) for visitors in the HBRC car park – entry off Vautier Street – it would be appropriate that the “visitors” parks be available for the members travelling distances from Wairoa and CHB.
4. If you do pay for parking elsewhere, please provide your receipt to the Receptionist for reimbursement – or include with your expenses claim for the meeting.

**NB:** Any carparks that have yellow markings are NOT to be parked in please.



**HAWKE'S BAY REGIONAL COUNCIL**

**MĀORI COMMITTEE**

**Wednesday 10 February 2021**

**SUBJECT: ALTERNATE MEMBERS FOR 10 FEBRUARY 2021 MEETING**

**Item 3**

**Reason for Report**

The Māori Committee Terms of Reference makes allowance for alternate attendees to be appointed to the Committee where the usual member/s cannot attend.

**Recommendation**

The Māori Committee agrees that \_\_\_\_\_ be appointed as member/s of the Māori Committee of the Hawke's Bay Regional Council for the meeting on Wednesday, 10 February 2021 as alternate attendee(s) for \_\_\_\_\_

**Authored by:**

**Annelie Roets  
GOVERNANCE ADMINISTRATION  
ASSISTANT**

**Approved by:**

**James Palmer  
CHIEF EXECUTIVE**

**Attachment/s**

There are no attachments for this report.



# HAWKE'S BAY REGIONAL COUNCIL

## MĀORI COMMITTEE

Wednesday 10 February 2021

### Subject: TAKE RIPOATA Ā TAKIWĀ – TAIWHENUA REPRESENTATIVES' UPDATES

Item 5

#### Reason for Report

1. This item provides the opportunity for representatives of the four Taiwhenua (Te Whanganui-a-Orotū, Tamatea, Wairoa/Kahungunu Executive and Heretaunga) to raise current issues of interest in their rohe for discussion as per the reports attached.

#### 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 Maori Committee receives and notes the *"Take Ripōata ā Takiwā – Taiwhenua reports"*.

#### Authored by:

**Te Wairama Munro**  
**MAORI ENGAGEMENT COORDINATOR**

#### Approved by:

**Pieri Munro**  
**TE POU WHAKARAE**

#### Attachment/s

- [1](#) Kahungunu Executive Report - M McIlroy
- [2](#) Te Taiwhenua o Heretaunga report - Marei Apatu
- [3](#) Te Taiwhenua o Te Whanganui Orotu report - Peter Eden
- [4](#) Tamatea Taiwhenua report - Dr Roger Maaka



## Hawke's Bay Regional Council Māori Committee

## Take Ripōata ā Takiwā

Name: Michelle McIlroy

Taiwhenua: Kahungunu Executive - Wairoa

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**Overview:**

1. **MAORI WARDS** – extremely disappointed with the outcome of the vote in Chambers but wish to acknowledge the Councillors who voted for Maori Wards. Am pleased that Minister Mahuta spoke about this racist legislation today 1.2.21. I note her speech making the following statement:
  - The new bill will apply to councils who resolved to hold a poll alongside the 2022 elections – they will no longer need to hold a poll which includes HB Regional Council. The Bill will be passed before the 21 February 2021
2. **RANGATIRATANGA OF THE WATERWAYS** – hui with NKII and all PSGE's with Ngai Tahu. Have attended two meetings on behalf of Wairoa concerning the NT claim that was been lodged in the High Court October 2020.
3. **LAWA READINGS WAIROA**– Wairoa District. Raised concerns mahinga kai gathering areas.

Mentioned at HBRC meeting January about concern for public health in Mahia and local rivers in Nuhaka and Wairoa. No signage at a peak swimming time in the year where we have increased visitor numbers. Please note E coli levels taken from LAWA website:

- Maungawhio Lagoon – Oraka, pipi gathering area 29.12.20 - **3,010**
  - Whangawehi - high E coli reading 29.12.20 - **910**
  - Nuhaka River 29.12.20 E coli - **3,900**
  - Wairoa River Yacht club 9.11.20 - **24,000**
4. **ENVIRONMENTAL COURT** - Wairoa District Council 30 November – 1 December 2020  
Spoke to our submissions in December with strong support from NKII Environmental staff Ngaio Tiuka and Shade Smith. Tangata whenua stance will always be to remove the wastewater from the awa and that this goes to land. Te Mana o Te Wai – first obligation is to the wai itself, the mauri – wastewater discharge degrades the mauri. The Council did not succeed in obtaining a 35 year consent.

5. **WASTEWATER DISCHARGES – Wairoa District Council**

**Alexandra Park raw discharge** – due to commercial waste blocking pipes. 8-9 Dec 2020.

**Wastewater Treatment plant malfunction** 21-23 January 2021.

Attended their Long Term Plan pre-consultation and enquired about the 3 Waters Funding of \$11 million and how much of that would be allocated to wastewater considering they failed in Environmental Court. Also noted their booklet quoted that their plant was “compliant”.

6. **MATANGIRAU RESERVES BOARD – Tatau Tatau o Te Wairoa Representation**

Myself and Katarina Kawana made application to be a representative on the Board supported by our whanau, hapu, Marae and Kahui. Awaiting final decision. This seat holds a 3 year term and was created through the Tatau Tatau settlement.

7. **PLANTING SEASON 2021 – Wairoa Awa Restoration Group**

Will work with Katarina to organise volunteers and students to continue planting program at Kihitu and want to focus some planting around the Whakapau whenua. Have raised a good range of Native rakau with funding support from our local River Fund, HB Foundation and the LEAF fund for our little Hinemihi Marae Nursery. We hope to plant approximately 4,000 plants during Matariki.

Have held a couple of environmental wananga with a visiting Kura Kaupapa Maori on propagation, planting, and taiao conservation work.

Acknowledge the Regional Councils significant planting, fencing and spraying project that will run in Wairoa over the next few months which incorporates some vital work around urupa, waahi tapu in the rohe.

**Items of Note / for Action**

Swimming – Health warnings vital not only for swimming but to avoid kaimoana collection with high e coli readings. Were Public Health advised of the readings, no signage??



## Hawke's Bay Regional Council Māori Committee

## Take Ripōata ā Takiwā

Name: Marei Apatu

Taiwhenua: Heretaunga

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**Overview**

1. Long term Plan (LTP) 2021 – 2031
2. Recreational Water Quality Monitoring (DHB)
3. Tukituki Production Land use Consents

**Items of Note / for Action****1. Long Term Plan (LTP) 2021 - 2031**

The HBRC are about to set the process around timeframe and deadline and call submissions to the forthcoming LTP

HBRC have been supportive of mana whenua to assist develop the Ngā Pou Mataara Hou (NPMH mauri monitoring tool) over the past 2 years contributing approximately 2/3rds of the costs to enable the framework tool to be completed and now we intend to roll out monitoring 11 sites, twice a year, on ngā awa o Ngaruroro, Tukituki, Karamu and Tutaekuri (in joint collaboration with Ahuriri/Waiohiki mana whenua)

Along with our own Taiwhenua contribution we will be seeking other bridging funding from Te Mana o te Wai and hopefully Jobs for nature, we hope this will equate to approximately 2/3rds of the total contribution

I am seeking the support of the Māori Standing Committee for part funding (\$150Kpa) to embed cultural monitoring of freshwater resources throughout Heretaunga using NPMH in our application to the HBRC

**2. Recreational Water Quality Monitoring (DHB)**

We note that this monitoring is only undertaken over the spring summer period ending mid March each year. This implies that any recreational use of the marine areas and our rivers outside of this period carries a risk for the whānau. If we were to be successful with funding from Te Mana o Te Wai we're thinking perhaps a survey could be used to establish actual use of rivers/ estuaries and time/durations of such use. This could leverage into a longer period of recreational health monitoring by the DHB i.e. from the start of the whitebait season late August to end of April?

**3. Tukituki Production Land use Consents**

There were a number of farms in the Tukituki catchment who were exceeding nitrogen leaching limits which triggers the need for a resource consent as a discretionary activity. HBRC has been lenient with these and provided an extension (to February 2021) despite the dates set in the RRMP.

The main issue is that PC6 Tukituki contains a pathway and rationale for achieving catchment water quality limits in terms of SIN concentrations. Delays in implementing the plan mean delays in achieving the limits set within set timeframes. With the new NPSFM now operative, the assessment of these consents should be more robust so that the affected waters are protected from adverse effects on their health and wellbeing

This is contrary to the regional plan (PC6) and demonstrates a reluctance by HBRC to enforce the plan provisions.

This means for TANK PC9 and its rules, the criteria, timelines for achieving targets etc will need to be robust so there is a logical trajectory towards achieving them, as well as prevention of the get out of jail free scenario

Can we have an update on what's happening?

Marei Apatu

## Hawke's Bay Regional Council Māori Committee

## Take Ripoata ā Takiwā

Name: Peter Eden

Taiwhenua: Te Whanganui Orotu

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### Overview

Taiwhenua 1<sup>st</sup> hui Board 2021 for New Year scheduled early February.

Marae Restoration hui have finalised detail of mahi to be implemented in Ahuriri Area for Maraе. This will greatly improve the infrastructure at the Maraе and will provide opportunity to build on Civil Defence response with plans developed to address solutions identified to support response to emergency operations.

Taiwhenua is building capacity and have hired a new staff member to work on increasing reach with whanau and identify social needs and links to career pathways.

Developing relationship with Housing team Hastings District Council to identify pathway to build Papakainga and reduce housing needs by Maori with focus on development Maori whenua. Dragon Den managed by Council to look at proposals that can potentially partner with HDC.

Included digital clip "Kutai Dive" annual Community event provided for Kaumatua, Kuia, Maraе Kutai 2020. The developments around Pania the effects of Covid-19 great for whanau to identify with whakapapa and pataka and the relationship we share with the Moana.

Included herewith a link as part of report digital panui which highlights the connection with Moana and water and the importance of Pania and Pataka kai:

[https://1drv.ms/v/s!Avc1veNua2\\_zhposMobpdjxhEeZucQ](https://1drv.ms/v/s!Avc1veNua2_zhposMobpdjxhEeZucQ)

Hawkes Bay Maori Tourism building strong relationship with Taiwhenua and Maraе was great to collectively support Kutai dive for community.

### Items of Note / for Action

Recent change legislation by government with Maori Wards what does this mean for Maori with Hawkes Bay Regional Council?

Jobs for Nature how will this work to support local Maraе/Hapu/Mana Whenua?

Mohaka Plan change Te Whanganui Orotu boundary includes the Mohaka Area we are aware that we have not been included in discussion we would like Peter Eden to be briefed on what is occurring and report provided to Taiwhenua.

# Hawke's Bay Regional Council Māori Committee

## Take Ripoata ā Takiwā

Item 5



### TE TAIWHENUA O TAMATEA INC.

Kitchener Street, Waipukurau 4200

P 06 858 7206 | E [Tamatea.taiwhenua@xtra.co.nz](mailto:Tamatea.taiwhenua@xtra.co.nz)

#### Overview

As expected, the year has started with a sustained burst of activities.

#### 1. **POU MANA WHAKAHAERE** (Governance)

Strategic Plan – Before developing a strategic plan the board proposed to reform the constitution which is out of date as the Taiwhenua is planning to operate in a way that facilitates our current activities. To assist us we will discuss with marae their expectations of the Taiwhenua. We will also seek ways to work more closely with HTST.

Kahui Tautoko Consultancy Ltd - engaged to Review Documentation & Current State of Office; Information and Technology (Communications) and Development of Policies and Procedures. A presentation workshop was held with the Board by Mara Andrews. At the Board Meeting held 1 February 2021 the Policies and Procedures Booklet was accepted as at 1 January 2021 and will be reviewed annually.

