

Minutes of a Regional Planning Committee meeting

Date: Wednesday 15 June 2022

Time: 11.30am

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

Present: A Tapine – *Tātau Tātau o Te Wairoa Trust* – Co-chair
Cr R Barker – Co-chair
Cr W Foley – Deputy Co-chair
A Hiha – *Mana Ahuriri Trust* – Deputy Co-chair
K Brown – *Te Kopere o te Iwi Hineuru (online)*
Cr C Foss
L Kele – *Heretaunga Tamatea Settlement Trust (online)*
N Kirikiri – *Te Toi Kura O Waikaremoana (online)*
Cr N Kirton
M Mohi – *Ngati Tuwharetoa Hapu Forum*
Cr H Ormsby
K Ropiha – *Heretaunga Tamatea Settlement Trust*
Cr J Taylor *(online)*
T Thornton – *Ngati Pahauwera Development & Tiaki Trusts*
Cr J van Beek
Cr M Williams

In Attendance: J Palmer – Chief Executive
P Munro – Te Pou Whakarae Māori Partnerships
A Roets – Governance Advisor
K Brunton – Group Manager Policy & Regulation
A Roets – Governance Advisor

1. Welcome/Karakia /Apologies/Notices

The Chair, Apiata Tapine welcomed everyone and Pieri Munro led the group in offering a karakia to open the meeting.

RPC8/22 Resolution

That the apologies for absence from Councillor Charles Lambert and Tania Hopmans are accepted.

Mohi/Ormsby
CARRIED

2. Conflict of Interest declarations

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Regional Planning Committee meeting held on 16 February 2022

Correction under "1. Welcoming:The group joined in singing Pū Rākau waiata".

RPC9/22 Resolution

Minutes of the Regional Planning Committee meeting held on Wednesday, 16 February 2022, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record as amended.

Hiha/van Beek
CARRIED

4. Follow-ups from previous Regional Planning Committee meetings

Item 1: Formal written agreement to the 2019 agreed Terms of Reference received from all PSGEs: Te Pou Whakarae noted that this has been outstanding for at least a year and apologised for not actioning it. Followup for Te Pou Whakarae for the next meeting. The Chair requested that PSGEs to check their responses and re-send to Te Pou Whakarae for his record.

Item 2: "Making good decisions' course: The Māori Partnership holds a spreadsheet on the current status of those who holds a Chair's certification and expiry dates and will re-circulate to all Regional Planning and Māori Committee members.

In relation to an enquiry as to where tāngata whenua stands in terms of Resource Consent Hearings Commissioners - The Hearings Committee resolved on 2 March 2022 to support the involvement of more local tāngata whenua as Resource Consent Hearing Commissioners and proposed guidance to avoid conflicts of interest with the following agreed amendments incorporated as to how conflicts are identified as such.

It was noted that two Regional Planning Committee tāngata whenua members have been appointed to the Hearings Committee being Mike Mohi and Laura Kele.

RPC10/22 Resolution

That the Regional Planning Committee receives the *Follow-ups from previous RPC meetings*.

Mohi/Ropiha
CARRIED

5. Call for minor items not on the Agenda

There were no Items for discussion.

The Pou Whakarae welcomed Anthony Tipene-Mutua as the newly appointed Relationship Manager - Southern Hawke's Bay and a waiata was sung. Anthony's role will be critical in tiritiri and treaty partnerships as Council moves into the future. Te Pou Whakarae invited everyone to welcome Anthony with an appropriate waiata.

The Chair provided Anthony Tipene-Matua an opportunity to introduce himself.

6. Regional Planning Committee Tāngata Whenua representation on Council's committees

The Chair introduced the item, noting that from time to time an opportunity arises for tāngata whenua to participate in Committee meetings and this item is to recommend the nominees to Council for appointment as decided at the 8 June tāngata whenua hui.

RPC11/22

Resolutions

1. That the Regional Planning Committee considers the *Regional Planning Committee Tangata Whenua Representation on Council's Committees* staff report and nominates tangata whenua representatives to Council Committees as follows.
 - 1.1. **Allana Hiha** as a member of the Environment and Integrated Catchments Committee
 - 1.2. **Keri Ropiha** as a member of the Corporate and Strategic Committee
 - 1.3. **Laura Kele** as a member of the Hearings Committee in addition to Mike Mohi as previously appointed
 - 1.4. **Apiata Tapine** as the representative on the Hawke's Bay Regional Council, with speaking rights only.
2. Confirms that the remuneration to be paid for attendance at Regional Council and Committee meetings is \$452 per meeting plus associated travel cost reimbursement. This will be paid upon approval of an eligible travel claim form submitted by the tangata whenua representative.
3. Recommends that Hawke's Bay Regional Council:
 - 3.1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.
 - 3.2. formally confirms the appointments above.

