



## Meeting of the Regional Planning Committee

**Date:** Wednesday 1 September 2021  
**Time:** 9.00am  
**Venue:** Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
NAPIER

### Agenda

Item	Title	Page
1.	Welcome/Karakia/Notices/Apologies	
2.	Conflict of Interest Declarations	
3.	Confirmation of Minutes of the Regional Planning Committee held on 7 July 2021	
4.	Follow-ups from Previous Regional Planning Committee Meetings	3
5.	Call for Minor Items Not on the Agenda	7
<b>Decision Items</b>		
6.	Updated Freshwater Management Units	9
7.	Proposed Plan Change 7: Outstanding Water Bodies - Overview and Resolution of Appeals	11
<b>Information or Performance Monitoring</b>		
8.	Verbal Update on the Mohaka Plan Change Process	
9.	Initial Draft of Regionally Significant Issues	17
10.	September 2021 Policy Projects Update	21
11.	September 2021 Statutory Advocacy Update	27
12.	Verbal Strategic Snapshot Update in Relation to Central Government Freshwater and RMA Reform; NES & NPS Implementation	
13.	Verbal Update on Future of Local Government	
14.	Discussion of Minor Matters Not on the Agenda	35

## Parking

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

## Regional Planning Committee Members

Name	Represents
Karauna Brown	Te Kopere o te Iwi Hineuru
Tania Hopmans	Maungaharuru-Tangitu Trust
Tania Huata	Ngati Pahauwera Development and Tiaki Trusts
Nicky Kirikiri	Te Toi Kura o Waikaremoana
Joinella Maihi-Carroll	Mana Ahuriri Trust
Mike Mohi	Ngati Tuwharetoa Hapu Forum
Liz Munroe	Heretaunga Tamatea Settlement Trust
Peter Paku	Heretaunga Tamatea Settlement Trust
Apiata Tapine	Tātau Tātau o Te Wairoa
Rick Barker	Hawke's Bay Regional Council
Will Foley	Hawke's Bay Regional Council
Craig Foss	Hawke's Bay Regional Council
Rex Graham	Hawke's Bay Regional Council
Neil Kirton	Hawke's Bay Regional Council
Charles Lambert	Hawke's Bay Regional Council
Hinewai Ormsby	Hawke's Bay Regional Council
Martin Williams	Hawke's Bay Regional Council
Jerf van Beek	Hawke's Bay Regional Council

Total number of members = 18

### Quorum and Voting Entitlements Under the Current Terms of Reference

#### Quorum (clause (i))

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

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

#### Voting Entitlement (clause (j))

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

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

Wednesday 01 September 2021

**Subject: FOLLOW-UPS FROM PREVIOUS REGIONAL PLANNING COMMITTEE MEETINGS**

**Reason for Report**

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

**Decision Making Process**

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

**Recommendation**

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

**Authored by:**

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

**Approved by:**

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

**Attachment/s**

- 1 [↓](#) Followups for September 2021 RPC meeting



## Follow-ups from Previous Regional Planning Committee Meetings

## Meeting on 7 July 2021

ref	Agenda Item	Action	Responsible	Status Comment
1	Freshwater Management Units	Further workshop to be arranged to work through FMU issue – extend invitation to Ngāti Kahungunu, other tangata whenua groups and Riki Ellison.	C Edmonds	Unable to achieve participate at specifically scheduled hui so potential participants have been invited to the 24 August RPC tangata whenua hui.
2	Discussion of Minor Items not on the Agenda	Resource Management Reforms to be a standing agenda item	Governance	Resource Management Reforms added as a Standing Item on Agendas
3	Discussion of Minor Items not on the Agenda	Verbal update on Future of Local Government	J Palmer	Item added to 1 September Agenda.
4	Discussion of Minor Items not on the Agenda	Invite Bonny Hatami to 1 September meeting to present on the Mohaka Plan Change.	C Edmonds	Bonny Hatami will present on 1 September meeting.
5	Discussion of Minor Items not on the Agenda	Hearings Committee sought advice and guidance from tangata whenua on wording for the Terms of Reference around mana whenua hearing commissioners and what comprises a conflict of interest that would preclude appointment to a Hearing Panel.	P Munro / K Brunton	Legal advice is being sought from Council's legal counsel on this matter. Draft Terms of Reference will be provided to the Hearings Committee and Regional Planning Committee following that advice.



**HAWKE'S BAY REGIONAL COUNCIL**

**REGIONAL PLANNING COMMITTEE**

**Wednesday 01 September 2021**

**Item 5**

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

**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**

That the Regional Planning Committee accepts the following "Minor Items Not on the Agenda" for discussion as Item 14:

Topic	Raised by

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

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





**HAWKE'S BAY REGIONAL COUNCIL**  
**REGIONAL PLANNING COMMITTEE**  
**Wednesday 01 September 2021**

**Item 6**

**Subject: UPDATED FRESHWATER MANAGEMENT UNITS**

**Reason for Report**

1. Since the last Regional Planning Committee (RPC) meeting, at the request of Committee members, a workshop including participants from Ngāti Kahungunu Iwi Incorporated (NKII) was scheduled for 17 August 2021. Due to a number of Committee members being unable to attend, as well as difficulty confirming attendance by NKII representatives, the workshop was cancelled and subsequently staff invited to attend the Tāngata Whenua representatives' Hui scheduled on 24 August 2021.
2. Due to Level 4 Covid-19 restrictions this hui was held via Zoom on 24 August 2010 with staff members from both Policy and Regulation and Māori Partnerships in attendance.
3. Resulting from the kōrero during the hui, it was decided by the group that the current program of work for Kotahi project be restructured to allow staff and tangata whenua time to first explore and identify values within catchments before setting Freshwater Management Unit (FMU) boundaries.
4. It was expressed that by allowing the conversation about values to occur first that the FMU setting discussion would as a result be better informed.
5. Offers of assistance were given by members of the group to support these conversations to occur.
6. It was also felt by those present at the hui that by restructuring the work program in this manner it would better reflect the principles of both the NPSFM 2020 and Te Mana o te Wai.