#### 2. **POU TŪ ŌHANGA** (Economic Development)

##### Ngā Ara Tipuna

Six historic pā sites will be brought to life with vibrant displays, carvings and digital storytelling, showing the untold stories of pre-European Māori life in the district. Two sessions will be held on 6 February 2021 talking through the overview of Ngā Ara Tipuna Storytelling Trail 2021.

##### Tihei Tamatea

January 2021 was the launch of Tihei Tamatea with the Community Connector taking up his role and immediately getting into action.

##### **Rakei Ora** – creating pathways to employment

Marae based employment project involving 12 local people employed for 6 months, assisting Marae with minor projects is underway with Tapairu Marae being the first. A Pastoral Care programme has also been attached with this project.

##### **He Ringa Ora**

This program has two people employed for two years, with provision made for additional pastoral support and programmes, to support our most vulnerable whānau in our rohe and in particular use a holistic approach to address drug and family harm issues.

Attachment 4

**He Kura Kainga** – engaging Māori whānau in the Library

An appointment has been made. This position will normalise the use of Te Reo in the library and to encourage Māori whānau to use the library.

-2-

Other Projects:

**E Tu Whānau**

Funding received from NKII to assist whānau with developing action plans that help them with their own whānau ora plan.

**Restorative Justice** – finding alternative solutions for offending

A facilitator role has been advertised. This position is a pilot one and the role is about helping make change in reducing offending by social support on our rohe. This is a community initiative led by the Deputy Mayor in partnership with the HB Restorative Justice that seeks to establish an Iwi/Community Panel. Low level offenders will be meeting with the panel to discuss their offending; the panel will then provide alternative sentences to those that they may receive in a court of law.

**3. POU Ō MATAORA** (Environmental)Whatuma Management Group

Ongoing development of the management plan. A Jobs for Nature application is being completed to support restoration. A BBQ will be held on 24 February at the Lake.

Long tailed Bats / Pekapeka tou roa

Kay Griffith, Conservation Company, and crew are once again catching bats from the colony that is known as the Makaretu Mob, putting transmitters on and finding roosts, and more out about the colony. So far, this colony has revealed at least 50 breeding females, and a total of 33 roost trees have been found. Some have been in large old Macrocarpa around the Makaretu area, and many in the Bush.

Rifleman / Titipounamu

Although these manu were translocated, it's sad to know that even though a population has not established, that was a good thing to learn—40ha is too small a remnant to support a re-introduced population.

**4. POU MATAURANGA** (Education)Te Taitimu Trust

Approximately 50 plus rangatahi/tamariki attended the Big Camp 2021 which was held at Ranui Farms, Waipukurau from 24<sup>th</sup>-29<sup>th</sup> January 2021. The itinerary was full of adventure (Ranui Farm events Flying Fox, waterslide, golf, archery, paintball, hill-slides; Porangahau Beach and visit to the longest place now; Te Pā Horehore, Rakautatahi in Takapau; Waipawa Pools for water safety, snorkelling, art comp, Police wananga; Pourerere Beach waka ama, snorkelling, sand-art, relays; Te Aute College – Marae and Pool; ending with a Whānau Concert) for the rangatahi/tamariki with the awesome guidance of future leaders and the Te Taitimu Whānau. Matua JB Heperi-Smith grounded the roopu in their identity as Kahungunu, whakapapa to Takitimu and connection to Waimarama Puhara who composed their Haka – Tika Tonu. Thoroughly enjoyed.

Sherwood Primary School

Around 500 or so plants have been put in the ground over the winter planting season. About half of these were grown in the shadehouse at the School. Working with many children through Sherwood School and seeing some of those go on to do their Duke of Edinburgh service at the Bush, and on to ecological or environmental studies or practical applications. Awesome

**Item 5****Attachment 4**





# HAWKE'S BAY REGIONAL COUNCIL

## MĀORI COMMITTEE

Wednesday 10 February 2021

### SUBJECT: FOLLOW-UPS FROM PREVIOUS MĀORI COMMITTEE MEETINGS

Item 6

#### Reason for Report

1. **Attachment 1** lists items raised at previous meetings that require follow-up, who is responsible, when it is expected to be completed 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 Māori Committee receives the *"Follow-up Items from Previous Māori Committee Meetings"* report.

#### Authored by:

**Annelie Roets**  
**GOVERNANCE ADMINISTRATION**  
**ASSISTANT**

#### Approved by:

**James Palmer**  
**CHIEF EXECUTIVE**

#### Attachment/s

- [1](#) Follow-ups for Feb 2021 Maori Committee meeting



## Follow-ups from previous Māori Committee Meetings

## 18 November 2020

	Agenda Item	Follow-up action required	Responsible	Status
1	Take Ripoata Ā Takiwā – Taiwhenua Representatives' Updates	Request for information on what Cultural impact and/or mahinga kai impact assessments are carried out in relation to unfenced waterways and 1080 use for possum control	M Mitchell / I Maxwell	HBRC do not currently use 1080 for possum control. As per the Hawke's Bay regional Pest Management Plan, possum control is occupier responsibility.
2	Māori Representation on Hawke's Bay Regional Council	Unqualified support for the establishment of Māori constituencies was advised to Council – follow up on next steps	J Palmer	Verbal update to be provided to 10 February 2021 Committee meeting

## 9 September 2020

	Agenda Item	Follow-up action required	Responsible	Status
3	Māori Committee Terms of Reference, Charter and Work Programme	Follow-up with District Councils about the concerns raised in relation to "failure to identify" wahi tapu adequately	J Palmer / C Edmonds	Will be reported at the next meeting in February 2021.

## 8 July 2020

	Agenda Item	Follow-up action required	Responsible	Status
4	Take Ripoata Ā Takiwā – Taiwhenua Representatives' Updates	Wairoa Taiwhenua Cultural Impact Report funded by HBRC 2019 to be completed and provided to Te Pou Whakarae	K Kawana / P Munro	Will be distributed once received.



# HAWKE'S BAY REGIONAL COUNCIL

## MĀORI COMMITTEE

Wednesday 10 February 2021

**Subject: CALL FOR MINOR ITEMS NOT ON THE AGENDA**

Item 8

### Reason for Report

1. This item provides the means for committee members to raise minor matters they wish to bring to the attention of the meeting.
2. Hawke's Bay Regional Council standing order 9.13 states:
  - 2.1. "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

3. That the Māori Committee accepts the following "Minor Items Not on the Agenda" for discussion as Item 14:

Topic	Raised by

**Leeanne Hooper**  
**GOVERNANCE LEAD**

**James Palmer**  
**CHIEF EXECUTIVE**



# HAWKE'S BAY REGIONAL COUNCIL

## MĀORI COMMITTEE

Wednesday 10 February 2021

### Subject: MĀORI REPRESENTATION ON HAWKE'S BAY REGIONAL COUNCIL

Item 9

#### Reason for Report

1. This item raises the latest legislative change proposed to align provisions for Māori constituencies to those for General constituencies, by removal of all mechanisms for binding polls to be held to on whether to establish Māori constituencies and the extension of the date by which councils can resolve a decision to establish Māori constituencies to 21 May 2021.

#### Executive Summary

2. The recent Local Electoral (Māori wards and Māori constituencies) Amendment Bill, in order to improve the democratic representation of Māori interests, ensure equity in representation and provide a Māori voice in local decision-making:
  - 2.1. repeals the provisions in the Local Electoral Act 2001 that relate to polls on the establishment of Māori wards and constituencies
  - 2.2. prohibits binding council-initiated polls on whether to establish Māori wards or constituencies (while retaining the right for councils to initiate non-binding polls to gauge public sentiment) and
  - 2.3. establishes a transition period ending on 21 May 2021 in which any local authority may, regardless of any previous decisions or previous poll outcomes, resolve to establish Māori wards or constituencies for the 2022 local elections.

#### Strategic Fit

3. Effective partnerships with Māori are not only a legislative requirement, but an aspiration of this Council. One of the strategic drivers in HBRC's Strategic Plan is partnerships with tangata whenua.
4. Increasingly there are both statutory and non-statutory drivers for improved and more formalised tangata whenua direct engagement in co-governance. Natural resource management is a very high priority focus for tangata whenua and the HB Regional Planning Committee Act 2015 has increasingly required HBRC to work closer with tangata whenua in response. Simultaneously tangata whenua have been moving through Treaty settlement processes which are providing greater capability, influence and economic strength to Māori within the region. In tandem these developments have rapidly increased the expectation on HBRC to co-govern and co-manage the region's natural resources.

#### Options ahead

5. The options for Council are to:
  - 5.1. revoke the previous (18 November 2020) resolution to hold a poll on the establishment Māori constituencies at the next (2022) election, and either
  - 5.2. resolve to establish Māori constituencies for the next (2022) election, or
  - 5.3. resolve to take no further action at this stage and await Council's next representation review in 2023-24, or
  - 5.4. resolve to initiate public engagement to gauge wider public sentiment ahead of reconsidering the establishment of Māori constituencies prior to 21 May 2021.

**Decision Making Process**

6. 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.

**Recommendations**

That the Maori Committee receives and considers the “*Māori Representation on Hawke's Bay Regional Council*” staff report.

**Authored by:**

**Leeanne Hooper**  
**TEAM LEADER GOVERNANCE**

**Pieri Munro**  
**TE POU WHAKARAE**

**Approved by:**

**James Palmer**  
**CHIEF EXECUTIVE**

**Attachment/s**

There are no attachments for this report.



# HAWKE'S BAY REGIONAL COUNCIL

## MĀORI COMMITTEE

Wednesday 10 February 2021

### Subject: INTEGRATED CATCHMENT MANAGEMENT - CATCHMENT DELIVERY SECTION

Item 10

#### Reason for Report

1. This item provides an update on the activities and achievements of the Catchment Management team, specifically in relation to the delivery and outcomes of the Erosion Control Scheme (ECS) and the Protection and Enhancement Projects (PEP).

#### Strategic Fit

2. The ECS and PEP programmes address three of the four focus areas of the HBRC Strategic Plan 2020-2025, being:
  - 2.1. Water quality, safety and climate-resilient security
  - 2.2. Healthy, functioning and climate-resilient biodiversity
  - 2.3. Climate-smart and sustainable land use.
3. The Catchment Management staff and their ECS and PEP programmes of work are closely aligned to support other internal programmes of work across Council, such as; Ecosystem Prioritisation, Right Tree Right Place, Catchment Policy Implementation and Farm Planning.

#### Background

4. Approximately 252,000 hectares of Hawke's Bay hill country has been identified through modelling as being at high risk of erosion. It is estimated that this land produces on average 3.3 million tonnes of sediment into the region's waterways every year.
5. In addition to the economic impacts of soil loss to the landholder, this high-level of sedimentation impacts upon water quality within the region and the biodiversity (both aquatic and terrestrial) that depends upon it.
6. In 2018, Council established the Erosion Control Scheme. Its purpose is to enable tree planting and other erosion control work to occur on highly erodible land and enables this by providing significant financial support for these erosion control works.
7. In summary, the Erosion Control Scheme aims to:
  - 7.1. Reduce soil erosion
  - 7.2. Improve water quality through the reduction of sedimentation into waterways
  - 7.3. Improve terrestrial and aquatic biodiversity through habitat protection and creation
  - 7.4. Provide community and cultural benefits through forest ecosystem services.
8. The ECS will enable targeted tree planting and other erosion control tools to be delivered on highly erodible land that is agreed in partnership with landowners. The ECS is a key tool for the Catchment Management team to engage with and support landholders with land at high risk of erosion. The 2018 - 2028 LTP provided for \$30 million over the 10-year term of the LTP to support this programme of work.
9. Catchment Management staff work with landowners, catchment groups, iwi, primary industry, and related stakeholders. The relationships that Catchment Management staff establish and maintain play a significant role delivering positive outcomes for our communities.