**van Beek/Barker
CARRIED**

7. Governance support for development of the Kotahi Plan

Pieri Munro introduced the item which was taken as read. Discussions noted:

- It was agreed at previous hui that an all governors approach is to be adopted and there has been no change in terms of working collaboratively as an All HBRC Governors group for the development of Kotahi.
- The decision-making framework proposed ensures that the entire region's community is represented by the governance structure for engagement and decision making.
- Each Committee has a unique role and obligations, but will work collaboratively to ensure that the values, visions and environmental outcomes are brought to the fore to ensure that Te Ao Māori is appropriately embedded in Kotahi.
- This is a new way of working together with HBRC and the Māori Committee achieving goals and outcomes proposed specifically in the Kotahi Plan.

- At an earlier All Governors hui a working party including 3 members of the RPC tāngata whenua, to work alongside the Policy Team to develop the Kotahi programme, was discussed and thought it was agreed but have heard nothing since
- The 3 members of the RPC tāngata whenua was to assist staff as to what is being proposed around the structure and how it might work
- Recommendations were sought from tāngata whenua for champions for each of the takiwā based on the taiwhenua, settlement and constituency boundaries.
- Governors were identified by staff based on their Taiwhenua, settlement and constituency boundaries in the interim. Takiwā champions' names will be confirmed at next week's All Governors hui.
- Combining the Māori and Regional Planning committees will recognise the Māori Committee in decision-making to ensure that values, visions and environmental outcomes are met, in particular with marae/hapu who taiwhenua have the greatest connection with, and a critical part of engagement at takiwā level.
- The role and purpose of the RPC persists in accordance with the HBRC RPC Act 2015.
- Decisions will be made on the content of the Kotahi Plan along the way, which will be separate from decisions to notify the Plan that can only be made by the RPC and Council
- The Māori Committee will consider and endorse decisions prior to RPC's recommendations to the Regional Council to adopt the Kotahi Plan.

RPC12/22

Resolutions

That the Regional Planning Committee:

1. Receives and considers the *Governance support for development of the Kotahi Plan* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that the Committee can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.
3. Agrees to work in partnership with the Māori Committee and elected council representatives to:
 - 3.1. lead out the Kotahi engagement with tāngata whenua and the community in the takiwā
 - 3.2. support the role of the Māori Committee to consider and endorse the decisions which are required to progress the development of the Kotahi Plan through to notification
 - 3.3. combine the Māori Committee and Regional Planning Committee meetings to form an All HBRC Governors Group for the development of Kotahi plan and process, subject to the requirements of the Hawke's Bay Regional Planning Committee Act 2015.

**Ormsby/van Beek
CARRIED**

8. Operational Land Asset Policy

Chris Dolley introduced the item with discussion noting:

- This is an operational policy and provides a process, guidance and framework for staff for the assessment of claims for the transfer of operational land holdings.
- This is primarily in relation to lands that were taken from Māori under the Public Works Act and requests to return that land.

- The policy provides a process to understand the technical aspects of the land and determine whether it is indeed surplus and opportunities for tāngata whenua to be involved in regaining access to their land.
- Important that each claim can be assessed on its merits through a consistent process.
- One of the challenges of this process is that it is not specifically funded and some claims are very complex so will come with significant processing costs.
- Suggestion is that Council funds such a transfer up to \$20,000 (high level estimate based on past experience) with any additional costs shared.
- The item provides opportunities for tāngata whenua to encourage positive communications and conversations on specific land related issues across the 5 takiwā and reinforces iwi/takiwā partnerships with mana whenua.

RPC13/22

Resolutions

1. That the Regional Planning Committee receives and considers the *Operational Land Asset Policy* staff report.
2. The Regional Planning Committee recommends that Hawke's Bay Regional Council:
 - 2.1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.
 - 2.2. Adopts the *Operational Land Asset Policy* as endorsed by the Regional Planning Committee.

**Tapine/Hiha
CARRIED**

The meeting adjourned at 1.13pm and reconvened at 1.45pm, with Cr Neil Kirton and Allana Hiha having left.