**Recommendation**

That the Regional Planning Committee defers making a decision on Freshwater Management Units (FMU) boundaries, as recommended by the tāngata whenua representatives, to allow staff and tāngata whenua time to identify values within catchments.

**Authored by:**

**Anne Bradbury**  
**SENIOR POLICY PLANNER**

**Nichola Nicholson**  
**POLICY PLANNER**

**Approved by:**

**Ceri Edmonds**  
**MANAGER POLICY AND PLANNING**

**Katrina Brunton**  
**GROUP MANAGER POLICY &  
REGULATION**

**Attachment/s**

There are no attachments for this report.



**HAWKE'S BAY REGIONAL COUNCIL**  
**REGIONAL PLANNING COMMITTEE**

**Wednesday 01 September 2021**

**Item 7**

**Subject: PROPOSED PLAN CHANGE 7: OUTSTANDING WATER BODIES -  
OVERVIEW AND RESOLUTION OF APPEALS**

**Reason for Report**

1. The period for lodging appeals against decisions on Proposed Plan Change 7 (PC7) to the Regional Resource Management Plan (RRMP) has now closed.
2. The item provides an overview of the appeals lodged and outlines options available regarding the Council's participation at any Court-assisted mediation of appeals.

**Officers' Recommendations**

3. Council officers recommend that the Regional Planning Committee (RPC) delegates authority to the Chief Executive of Hawke's Bay Regional Council to resolve and settle any appeals and references through formal mediation before the Environment Court.
4. The relevant sections from the RPC's terms of reference are:  
*Section 4.9: "To determine the scope for the resolution and settlement of appeals on Proposed Policy Statements, Proposed Regional Plan, Plan Variations and Plan Changes."*  
*Section 4.10: "When required, to recommend to Council that officers be delegated with the authority to resolve and settle any appeals and references through formal mediation before the Environment Court".*

**Executive Summary**

5. On 26 June 2021, Hawke's Bay Regional Council gave public notice that the Independent Hearing Panel had made decisions on submissions to Proposed Plan Change 7. A full copy of the decision can be viewed here – <https://www.hbrc.govt.nz/assets/Document-Library/Outstanding-Water-Bodies/Decision-of-the-Independent-Hearing-Panel-PC7.pdf>.
6. The following parties have lodged appeals with the Environment Court:
  - 6.1. The Māori Trustee
  - 6.2. Royal Forest and Bird Protection Society of New Zealand Incorporated
  - 6.3. Te Taiwhenua o Heretaunga, Te Runanganui o Heretaunga, Te Manaaki Taiao o Heretaunga and Ngāti Kahungunu Iwi Incorporated.
7. A copy of each of these appeals can be viewed here <https://www.hbrc.govt.nz/hawkes-bay/projects/outstanding-water-bodies/>
8. These appeals will now proceed through the Environment Court's processes, which include mediation and formal court hearings if necessary.

**Summary of key Decisions**

9. The key aspects of the Independent Hearing Panel's decisions on PC7 are set out following.

**Policy framework**

10. The adoption of a policy framework which:
  - 10.1. directs future plan making to protect the outstanding and significant values of outstanding water bodies

- 10.2. confirms that the test for outstanding sets a high bar and that in order to be classed as outstanding, a water body or part thereof, must be exceptional in some way, with the values standing out or being superior to others
- 10.3. confirms that outstanding values include cultural, spiritual, recreation, landscape, geology, natural character, or ecology value(s) but do not include consumptive or economic use values
- 10.4. uses a set of outstanding water body identification screening criteria to identify outstanding water bodies
- 10.5. provides for existing activities in or near outstanding water bodies to continue providing they are managed in a way which protects their significant values
- 10.6. provides for new activities in or near outstanding water bodies to occur providing they are managed in a way which has no more than minor effects on their outstanding values.

### **Outstanding water bodies**

11. The identification of 15 outstanding water bodies (OWB), or parts thereof, in Hawke's Bay.
  - 11.1. Lake Whatumā
  - 11.2. Lake Tutira (including Lake Waikōpiro)
  - 11.3. Ngamatea East Swamp
  - 11.4. The Mohaka River Mainstem upstream of Willow Flat
  - 11.5. Lakes Rotoroa and Rototuna (the Kaweka Lakes)
  - 11.6. Ngaruroro River upstream of the Whanawhana cableway
  - 11.7. Te Whanganui-a-Orotū (Ahuriri Estuary)
  - 11.8. Lake Whakakī – Te Paeroa Lagoon – Wairau Lagoon and Wetlands
  - 11.9. Lake Waikaremoana
  - 11.10. Mangahouanga Stream
  - 11.11. Pōrangahau River and Estuary downstream of the Beach Road Bridge
  - 11.12. Mainstem of the Tūtaekurī River upstream of the SH50 Bridge
  - 11.13. Taruarau River
  - 11.14. Te Hoe River
  - 11.15. Tukituki River downstream of SH50 bridge to the sea, including the estuary.

### **Overview of the appeals lodged**

12. On the basis of a preliminary examination, the appeals relate to the following key areas in PC7.

**Table 1: PC7 Appeals – Key Topics**

<b>Topic</b>	<b>Requests include</b>
1. List of outstanding water bodies (Schedule 25)	Add further water bodies to Schedule 25; reinsert OWB listed in the notified version of PC7.
2. Protection of OWB	Higher level of protection of OWB; provide for known values inherent within an OWB.
3. Consumptive and economic use values	Continued exclusion of consumptive and economic use values from the ability to gain an outstanding value status.
4. Significant values	Increased certainty around significant values; reinstate significant values listed for OWB in the notified version

Topic	Requests include
	of PC7; remove the prioritisation of outstanding values over significant values; specifically recognise water quality and water quality; insert new provisions clearly outlining how significant values are to be identified and managed.
5. Existing and new activities	Consistent policy direction for existing and new activities taking place in and/or near OWB.
6. Management of outstanding water bodies include estuaries	Clear separation of freshwater bodies from estuaries through identification as outstanding freshwater bodies, and outstanding coastal areas, to give effect to the NZCPS and NPSFM.
7. Outstanding values, descriptions and outstanding water body identification screening criteria	Increased certainty around outstanding values; reinstate, amend, expand the outstanding values and their descriptions set out in the notified version of PC7; delete and replace the OWB screening with the expert panel's OWB assessment criteria; insert new provisions clearly outlining how outstanding values are to be identified; gain further expert input into outstanding.
8. Resource consent processes	Allow further involvement of groups potential affected by activities requiring resource consents/permits.
9. Descriptions of values	Add and/or descriptions for tikanga Maori, ecology, landscape, natural character, recreation and geology.

### Options for appeal negotiations

13. The following options are available to resolve and settle any appeals through formal mediation before the Environment Court.

#### Option 1: Status Quo

14. With the current delegations, Council staff can discuss the issues with appellants and s274 interested parties, but any agreements, whether reached with or without Court-assisted mediation, would need to be approved and signed off by RPC and Council on a case-by-case basis.
15. This process is likely to significantly delay the process of resolving the appeals with staff needing to bring papers back to scheduled RPC and Council meetings seeking authority to sign draft consent orders that will settle an appeal. This adds both time and cost to the process.
16. The Environment Court does not favour this arrangement. Instead, the Court prefers those persons attending mediation have the proper authority to settle there and then at mediation.

#### Option 2: Staff have authority to negotiate and sign some mediated agreements

17. Authority to sign mediated agreements could be delegated to the CE, but the use of that delegation be guided by initial liaison with representative(s) of the decision-making body, such as the Co-chairs of the Regional Planning Committee.
18. Matters such as the following could be used to guide settlements: the scope of the appeal; the relief sought in the appeal; the number of parties to the appeal; and the Independent Hearing Panel decision(s) on the matter.
19. This approach would provide staff with the ability to settle relatively straight forward appeals. This would result in time and cost savings in resolving such appeals but would mean that staff might have to come back to Council to seek authority to settle more significant appeals, such as those involving multiple appellants, or where a mediated

agreement would significantly change the intent of Independent Hearing Panels decision(s).

### **Option 3: the CE has authority to sign all mediated agreements**

20. This option is recommended by staff. It is also preferred by the Environment Court. This option is considered to be the most streamlined and cost effective because it would delegate to the CE the authority to sign, on behalf of Council, draft consent orders (i.e. agreements between parties to be presented to the Court of ratification). Any mediated agreement would be consistent with the overall intent of the Independent Hearing Panel's decision(s). Initial liaison between staff and the Co-chairs of the RPC would occur as in the option above.
21. This option avoids the need for any specific papers to come back to the RPC and Council to seek sign off of an in-principle agreement. This will significantly speed up the settlement of appeals.
22. It is clearly important to keep the RPC informed of the progress of appeals and this could be done through the regular appeal updates on meeting agendas. These updates would remain as information only papers.

### **Financial and Resource Implications**

23. The Council incurs costs as a result of its involvement as Respondent in the Environment Court appeal proceedings. Staff's proposal to streamline appeals will result in cost and time savings, and therefore has a positive financial impact for Council.
24. Ultimately however, the Environment Court will oversee and direct court proceedings so no firm estimates of financial and resourcing implications can be given at this time.

### **Next steps**

25. Staff have begun contacting the appellants with an aim to schedule initial discussions between the various parties towards the end of the year.
26. These discussions will assist in resolving appeals as expeditiously as possible without the need for a court hearing. If there are any unresolved matters following initial discussions then the next phase would involve court assisted mediation and formal court hearings if necessary.

### **Decision Making Process**

27. Council is required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
  - 27.1. The decision does not significantly alter the service provision or affect a strategic asset.
  - 27.2. The use of the special consultative procedure is not prescribed by legislation.
  - 27.3. The decision does not fall within the definition of Council's policy on significance.
  - 27.4. The persons affected by this decision are all persons with an interest in the region's management of natural and physical resources under the RMA.
  - 27.5. The decision is not inconsistent with an existing policy or plan.

### **Recommendations**

1. That the Regional Planning Committee receives and notes the "*Proposed Plan Change 7: Outstanding Water Bodies – Overview and Resolution of Appeals*" staff report.
2. The Regional Planning Committee recommends that Hawke's Bay Regional Council delegates, in accordance with s34A of the Resource Management Act:
  - 2.1 To the HBRC's Chief Executive Officer, or appointed legal counsel for Plan Change 7 appeal proceedings, the authority to sign on behalf of Council, any negotiated

agreement or mediated agreement relating to an appeal against Proposed Plan Change 7 to the Regional Resource Management Plan (RRMP).

**OR**

- 2.2 To the HBRC's Chief Executive or appointed legal counsel for Plan Change 7 appeal proceedings, the authority to sign on Council's behalf, agreements with parties on appeals relating to the Proposed Plan Change 7 generally in accordance with an agreed position determined in liaison with the Co-chairs of the Regional Planning Committee prior to mediation commencing.

**Authored by:**

**Belinda Harper  
SENIOR PLANNER**

**Approved by:**

**Ceri Edmonds  
MANAGER POLICY AND PLANNING**

**Attachment/s**

There are no attachments for this report.





## HAWKE'S BAY REGIONAL COUNCIL

### REGIONAL PLANNING COMMITTEE

Wednesday 01 September 2021

#### Subject: INITIAL DRAFT OF REGIONALLY SIGNIFICANT ISSUES

#### Reason for Report

1. This report presents the initial draft of regionally significant issues for inclusion in the Regional Policy Statement (RPS) section of Kotahi, the review of the Hawke's Bay Regional Resource Management Plan (RRMP).

#### Executive Summary

2. The regionally significant issues identified in Kotahi will clarify the most important issues that the region faces in managing the natural and built environment of Hawke's Bay over the next twenty or more years.
3. Our ability to address these issues effectively will directly impact on how well our natural resource base is able to sustain us, and as a consequence how the next generation is able to live.
4. The initial draft of issues is based on a workshop held with the Regional Planning Committee (RPC) in July 2021.
5. Workshop participants recognised that the effects of climate change permeate all aspects of our future and this needs to be recognised throughout the revised Regional Policy Statement (RPS).
6. They also upheld the importance of working in partnership with tangata whenua and reaffirmed the desire to weave the tangata whenua perspective and Te Ao Maori throughout Kotahi.
7. The list of issues is an initial working draft and will be revised as Kotahi is developed.

#### Strategic Fit

8. The draft issues identified relate to the Four Focus Areas in the Strategic Plan 2020-2025, namely:
  - 8.1. Water quality, safety and climate-resilient security
  - 8.2. Climate-smart and sustainable land use
  - 8.3. Healthy, functioning and climate-resilient biodiversity
  - 8.4. Sustainable and climate-resilient services and infrastructure.

#### Background

9. Regional councils are obliged to prepare a regional policy statement (often referred to as an RPS) to achieve the purpose of the Resource Management Act (RMA). RPS's provide an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the region.
10. A regional policy statement must state (amongst other matters):
  - 10.1. The significant resource management issues for the region; and
  - 10.2. The resource management issues of significance to iwi authorities in the region [section 62(1)(a) and (b) RMA].
11. Regionally significant issues create the high-level framework for co-ordinating resource management across the region. The objectives, policies and methods set at the level of the RPS focus on addressing these issues, with an RPS chapter dedicated to each issue.

12. The methods identified set out how the Hawke's Bay Regional Council (HBRC) and the city and district councils will work together on resolving these issues. As methods include both statutory (i.e. the regional and district plans) and non-statutory mechanisms (e.g. information, education, partnerships, funding etc), these issues drive or influence many of the councils' strategic priorities and investment decisions.
13. Regional plans and district plans must give effect to an RPS, so it is important to scope these appropriately.
14. It is important to refresh the list of regionally significant issues, and issues of significance for tāngata whenua, early in the Kotahi process, notwithstanding future change to the RMA. These issues underpin our regional response to managing the environment, using whatever legislative tools are available to us.
15. Two workshops have now been held to discuss regionally significant issues: on 13 April 2021 and 7 July 2021.

#### **Initial draft of regionally significant issues**

16. The initial list of regionally significant issues which follows has been generated from the two workshops. Some of the issues were specifically identified, others are derived from outcomes participants were wanting to achieve, or from requests for better processes.
17. Note that issues of significance for iwi will need to be identified separately through early engagement with tangata whenua in the plan development. These will be added as the Kotahi Plan is developed over the next two years.

#### **Issue 1: The effects of climate change permeate all aspects of our future**

18. A changing climate will alter the environment and threaten our lifestyle and economy.
19. Worldwide, sea level rise will affect low-lying coastal areas. As climate patterns shift for Hawke's Bay, there may be some positives, such as fewer frost days and a longer growing season.
20. In Hawke's Bay, warmer temperatures, less rain overall and more severe extreme weather events (e.g. drought, storms) will lead to prolonged dry conditions, more heat stress and soil erosion, a greater risk of wildfire, more frequent/extreme flooding, and new plant and animal pests.
21. We have a duty of care to make sure that adverse social, economic, cultural and environmental impacts of climate change are reduced to more acceptable levels. This will demand an ambitious co-ordinated programme of activities touching everyone.

#### **Issue 2: Natural hazards may damage or destroy natural and built environments, lives and livelihoods**

22. The scale and frequency of climate-related events that damage or destroy the natural and built environment will increase as a result of climate change. Other natural hazards that are not climate-dependent may be equally or more devastating, including from earthquakes, tsunamis, liquefaction, land slippage, volcanic eruption, human pandemic and invasive animal or plant pests.
23. By identifying and assessing the features of those risks facing communities, the communities can consider how they can respond and therefore whether or not it is a risk that can be tolerated.

#### **Issue 3: The balance of our ecosystems is at risk, with possible ecosystem failure and loss of both terrestrial and marine biodiversity**

24. Ecosystems are under threat. Biodiversity is rapidly declining; animal and plant species are facing extinction around the world. Biodiversity is critical for the essential services provided, including pollination, carbon storage, filtration of water, nutrient cycling, soil formations, erosion control and sediment retention.

25. Biodiversity decline is the result of a range of causes, including the direct effects of vegetation clearance, uncontrolled grazing of animals, introduced pest plant and animals, the exploitation of some species, climate change and pollution.
26. We have a duty of care to make sure that the unique animals, plants, fungi and microbes that are found in our country are healthy and thriving.

**Issue 4: The inappropriate use, storage, discharge and disposal of contaminants may harm humans and the environment**

27. Inappropriate use, storage, discharge or disposal of contaminants may result in nuisance, short term, cumulative or more serious adverse effects. These may be immediate, or it may take years for impacts to become apparent in the environment. It may be difficult to remediate or restore the environment back to its natural state. Environmental degradation, whether of water, land, air or coastal environments, reflects a poor relationship between humans and the environment in which we live. For the environment to support us, we must first support the environment. Reciprocity is at the core of Te Mana o Te Wai/Te Oranga o Te Taiao. Without such balance, the health and wellbeing of humans is adversely affected, and our ability to sustain ourselves from the wealth of natural resources and through economic activity is threatened.
28. We have a duty of care for the environment, ourselves and future generations to leave the natural environment in a state that will continue to sustain the future.
29. We should also take advantage of the latest scientific research, including Mātauranga Māori, and foster customs and best management practices to leave our environment in much better condition.

**Issue 5: Demand for water resources is at a premium, with demand often exceeding sustainable limits, risking not giving effect to Te Mana o Te Wai**

30. Water is a finite resource and essential to all life forms. It is vital for human health, and, as a region renowned for its abundant food production, it is vital for the economy and economic wellbeing of residents.
31. Much of Hawke's Bay is prone to drought, and the demand for water exceeds the supply, particularly on the Heretaunga and Ruataniwha Plains. Extremes of extended droughts and higher temperatures, together with more frequent intense rainfall events are predicted to result from climate change. Over the longer term, the overall water supply and demand balance may significantly be impacted.

**Issue 6: Soils – erosion, urban encroachment**

32. The way in which land has been managed historically has resulted in significant vegetation clearance and resulted in erosion particularly in hill country areas of Hawkes Bay. This alongside urban encroachment on the highly versatile soils has placed pressure on the soil resource. Erosion impacts on farms. It represents a loss of current and future potential productivity on the farm. This high level of sedimentation also impacts on water quality within the region and the biodiversity (both aquatic and terrestrial) that depends upon it.
33. The Hawke's Bay Heretaunga Plains is a resource rich part of Aotearoa New Zealand. The high value of the soil, and water resources to the economy and to the well-being of the community has only increased over time. However, continual growth in the residential and industrial sectors has led to increasing competition for these resources.

**Issue 7: Optimising land use and infrastructure investments to deliver desired outcomes including conflicting land use activities**

34. This links closely with the above issue. There needs to be appropriate management between enabling growth whilst maintaining the highly productive soil resource. This has been of the highest priority to Hastings District, Napier City and the Regional Council. Central Hawke's Bay Council is currently reviewing its District Plan with its focus being to recognise the significance of its highly productive land and therefore amending the District

Plan to minimise fragmentation and address adverse effects of subdivision and land uses. Hawke's Bay is becoming more integrated regionally with Central Hawke's Bay becoming a satellite area for commuters to the larger cities. Central Hawke's Bay is experiencing a period of urban growth due to high residential property prices in Napier and Hastings, making CHB land prices a more affordable option for many.

**Issue 8: People - behaviours and practices – support and encourage, reduce perverse actions, all involved – ‘pushing the right buttons’, competing pressures and trade offs**

35. The Regional Council has been at the fore of environmental education with youth (EnviroSchools and Environment Youth Council) however there are many more opportunities to encourage positive behaviour change and adoption of good practice through policy and non-regulatory methods.

**Issue 9: Respect/lack of respect for different knowledge systems**

36. The ‘givens’ of our world are under pressure, as a consequence of activities which degrade the environment and contribute to climate change. The NPSFM requires every regional council to give effect to Te Mana o te Wai and enable the application of a diversity of systems of values and knowledge, such as mātauranga Māori, to the management of freshwater. There is an opportunity through Kotahi to recognise and respect Te Ao Maori and different knowledge systems and deliver policy that demonstrates that other systems are important in environmental management.

**Decision Making Process**

37. 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**

The Regional Planning Committee receives and notes the “*Initial Draft of Regionally Significant Issues*” staff report, and acknowledge that staff will continue to develop the Regionally Significant Issues and revise these as appropriate through development of Kotahi.

**Authored by:**

**Dale Meredith**  
**SENIOR POLICY PLANNER**

**Approved by:**

**Ceri Edmonds**  
**MANAGER POLICY AND PLANNING**

**Attachment/s**

There are no attachments for this report.

**HAWKE'S BAY REGIONAL COUNCIL**  
**REGIONAL PLANNING COMMITTEE**  
**Wednesday 01 September 2021**

**Item 10**

**Subject: SEPTEMBER 2021 POLICY PROJECTS UPDATE**

**Reason for Report**

1. This report provides an outline and update of the Council's various resource management projects currently underway, as well as the opportunity for staff to verbally update the Committee on the:
  - 1.1. TANK plan change hearing
  - 1.2. Outstanding Water Bodies plan change
  - 1.3. Ngaruroro Water Conservation Order.

**Resource management policy project update**

2. The projects covered in this report are those involving reviews and/or changes under the Resource Management Act to one or more of the following planning documents:
  - 2.1. the Hawke's Bay Regional Resource Management Plan (RRMP)
  - 2.2. the Hawke's Bay Regional Policy Statement (RPS) which is incorporated into the RRMP
  - 2.3. the Hawke's Bay Regional Coastal Environment Plan (RCEP).
3. From time to time, separate reports additional to this one may be presented to the Committee for fuller updates on specific plan change projects.
4. Similar periodical reporting is also presented to the Council as part of the quarterly reporting and end of year Annual Plan reporting requirements.

**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 Regional Planning Committee receives and notes the "*September 2021 Policy Projects Update*" staff report.

**Authored by:**

**Anne Bradbury**  
**SENIOR POLICY PLANNER**

**Belinda Harper**  
**SENIOR PLANNER**

**Ellen Robotham**  
**POLICY PLANNER**

**Approved by:**

**Ceri Edmonds**  
**MANAGER POLICY AND PLANNING**

**Katrina Brunton**  
**GROUP MANAGER POLICY &  
REGULATION**

**Attachment/s**

- 1 [!\[\]\(a6f52c7dda3cd80477c916a910953b4b\_img.jpg\)](#) September 2021 RMA projects Update



# Status Report on HBRC Resource Management Plan Change Preparation & Review Projects (as at 18 August 2021)

Updates are in blue underlined text

Project	Narrative update	Next intended reporting to RPC
<u>'PC7' Outstanding waterbodies plan change</u>	<ol style="list-style-type: none"> <li>Publicly notified on 31 August 2019. 41 submissions were received, 19 further submissions.</li> <li>The OWB Hearing was held from 30 November to 4 December 2020. Hearing Commissioners are Dr Brent Cowie (Chair), Dr Roger Maaka and Christine Scott. 24 submitters attended the hearing.</li> <li><u>On 26 June 2021, Hawke's Bay Regional Council gave public notice that the Independent Hearing Panel had made decisions on submissions to Proposed Plan Change 7. A full copy of the decision can be viewed here <a href="https://www.hbrc.govt.nz/assets/Document-Library/Outstanding-Water-Bodies/Decision-of-the-Independent-Hearing-Panel-PC7.pdf">https://www.hbrc.govt.nz/assets/Document-Library/Outstanding-Water-Bodies/Decision-of-the-Independent-Hearing-Panel-PC7.pdf</a></u></li> <li><u>The following parties have lodged appeals with the Environment Court:</u> <ol style="list-style-type: none"> <li><u>The Māori Trustee</u></li> <li><u>Royal Forest and Bird Protection Society of New Zealand Incorporated</u></li> <li><u>Te Taiwhenua o Heretaunga, Te Runanganui o Heretaunga, Te Manaaki Tāiao o Heretaunga and Ngāti Kahungunu, Iwi Incorporated</u></li> </ol> </li> <li><u>A copy of each of these appeals can be viewed here <a href="https://www.hbrc.govt.nz/hawkes-bay/projects/outstanding-water-bodies/">https://www.hbrc.govt.nz/hawkes-bay/projects/outstanding-water-bodies/</a></u></li> <li><u>These appeals will now proceed through the Environment Court's processes, which include mediation and formal court hearings if necessary.</u></li> <li>The PC7 decision must be issued before 31 August 2021 (<u>i.e.</u> two years after public notification date).</li> </ol>	<u>1 Sept 2021</u>
<u>Mohaka Catchment Policy Development for Kotahi</u>	<ol style="list-style-type: none"> <li>Under preparation. Not yet notified.</li> <li>Staff are currently redesigning the project brief and programme of work with tāngata whenua and their project team (please refer to the paper attached to this agenda). Critical tāngata whenua-led workstreams are being supported and resourced by HBRC. These workstreams are fundamental to the success of the plan by enabling tāngata whenua to be actively involved in the plan development process.</li> <li>Website updated with information gathered during initial community engagement pre-Christmas on catchment values and issues.</li> <li>Public meeting at Te Pohue on 25 March 2021 to introduce wider community to the <del>Mohaka</del> catchment policy development work</li> <li>A wananga was held by NPDT in the Taupo on the 14-15 June as part of the Maori-led workstream.</li> <li><u>A verbal update will be provided to the RPC 1 September 2021.</u></li> </ol>	<u>1 Sept 2021</u>

Project	Narrative update	Next intended reporting to RPC
<a href="#">'PC9' Greater Heretaunga/ Ahuriri catchment area plan change (aka TANK)</a>	<p>14. The TANK Plan Change was notified on 2 May 2020 and the submissions period closed on 14 August 2020.</p> <p>15. 240 submissions were received from a wide range of perspectives. Key themes relate to Te Mana o Te Wai and allocation of water. The summary of submissions was notified on 11 November 2020 and closed on 9 December 2020. 24 further submissions were received.</p> <p>16. Staff analysed all submissions received and prepared a report under Section 42A of the RMA which provides recommendations to the hearings panel on whether to accept, accept in part, or reject submissions on the plan change. All documents relevant to the TANK Plan Change 9 and the hearings are available on the Council's website: <a href="https://www.hbrc.govt.nz/hawkes-bay/projects/the-tank-plan/tank-submissions-and-hearings/">https://www.hbrc.govt.nz/hawkes-bay/projects/the-tank-plan/tank-submissions-and-hearings/</a></p> <p>17. At RPC meeting on 19 August, RPC made recommendations to Council for Hearing Panel Membership. Council confirmed the RPC's recommendations at meeting on 26 August.</p> <p>18. The hearings panel consists of Antoine Coffin (Chair), Dr Brent Cowie, Dr Greg Ryder, Dr Roger Maaka, and <del>Rauru Kiri</del>.</p> <p><u>Next steps</u></p> <p>19. Hearings commenced on the 24 May and ran through June. The first three days of the hearing were held at Mangaroa Marae in response to requests from tāngata whenua.</p> <p>20. <a href="#">At the time of writing, the hearings had not closed. Staff will provide a verbal update at the RPC meeting.</a></p> <p>21. Decisions on submissions must be issued before 2 May 2022 (<u>i.e.</u> two years after public notification date).</p>	<a href="#">1 Sept 2021</a>
Amendments to regional plans without RMA Schedule 1 process	<p>22. On 3 September 2020, the following came into effect:</p> <ul style="list-style-type: none"> <li>a) the National Policy Statement for Freshwater Management 2020,</li> <li>b) the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, and</li> <li>c) the Resource Management (Stock Exclusion) Regulations 2020.</li> </ul> <p>23. On 20 August 2021, the Resource Management (National Environmental Standards for Outdoor Tyre Storage) Regulations 2021 will come into effect.</p> <p>24. The Council can amend the Regional Resource Management Plan (RRMP) and Regional Coastal Environment Plan (RCEP) without using a public submission process in Schedule 1 of the RMA to:</p> <ul style="list-style-type: none"> <li>a) remove duplication or conflict with a national environmental standard, and</li> <li>b) add, <del>amend</del> or remove provisions from the RRMP or RCEP (or both) if directed to do so in a national policy statement.</li> </ul> <p>25. The RRMP and RCEP <a href="#">are to be</a> amended to:</p> <ul style="list-style-type: none"> <li>a) align with the two new <a href="#">NESS</a>s for freshwater and outdoor tyre storage, and</li> <li>b) insert clauses 22(1) natural inland wetlands, 3.24(1) rivers and 3.26(1) fish passage of the NPS-FM 2020.</li> </ul>	Updates from staff as and when new information becomes available.



Project	Narrative update	Next intended reporting to RPC
Ngaruroro and Clive Rivers Water Conservation Order	<p>26. The Environment Court hearing on the Water Conservation Order began on 9 February 2021. Court proceedings were scheduled to adjourn on 19 February 2021. However, due to COVID Level 3 restrictions in Auckland the second week of the Environment Court hearing did not proceed.</p> <p>27. Hearings <u>were rescheduled and held during</u> the week of 14 June 2021.</p> <p>28. HBRC staff will provide an update when the Court's decisions on the WCO is made available.</p> <p>29. For more information, see: <a href="https://www.epa.govt.nz/public-consultations/decided/water-conservation-order-ngaruroro-and-clive-rivers/">https://www.epa.govt.nz/public-consultations/decided/water-conservation-order-ngaruroro-and-clive-rivers/</a></p>	Updates from staff as and when new information becomes available.
<a href="#">Statutory Acknowledgements of Treaty settlements</a>	<p>30. No further Treaty settlement legislation relating to parts of the Hawke's Bay region has been passed into law since the previous update.</p> <p><i>Refer to <del>current</del> Pātaka online mapping tool for further information [<a href="#">website link</a>] about current Statutory Acknowledgements in Hawke's Bay region that have been passed in various Treaty settlement statutes.</i></p>	Updates from staff as and when new information becomes available.



**SUBJECT: SEPTEMBER 2021 STATUTORY ADVOCACY UPDATE**

**Reason for Report**

1. This item updates the status of 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 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 Regional Planning Committee receives and notes the "*September 2021 Statutory Advocacy Update*" staff report.

**Authored by:**

**Nichola Nicholson**  
**POLICY PLANNER**

**Ellen Robotham**  
**POLICY PLANNER**

**Approved by:**

**Ceri Edmonds**  
**MANAGER POLICY AND PLANNING**

**Attachment/s**

- 1 [↓](#) September 2021 Statutory Advocacy Update



## Statutory Advocacy Update (as at 13 August 2021)

Note: updates since reporting for previous RPC meeting (7 July 2021) are provided in red text.

TABLE 1: NATIONAL PROPOSALS

Received	Proposal	Agency	Status	Current Situation
10 Feb 2021	<p><b>Reforming the Resource Management System</b></p> <p>The Government plans to repeal the Resource Management Act 1991 (RMA) and replace it with three new pieces of legislation.</p> <p>The reform is based on the findings of the comprehensive review of the resource management system which were released last year (see to earlier proposal below).</p> <p><a href="https://www.mfe.govt.nz/rma/resource-management-system-reform">https://www.mfe.govt.nz/rma/resource-management-system-reform</a></p>	Ministry for the Environment (lead) in association with various other Ministries	Information only (for now)	<p>[For more details, refer separate item presented to Regional Planning Committee meeting on 10 March 2021].</p> <p>The three new Acts are proposed to be the:</p> <ul style="list-style-type: none"> <li>• <b>Natural and Built Environments Act</b> (NBA) to provide for land use and environmental regulation (this would be the primary replacement for the RMA)</li> <li>• <b>Strategic Planning Act</b> (SPA) to integrate with other legislation relevant to development, and require long-term regional spatial strategies</li> <li>• <b>Climate Change Adaptation Act</b> (CAA) to address complex issues associated with managed retreat and funding and financing adaptation.</li> </ul> <p>Parliamentary paper for an Exposure Draft of the NBA was released in July with submission period now closed. HBRC made a submission, focussed on the role of the RPC and implications of the NBA plan-making content for functions of the RPC. Over 900 other submissions were made. Environment Select Committee is receiving presentations on those submissions. Meanwhile, Government Ministers and officials continue to assess options and draft further proposals for inclusion in draft bills for the NBA and SPA.</p>
26 Nov 2019	<p><b>Draft National Policy Statement for Indigenous Biodiversity (NPS-IB)</b></p> <p>The proposed NPS-IB sets out the objectives and policies to identify, protect, manage and restore indigenous biodiversity under the Resource Management Act 1991.</p> <p><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></p>	Ministry for the Environment	Public feedback closed 14 March 2020. Anticipating announcement by Minister ~mid 2021	<p>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>.</p> <p>Associate Minister for Environment <del>Nanaia Mahuta</del> 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. HBRC staff anticipate Ministers will make further announcements about finalising of the NPS-IB in <a href="#">mid 2021</a>.</p>

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. Anticipating announcement by Minister ~mid 2021	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. HBRC staff anticipate Ministers will make further announcements about finalising of the NPS-HPL in <u>mid 2021</u> .
17 May 2021	<b>National Environmental Standards for Outdoor Tyre Storage (NES-OTS)</b> <a href="https://environment.govt.nz/acts-and-regulations/regulations/nes-storing-tyres-outdoors/">https://environment.govt.nz/acts-and-regulations/regulations/nes-storing-tyres-outdoors/</a>	Ministry for the Environment	Finalised – in legal effect from 20 August 2021	NES-OTS was gazetted on 17 May and will come into legal force from 20 August 2021. The purpose of the NES-OTS is to deal with some of the effects of outdoor tyre storage relating to the functions of regional councils.  The NES-OTS is to be implemented by regional councils – not city or district councils. It is a regulatory tool to manage the environmental and health risks of tyres stored or deposited outside (particularly in terms of fire risk and leaching from tyre materials affecting water bodies).  The Government's release of the NES-OTS is part of a package of measures to address the issue of tyre waste in New Zealand. The main initiative is a regulated tyre stewardship scheme to encourage more and better uses for end-of-life tyres. The Government intends Regulations to underpin a scheme will be available for consultation later in 2021.

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.	Applicant Durham Property Investments Limited  Agent Development Nous Limited	Notified Hearing not required	<ul style="list-style-type: none"> <li>HBRC lodged submission opposing the application based on concerns regarding natural hazards including tsunami inundation, stormwater, earthworks and transport connectivity. A copy of the submission can be found at <a href="#">HBRC Submissions</a>.</li> <li>Staff and applicants held a meeting to discuss options to address HBRC's concerns. Conditions have been agreed and included within the recommended conditions suite to the decision maker.</li> </ul>

Received	TLA	Proposal	Applicant/ Agency	Status	Current Situation
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.	Napier City Council, Hastings District Council, Pan Pac Forest Products Ltd	Application made June 2020 – public feedback closed July 2020	<b>Previously....</b> Feedback submitted. A copy of HBRC's submission can be found at <a href="#">HBRC Submissions</a> .  No update from NCC at time of writing relating to applications status.
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 & Indigenous Biodiversity', 'Natural Features and Landscapes', 'Built Heritage' & 'Greenfield Growth in the Hills'.	Napier City Council	Discussion documents released – public feedback closed 1 May 2020.	<b>Napier City Council have now released their draft district plan and spatial picture. Public consultation is open until September 17<sup>th</sup>. HBRC will lodge a submission on both the draft district plan and spatial picture.</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.  Submissions lodged separately on Ecosystems and Indigenous Biodiversity, and Greenfield Growth in the Hills. Copies can be found at <a href="#">HBRC Submissions</a> .
28 May 2021	CHBDC	<b>Central Hawke's Bay District Plan Review</b> CHBDC have undertaken a full review of the District Plan. A new proposed district plan was publicly notified on 28 <sup>th</sup> May 2021.	Central Hawke's Bay District Council	Submissions closed 6 Aug 2021	<b>• A submission was lodged on 6<sup>th</sup> of August. A copy of HBRC's submission can be found at <a href="#">HBRC Submissions</a>.</b>  <b>Previously...</b> • Planning staff currently reviewing relevant sections of recently released proposed district plan. Written comments still to be confirmed. • Previously, feedback had been provided on earlier discussion documents. A copy of HBRC's earlier feedback can be found at HBRC Submissions.
18 Jan 2016	WDC	<b>Resource Consent Application</b> Consent is sought to clear 248 hectares of Manuka and Kanuka on Part <u>Umumanfo</u> 2 Block on <u>Kopuawhara Road, Mahia</u> .	Applicant R & L Thompson <b>Agent</b> Insight Gisborne Ltd	Limited Notified WDC hearing pending	<b>Previously...</b> • 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> . • HBRC staff and applicants have held discussions about potential alternative clearance proposals.

Received	TLA	Proposal	Applicant/ Agency	Status	Current Situation
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.	Hastings District Council	Notified HDC decisions issued, subject to appeals	<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.</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	Notified, Submissions closed. Hearing pending	Previously... Submission lodged. A copy of HBRC's submission can be found at <a href="#">HBRC Submissions</a> .
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; Whitewater NZ; Jet Boating NZ; Operation Patiki Ngāti Hori ki Kohupatiki Marae; Royal Forest & Bird Protection Society	<b>Special Tribunal Recommendation Report Released. Environment Court Inquiry in progress</b>	<ul style="list-style-type: none"> <li>The Environment Court hearing began on 9 February 2021. Court proceedings were scheduled to adjourn on 19 February 2021. However, due to COVID Level 3 restrictions in Auckland the second week of the Environment Court hearing did not proceed.</li> <li>Hearings were rescheduled and held during the week of the 14 June 2021.</li> <li>HBRC staff will provide an update when the Court's decisions on the WCO are made available.</li> </ul> <p>For more information, see: <a href="https://www.epa.govt.nz/public-consultations/decided/water-conservation-order-ngaruroro-and-clive-rivers/">https://www.epa.govt.nz/public-consultations/decided/water-conservation-order-ngaruroro-and-clive-rivers/</a></p>
Various	<b>Marine and Coastal Area (Takutai Moana) Act 2011</b>	Applicants Ngāti Pāhauwera Development Trust, Maungaharuru Tangitū Trust, Ngai Tāhū O Mohaka Waikare, Ngati Parau Hapu (Waiohiki Marae Board of Trustees)	Hearing finished, High Court Judge's decision pending	<ul style="list-style-type: none"> <li>No further update</li> </ul>

Received	Proposal	Agency	Status	Current Situation
Various	Marine and Coastal Area (Takutai Moana) Act 2011	Applicants Catherine and Clarkson	Decision released 30 July	<ul style="list-style-type: none"><li>Decision was released on the 30<sup>th</sup> of July. The decision can be found here <a href="https://www.courtsofnz.govt.nz/assets/5-The-Courts/high-court/high-court-lists/marine-and-coastal-area-takutai-moana-act-2011-applications-for-recognition-orders/2021-NZHC-1968.pdf">https://www.courtsofnz.govt.nz/assets/5-The-Courts/high-court/high-court-lists/marine-and-coastal-area-takutai-moana-act-2011-applications-for-recognition-orders/2021-NZHC-1968.pdf</a></li></ul>

**HAWKE'S BAY REGIONAL COUNCIL**

**REGIONAL PLANNING COMMITTEE**

**Wednesday 01 September 2021**

**Item 14**

**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 5.

Item	Topic	Raised by
1.		
2.		
3.		