## Programme Update

10. Since our last update 19 June 2019, the Hawke's Bay region has been affected by two major emergencies: Covid-19 pandemic and a severe drought. Some Catchment Management staff, alongside other Council staff, were actively involved in assisting the region's drought response for approximately 6 to 8 months. During this time staff have engaged with and supported, where possible, some very stressed landowners.
11. Furthermore, Catchment Management staff have helped complete multiple funding applications for environmental projects across the region, as Central Government responds to the impacts of Covid-19 through releasing funds to provide employment opportunities and benefits to our environment.
12. To better prepare staff for future adverse events, staff have undertaken targeted 'effective advisor' training. Through this training staff now have a better understanding of how to have more effective and structured conversations with landowners.
13. Although our 20/21 financial year started under trying circumstances, the ECS programme, through hard work by the staff and positive engagement from landowners, has surpassed expectations and continues to gain momentum. This momentum and drive to get environmental actions happening on the ground and supporting Central Government Covid-19 initiatives, has meant the budget has been exceeded for this financial year. This was discussed at the December 2020 Council workshop where management options were put forward by staff and a recommendation was made.
14. The Council's poplar and willow nursery has a new nursery overseer, and its day-to-day management is now through our Works Group. With the current maintenance programme, and future planning underway, the nursery is expected to increase productivity back to its historic norms of producing approx. 30,000 poles+ per annum.
15. Updated summary of ECS results since programme launch mid-2018 include.
  - 15.1. Updated - additional area of highly erodible land planted in trees (current LOS target 2000ha)
    - 15.1.1. 2018-19 – 94 ha
    - 15.1.2. 2019-20 – 667 ha
    - 15.1.3. 2020-21 – 916 ha, first half of the year.
  - 15.2. Updated - additional kilometres of riparian margin protected annually (both sides of a waterway – current LOS target 100km)
    - 15.2.1. 2018-19 – 8 km
    - 15.2.2. 2019-20 – 27 km
    - 15.2.3. 2020-21 – 24 km, first half of the year.

## Current ECS leveraged funding programmes

16. **MPI – Hill Country Erosion Fund**, duration - 01 July 19 to 29 September 23.
  - 16.1. \$5,035,000 of MPI funding targeting the support of ECS outcomes and providing related targeted events/training for regional council staff, primary industry reps and stakeholders, landowners, and Maori.
17. **MFE - Public Waterways and Ecosystem Restoration Fund**, duration – 06 November 20 to 30 June 22.
  - 17.1. \$2,100,000 of MFE funding targeting riparian fencing projects and local employment.
    - 17.1.1. 195km of fencing completed, resulting in 133km of stream/waterway protected.
    - 17.1.2. 100ha of additional riparian margin is available for planting.
    - 17.1.3. 100% of participating landowners have contracts.

## Challenges

### Work Force Capacity and Capability

18. The region's limited skilled workforce is becoming problematic. Already landowners are having to book their fencers well in advance to ensure the work will get done as required. Timeframes around project completion and contractor availability will be becoming a significant issue for the ECS.
19. This issue will become more prevalent as we get closer to 2025, when farm plans that are required by the NPSFM become regulated.
20. Nationally there has been work undertaken to explore available/viable options along with Central Government, but progress has been slow to date.
21. Staff are already sharing their knowledge and experience with some tangata whenua, existing contractors and other interested parties who are looking to, or working on, building capacity and capability to meet this demand.
22. Staff will continue to explore current and potential options in this space at a local level, and better understand whether HBRC should have a role in this space, and if so in what capacity.

### Farm Planning Integration and Implementation

23. The ECS is one of the Councils non-regulatory programmes of work, that is now being implemented in an environment of an increasing number of rules and regulation.
24. Compulsory farm plans and the actions prescribed within them, including deadlines and consequences, will change the way we are able to engage with landowners going forward.
25. When and how Catchment Management integrates positively into that future is a discussion for early this year and understanding how any agreed approach will support future plan changes.

### Protection and Enhancement Projects

#### Te Whanganui-ā-Orotu (Ahuriri Estuary)

26. Annual fund of \$160,000 for the protection and enhancement of Ahuriri Estuary. Focused on improving the overall health and water quality of Ahuriri Estuary by working with landowners to reduce the high sediment and nutrient loads entering the estuary from the wider catchment and increase indigenous habitat.
27. Our engagement with rural landowners within the Ahuriri Estuary catchment to address these issues has been successful. The table below outlines the catchment works that have been completed through the protection and enhancement fund.

	Fencing	Native Planting	Poplar Planting
<b>Works Completed From January 2018 – Present</b>			
Waterways	10.5km	14355	
Wetlands	1.5km	9978	
Retirement areas	4.5km	19815	
Slope stability (pastoral)			1190
<b>Total</b>	<b>16.5km</b>	<b>44148</b>	<b>1190 (poles)</b>
<b>Works Planned for 20-21 Season</b>			
Waterways	1.2km	8500	
Wetlands		4300	
Retirement area		4600	
Slope stability (pastoral)			250
<b>Total</b>	<b>1.2km</b>	<b>17400</b>	<b>250 (poles)</b>

28. Inland hill country across 5.9ha has been reinstated back to swamp forest wetland system to help improve the quality of the surface water leaving the wetland and entering Wharerangi stream and increase indigenous habitat.

29. A 12.7ha area has been retired and fenced. This area has been identified as an Ecosystem Prioritisation site as it contains the only remnant area of indigenous forest within the Ahuriri catchment and is a highly important seed source. It is now being managed for pest plant/animal control and expanded with further native planting.
30. The largest areas of the invasive tubeworm *Ficopomatus enigmaticus* that had created bunds across the estuary restricting waterflow have now been removed. These areas will now be monitored to understand the rate of recolonisation before any additional removal is undertaken.

### Lake Whatumā

31. The Whatumā Management Group (WMG) has been appointed by the respective trusts to lead the management of Lake Whatumā and are looking to develop a long-term management plan for the lake.
32. Discussions have been progressed with the WMG on how HBRC can assist with the development of the management plan, with a baseline report outlining the current environmental health of the lake to be completed this year that will aid this process.

### Freshwater Improvement Fund Leveraged Projects

#### Lake Tūtira (*Te Waiū o Tūtira, The Milk of Tūtira*), HBRC partnership with Maungaharuru-Tangitū Trust, 2018 -2022

33. The total project cost is \$3.35m over 4 years, co-funded by HBRC and the Ministry for the Environment.
34. Delivery of the Te Waiū o Tūtira project has experienced several delays over the past 12 months as staff navigated through some challenging issues relating to stakeholder engagement and relationship management. However, this process has resulted in generally positive outcomes that will now facilitate the delivery of key project milestones.
35. 12 Farm Environmental Management Plans (FEMP) have now been completed covering 1934ha (68%) of the Lake Tūtira catchment. The final 3 FEMPs will be completed this year covering an additional 480ha.
36. The table below outlines the work that has been completed through the subsidy scheme as a result of the FEMPs.

	Fencing	Native Planting	Poplar Planting
<b>Works Completed From January 2018 – Present</b>			
Waterways	2.1km	12035	
Wetlands		1500	
Retirement areas	1.2km	3650	
Slope stability (pastoral)			1060
<b>Total</b>	<b>3.3km</b>	<b>17185</b>	<b>1060</b>
<b>Works Planned for 20-21 Season</b>			
Waterways	1.1km	6500	
Wetlands		7500	
Slope stability (pastoral)			430
<b>Total</b>	<b>1.1km</b>	<b>14000</b>	<b>430</b>

37. Additionally, five sediment ponds, a rock drop structure and three fish passages have been installed on the tributaries that enter the lake.
38. Resource consent has been granted for the construction of the Kahikanui sediment detention bunds which are key deliverable of the Te Waiū o Tūtira Project. Delivery of this work has now been passed on to the Asset Management Team and will be completed this year.
39. The air curtain trial is still running in Lake Waikopiro and will be concluded at the end of the current summer. Following this the results will be reviewed and presented to the project governance group to facilitate a decision on whether the system is upgraded for Lake Tūtira.

**Whakakī Lake (*Sunshine, wetlands and bees will revitalise the taonga of Whakaki*),  
HBRC partnership with Whakaki Lake Trust, 2019 – 2024**

40. The total project cost is \$3.08m over 5 years, co-funded by HBRC and the Ministry for the Environment.
41. Delivery of the Whakakī Lake project has experienced several delays over the past 12 months as staff navigated through some challenging issues relating to stakeholder engagement and relationship management. This process is ongoing and being managed carefully with the view that positive outcomes will facilitate the delivery of key project milestones.
42. The Whakakī website has been revised to include a water quality dashboard and will provide a source of reliable information on various issues including the Freshwater Improvement Fund workstream for direct access by the Whakakī community. This is in the final stages of review and go live shortly.
43. A Memorandum of Understanding has been signed between the Matoroa Tamati Hook Whānau Trust and the Whakakī Lake Trust outlining how they will work together for the delivery of the Whakakī school development. A subcommittee has now been formed and planning of the work is underway.
44. Two cultural impact surveys have been completed relating to proposed recirculating wetland trial. Consultants will be undertaking a feasibility study to identify potential locations and design options for the trial.

**Decision Making Process**

45. 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 Māori Committee receives and notes the “*Integrated Catchment Management - Catchment Delivery Section*” staff report.

**Authored by:**

**Dean Evans**  
**MANAGER CATCHMENTS DELIVERY**

**Thomas Petrie**  
**PROGRAMME MANAGER PROTECTION &  
ENHANCEMENT PROJECTS**

**Dean Roughton**  
**BIOSECURITY ADVISORS ANIMAL  
PESTS**

**Jolene Townshend**  
**SENIOR ADVISOR INTEGRATED  
CATCHMENT MANAGEMENT**

**Approved by:**

**Iain Maxwell**  
**GROUP MANAGER INTEGRATED  
CATCHMENT MANAGEMENT**

**Attachment/s**

There are no attachments for this report.



# HAWKE'S BAY REGIONAL COUNCIL

## MĀORI COMMITTEE

Wednesday 10 February 2021

### Subject: REPORTS FROM REGIONAL COUNCIL AND COMMITTEE MEETINGS

Item 11

#### Reason for Report

1. This item provides information from recent meetings attended by the Committee Co-chairs and representatives on Council committees, and the opportunity for the Māori Committee representatives to discuss any matters of particular interest arising from those meetings.

#### Environment and Integrated Catchments Committee (EICC)

2. Dr Roger Maaka represents the Māori Committee on the EICC, which met on 3 February 2021 to consider:
  - 2.1. A deputation from Nic Caviale about Freshwater Improvement Fund co-funding opportunities for community led projects as demonstrated by the Waipuka whenua restoration project.
  - 2.2. **Tūtira Regional Park Pine Forest Replanting Plan** decision item presented two options for replanting harvested pine forest in the Tūtira Regional Park and sought the Committee's recommendation to Council to proceed with the Plan for 51ha of the forest to be retired to regenerate to native forest after the coming harvest, with 57ha to be retained in radiata pine and the balance of the 114ha lost to roading and skids as agreed by a Working Group comprised of HBRC staff, tangata whenua (Maungaharuru Tangitū Trust) and Tūtira Community representatives, and soil conservation and open spaces consultants.
  - 2.3. **Funding the Erosion Control Scheme** decision item sought support and a recommendation from the Committee to Council to fund Erosion Control Scheme projects committed to for the 2020-21 financial year through bringing planned funding / borrowing from the 2027-28 financial year forward into the current financial year's budgets.
  - 2.4. **Integrated Catchment Management - Catchment Delivery Section Update** provided an update on the activities and achievements of the Catchment Management team, specifically in relation to the delivery and outcomes of the Erosion Control Scheme (ECS) and the Protection and Enhancement Projects (PEP), highlighting the ECS programme, through hard work by the staff and positive engagement from landowners, has surpassed expectations and continues to gain momentum, in Te Whanganui-ā-Orotu (Ahuriri catchment) inland hill country across 5.9ha has been reinstated back to swamp forest wetland system to help improve the quality of the surface water leaving the wetland and entering Wharerangi stream and increase indigenous habitat and 12.7ha identified as an Ecosystem Prioritisation site has been retired and fenced, as well as Protection and Enhancement Projects at Lake Whatumā, Lake Tūtira and Whakakī Lake.
  - 2.5. A verbal **Chillean Needle Grass (CNG) Update** covered impacts of this invasive pest plant (seed remains viable in the soil for 20+ years, reduces pasture and crop yields, unpalatable to stock when seeding) and measures to control its spread including restrictions on land uses and material moving off properties as it can be spread by stock, hay/silage/stock feed, machinery, soil, gravel and silt and given that there is no current tool to eradicate this plant (spraying only kills growing grass, does not kill seed). CNG currently inhabits approx. 600 hectares on >200 properties in Central Hawke's Bay, Maraekakaho, Puketapu, and Bayview.
  - 2.6. A verbal **Pest Management - Possum Control Update** spoke to the increase in pests and predators as a result, in part, of warmer winter temperatures and the

focused eradication and management activities and efforts of the Biosecurity team in response.

- 2.7. A **Farm Environmental Management Plans Update** item updated the Committee on Farm Environmental Management Plans (FEMPs) in the Tukituki catchment and is also on today's agenda for presentation to this Committee.
- 2.8. A **Regional Water Security Programme - 2021 Engagement** item updated the Committee on progress with the Regional Water Security Programme and the associated Treaty partner, targeted stakeholder and wider community engagement for 2021.

### Corporate and Strategic Committee (C&S)

3. Peter Eden represents the Māori Committee on the C&S, which met on 2 December 2021 to consider:
  - 3.1. **Report from the 11 November 2020 Finance Audit and Risk Sub-committee** (FARS) reported on the meeting's proceedings including an update on progress implementing the Risk Maturity Roadmap, an Internal Audit Work Programme Update, an HBRC Covid-19 Response Review Report outlining learnings and findings from the internal review of the Regional Council's organisational response to the Covid-19 pandemic, as well as a verbal update on the progress made to date implementing Council's new financial system (FUSE)
  - 3.2. **Pettigrew Green Arena Car Park** sought the Committee's agreement to a preferred option for the location of a car park to accommodate additional patronage at the expanded Arena complex, with one of the options being located on the adjacent Tūtaekurī river berm on the river side of the stopbank managed by HBRC, to enable advising the Trust in order for the proposal to proceed to the resource consent application phase
  - 3.3. **2019-20 Compliance Annual Report** item and presentation highlighted 92.5% of consents were monitored, of which 89.7% (2750) were fully compliant, the majority of non-compliant consents were discharges to land and water, with Municipal wastewater having the highest proportion of non-compliance and Municipal stormwater continuing to be non-complying, as well as 11% fewer complaints (982) received, 21% less infringement notices issued (88), 48% (21) fewer abatement notices issued and prosecutions increased by 300% to 12.
  - 3.4. Captain Martin Moore presented to the Committee on the role and responsibilities of the Harbourmaster, including in relation education on safe boating, Rocket Lab rocket launches and boating speed restrictions on rivers, particularly Mohaka
  - 3.5. **HB Tourism Six-Monthly Update** item and presentation covered how HB Tourism is tracking on achieving its KPIs, highlighting positive movement in domestic market share in part the result of the campaign targeted to the Wellington region, currently HB Tourism membership is free, and work to improve relationships with Hawke's Bay and New Zealand Māori Tourism and develop a cultural brand for HB
  - 3.6. The **Organisational Performance Report** for Period 1 July to 30 September 2020 and 2020-21 Quarter 1 (1 July – 30 September 2020) **Financial Report** items provided first quarter results for the 2020-21 financial year, introducing a reporting dashboard proposed to replace the current 80 page organisational report in future, highlighting there had been no significant over or underspend and that the Dividend from Napier Port was higher than anticipated and the potential resulting implications on the amount that Council will need to borrow and baseline financials for LTP
  - 3.7. **Regional Council's Corporate Carbon Footprint** item provided Council's 'baseline' carbon footprint as calculated by independent consultant, EKOS, with discussions covering additional work around forestry and open spaces carbon calculations and off-set options will need to be commissioned from an external consultant, the potential to reduce the use of the vehicle fleet as the main



contributor to Council's carbon footprint and incentives for staff to use public transport and the promotion of cycling to work.

### **Regional Transport Committee (RTC)**

4. Api Robin represents the Māori Committee on the RTC, which workshopped the Regional Land Transport Plan on 20 November to enable public consultation to commence by 1 February (submissions close 28 February) and information can be found at <https://www.consultations.nz/hbrc/regional-land-transport-plan/>. The RTC will meet again on 12 March 2021 and discussions will be reported to the 7 April Māori Committee meeting.

### **Regional Council**

5. Co-chairs Michelle McIlroy and Mike Paku are invited to attend Regional Council meetings and workshops with full speaking rights. Since the Māori Committee last met on 18 November 2020, there have been 3 Regional Council meetings and 4 workshops to develop Council's Long Term Plan, and the Co-chairs will provide a verbal update on Council discussions from those hui.

### **Decision Making Process**

6. 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.

### **Recommendations**

That the Māori Committee receives and considers the "*Reports from Regional Council and Committee Meetings*".

### **Authored by:**

**Leeanne Hooper**  
**TEAM LEADER GOVERNANCE**

### **Approved by:**

**Pieri Munro**  
**TE POU WHAKARAE**

### **Attachment/s**

There are no attachments for this report.



# HAWKE'S BAY REGIONAL COUNCIL

## MĀORI COMMITTEE

Wednesday 10 February 2021

### SUBJECT: SIGNIFICANT ORGANISATIONAL ACTIVITIES LOOKING FORWARD THROUGH FEBRUARY 2021

Item 12

#### Reason for Report

1. The commentary following is for information, to highlight significant areas of Council activity. Significant Council resources are being directed toward various initiatives which reflect the Council's evolving agenda and it is considered important that Council is consistently informed on progress in areas that have or may create a high external profile.

Whole of Region		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
Recreational Water Quality	1. The <i>Swim Through Summer</i> Recreational Water Quality monitoring programme continues through to mid-March, with results provided to lawa.org.nz and available via the LAWA website.	Marine & Coast; Environmental Information
2021-31 Long Term Plan development	2. The 10-year budget for the 2021-31 LTP is on track for review and approval by Council in late Jan/early Feb respectively. The draft Consultation Document (CD) and supporting information will be workshopped with Council through February/March with the intention to adopt for consultation on 24 March. Auditing of the underlying assumptions as well as asset, financial and performance information and the draft CD is underway by AuditNZ.	All Groups
Risk Maturity	3. Risk appetite workshop with Exec and Councillors scheduled 17 March 2020 is being reviewed due to ongoing border closures restricting 'in person' attendance by the preferred workshop facilitator who is Australian based. 4. Development of enterprise risk bowties to synthesise risks and controls continues with 6 of the 13 risks completed to date 5. Refreshed enterprise risk report and progress update on audit finding corrective actions due to FARS on 17 February 2021. 6. HBRC Internal Assurance Framework is drafted with ELT approval to be sought in March 2021.	Risk and Assurance
People & Capability (including Health & Safety)	7. For by the end of January 2021, 9 new staff will have joined Council (7 permanent and 2 fixed term roles). 8. Recruitment and selection processes have continued to be a priority for the team with a number of roles currently in process spanning January and February. 9. One area of focus for H&S is 64 Health and Safety Codes of Practice in final stage of review.	People & Capability
Outstanding Water Bodies Plan Change (PC7)	10. Hearings were held in the first week of December 2020. It is anticipated that the Panel could issue a decision prior to Easter 2021, but no date has yet been formalised.	Strategic Planning Policy & Planning
Regional Land Transport Plan	11. The Regional Transport Committee adopted the draft Land Transport Plan for consultation beginning end January for a period of 4 weeks with Hearings to be scheduled in March.	Strategic Planning Transport

Whole of Region		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
Catchment Services	<p>12. The Pest Plant team have been working closely with the Asset Management team in ceasing all gravel extraction between the confluence of the Waipawa and Tukituki Rivers downstream to the Tukituki River mouth due to the presence of Chilean Needle Grass. Alternative gravel extraction sites have been offered to gravel extractors. Work will be undertaken to develop procedures to allow gravel extraction to resume in the future whilst managing the risk of spreading Chilean needle grass.</p> <p>13. The Pest Animal Team are currently following up with 15 land occupiers that have failed their PCA possum monitor, primarily in Central Hawke's Bay.</p> <p>14. TB update: Currently 15 herds infected in Hawke's Bay with a further 4 herds under investigation. Number of infected herds is decreasing The injunction lodged by Nigel Baker to prevent proposed possum control being undertaken on Tatarakaia C block has been dismissed in the Maori Land Court. OSPRI can now resume their operation to eradicate TB.</p> <p>15. HB Coastal Bird survey is underway with 245km of coastline completed thus far. Although the data has yet to be analysed, more NZ dotterel have been recorded than ever before, with 100km of coast still to complete.</p>	Integrated Catchment Management <b>Biosecurity/ Biodiversity</b>
Predator Free Hawke's Bay	16. Progress continues on the bait station layout for Whakatipu Mahia. Wireless trap monitoring for the proof of possum absence on phase one of the peninsula will begin.	ICM - <b>Biosecurity/ Biodiversity</b>
PW&ER Fund - Hapara Takatu, H&S and ECS/CRM	<p>17. MFE Public Waterways and Ecosystem Restoration Fund projects – riparian fencing projects that will by default provide areas for future riparian planting are currently underway. This fencing is providing employment for both fencers (new and old) and materials wholesalers, to allow for the completion of this work.</p> <p>18. Catchment Delivery staff are being trained in the use of drones to provide (in certain circumstances) a safer option when considering travel across farms. This will primarily be used for the fencing inspections when signing off work, efficiencies and also for imagery that can be used for reporting and presentations.</p> <p>19. Catchment Delivery staff and ICT are working closely on resolving some of the current reporting and forecasting issues identified for managing the ECS budget.</p> <p>20. Catchment Delivery staff are currently working through adjustments to the ECS grant rate, the potential for project \$ capping and works prioritisation now required given the high demand for the ECS grant.</p>	ICM – <b>Catchment Delivery</b>
Protection and Enhancement Fund	21. Resource consent has been granted for the construction of the Kahikanui sediment detention bunds that are one of the key deliverables of the Te Waiū o Tūtira FIF Project. Delivery of this work has now been passed on to the Asset Management Team and will be completed during summer/autumn.	ICM – <b>Catchment Delivery</b>
Environmental DNA and koi carp	22. Ongoing development and adaptation of eDNA technology for environmental monitoring purposes has resulted in the detection of koi carp in Hawke's Bay. Eradication has commenced. A further report of koi carp in a stream was investigated with eDNA and found to be goldfish, which are of little concern.	ICM – <b>Env. Science, Biosecurity/ Biodiversity</b>

Whole of Region		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
Statistical riparian survey	23. High resolution aerial photography (2cm resolution) being collected from 217 sites across the region. This will form the basis of a statistical model describing the condition of riparian margins across the region.	ICM - Land Science

Northern Catchment		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
Mohaka Plan Change	24. Work is ongoing with Ngāti Pāhauwera and the project team to progress the co-design of the plan. This follows on from a series of iwi/HBRC led community meetings/hui held in December 2020.	ICM - Catchment Policy Implementation
Wairoa/Mahia	25. Wetland SoE monitoring site establishment continues into the Wairoa and Mahia areas.	ICM - Land Science
FIF Whakakī	26. Two Hui-a-Hapū to improve engagement with the whanau and community are scheduled on 28 January 2021. 27. Revised Whakakī website and water quality dashboard is almost live and will provide a source of reliable information on various issues including the Freshwater Improvement Fund workstream for direct access by the Whakakī community	ICM - Catchments Delivery, Environmental Information & Science Māori Partnerships & Marcomms.
Area Manager Activity	28. Focus has been on supporting the Mohaka Plan Change, Whakakī Freshwater Improvement Fund, Te Kupenga and coordinating the Tripartite Governance meeting over the last month. 29. Engagement with Te Puni Kōkiri, Tātau Tātau o Te Wairoa, Tangata whenua representatives for Mohaka, Whakakī Lake Trust re the appointment of the new WDC Māori Standing Committee representatives, MPI & WDC. 30. A Tripartite meeting is scheduled for 20 January between the governors of Tātau Tātau o Te Wairoa, Wairoa District Council and HBRC. This will be followed up shortly with a hui to bring operational teams together. 31. A follow up meeting (scheduled on 12 February) with the Our Land & Water, National Science Challenge “Whitiwhiti Ora” project team to further explore avenues of opportunity for projects in Wairoa with Tripartite partners. 32. A Wairoa Community Partnership Group hui is scheduled for 3 February.	Māori Partnerships
WDC Wairoa Wastewater discharge consents	33. Hearing of the application by WDC to continue the discharge of wastewater to the Wairoa River was held 30 November & 1 December 2020. The panel has adjourned the hearing awaiting the applicant's provision of interim closing submissions by 29 January. Expert conferencing is anticipated following this.	Consents

Central Catchments		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
TANK plan change (PC9)	34. Environmental science is preparing technical responses to many submissions received on the TANK plan change 35. Staff are preparing the S42a reports in preparation of the hearings which are scheduled for May-June 2021	Policy & Planning

Central Catchments		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
Ngaruroro & Clive Rivers – Application for Water Conservation Order	36. Rebuttal evidence for hydrology and water quality/ecology submitted 14 January 37. Environment Court hearing is set down for 9-19 February 2021.	ICM – Env Science
Heretaunga Plains Scheme review	38. Modelling of the Tutaekuri and Ngaruroro Rivers complete. There are no significant issues to report on with regards to containing a 1 in 500- year event, however this excludes the effects of climate change. Climate change effects will be assessed at a later date, allowing for additional data to minimise the risk of over design. 39. Modelling of the Lower Tukituki river has now commenced, this will be completed March 2021	Asset Management <b>Regional Projects</b>
Flood Control Schemes	40. Resilience Funding PDU projects: A pilot study of geotechnical testing on Taradale stopbank will commence this month. This will form the basis of a methodology for geotechnical assessments of stopbank across the HPFCS. 41. Moteo stopbank geotechnical assessments will follow on from the Taradale site, results from these assessments will form the basis of scope of works for engineered strengthening works at both sites 42. Prioritisation of other key sites for HPFCS shall be determined based on river modelling outputs, condition assessments and consequence of failure of assets early in February.	Asset Management <b>Engineering</b>  <b>Regional Projects</b>
Lake Tūtira	43. Kahikanui stream bridge is currently being fabricated off-site. The physical works on site will commence in March 2021 44. Concentrations of potentially toxic algae have remained low in Tūtira – we are revisiting guidance around the swimming risk with partners. 45. Sediment dam delivery is expected to be completed by March 2021.	Asset Management <b>Regional Projects</b> ICM - <b>Freshwater quality and ecology</b>
Tūtira	46. Tutira Catchment characterisation with an emphasis on detecting phosphorus sources and transport pathways underway. Also looking at Historic versus current contributors	ICM - <b>Land Science</b>
Gravel Management	47. Global gravel extraction resource consent had a final prehearing and all conditions have been agreed on. The application has been submitted for processing.	Asset Management <b>Consents</b>
Heretaunga Plains water take renewals	48. Takes from the Heretaunga Plains unconfined aquifer (approx. 200 lodged) expired 31 May 2018 and are being exercised under s124. These are being processed as a group and are being kept on hold while the TANK Plan Change advances.	Regulation <b>Consents</b>
NCC / HBRC Westshore tidal gates and NCC Lagoon Farm stormwater discharge consents	49. Draft consents conditions have been circulated to the applicants and Consents are waiting for final feedback.	Regulation <b>Consents</b>

Central Catchments																										
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section																								
Incidents and Enforcement	<p>50. Pollution Response and Enforcement received 515 incidents (Air 335, Land 84, Surface water 73, Coastal 21, Ground Water 2) logged through our hotline for the period 1 July 2020- 20 January 2021.</p> <p>51. Total infringements for year to date 1/7/20 – 20/1/21 = 39</p> <table border="1"> <tr> <th>Infringement no.</th><th>RMA section breached</th><th>Discharge of contaminants to:</th></tr> <tr> <td>4</td><td>15(1)(a)</td><td>Water</td></tr> <tr> <td>6</td><td>15(1)(b)</td><td>Land where may enter water</td></tr> <tr> <td>1</td><td>15 (1)(c)</td><td>Industrial or trade premises to air</td></tr> <tr> <td>5</td><td>15(1)(d)</td><td>Industrial or trade premises to land</td></tr> <tr> <td>20</td><td>15(2A)</td><td>Air or land where breaches our RRMP</td></tr> <tr> <td>1</td><td>22(2)</td><td>Failure to supply information (name and address) to an enforcement officer</td></tr> <tr> <td>2</td><td>338(1) ( c)</td><td>Breach of Abatement Notice</td></tr> </table> <p>52. Ten active prosecutions-initiated year to date (20/01/21) at various stages, which we are unable to comment publicly on.</p>	Infringement no.	RMA section breached	Discharge of contaminants to:	4	15(1)(a)	Water	6	15(1)(b)	Land where may enter water	1	15 (1)(c)	Industrial or trade premises to air	5	15(1)(d)	Industrial or trade premises to land	20	15(2A)	Air or land where breaches our RRMP	1	22(2)	Failure to supply information (name and address) to an enforcement officer	2	338(1) ( c)	Breach of Abatement Notice	Regulation Compliance & Enforcement
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Hawea Historical Park / Karamu Stream Diversion	<p>53. Hawea Park Draft Management plan is drafted and under review with HBRC. Awaiting cultural information from committee.</p> <p>54. Stage 3 of the development is underway with widening and enhancement to be completed by July 2021.</p>	Asset Management <b>Open Spaces Regional Assets</b>																								
Waitangi Regional Park	55. Stage 3 of the development including vehicle access to the river, public toilets and finalising marquee under way with some final planning and investigation work.	Asset Management <b>Regional Projects</b>																								
NCC Municipal Wastewater	<p>56. NCC has completed repairs on the 630m leak and completed a seal replacement on the onshore discharge chamber. Repairs to the 700m leak were unable to be completed prior to the Christmas breaks due to inclement weather. HBRC have extended the abatement notice for the repairs to 28 February 2021. Repairs are anticipated to be completed within this timeframe, weather permitting.</p> <p>57. During the 9 November 2020 flood event, NCC discharged wastewater into the Pirimu and County waterways over approximately 57 hours. HBRC was notified prior to commencement and environmental sampling was undertaken by NCC before, during and after the event. NCC undertook the discharge in accordance with section 330(1)(f) of the RMA &amp; no further action will be taken by HBRC.</p>	Regulation Compliance & Enforcement																								
Omaranui Landfill expansion	58. The resource consent applications for the Omaranui Landfill expansion were notified on Tuesday 19 January 2021. Submissions close Wednesday 17 February 2021.	Regulation Consents																								
Clive River Dredging and discharge of dredgings	59. Asset Management is planning to dredge the lower reaches of the Clive river and resource consent applications have been lodged for the dredging and the discharge of dredged material. The application has been assessed by external consultants. Further information is to be requested for this application by the Consents section.	Asset Management <b>Regulation Consents</b>																								

Southern Catchments		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section

Southern Catchments		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
CHBDC Wastewater discharge consents	<p>60. CHBDC completed the removal of ineffective wetland treatment systems at Waipawa/Waipukurau WWTP as part of required upgrades under the enforcement order. An improvement in treatment quality has been noticed in sampling to date.</p> <p>61. The upgrades will be completed in 9 phases across 5 projects, <a href="#">more information can be found here</a>.</p>	Regulation Consents & Compliance
Production land use consents - Tukituki catchment	<p>62. To date 22 complete production land use activity consents have been lodged. Letters have been sent to farmers/applicants informing them of the new deadline of 26 February 2021 for lodgement of Tukituki land use resource consent applications.</p> <p>63. The Council approach (set out in the Procedural Guidelines) was reviewed and advice sent to a group of landowners in response to their criticism of this process. The review and advice have confirmed Council's approach as set out in the guidelines and the community has been advised.</p> <p>64. Compliance staff have identified seven remaining properties that still have not provided a farm environmental management plan (FEMP). Consideration of options including enforcement is being worked through to address the outstanding FEMPs.</p>	Regulation Consents & Compliance
Upper Tukituki Flood Control Scheme	<p>65. Waipawa river erosion above SH50. Concrete akmons have been fabricated and are stockpiled on site. Works group will mobilise in mid-February to commence construction of groynes.</p> <p>66. Upper Tukituki gravel extraction. Formation of new river accesses late 2020, UAV survey of Mangaonuku, Makaretu and Tukipo nearing completion, material testing of all rivers due to commence February,</p>	Asset Management <b>Regional Projects</b>
Tukipo Wetland	<p>67. Construction of Constructed wetland in Tukipo due to commence last week of January.</p> <p>68. Resource consents for this are currently being processed and are on schedule to be issued in advance of this.</p>	ICM – Environmental Science: <b>Water Quality &amp; Ecology Consents</b>
Pōrangahau Catchment	69. Catchment characterisation focusing on sources of sediment loss and <i>E.coli</i> underway.	ICM - <b>Land Science</b>
Farm Environment Management Plans (FEMPs)	70. Updates of FEMPs in the Tukituki catchment will be due by 26 February for those requiring consents. Others are due to be updated by the end of May. Activities and communications with farmers and farm plan providers over the next few months are focused on people achieving these updates by the key dates.	ICM - <b>Catchment policy Implementation</b>
Silver Fern Farms Takapau consents	71. Consents for Silver Fern Farms to discharge process water from the Takapau Meat Processing Plant are in process. The applications were notified on 23 Jan 2021 and submissions will close 22 Feb.	Consents
Tranche 2 consents	72. Applicants seeking Tranche 2 water have submitted modelling results for taking and offsetting effects on the environment. HBRC has provided feedback on these. Report to be finalised by the applicant and submitted with an updated AEE by March.	Consents

### Decision Making Process

- 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 Māori Committee receives and notes the *Significant HBRC Activities Looking Forward through February 2021* staff report.

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### Attachment/s

There are no attachments for this report.



# HAWKE'S BAY REGIONAL COUNCIL

## MĀORI COMMITTEE

Wednesday 10 February 2021

### SUBJECT: FEBRUARY 2021 STATUTORY ADVOCACY UPDATE

Item 13

#### Reason for Report

1. This item reports on proposals forwarded to the Regional Council and assessed by staff acting under delegated authority as part of the Council's Statutory Advocacy project.
2. The Statutory Advocacy project (Project 196) centres on local resource management-related proposals upon which the Regional Council has an opportunity to make comments or to lodge a submission. These include, but are not limited to:
  - 2.1. resource consent applications publicly notified by a territorial authority
  - 2.2. district plan reviews or district plan changes released by a territorial authority
  - 2.3. private plan change requests publicly notified by a territorial authority
  - 2.4. notices of requirements for designations in district plans
  - 2.5. non-statutory strategies, structure plans, registrations, etc prepared by territorial authorities, government ministries or other agencies involved in resource management.
3. In all cases, the Regional Council is **not** the decision-maker, applicant nor proponent. In the Statutory Advocacy project, the Regional Council is purely an agency with an opportunity to make comments or lodge submissions on others' proposals. The Council's position in relation to such proposals is informed by the Council's own Plans, Policies and Strategies, plus its land ownership or asset management interests.
4. The summary outlines those proposals that the Council's Statutory Advocacy project is currently actively engaged in.

#### Decision Making Process

5. 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 Māori Committee receives and notes the "*February 2021 Statutory Advocacy Update*" staff report.

#### Authored by:

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POLICY PLANNER

Ellen Robotham  
POLICY PLANNER

#### Approved by:

Ceri Edmonds  
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#### Attachment/s

[1](#) February 2021 Statutory Advocacy Update



## Statutory Advocacy Update (as at 1 February 2021)

Note updates since last meeting (9 September 2020) are provided in red text

**TABLE 1: NATIONAL PROPOSALS**

Received	Proposal	Agency	Status	Current Situation
5 Aug 2020	<b>'Essential Freshwater' package</b> (was previously referred to as Action for Healthy Waterways), featuring: <ul style="list-style-type: none"> <li>- A new national policy statement for freshwater management (replacing the 2014/17 NPS-FM)</li> <li>- A new national environmental standard for freshwater</li> <li>- A new Regulation for stock exclusion</li> <li>- Amendments to regulations for water metering.</li> </ul> <a href="https://www.mfe.govt.nz/action-for-healthy-waterways">https://www.mfe.govt.nz/action-for-healthy-waterways</a>	Ministry for the Environment	Gazetted and in effect from 3 Sept 2020	Refer to separate briefing paper update in agenda for Regional Planning Committee's 14 October 2020 meeting.
Feb 2020	<b>Proposed Amendments to National Environmental Standard for Air Quality</b> The consultation document sets out several key changes relating to particulate matter and mercury in the current 2004 NES: <ul style="list-style-type: none"> <li>• Introduction of a daily and annual ambient PM2.5 (fine particulate matter) standard</li> <li>• Stricter standards for newly-installed domestic solid fuel burners</li> <li>• Standards apply to all domestic solid fuel burners</li> <li>• Indefinite ban on new open fires in airsheds when standard is breached</li> <li>• Prohibition on the use of mercury in industrial processes.</li> </ul>	Ministry for the Environment	Public feedback closed 31 July 2020	Joint council submission lodged, a copy can be found at <a href="#">HBRC Submissions</a> <sup>1</sup> .
Feb 2020	<b>Proposed National Environmental Standard for the outdoor storage of tyres</b> The consultation document sets out options for the proposed NES to respond to the risks associated with tyres stored outdoors and to provide the clarity needed about regulation of such tyres under the Resource Management Act 1991.	Ministry for the Environment	Public feedback closed 25 March 2020	On 24 August 2020, Cabinet approved the policy content and drafting of a National Environmental Standard (NES) for the outdoor storage of tyres. This follows receipt of 50 submissions on the earlier proposed NES. When the NES regulations are drafted, they will go back to Cabinet for a final decision. MFE officials expect this will happen in late 2020 (after the General Election), with the regulations coming into force in 2021.  Submission lodged, a copy can be found at <a href="#">HBRC Submissions</a> .

<sup>1</sup> <https://www.hbrc.govt.nz/our-council/about-council/hbrc-submissions/>

Received	Proposal	Agency	Status	Current Situation
Jan 2020	<b>Improving Whitebait Management</b> Discussion document detailing proposed management changes for whitebait. It proposed a management goal for the six species fished as whitebait, management outcomes for the whitebait fishery, amendments to the whitebait fishing regulations, and to phase out export of the whitebait species.	Department of Conservation	Public feedback closed 16 March 2020	Submission lodged, a copy can be found at <a href="#">HBRC Submissions</a> .
26 Nov 2019	<b>Draft National Policy Statement for Indigenous Biodiversity (NPS-IB)</b> The proposed NPS-IB sets out the objectives and policies to identify, protect, manage and restore indigenous biodiversity under the Resource Management Act 1991. <a href="https://www.mfe.govt.nz/publications/biodiversity/draft-national-policy-statement-indigenous-biodiversity">https://www.mfe.govt.nz/publications/biodiversity/draft-national-policy-statement-indigenous-biodiversity</a>	Ministry for the Environment	Public feedback closed 14 March 2020.	HBRC, NCC, HDC and CHBDC lodged a joint submission. The cover letter and a copy of the full submission can be found at <a href="#">HBRC Submissions</a> .  Associate Minister for Environment Nanaia Mahuta agreed to extend the timeframe of the delivery of the proposed NPS-IB to April 2021 (delayed due to COVID-19). The longer timeframe means the joint project team (Ministry for the Environment and the Department of Conservation) can now work on an implementation plan to support the roll-out of the policy statement once it is finalised, while working to address feedback from consultation.
14 Nov 2019	<b>Death, Funerals, Burial and Cremation: a Review of the Burial and Cremation Act 1964 and Related Legislation</b> This consultation document sets out a range of options for modernising the legislation relating to death, burial, cremation and funerals in New Zealand, including the Burial and Cremation Act 1964, Cremation Regulations 1973 and the Health (Burial) Regulations 1946.	Ministry of Health	Public feedback closed 31 July 2020.	Submission lodged, a copy can be found at <a href="#">HBRC Submissions</a> .
21 Aug 2019	<b>National Policy Statement – Urban Development (NPS-UD)</b> <a href="https://www.mfe.govt.nz/national-policy-statement-on-urban-development">https://www.mfe.govt.nz/national-policy-statement-on-urban-development</a>	Ministry for the Environment	NPS-UD released on 23 July to take effect from 20 August 2020	HBRC, NCC, HDC and CHBDC made a joint submission which can be found at <a href="#">HBRC Submissions</a> .  Since enactment - MFE are preparing further guidance on implications of the NPS-UD compared to its predecessor NPS on Urban Development Capacity. The Heretaunga Plains Urban Development Strategy Implementation Working Group (IWG) will be the principal group considering implications of this new NPS as it relates to plans and policies for managing urban growth in the Napier and Hastings urban areas.

Received	Proposal	Agency	Status	Current Situation
14 Aug 2019	<b>National Policy Statement – Highly Productive Land (NPS-HPL)</b> MPI and MfE have prepared a draft NPS to improve the way highly productive land is managed under the RMA. <a href="https://www.mpi.govt.nz/news-and-resources/consultations/proposed-national-policy-statement-for-highly-productive-land/">https://www.mpi.govt.nz/news-and-resources/consultations/proposed-national-policy-statement-for-highly-productive-land/</a>	Ministry for Primary Industries	Public feedback closed 10 October 2019	HBRC, NCC, HDC and CHBDC made a joint submission which can be found at <a href="#">HBRC Submissions</a> .  The National Policy Statement on Highly Productive Land has been delayed until the middle of 2021 because of the need for MfE officials to focus on the COVID-19 response.
5 Aug 2019	<b>Aotearoa New Zealand Biodiversity Strategy</b> DOC has launched a strategy to protect and restore our nature over the next 30 years. <a href="https://www.doc.govt.nz/nature/biodiversity/aotearoa-new-zealand-biodiversity-strategy/">https://www.doc.govt.nz/nature/biodiversity/aotearoa-new-zealand-biodiversity-strategy/</a>	Department of Conservation	Information only	Te Mana o te Taiao - Aotearoa New Zealand Biodiversity Strategy 2020 was launched in August 2020. <i>Te Mana o te Taiao</i> sets out a strategic framework for the protection, restoration and sustainable use of biodiversity, particularly indigenous biodiversity, in Aotearoa New Zealand, from 2020 to 2050.  DOC says “ <i>Te Mana o te Taiao is the first part of the Aotearoa New Zealand Biodiversity Strategy package. The second part of the package will be an implementation plan that will set out actions and responsibilities. The implementation plan will be developed collaboratively with central and local government, Treaty partners, and stakeholders.</i> ”  Previously, staff had provided input into the submission made by the Local Government New Zealand Regional Sector Biodiversity Working Group.
24 July 2019	<b>Comprehensive Review of the Resource Management System</b> <a href="https://www.mfe.govt.nz/rmreview">https://www.mfe.govt.nz/rmreview</a>	Ministry for the Environment	Information only	Refer to separate briefing paper update in agenda for Regional Planning Committee's 14 October 2020 meeting. Staff are maintaining a watch on developments.  Minister-appointed Review Panel's report was publicly released on 29 July 2020. In its 500+ page report, the Panel has come up with a large number of recommendations that will reorient the system to focus on delivery of specified outcomes, targets and limits in the natural and built environments.  The new incoming Government (post-Oct 2020 election) will consider next steps about how to progress the Panel's report and recommendations.

Received	Proposal	Agency	Status	Current Situation
31 July 2019	<b>Three Waters Policy Package</b> The Cabinet announced its decisions on the proposed Three Waters policy package and has released a number of documents ahead to proposed legislative change: <a href="https://www.dia.govt.nz/Three-waters-review#Prog-Aug">https://www.dia.govt.nz/Three-waters-review#Prog-Aug</a>	Department of Internal Affairs	Information only	<p>On 6 August 2020, <u>Taumata Arowai – the Water Services Regulator Act 2020</u> received Royal assent and become legislation. The Act officially establishes Taumata Arowai—the Water Services Regulator and provide for its objectives, functions, and governance arrangements.</p> <p>Earlier, on 8 July at Havelock North, Prime Minister Jacinda Ardern announced:</p> <ul style="list-style-type: none"> <li>• A \$761m package for three waters investment over the next twelve months, the first of several expected tranches, with \$50m earmarked for Hawke's Bay's councils.</li> <li>• An invitation for councils to work with Government to co-design and support multi-regional three waters service delivery entities.</li> </ul> <p>The five councils of Hawke's Bay welcomed the <u>Prime Minister's announcement</u> on three waters reform and Government funding to support regional three waters investment. Since early in 2019, the five HB councils have been working together to review the current and potential service delivery options for drinking, waste and stormwater (three waters) for all of Hawke's Bay – <u>read full media release</u>.</p> <p>Previously, the five HB councils launched a new website in May. The new website - <a href="http://www.hb3waters.nz">www.hb3waters.nz</a> - provides information about the Review including its background, current status, anticipated timeframes and FAQs.</p>



TABLE 2: TERRITORIAL LOCAL AUTHORITY PROPOSALS

Received	TLA	Proposal	Applicant/ Agency	Status	Current Situation
Aug 2020	NCC	<b>Resource Consent Application</b> Consent is sought to develop 162 dwellings and a staged subdivision as a gated community at 16 and 38 Willowbank Avenue, Te Awa.	<b>Applicant</b> Durham Property Investments Limited <b>Agent</b> Development Nous Limited	<b>Notified Hearing pending</b>	<ul style="list-style-type: none"> <li>HBRC has opposed the application based on concerns regarding natural hazards including tsunami inundation, stormwater, earthworks and transport connectivity. A copy of the submission will be made available on HBRC's website.</li> <li>Staff and applicants are arranging a meeting to discuss options to alleviate HBRC's concerns.</li> </ul>
July 2020	NCC	<b>Application to Ministry of Transport Pipeline Protection Zone under the Submarines Cables and Pipeline Protection Act 1996</b> Application made to seek protection for submarine pipes in the coastal marine area.	<b>Napier City Council, Hastings District Council, Pan Pac Forest Products Ltd</b>	<b>Application made June 2020 – public feedback closed July 2020</b>	Feedback submitted. A copy of H BRC's submission can be found at <a href="#">HBRC Submissions</a> .
March 2020	NCC	<b>Napier City Council District Plan Review – Discussion Documents</b> NCC released and sought public feedback on discussion documents relating to the following topics: 'Ecosystems and Indigenous Biodiversity', 'Natural Features and Landscapes', 'Built Heritage' and 'Greenfield Growth in the Hills'.	<b>Napier City Council</b>	<b>Discussion documents released – public feedback closed 1 May 2020.</b>	Submissions lodged separately on Ecosystems and Indigenous Biodiversity, and Greenfield Growth in the Hills. Copies can be found at <a href="#">HBRC Submissions</a> .

Received	TLA	Proposal	Applicant/ Agency	Status	Current Situation
Aug 2019	HDC	<b>Seasonal Workers Accommodation Plan Change 1</b> HDC have notified Plan Change 1 (previously referred to as Variation 7) to the proposed Hastings District Plan which relates to Seasonal Workers Accommodation.	Hastings District Council	<b>Decisions issued. Subject to appeal, mediation pending</b>	<ul style="list-style-type: none"> <li>Submission lodged, a copy can be found at <a href="#">HBRC Submissions</a>.</li> <li>HDC issued its decisions on 30 April 2020.</li> <li>Three parties have lodged appeals. HBRC has joined these appeals as an interested party.</li> <li>Mediation has been set down for 28 October 2020.</li> <li>As the Hastings District Plan has been made operative, Variation 7 is now referred to as Plan Change 1.</li> </ul>
May 2019	CHBDC	<b>Central Hawke's Bay District Plan Review</b> CHBDC are undertaking a full review of the District Plan. Notification of proposed review plan is anticipated in early 2020.	Central Hawke's Bay District Council	<b>Draft review discussion document released – public feedback closed.</b>	Feedback submitted. A copy of HBRC's submission can be found at <a href="#">HBRC Submissions</a> .
Nov 2018	NCC	<b>Napier City District Plan Review</b> Review of District Plan has been initiated. Preliminary phase of review underway with notification of proposed reviewed plan in 2020/21.	Napier City Council	<b>Ongoing - Draft review discussion document feedback closed</b>	<b>Previously...</b> Napier City Council have publicly launched a review of their district plan. There will be further opportunities during NCC's District Plan Review process for HBRC to provide feedback and influence content.
13 July 2016	HDC	<b>Howard Street Rezoning Variation 3</b> Variation to rezone 21.2 hectares of land from its current Plains zone to General Residential zone in between Howard Street and Havelock Road.	Hastings District Council	<b>HDC Decisions issued Subject to appeal, mediation ongoing</b>	<b>Previously...</b> <ul style="list-style-type: none"> <li>Following Environment Court-assisted mediation and discussions between engineering experts, parties have indicated resolution is achievable regarding land for stormwater management. Final documentation is being drafted by HDC for Court's approval.</li> <li>Parties to the appeal have been discussing recently completed stormwater engineering investigations and geotechnical assessments and how the District Plan rezoning appeal might now be resolved. HDC issued its decisions on 25<sup>th</sup> March 2017.</li> </ul>

Received	TLA	Proposal	Applicant/ Agency	Status	Current Situation
18 Jan 2016	WDC	<b>Resource Consent Application</b> Consent is sought to clear 248 hectares of Manuka and Kanuka on Part Umumanfo 2 Block on Kopuawhara Road, Mahia.	<b>Applicant</b> R & L Thompson <b>Agent</b> Insight Gisborne Ltd	<b>Limited Notified WDC hearing pending</b>	<b>Previously...</b> <ul style="list-style-type: none"> <li>HBRC has opposed the application based on concerns relating to the loss and degradation of soil (erosion) and water quality. A copy of the submission can be found at <a href="#">HBRC Submissions</a>.</li> <li>HBRC staff and applicants have held discussions about potential alternative clearance proposals.</li> </ul>
8 Nov 2013	HDC	<b>Proposed Hastings District Plan</b> Review of the Hastings District Plan in its entirety. Includes the harmonisation of district wide provisions between the Napier District Plan with the Hastings District Plan where relevant.	<b>Hastings District Council</b>	<b>Notified HDC decisions issued, subject to appeals</b>	<b>Previously...</b> <ul style="list-style-type: none"> <li>Over 40 separate appeals were lodged against HDC's decisions by other groups and individuals. HBRC joined as a section 274 interested party to proceedings on eleven (11) of those appeals. All but one of those appeals has been resolved. That last one will be awaiting the appellant to prepare a draft 'structure plan' for their development area in Havelock North.</li> <li>HDC issued its decisions on 12 September 2015. Council staff reviewed the decisions and were satisfied that HBRC's submission has been appropriately reflected so did not need to lodge an appeal itself. <a href="http://www.hbrc.govt.nz/HBRC-Documents/HBRC-Documents/20140214-Submission-HDC-District-Plan.pdf">http://www.hbrc.govt.nz/HBRC-Documents/HBRC-Documents/20140214-Submission-HDC-District-Plan.pdf</a></li> </ul>

TABLE 3: OTHER PROPOSALS

Received	Proposal	Agency	Status	Current Situation
9 Dec 2017	<b>HB Fish and Game Council's Draft Sports Fish and Game Management Plan</b> A draft management plan under the Conservation Act to eventually replace the current 2005 Sports Fish and Game Management Plan for the HBFG region.	HB Fish and Game Council	<b>Notified, Submissions closed. Hearing pending</b>	<b>Previously...</b> Submission lodged. A copy of HBRC's submission can be found at <a href="#">HBRC Submissions</a> .

## Attachment 1

## February 2021 Statutory Advocacy Update

Received	Proposal	Agency	Status	Current Situation
24 July 2017	<b>Application for Water Conservation Order (WCO)</b> Application for a WCO for the Ngaruroro River & Clive River	Applicants NZ Fish & Game Council, HB Fish & Game Council; White water NZ; Jet Boating NZ; Operation Patiki Ngāti Hori ki Kohupatiki Marae; Royal Forest & Bird Protection Society	<b>Special Tribunal Recommendation Report Released.</b> <b>Environment Court Inquiry in progress</b>	<ul style="list-style-type: none"> <li>• Eight parties lodged further proceedings with the Environment Court regarding the Special Tribunal's recommendation report. Council lodged further proceedings in relation to the implementation of the draft Order. Because the Environment Court has received submissions, an inquiry will be held.</li> <li>• Pre-hearing expert witness conferences were held in March regarding hydrology, water quality, avifauna, fish, and planning.</li> <li>• Environment Court proceedings were paused during the Level 4 and Level 3 of COVID-19 response.</li> <li>• Forest &amp; Bird have introduced new evidence which has been accepted by the Court. An additional round of evidence exchange has occurred and expert witness conferencing is to take place on 1 October 2020.</li> <li>• As a result, mediation has been delayed from 30 September – 2 October 2020, to 15 - 16 October 2020. The hearing remains set down for 9 – 19 February 2021.</li> <li>• For more information, see: .</li> </ul>

**TABLE 4 - UPDATE OF CURRENTLY ACTIVE APPLICATIONS LODGED UNDER MARINE AND COASTAL AREA (TAKUTAI MOANA) ACT 2011 RELEVANT TO HAWKE'S BAY**

NB: INFORMATION IN TABLE 4 IS BASED ON THE INFORMATION AVAILABLE TO COUNCIL AT THE TIME OF WRITING

Iwi/Hapu/Whanau	High Court or Crown Engagement	Customary Marine Title	Protected Customary Right	HBRC to join & date	Area Description	Current Situation
Malcom J Kingi on behalf of Ngai Tahu o Mohaka-Waikare	Court CIV-2017-485-235	Yes	Yes	Yes	Mohaka River mouth in the north to mouth of Waiohinga River or Esk River in the south, out to 12 NM limit.	Application lodged in Wellington High Court. Public notice 25/4/17. received by HBRC 16/5/17. Application to be considered in full as part of Ngāti Pāhauwera's application. HBRC evidence to be lodged by 25 <sup>th</sup> September 2020. Application to be heard February/March 2021.
Ngāti Kere Hapū	Court CIV-2017-485-193	Yes	Yes	Yes	Oueptoto Stream in the north to Akitio River (in Horizons region) in the south, out to 12NM limit.	Application lodged in Wellington High Court. Public notice 25/4/17. Copy received by HBRC 8/6/17
Cletus Maanu Paul on behalf of all Māori	Court CIV-2017-485-512	Yes	Yes	No	"Entire area of Aotearoa New Zealand, including surrounding all islands and reefs..." Claim area amended to only include the area which spans from Nuhaka in the north to Waimarama in the south (June 2020).	High Court to decide whether Mr Paul's claim in relation to "(a)ll Māori not already represented in customary title proceedings under the Act" should be struck out (May 2020). The application was due to be the subject of a strike-out hearing on 28 May 2020. Due to Cletus Maanu Paul's unavailability, the Court proposed to move the hearing to 23 July 2020 in Auckland. The applications for customary marine title and protected customary rights have been amended. Reference to "on behalf of all Māori" have now been removed. Mr Paul is now an applicant in conjunction with other applicants and has asked for the strike-out application to be discontinued on that basis. Following court direction Cletus Maanu Paul has now become the lead

Iwi/Hapu/Whanau	High Court or Crown Engagement	Customary Marine Title	Protected Customary Right	HBRC to join & date	Area Description	Current Situation
						<p>applicant with other applicants joining his application. Hillary Seymour has joined the application claim title over the area in the Hawke's Bay region (including areas spanning from Nuhaka to Waimarama).</p> <p>Churchman J issued a minute (Ngāti Pāhauwera (No 8)), which was critical of Mr Paul's failure to work towards preparing for the February/March hearings dates. He made clear that the Court has directed that cross-claims be heard together and that applicant cannot dictate to the Court the basis on which they will participate in hearings.</p> <p>The Court has noted Mr Paul's desire to participate only as an interested party but has been warned of the consequences of this (16 June 2020).</p> <p>Application withdrawn in its entirety (23 July 2020)</p>
R. Dargaville for NZ Māori Council	Court CIV-2017-404-538	Yes	Yes	No	Waimarama to Blackhead Point	<p>Hawkes Bay portion of national application withdrawn.</p> <p>Application withdrawn in its entirety (23 July 2020)</p>
Maungaharuru-Tangitu Trust	Court CIV-2017-485-241	Yes	Yes	Yes	Waitaha Stream in the north to Keteketerau (Bay View) in the south out to 12NM limit.	<p>Application to be considered in full as part of Ngāti Pāhauwera's application (12 February 19)</p> <p>HBRC evidence to be lodged by 25<sup>th</sup> September 2020.</p> <p>Application to be heard February/March 2021.</p>
Ngāti Pāhauwera Development Trust	Court CIV-2011-485-821	Yes	Yes	Yes	Poututu Stream in the north to the Esk river in the south, out to 12NM limit. Application made to extend southern boundary of application area to just south of	<p>Application to be considered contemporaneously with applications from Ngāti Pāhauwera Development Trust, Malcom J. Kingi on behalf of Ngai Tahu o</p>

Iwi/Hapu/Whanau	High Court or Crown Engagement	Customary Marine Title	Protected Customary Right	HBRC to join & date	Area Description	Current Situation
					Napier Port. Application for extension of southern boundary struck out due to it being considered in essence a new application.	Mōhaka Waikare, Maungaharuru-Tangitū Trust (MTT), Cletus Maanu Paul.  HBRC evidence to be lodged by 25 <sup>th</sup> September 2020.  Application to be heard February/March 2021.
Rongomaiwahine Iwi Trust (previously lodged by Pauline Tangiora)	Court CIV-2011-485-794	Yes On hold at applicant's request	Yes On hold at applicant's request	Yes	Between Paritū (in Gisborne district) in the north and the mouth of the Nūhaka River. in the south, including areas surrounding Te Māhia Peninsula out to 12NM limit.	On hold at applicants request pending Crown engagement application process.  Memorandum filled seeking that high court application remain adjourned while it negotiates the crown (July 2020).
Poronia Hineana Te Rangi Whanau (C.Clarkson)	Court CIV - 2011-485-789	Yes	No	Yes	Whangaehu in the north to Te Poroporo (in Horizons region) in the south, including Cape Turnagain out to 12NM limit.	Council's evidence to be filled by the 30 <sup>th</sup> June 2020.  Affidavit received from Landowners Coalition Incorporated (interested party) (June 2020).  Application made by applicant's counsel to withdraw and subsequent direction from Churchill J to appoint pukenga. (May 2020).  Council submitted evidence 30 <sup>th</sup> June 2020.  Hearing of case to be moved to the 9 November 2020 due to Ngati Kere being at the Waitangi Tribunal the week prior.
Ngati Parau Hapu (Waiohiki Marae Board of Trustees)	Court CIV-2017-485-246	Yes	Yes	Yes	The area from the Ahuriri Harbour entrance including the inner harbour and Pandora area. Ends approx. 11km south of the old harbour entrance at the southern end of the Tutae o Mahu block. Extends 12NM out including Pania Reef.	Application to be considered in full as part of Ngāti Pāhauwera's application (February 2019).  Due to Ngāti Pāhauwera's claim area extension being reject the application no longer overlaps with this application. However, it has been determined that it will still be heard in conjunction with the Ngāti Pāhauwera application.  HBRC evidence to be lodged by 25 <sup>th</sup> September 2020.  Application to be heard February/March

## Attachment 1

## February 2021 Statutory Advocacy Update

Iwi/Hapu/Whanau	High Court or Crown Engagement	Customary Marine Title	Protected Customary Right	HBRC to join & date	Area Description	Current Situation
						2021.
Rangitāne Tū Mai Rā Trust	Court CIV-2017-485-224	Yes	Yes	Yes	Arataua (Poroporo) in the north to Turakirae Point (in Wellington Region) in the south out to 12NM limit.	Application lodged in Wellington High Court 31/3/17. Public notice 26/4/17. Copy received by HBRC 21/4/17.
Maungaharuru-Tangitu Hapu	Court CIV- 2017-485-241	No	Yes	Yes	Waitaha Stream in the north to Keteketerau (Bay View) in the south out to 12NM limit.	
Tamanuhiri Tutu Poroporo Trust	Court CIV-2017-485-314	Yes	Yes	Yes	Kopututea in the north (in Gisborne District) to Paritū in the south, out to 12NM limit.	Application lodged in Gisborne High Court 3/4/17. Public notice 29/4/17. Copy received by HBRC 5/4/17.
Peter Riki Mihaere - on behalf of Ngāti Kurupakiaka, Te Aitanga a Puata & Ngāti Tauira (see Crown application filed under Te Aitanga a Puta)	Court CIV-2017-485-230	Yes	Yes	Yes	NE side of Wairoa River bar to Hikakawa Bluff extended to Waikokopu stream, SW side from the river mouth to Poututu stream by a line extending from coast abutting the SW side of Poututu stream to Cape Kidnappers to 12NM .	
Rangitane Tu Mai Ra Trust	Court CIV-2017-485-224	Yes	Yes	Yes	Arataua (Poroporo) in the north to Turakirae Point (in Wellington Region) in the south out to 12NM limit.	Rangitane o Wairarapa me Tamaki nui-a-Rua has joined this application.
Te Rauhina Marae & Hapu (Ngāti Kahu, Te Uri o Te O, Ngā Huka o Tai, Aitanga a Puata, Ngai Te Rangituanui, Ngai Matua, Ngāti Koropi)	Court 2017-485-288	Yes	Yes	Yes	Hika Kawa on east side where Iwitea boundary ends to Pilot Hill before Whakamahia Lagoon, out to 12NM. Boundaries in Ngamotu Lagoon, 1km up Wairoa River.	Application seeks crown engagement first.
Anita Broughton – on behalf of Te Hika o Papauma	Court CIV-2017-404-481	Yes	Yes	Yes	Landward side by the line of MHWS at the mouth of Whareama River, seaward side by 12nm, Whareama river mouth (south point) up to Poroporo (north, to 12NM east and westward).	
Heretaunga Tamatea	Court CIV-2017-485-	Yes	Yes	Yes	From just south of Napier Bluff Hill to 4 KM north of Cape Turnagain.	
Mana Ahuriri	Court CIV-2017-	Yes	Yes	Yes	Panepaua (near Tangoio) in the north to Ngaruroro rivermouth in the south, including	



Iwi/Hapu/Whanau	High Court or Crown Engagement	Customary Marine Title	Protected Customary Right	HBRC to join & date	Area Description	Current Situation
	485-				the Ahuriri Estuary, out to 12 NM limit.	
Tracy Francis Hiller (on behalf of Ngai Tamahaua Hapu)	CIV-2017-485-262	Yes	Yes	TBC	The part of the area defined in the New Zealand Boundaries Act 1863 (UK) which is East of Whakatane, i.e.: All that marine and coastal area lying between the one hundred and seventy-seventh degree of East longitude and the one hundred and seventy-third degree of West longitude, and between the thirty-third and fifty-third parallels of South latitude.	
Te Rauhina Marae Trustees (aka Ngati Kaahu and Others)	CIV-2017-485-288	Yes	Yes	Yes	The area from Hika Kawa on the east to Pilot Hill just before Whakamahi/Whakamahia Lagoon and 12NM to sea. Also boundaries in Ngamotu Lagoon and 1km up Wairoa River. Area stretches from the mouth entrance of the sea to Kaimango Pa at Spooners point.	
Pauline Tangiora on behalf Rongomaiwahine Iwi	Crown	Yes	Yes	n/a	Between Paritū (in Gisborne district) in the north and the mouth of the Nūhaka River in the south, including areas surrounding Te Māhia Peninsula out to 12 NM limit.	
Maungaharuru-Tangitu Hapu	Crown	Yes	Yes	n/a	Waitaha Stream in the north to Keteketerau (Bay View) in the south out to 12NM limit.	
Ngāti Pāhauwera (1 of 2) Ngāti Pāhauwera Development Trust	Crown	Yes	Yes	n/a	From Poututu Stream in the north to Pōnui Stream in the south out to 12NM limit.	
Ngāti Pāhauwera (2 of 2) Ngāti Pāhauwera Development and Tiaki Trusts	Crown	Yes	Yes	n/a	Pōnui Stream in the north to Esk River in the south, out to 12NM limit.	
Rongomaiwahine Iwi	Crown	Yes	Yes	n/a	Between Paritū (in Gisborne district) in the north and the mouth of the Nūhaka River in the south, including areas surrounding Te Māhia Peninsula out to 12 NM limit.	
Mana Ahuriri Iwi Inc.	Crown	Yes	Yes	n/a	Panepaua (near Tangoio) in the north to Ngaruroro rivermouth in the south, including the Ahuriri Estuary, out to 12 NM limit.	

## Attachment 1

## February 2021 Statutory Advocacy Update

Iwi/Hapu/Whanau	High Court or Crown Engagement	Customary Marine Title	Protected Customary Right	HBRC to join & date	Area Description	Current Situation
Ngā Hapu Kairakau me Pourerere	Crown			n/a	No map provided.	
Ngā Hapu o Iwitea Marae	Crown	Yes	Yes	n/a	From Hikakawa Bluff in the west to Hereheretau B1 Block to the east.	
Ngā hapu o Te Whakaki (Ngāti Hine, Ngāti Hinepua, Ngai Te Ipu)	Crown			n/a	No map provided.	
Ngāti Kahukura and Ngāti Rakaipaka (Kahukura Whanau Trust)	Crown			n/a	Nuhaka River mouth in the north to Wairoa River mouth in the south, out to 12NM limit. (from the Wairoa River to Waikokopu OTS 07.07.17).	
Ngāti Kere hapu incl. Ngāti Manuhiri, Ngāti Pihere & Ngāti Hinetewai (Ngāti Kere MACA working party)	Crown	Yes	Yes	n/a	CMT - The Wainui stream mouth to the Ouepoto stream mouth out 12NM or 22.2km offshore. PCT - Ouepoto stream in the north to Akitio river in the south.	
Ngāti Kirituna (Archie Fabiam Waikawa)	Crown	Yes	Yes	n/a	The area from Nuhaka River mouth to the Wairoa River mouth. This area extends 12NM offshore between these two points	
Ngāti Rahui , Ngai te Apatu (Ngai te Apatu Trust)	Crown	Yes	Yes	n/a	From Poututu Stream into the Wairoa River mouth.	
Rongomaipapa Marae	Crown	Yes	Yes	n/a	<b>CMT:</b> The area from Kihitu to Mahia. Also the area from Papmoa Beach to Maketu, excluding Motiti Island. <b>PCR:</b> The are from Kikitu to Mahia. Also the area of Makatu.	
Te Aitanga a Puta, Ngāti Kurupakia e Ngai Tauira (see High Court Application' filed under Peter Riki Mihaere also)	Crown	Yes	Yes	n/a	The area from Cape Kidnappers stretching around to Waikokopu Stream. This area extends out to Lachlan banks and further out to 12NM between the two points.	

**HAWKE'S BAY REGIONAL COUNCIL**

**MĀORI COMMITTEE**

**Wednesday 10 February 2021**

**Subject: DISCUSSION OF MINOR MATTERS NOT ON THE AGENDA**

**Reason for Report**

1. This document has been prepared to assist Committee members note the Minor Items to be discussed as determined earlier in Agenda Item 7.

Topic	Raised by



# HAWKE'S BAY REGIONAL COUNCIL

## MĀORI COMMITTEE

Wednesday 10 February 2021

### Subject: LONG TERM PLAN 2021- 31 DEVELOPMENT UPDATE

That Hawke's Bay Regional Council excludes the public from this section of the meeting, being Agenda Item 15 Long Term Plan 2021- 31 Development Update with the general subject of the item to be considered while the public is excluded; the reasons for passing the resolution and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution being:

#### GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED

Long Term Plan 2021- 31  
Development Update

#### REASON FOR PASSING THIS RESOLUTION

7(2)s7(2)(i) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

#### GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION

The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

#### Authored by:

**Mandy Sharpe**  
**PROJECT MANAGER**

#### Approved by:

**Desiree Cull**  
**STRATEGY AND GOVERNANCE**  
**MANAGER**