9. Regional Water Security Programme update

Tom Skerman, Erin Harford-Wright and Amanda Langley presented an update on the Regional Water Security programme. Discussions traversed:

- Regional Water Assessment (RWA) report (2021) provided valuable information about how much water is being used now, by who, how much we will need in future, what climate change impacts it have, and how to better manage demand given the forecast impacts of climate change.
- In 2019-2020, a total of 161 million cubic metres of freshwater was taken from our rivers, streams and aquifers for all domestic, industrial and irrigation needs and there is a growing gap between freshwater supply and demand.
- In future, we'll need to find another 32 million cubic meters more water by 2040 and by 2060 an additional 45 million cubic meters will be required
- Agriculture accounts for 54.4% of water use, followed by Municipal water supply (18.5%), Manufacturing and processing (13.2%), Electricity (10.2%), Non-reticulated households (1.8%) and Service industries (0.9%)
- Indications are that Hawke's Bay rivers are at most risk to the impacts of climate change and will be more severely affected than rest of New Zealand, particularly the Tukituki River.
- Te Mana o te Wai introduces a hierarchy of priority for freshwater allocation across New Zealand, where first allocation of water goes to the environment, followed by human health and lastly to social, economic & cultural wellbeing
- The RWS programme presents options for decision makers on water security and the goal is to ensure Hawke's Bay has long-term, climate-resilient and secure supplies of freshwater, for all.

- How we engage with iwi/Māori, as a partner, is going to be critical to success and need to think regeneratively about water use.
- Great engagement with mana whenua in Central Hawke's Bay with the Managed Aquifer Recharge (MAR) pilot project.
- Currently investigating whether above ground water storage is viable for the Heretaunga Plains.
- Funding available in the Long Term Plan to support regenerative solutions to manage water resources.
- Water security is a sub-set of Kotahi, with dedicated communications and engagement around various workstreams for supply and demand.
- The RWA is almost complete – and it's now time to start talking to Treaty Partners, key stakeholders and the wider community about "why" water security is at risk, the future and options to build resilience. A Regional Water Assessment summary report will be made available to the public at the end of July.
- Proposed approach is to build an understanding of the issues and seek mandate for a long-term strategy.
- RPC Tangata whenua appointed Keri Ropiha to actively participate in Water security solutions and discussions and will report to the RPC for updates.

RPC14/22

Resolutions

That the Regional Planning Committee receives and notes the *Regional Water Security Programme update*.

**Ormsby/Barker
CARRIED**

10. Policy Projects update

Anne Bradbury provided an update on the various resource management projects currently underway.

RPC15/22

Resolutions

That the Regional Planning Committee receives and notes the *Policy Projects update* staff report.

**van Beek/Barker
CARRIED**

11. June 2022 Statutory Advocacy update

Anne Bradbury provided an update on the status of reports as part of Council's Statutory Advocacy projects.

- the National Policy Statement for Indigenous Biodiversity (NPS-IB) exposure draft was released 9 June and has not been assessed by the Policy & Planning Team as yet. Changes include "Providing for activities which are important for people's economic wellbeing such as farming forestry and the provision of infrastructure and energy, and recognising tāngata whenua's kaitiaki and allowing for developing of Māori land in partnership with tāngata whenua.
- An exposure draft has been released for the National Environmental Standards and National Policy Statement for Freshwater Management around wetland provisions .
- HBRC lodged a submission to the draft National Adaptation Plan on 3 June which generally supported the objectives of the Plan and stressed that urgency and focus be put on flood events.

- Crs Rick Barker and Martin Williams left the meeting at 2.29pm and the quorum was lost.

Closure:

Having lost the quorum the Chairman declared the meeting closed at 2.30pm on 15 June 2022.

12. Verbal update on central government's programme of reforms

James Palmer noted that the panel who reviewed Resourced Management Act for the Government recommended a new approach for regional planning which will replace the planning documents for which this committee is responsible with a single combined regional plan and Regional Spatial Strategy to be prepared by a Joint Committee involving the Local Authorities in the region as well as tāngata whenua. That will supplant the legislative role of this committee under the Hawke’s Bay Regional Planning Committee Act 2015. Council has been advised that Mr Darryn Pompter has been appointed, to liaise with Council and each of the PSGEs to assist the Government in navigating how the existing arrangements for the RPC can be woven into the Resource Management reforms. It poses some significant legal issues for this committee and for the Government as to how it continues to give effect to what is provided for in the HB RPC Act 2015 and yet rationalises regional planning into one process involving the other councils in the region.

Apiata Tapine closed the meeting with a karakia.

Signed as a true and correct record.

Date:

Chairman: