

Meeting of the Regional Planning Committee

Date: Wednesday 14 September 2022

Time: 10.00am

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 15 June 2022	
4.	Follow-ups from Previous Regional Planning Committee meetings	3
5.	Call for minor items not on the Agenda	7
Decision Items		
6.	Tāngata Whenua representatives remuneration review	9
Information or Performance Monitoring		
7.	Sustainable Seas project outcomes	15
8.	Regional spatial strategy and related matters update	19
9.	Verbal update on Kotahi community drop-in sessions	
10.	Verbal update on TANK plan change decisions	
11.	Policy Projects update	25
12.	September 2022 Statutory Advocacy update	31
13.	Discussion of minor matters not on the Agenda	37

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
Allanah Hiha	Mana Ahuriri Trust
Tania Hopmans	Maungaharuru-Tangitu Trust
Laura-Margaret Kele	Heretaunga Tamatea Settlement Trust
Nicky Kirikiri	Te Toi Kura o Waikaremoana
Mike Mohi	Ngati Tuwharetoa Hapu Forum
Keri Ropiha	Heretaunga Tamatea Settlement Trust
Apiata Tapine	Tātau Tātau o Te Wairoa
Theresa Thornton	Ngati Pahauwera Development Trust
Rick Barker	Hawke's Bay Regional Council
Will Foley	Hawke's Bay Regional Council
Craig Foss	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
Jacqueline Taylor	Hawke's Bay Regional Council
Jerf van Beek	Hawke's Bay Regional Council
Martin Williams	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 14 September 2022

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-ups from previous RPC meetings*.

Authored by:

Leeanne Hooper
TEAM LEADER GOVERNANCE

Approved by:

James Palmer
CHIEF EXECUTIVE

Attachment/s

- 1 [Download](#) Followups for September 2022 RPC meeting

Follow-ups from Previous Regional Planning Committee Meetings

Meeting on 15 June 2022

No follow-ups from the 15 June RPC meeting.

Meeting on 16 February 2022

ref	Agenda Item	Action	Responsible	Status Comment
1	Follow-ups from previous meetings	Formal written agreement to the 2019 agreed Terms of Reference received from all PSGEs	P Munro /PSGEs	In progress. Verbal update will be provided at the meeting.
2	Tāngata Whenua Hearing Panel Commissioners' Conflicts of Interest Management	<ul style="list-style-type: none"> Dates of upcoming 'Making Good Decisions' courses to be circulated to all Regional Planning and Māori Committee members Recirculate spreadsheet on the current status of each member who holds a Chair certification to the RPC and Māori Committee members. 	Māori Partnerships Team	<p>The 'Making Good Decisions' programme is offered by WSP and all relevant information is available on their website - https://nzetc.wsp.com/w/courses/cat-13-making-good-decisions</p> <p>Upcoming courses are scheduled:</p> <ul style="list-style-type: none"> <u>Two-day Foundation course:</u> 29 Sept (Auckland) (seats available) & 10 Nov (Wellington) (seats available) <u>One-day Recertification course:</u> 6 Sep (Wellington)(seats available) & 26 October (Christchurch)(seats available) <u>One-day Chair's Certification & Recertification (Interactive online):</u> 21 Sept (Sold out, waiting list) & 15 Nov (seats available) <u>Chair Recertification:</u> Online: 27 Oct (sold out, waiting list).

HAWKE'S BAY REGIONAL COUNCIL

REGIONAL PLANNING COMMITTEE

Wednesday 14 September 2022

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 *Call for minor items not on the Agenda* for discussion as Item 13:

Topic	Raised by

Leeanne Hooper
GOVERNANCE TEAM LEADER

James Palmer
CHIEF EXECUTIVE

HAWKE'S BAY REGIONAL COUNCIL
REGIONAL PLANNING COMMITTEE
Wednesday 14 September 2022

Item 6

Subject: TĀNGATA WHENUA REPRESENTATIVES REMUNERATION REVIEW

Reason for Report

1. This agenda item proposes a process for an independent review of tāngata whenua representatives' remuneration. It seeks the Committee's support for the appointment of an independent reviewer and the Terms of Reference for the scope of the review.
2. A similar paper is on the agenda at the Māori Committee on 7 September 2022. The outcome of the Māori Committee's discussion will be presented on the day.

Officers' Recommendations

3. Staff recommend the Regional Planning Committee consider the timing and method proposed for the independent review of remuneration for tāngata whenua members on the Regional Planning and Māori Committee and approve Strategic Pay as the appointee to undertake the review.

Executive Summary

4. As prescribed in the Regional Planning Committee (RPC) Terms of Reference, it is time to review tāngata whenua members remuneration for the new triennium. It is proposed to include the remuneration of both RPC and Māori Committee representatives as part of the independent review.
5. RPC tāngata whenua members' remuneration was last reviewed by Strategic Pay in July 2019 with a final council decision to set the remuneration in accordance with the findings of Strategic Pay in February 2020.
6. It is proposed to re-appoint Strategic Pay as the independent reviewer and to follow a similar process and methodology that was used three years ago, with the added scope of the Māori Committee.

Preferred provider

7. Under s12(1)(d)(ii) of the Hawke's Bay Regional Planning Committee Act 2013 (the Act), the RPC Terms of Reference must define how to set TWR remuneration. See the Appendix for the relevant provision in the Act.
8. The current RPC Terms of Reference (adopted in 2014) states that the level of remuneration shall be determined promptly following each triennial election by independent persons (Appointees), one of which is appointed by the Council Co-Chair, and the other by the TW Co-Chair. See the Appendix for the relevant provision in the Terms of Reference.
9. The TW Co-Chair of the RPC and the Co-Chairs of the Māori Committee have verbally agreed on Strategic Pay as their preferred provider to carry out the review.
10. Strategic Pay is New Zealand's largest, full-service remuneration consultancy. It has 21-years experience and has New Zealand-wide clients across the private, public and not for profit sectors, from SMEs through to large multinationals along with local and central government entities. As a result, Strategic Pay is well placed to undertake this review and can draw on its vast experience to provide current and relevant analyses using comparable-sized roles.

11. Strategic Pay are also considered a cost-efficient option as they already have a base knowledge of the RPC and Council and can replicate the process and apply the proven methodology, they used three years ago.
12. Strategic Pay has confirmed their availability to complete the work by March 2023 and provided an indicative cost between \$12,500 - \$14,000 + GST (the range will depend on the number of interviews) + 1% administration fee + travel costs (if needed, with preference for interviews via Microsoft Teams).

Proposed Terms of Reference for the Review

13. The proposed terms of reference for the remuneration review are set out below. Changes to the 2019 terms are highlighted in grey.
 - 13.1. confirm current composition of Council and its committees
 - 13.2. confirm current Regional Planning Committee (RPC) and Māori Committee fees paid: base annual fees; separate committee fees; and governance pool from when RPC fees were last reviewed
 - 13.3. examination of Council and committee meeting schedule, and consider the time commitment for tāngata whenua representatives on the RPC and the Māori Committee
 - 13.4. examination of any projects or challenges of note confronting the RPC and Maori Committee at this time, including meetings and discussion progressing under 'All of Governors' and related to Kotahi Plan Change
 - 13.5. acknowledgement of any particular board skills or expertise that need to be considered e.g. 'Making Good Decisions' training with respect to the Resource Management Act
 - ~~13.6. reference to the Remuneration Authority for the setting of Councillor fee levels and fee structure~~
 - 13.7. reference to current arrangements for the salary setting arrangements for tāngata whenua representatives of the RPC and Māori Committee
 - 13.8. provide remuneration advice which is consistent with similar organisations throughout New Zealand to determine appropriate Committee fee levels for the tāngata whenua representatives of the RPC and Māori Committee
 - 13.9. provide scoring of governance roles and positions on an independent, objective basis which is consistent with the State Services Commission's Cabinet Fees Framework 2012
 - 13.10. evaluate the RPC and Māori Committee governance roles and size these against fees paid in the NZ market for comparably sized roles
 - 13.11. provide a final report within four weeks from project approval and delivery of all requested background materials which covers the following information, by 31 March 2023
 - 13.11.1. background information and the context identified above
 - 13.11.2. recommendation summary
 - 13.11.3. application of SSC's Cabinet Fees Framework to governance roles of tāngata whenua members
 - 13.11.4. results of Director evaluation methodology.

Approach and Timing

14. The process that Strategic Pay followed three years ago involved:
 - 14.1 Document review, including Committee Terms of Reference (provided by Governance Team)

- 14.2 John McGill (CEO of Strategic Pay) met with both TWR and Councillor members of the RPC in conjunction with a scheduled RPC meeting
 - 14.3 Subsequent phone interviews with the TW Co-Chair and Council Co-Chair of the RPC
 - 14.4 Using a modification of our proprietary Director Evaluation Methodology ('DirectorRate' which considers nine factors involving Board of Director work), called for convenience 'CommitteeRate' to consider Committee work and relying on seven factors, to develop our understanding of the RPC roles
 - 14.5 Reviewing what similar roles would be paid if the RPC were under the purview of the NZ Government's State Services Commission's Cabinet Fees Framework
 - 14.6 Looking at Committee fee levels and overall fee levels compared to data collected and analysed in our annual February 2019 New Zealand Directors' Fees Survey
 - 14.7 Reviewing the fees paid to the HBRC Councillors and understanding the relativities between Councillor roles and pay and those of the RPC
 - 14.8 Contacting the New Zealand Remuneration Authority requesting advice. This request was declined as the issue is not in its jurisdiction.
15. It is proposed they follow a similar methodology this time.

Timing of the review

16. The timing of the review has been designed to align with the budgeting cycle for the 2023-24 Annual Plan. To be done in time, Strategic Pay would need to meet with the Committees at their first meeting post the election and deliver the final report in time for council to consider its findings at its meeting at the end of March 2023. This would enable any financial implications to be built into the budget with effect from 1 July 2023.

Significance and Engagement Policy Assessment

17. The decision to initiate the independent review as required by the RPC Terms of Reference is not significant.

Considerations of Tāngata Whenua

18. Tāngata whenua members are directly affected by this decision. The TW Co-Chair of the RPC and the Co-Chairs of the Māori Committee have been consulted on the choice of Appointee to undertake the review and have provisionally supported Strategic Pay.

Financial and Resource Implications

19. As noted above Strategic Pay has provided an indicative cost between \$12,500 - \$14,000 + GST (the range will depend on the number of interviews) + 1% administration fee + travel costs (if needed, with preference for interviews via Teams). This can be accommodated within existing budgets.
20. The independent review may recommend changes that will cause cost pressures for the Council. Staff consider it prudent to budget for these to take effect from 1 July 2023.

Decision Making Process

21. Council and its committees are 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:
- 21.1 The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
 - 21.2 The use of the special consultative procedure is not prescribed by legislation.
 - 21.3 The decision is not significant under the criteria contained in Council's adopted Significance and Engagement Policy.

- 21.4 The persons affected by this decision are tāngata whenua committee members.
- 21.5 Given the nature and significance of the issue to be considered and decided, and also the persons likely to be affected by, or have an interest in the decisions made, Council can exercise its discretion and make a decision without consulting directly with the community or others having an interest in the decision.

Recommendations

That the Regional Planning Committee:

1. Receives and considers the *Tāngata Whenua Representatives' Remuneration Review* 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 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. Agrees to appointment of Strategic Pay as the appointee to undertake the independent review of remuneration for tāngata whenua members of the Regional Planning and Māori Committees.
4. Agree to the proposed Terms of Reference for the independent review as set out in the report.

Authored by:


Desiree Cull
STRATEGY & GOVERNANCE MANAGER

Te Wairama Munro
RELATIONSHIPS MANAGER - CENTRAL & INTERNAL

Approved by:

Pieri Munro
TE POU WHAKARAE

Attachment/s

- 1  Tangata Whenua Representation Remuneration Review

TANGATA WHENUA REPRESENTATIVES' REMUNERATION REVIEW

Section 12(1)(d)(ii) of the Hawke's Bay Regional Planning Committee Act 2013 (the Act) states:

12 Terms of reference of RPC

- (1) The terms of reference must provide for—
 - (a) the quorum for meetings of the RPC;
 - (b) how the RPC will be administered;
 - (c) the procedures relating to meetings of the RPC, decision making by the RPC, and dispute resolution, including for the purposes of section 10(2)(a), a procedure—
 - (i) for the Council to refer back to the RPC for reconsideration any recommendation made by the RPC but not adopted by the Council (whether in whole or in part); and
 - (ii) for the RPC to provide further recommendations to the Council;
 - (d) how the costs of administering and operating the RPC will be met by the Council, including—
 - (i) the costs of any advice required by the RPC; and
 - (ii) a procedure for determining the remuneration to be paid to tāngata whenua members and reimbursement of their expenses.
- (2) The terms of reference may be amended by the written unanimous agreement of the appointers.
- (3) The terms of reference must be consistent with the specified legislation.
- (4) In the event of an inconsistency between the obligations of the Council under the terms of reference and its obligations under the specified legislation, the specified legislation prevails.

Clause 13.2 in the 2014 Terms of Reference for the Regional Planning Committee states:

13. Costs of administering and operating Committee

- 13.1. The costs of administering and operating the Committee will be met by the Council, including—
 - 13.1.1. The costs of any advice required by the Committee as agreed by the Committee; and
 - 13.1.2. Remuneration of Tāngata Whenua Representatives and Tāngata Whenua Co-Chair as follows:
- 13.2. The Tāngata Whenua Representatives and the Tāngata Whenua Co-Chair shall be remunerated for their services by the Council. The level of remuneration shall be determined promptly following each triennial election of Councillors by two independent persons (Appointees), one of which is appointed by the Council Co-Chair, and the other by the Tāngata Whenua Co-Chair. The Appointees must have regard to:
 - 13.2.1. the need to minimise the potential for certain types of remuneration to distort the behaviour of the Tāngata Whenua Representatives and the Tāngata Whenua Co-Chair in relation to their respective positions on the Committee;
 - 13.2.2. the need to achieve and maintain fair relativity with the levels of remuneration received by elected representatives in RMA policy development roles; and
 - 13.2.3. the need to be fair both:
 - 13.2.4. to the persons whose remuneration is being determined; and
 - 13.2.5. to ratepayers; and
 - 13.2.6. the need to attract and retain competent persons.

HAWKE'S BAY REGIONAL COUNCIL
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Item 7

Subject: SUSTAINABLE SEAS PROJECT OUTCOMES

Reason for Report

1. This report provides an update on the operational activities associated with Hawke's Bay Regional Council's collaboration with the Hawke's Bay Marine and Coast Group (HBMaC) and the Sustainable Seas National Science Challenge case study for Hawke's Bay.
2. An update was last provided to Council at the November 2020 meeting of the Environment and Integrated Catchments Committee.

Executive Summary

3. Hawke's Bay Marine and Coast Group is a collaborative group convened to identify research needs and recommend research objectives to fill knowledge gaps to assist in the ongoing sustainable management of the Hawke's Bay coastal marine area. This group was established in 2016 and is recognised in Council's Strategic Goals for 'Healthy, functioning and climate-resilient biodiversity'.
4. Since 2018, the group has been working with the Sustainable Seas National Science Challenge in a regional case study aimed at implementing the principals of Ecosystem Based Management. Ecosystem-based management is an integrated, science-based approach to the management of natural resources and, while not new to Council policy work, looks to integrate management of the range of stressors across legislative boundaries.
5. In 2019, stage one of the case study looked at two stressors: land-based sediment and changes to the seafloor from bottom contact, using a socio-ecological tool called a Systems Map.
6. Recently, stage two of the case study used a Degradation and Recovery Model to test how changes to stressors (sediment input from land and bottom disturbance from fisheries activities) and closure areas would affect the benthic structure recovery. It also explored how seafloor health flows through into the social context with the Systems Map.

Strategic Fit

7. This activity assists Council to meet its strategic goal of 'Healthy, functioning and climate-resilient biodiversity', specifically to:
 - 7.1 Develop a Coastal Marine Monitoring and Management Plan, supported by the stakeholder-led Coastal Marine research strategy.
8. This project aligns with Marine and Coast science activities assessing land-based impacts on the coastal marine area.
9. We anticipate that this project will assist Council to deliver the Kotahi Plan.

Background

10. Management of the coastal marine area in Hawke's Bay is undertaken by several agencies and entities, covering several legislative documents. These include the Resource Management Act 1991, Biosecurity Act 1993, Conservation Act 1987, Fisheries Act 1996, Māori Fisheries Act 2004, Maritime Transport Act 1994, Marine and Coastal Area (Takutai Moana) Act 2011, and the Marine Mammals Protection Act 1978, as well as several other non-statutory documents.

11. In 2016, local concern around the perceived depletion of inshore fisheries and fish habitat in Hawke's Bay prompted a Council initiative to begin a collaboration between Council and others with interests in the Hawke's Bay coastal marine area.
12. The Hawke's Bay Marine and Coast Group (HBMaC) is comprised of representatives from recreational and commercial fishers, LegaSea, Department of Conservation, Fisheries New Zealand (MPI), local iwi, hapū and representation from two post-Treaty settlement groups. Council science staff are both participants in and the facilitators of this group.
13. HBMaC's purpose is to provide recommendations on improving the information and evidential base of decision-making in the management of Hawke's Bay coastal marine area. HBMaC developed the Research Roadmap which covers three themes:
 - 13.1 Terrestrial and Coastal Linkages
 - 13.2 Ecosystems and Habitats
 - 13.3 Fisheries.
14. Due to the existing relationships held within the HBMaC group, Hawke's Bay was approached to participate in the Sustainable Seas National Science Challenge as a case study area. The National Science Challenges are cross-disciplinary, mission-led programmes designed to tackle New Zealand's biggest science-based challenges.
15. The HBMaC vision of 'Achieve a healthy and functioning marine ecosystem in Hawke's Bay that supports an abundant and sustainable fishery' is well aligned to the Sustainable Seas vision 'Aotearoa New Zealand has healthy marine ecosystems that provide value for every New Zealander'.
16. After stage one, this project was presented to the Environment and Integrated Catchment Committee in November 2020. With stage two now complete, this paper summarises both stages of the project.
17. The Hawke's Bay case study is focused on enabling (rather than implementing) Ecosystem Based Management (EBM) in Hawke's Bay.

Discussion

18. Ecosystem Based Management (EBM) is an approach to management that addresses cumulative impacts and balances multiple, often conflicting, objectives across management objectives and/ or sectors. A primary goal of EBM is to balance the diverse and interconnected needs of society and the environment.
19. Stage one of the Hawke's Bay project focused on two main stressors: land-derived sediments entering the marine environment and bottom contact from fisheries activities (e.g., bottom-trawling). Three full day workshops were held with HBMaC participants and the Sustainable Seas project team. These workshops looked at the aspects that influence the two stressors (including social and ecological aspects), as well as projected patterns under different scenarios (e.g., do nothing, current or projected management).
20. A Systems Map, a way to visually articulate the relationships between variables that best explain the behaviour of the system that you are trying to understand, was developed. This highlighted four areas where our desired state differed from our current state. These included:
 - 20.1 Land-derived sediment entering the marine environment
 - 20.2 Appropriate benthic structure (e.g. complex habitat, sand, mud etc)
 - 20.3 Loss of connection with Tangaroa
 - 20.4 Public satisfaction with ecosystem health.
21. Stage two of the project investigated the impact of reducing the gaps between the current and desired state using existing tools developed in the Sustainable Seas programme. A Degradation

and Recovery Model simulated changes in management (e.g., changes to sediment load into the coastal marine area, changes to bottom contact by changing fishing intensity, etc.) to understand what that may mean for seafloor health.

22. After being presented with information regarding trawling effort and deposited sediment in the Hawke's Bay Coastal Marine Area, HBMaC collaboratively created scenarios of reducing sediment and fishing intensity.

- 22.1 Baseline scenario – business as usual

- 22.2 Scenario 1

- 22.2.1 Sediment input reduces from all major rivers by 10% over 25 years (starting 2027)

- 22.2.2 Fishing effort to 200m depth (outside of existing closures) reduced by 5%

- 22.2.3 Additional fishing closure within 2 nautical miles (NM) (3km) of shore along entire Hawke's Bay coastline.

- 22.3 Scenario 2

- 22.3.1 Sediment input reduces from all major rivers by 15% over 30 years (starting 2027)

- 22.3.2 Fishing effort changed in two spatial areas

- 22.3.2.1 Area A: Inshore of a line between Mahia and Cape Kidnappers and a section off the mouth of the Pōrangahau River, reduced by 30%

- 22.3.2.2 Area B: Everywhere else within 200 m depth contour, reduced by 10%

- 22.3.3 No change in fishing closures.

- 22.4 Scenario 3

- 22.4.1 Sediment input reduces from all major rivers by 25% over 40 years (starting 2027)

- 22.4.2 Fishing effort to 200m depth (outside of existing closures) reduced by 15%

- 22.4.3 No change in fishing closures.

23. The model revealed that all scenarios with decreases in sedimentation and fishing intensity resulted in the same amount of benthic structure (i.e., seafloor health) recovery. Results per scenario are as follows:

- 23.1 Baseline scenario – gradual continual decline in benthic structure

- 23.2 Scenario 1 – benthic structure remains like current levels until a gradual increase from 2040 to 2055 with a plateau after that

- 23.3 Scenario 2 – benthic structure remains like current levels until a gradual increase from 2040 to 2050 with a plateau after that

- 23.4 Scenario 3 – benthic structure remains like current levels until a gradual increase from 2035 to 2045 with a plateau after that.

24. HBMaC used the model results and assessed the socio-ecological flow through impacts using the Systems Map in an analogue simulation process. Specifically, they assessed the following social aspects:

- 24.1 Fisher satisfaction

- 24.2 Cultural identity

- 24.3 Community wellbeing.

25. Even though the model and analogue simulation process had some limitations, stage two of the process revealed some important insights. For example:

- 25.1 Satisfaction, cultural identity and wellbeing fluctuated over time depending on when actions were taken and when benthic structure recovery started to occur
- 25.2 Ongoing action would be necessary because of time delays in benthic structure recovery and maximum potential of stressor reduction amounts.
- 26. This project highlights some important connections between the ecology of the coastal marine area and its effect on the community. It provided an opportunity for HBMaC to start discussing multiple and competing values, work that is necessary to implementing EBM.

Next Steps

- 27. HBMaC will discuss how the results from this project fit in with their Research Roadmap and how they plan to use this information for recommendation. Some members of the group have already shared how they plan to share the project results within their respective agencies.

Decision Making Process

- 28. 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 *Sustainable Seas project outcomes* staff report.

Authored by:

Becky Shanahan
SENIOR SCIENTIST MARINE & COASTS

Approved by:

Anna Madarasz-Smith
MANAGER SCIENCE

Iain Maxwell
GROUP MANAGER INTEGRATED CATCHMENT
MANAGEMENT

Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL
REGIONAL PLANNING COMMITTEE
Wednesday 14 September 2022

Item 8

Subject: REGIONAL SPATIAL STRATEGY AND RELATED MATTERS UPDATE

Reason for Report

1. This report provides an overview and update on work underway to prepare for developing a 'Regional Spatial Strategy' (RSS) for the Hawke's Bay region.
2. A report very similar to this one has been (or soon will be) presented to each of the five main Hawke's Bay councils by their respective lead planning staff. A report similar to this was first presented to the Hastings District Council's Strategy and Policy Committee meeting on 23 June 2022. Due to meeting scheduling arrangements to fit around the recent series of 'All Governors' hui, this report is now presented to the Regional Planning Committee.

Executive Summary

3. Leaders of the five main councils in Hawke's Bay have been considering undertaking a Regional Spatial Strategy (RSS). This consideration has been prompted in part by the Government's indication it will introduce a Spatial Planning Act as part of its resource management system reforms. If passed into law, the proposed Act will require regional spatial strategies to be developed as a basis for integrated strategic planning and to form the basis for proposed Natural and Built Environment Plans – one for each region.
4. Following on from the Regional Collaboration Day on 7 March 2022, staff from the region's councils have commissioned¹ a scoping report to consider and make recommendations on key matters to be addressed in a RSS. These include the purpose and principles for the RSS, key matters to be addressed to achieve that purpose, governance, senior management and technical support arrangements, roles and responsibilities, project management and support arrangements and estimated resourcing requirements. Work to prepare the scoping report will also include engagement with Māori organisations in the region on the appropriate arrangements for Māori leadership, involvement and engagement in the development, shaping and determining of the RSS and its component elements. Overall, the scoping report will provide a framework for the establishment of a RSS to be agreed upon by regional leaders, including councils, iwi/Māori and government agencies. The scoping report is expected to be completed in time for incoming councils to consider it in November 2022.
5. The scoping report is a key step in the effective establishment of the RSS partnership and process. Experience in other locations indicates that getting the establishment phase right is key to the success of the spatial planning process and outcomes, and for achieving partner buy-in and commitment.
6. This report also notes related statutory planning processes that some Hawke's Bay councils have to undertake ahead of or partially alongside the development of the RSS. These include the Kotahi Plan by the Hawke's Bay Regional Council, and the Future Development Strategy for the Napier-Hastings Urban Environment (Hawke's Bay Regional Council, Napier City Council and Hastings District Council).
7. The report recommends that the approach to the RSS and related planning matters, and the commissioning of the scoping report for the RSS be noted.

¹ Hastings District Council are leading the procurement of professional services. Hastings District Council are the principal funders of the RSS scoping report for the 2022/23 period.

Background

8. The Government has signalled major reform of New Zealand's Resource Management System. The system review and policy work carried out to date has signalled that the Resource Management Act 1991 will be replaced by a Spatial Planning Act, a Natural and Built Environments Act and a Climate Change Adaptation Act. The Spatial Planning Bill and the Natural and Built Environments Bill are likely to be introduced into Parliament in late-2022, with the Climate Change Adaptation Bill likely to follow in late 2023. There will be a Select Committee submissions process once those Bills are introduced. This will be when the Government's proposals are laid out in far more detail than presently available.
9. The proposed Spatial Planning Act (SPA) will seek to integrate planning law with other legislation relevant to development (for instance the Local Government Act, the Land Transport Management Act, the proposed Natural and Built Environments Act and the Climate Change Response Act) and will introduce a requirement for long-term regional spatial strategies to be prepared for each region. The Government has signalled that the proposed SPA will introduce a regional approach to spatial planning, with involvement from councils, iwi/Māori and relevant Government agencies.
10. While regional spatial strategies are not yet a legal requirement, there has been discussions in Hawke's Bay about commencing development of a Regional Spatial Strategy (RSS). There have also been signals from central Government about the possibility of selecting a number of regions to act as pilot regions for RSS development when the Strategic Planning Act comes into effect. Those pilot regions would be the first 'tranche' of regions to prepare Regional Spatial Strategies with the remaining regions to follow in two or three more tranches.
11. The Mayors and Chair of the five Hawke's Bay councils have led the discussion on the possibility of a RSS. The matter was also discussed at the Regional Collaboration Day in March where there appeared to be consensus support for a scoping report on the RSS to be developed.
12. Following the Regional Collaboration Day, staff from the region's councils have worked collaboratively to commission a scoping report which includes the development and reaching agreement on a scoping report brief.
13. It was agreed by the councils' Chief Executives on 20 May 2022 that a progress report be prepared to inform the region's five main councils on the context for spatial planning work in Hawke's Bay, the approach being taken to the RSS scoping report, other planning matters required to be addressed, and to update councils on progress.

Discussion

Spatial planning

14. While the Spatial Planning Bill has not yet been introduced to Parliament, there are examples of spatial planning that have occurred around New Zealand prior to the current signalled legislative reform process. Auckland Council was required to develop a spatial plan under amendments made to the Local Government Act in 2010. According to that legislation, *"the purpose of the spatial plan is to contribute to Auckland's social, economic, environmental, and cultural well-being through a comprehensive and effective long-term (20- to 30-year) strategy for Auckland's growth and development."* As well as providing a strategic direction for Auckland and its communities and setting out a high-level development strategy, the plan is intended to *"enable coherent and co-ordinated decision making by the Auckland Council ... and other parties to determine the future location and timing of critical infrastructure, services, and investment within Auckland..."*
15. The most recent spatial plan is Auckland Plan 2050 which was adopted in 2018. The Plan outlines major challenges for Auckland and sets the direction for tackling these challenges. It identifies key focus areas and related desired outcomes that include *Belonging and Participation, Māori Identity and Wellbeing, Homes and Places, Transport and Access, Environment and Cultural Heritage, and Opportunity and Prosperity*, and identifies key

organisations that will play important roles in delivering those outcomes. The Plan also incorporates a Development Strategy that shows how Auckland will physically grow and change over the next 30 years, taking account of the outcomes sought, population growth projections and planning rules within the Auckland Unitary Plan (a combined district plan and regional plan).

16. The legislative mandate for Auckland's Spatial Plan provides a formal basis for central government involvement and for integration of the plan content and provisions into other parts of the planning and investment framework for Auckland.
17. There have also been examples of voluntary spatial planning arrangements involving multiple local authorities, iwi/Māori and some Government agencies around the country. These have included SmartGrowth in the Western Bay of Plenty sub-region, Future Proof (the Hamilton-Waikato Metropolitan Spatial Plan), and the Greater Christchurch Partnership and Urban Development Strategy. These projects have all enabled councils and iwi/Māori to work together effectively on growth management and spatial planning. However, the lack of both a specific legislative basis and having an effective partnership in place has meant that Government agency involvement has been variable, and related commitment and resourcing has sometimes been lacking in some circumstances.
18. In the Hawke's Bay context, the Heretaunga Plains Urban Development Strategy (HPUDS) is an example of spatial planning. Developed between the Hawke's Bay Regional Council, Napier City Council and Hastings District Council, with governance, stakeholder and technical input from Ngati Kahungunu Iwi Incorporated and other iwi/Māori organisations, HPUDS is focused on urban development in the Heretaunga Plains sub-region. Although a good example of spatial planning, HPUDS has its limitations due to its limited scope on growth management, its constrained geography and the fact that it does not really facilitate supporting infrastructure or seek to propose climate change mitigation measures. It also lacks a legislative mandate and relies for implementation and enforceability on key provisions and policies being adopted into the Regional Policy Statement and District Plans.
19. The New Zealand experience with spatial planning suggests that legislative backing, via the proposed Spatial Planning Act, will be highly beneficial in creating an effective RSS. In particular, it will give legal mandate to the process and to the policies and planning framework that emerge, as well as compelling greater central Government engagement and investment. With work on establishing the RSS process having recently commenced, it is likely that the RSS process will align well with the passage of legislation through Parliament and, potentially, the Government's selection of pilot regions after the Spatial Planning Act is enacted.
20. It is clear from signals from Government to date that partnering with iwi/Māori will be a key foundation for any RSS. Accordingly, partnering arrangements with iwi/Māori and related resourcing need to be one of the priority areas with the work to establish the RSS process.

Preparations for developing a RSS for Hawke's Bay

21. In contemplating a RSS for Hawke's Bay, an officer working group has been established to consider and formulate an approach to undertaking its development. This working group includes the following staff from each of the five councils: the senior management staff member responsible for planning, the senior officer responsible for iwi/Māori relationships and other technical planning staff as appropriate.
22. These staff have worked together to develop a brief for the development of a scoping report for the RSS. The brief provides that the scoping report will outline and recommend (for consideration by the councils and other project partners) the purpose and principles for the RSS, key matters to be addressed to achieve that purpose, governance, senior management and technical support arrangements, roles and responsibilities, project management and support arrangements and estimated resourcing requirements. The scoping report will provide a recommended framework for the establishment of a RSS to be agreed upon by regional leaders,

including councils, iwi/Māori and government agencies. The shape of the emerging Spatial Planning Bill may also influence such a framework.

23. The scoping report phase and the engagement and programme planning work that underpin it are vitally important in the RSS process. Experience elsewhere around New Zealand indicates that getting the establishment phase right is essential for the success of the RSS development process. Cutting corners on initial engagement and failing to get buy-in and commitment from partners leads to problems in the process further down the track, and a potential lack of commitment to adopt and subsequently implement the strategy.
24. Preparation of the scoping report is being led by Bill Wasley Consulting Limited, a consultancy with extensive experience in spatial planning work. The project team for the scoping report includes expertise in iwi/Māori input into spatial planning exercises.
25. As part of the work to prepare the scoping report, the consultants will engage with Māori organisations in the region on the appropriate arrangements for Māori leadership, involvement and engagement in the development, shaping and determining of the RSS and its component elements. This is considered a vital part of the establishment phase of the RSS.
26. The work to be undertaken as part of the RSS scoping report, particularly the engagement with partner organisations, is extensive and will proceed over a number of months. The scoping report is scheduled to be completed in time for incoming councils to consider its recommendations in November 2022.

Related statutory obligations

27. With the lack of a statutory mandate for a RSS prior to resource management reform legislation being finalised, there are, as yet, no fixed timeframes for the RSS. There are, however, statutory requirements on some of the councils in the region to prepare other planning documents. A number of these overlap with the likely scope of the RSS.
28. The Hawke's Bay Regional Council (HBRC) has requirements on it under the National Policy Statement on Freshwater Management (NPS-FM) to implement the NPS provisions. To this end, the HBRC is required to prepare and publicly notify a regional plan giving effect to the NPS-FM by 31 December 2024. Alongside this requirement, the HBRC is also required by the Resource Management Act to review its Regional Coastal Environment Plan (RCEP) as well as the Regional Resource Management Plan (RRMP) which includes the Regional Policy Statement (RPS). Together, these plans and policy statements are the major resource management planning instruments for the region. This extensive work programme is bundled to form the Kotahi Plan which has been previously presented to the Council and various committees (including the Regional Planning Committee and HBRC's Māori Committee).
29. In addition, the National Policy Statement on Urban Development (NPS-UD) requires the Hawke's Bay Regional Council, Napier City Council and Hastings District Council to prepare a Future Development Strategy (FDS) for the Napier-Hastings Urban Environment. The FDS has a core focus on the provision of development capacity. It needs to set out how local authorities involved will achieve well-functioning urban environments and ensure at least sufficient development capacity, that is both plan and infrastructure-enabled, over a 30 year period. The FDS must be completed and adopted (including public consultation under the Special Consultative Procedure) by 30 June 2024. The FDS will effectively replace HPUDS which is due in any case for its scheduled second review.
30. Officers from the three councils are working on recommendations for the programme, resourcing approach and engagement and governance arrangements for the FDS. These will be reported to the councils and other agencies involved in the FDS in the second half of 2022, and will be developed alongside the scoping report for the RSS.
31. Kotahi and the FDS will address matters that are central to the RSS. They are required to be undertaken ahead of the completion of the RSS. Both involve substantial work that the councils involved will wish to avoid duplicating. The only viable approach to this situation is that work

needs to proceed on the FDS and Kotahi in the immediate term, and that the documents and the work underpinning them will form key building blocks of the RSS. There will be a need to keep those RSS partners not centrally involved in the FDS and Kotahi processes apprised on progress, with the ability for them to input where appropriate.

32. As an illustration, the Chief Executive of the Central Hawke's Bay District Council (CHBDC) has indicated his Council's interest in having some level of involvement in the FDS. This makes sense as growth pressures centred in the Napier-Hastings Urban Environment are also affecting Central Hawke's Bay. The three councils required to develop the FDS have agreed at officer level to enable appropriate involvement from both CHBDC and Wairoa District Council in the FDS process, to make the FDS process transparent to both of those councils, and to consider impacts on those districts from growth and the proposed planning approaches.
33. Committee members will be well aware that the RMA-related plan-making functions of HBRC are overseen by the Regional Planning Committee. The existence and role of this governance mechanism will need to be considered carefully in the formulation of governance arrangements for the RSS, and as work is undertaken in respect of the FDS to implement requirements of the NPS-UD.

Next Steps

34. Senior staff from each of those five councils will continue to oversee work to produce the scoping report for the RSS. This will be carried out between now and late October. The scoping report, including recommendations to the partner organisations, will be available in November 2022 for the respective incoming councils to consider.

Decision Making Process

35. 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 *Regional Spatial Strategy and Related Matters Update* staff report.

Authored by:

Gavin Ide
PRINCIPAL ADVISOR STRATEGIC PLANNING

Approved by:

Katrina Brunton
GROUP MANAGER POLICY & REGULATION

Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL
REGIONAL PLANNING COMMITTEE
Wednesday 14 September 2022

Item 11

Subject: POLICY PROJECTS UPDATE

Reason for Report

1. This report provides an outline and update of the Council's various resource management projects currently underway.

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 *Policy Projects update* staff report.

Authored by:

Anne Bradbury
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Mary-Anne Baker
TEAM LEADER POLICY & PLANNING

Ceri Edmonds
MANAGER POLICY & PLANNING

Approved by:

Katrina Brunton
GROUP MANAGER POLICY & REGULATION

Attachment/s

- 1 [↓](#) September 2022 RMA projects Update

Status Report on HBRC Resource Management Plan Change Preparation & Review Projects (as at 1 September 2022)

Updates are in green underlined text

Project	Narrative update	Next intended reporting to RPC
'PC7' Outstanding waterbodies plan change	<ol style="list-style-type: none"> Publicly notified on 31 August 2019. 41 submissions were received, 19 further submissions. Decisions on submissions were issued on 26 June 2021. A full copy of the decision can be viewed online: https://www.hbrc.govt.nz/assets/Document-Library/Outstanding-Water-Bodies/Decision-of-the-Independent-Hearing-Panel-PC7.pdf The following parties have lodged appeals with the Environment Court: <ol style="list-style-type: none"> The Māori Trustee Royal Forest and Bird Protection Society of New Zealand Incorporated Te Taiwhenua o Heretaunga, Te Runanganui o Heretaunga, Te Manaaki Taiao o Heretaunga and Ngāti Kahungunu Iwi Incorporated. A copy of each of these appeals can be viewed at https://www.hbrc.govt.nz/hawkes-bay/projects/outstanding-water-bodies/ The appeals have proceeded through the Environment Court's processes with the first mediation being held on 27 October 2021. Council filed a reporting memorandum with the Environment Court on 12 November 2021, advising on the progress of matters and requesting mediation dates for the first half of February 2022 A hui was held on 24 November 2021 with representatives of the Māori Trustees for Poukawa Moana to enable them to present evidence to staff in support of their appeal. A further reporting date of 14 March 2022 has been granted by the Environment Court to enable further mediation to occur. Subsequent mediation occurred in February, April and July 2022. <u>Parties are finalising their positions to report back to the Environment Court.</u> 	Updates from staff as and when new information becomes available.

Project	Narrative update	Next intended reporting to RPC
Mohaka Catchment Policy Development for Kotahi	<p>11. Under preparation. Not yet notified.</p> <p>12. 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.</p> <p>13. Website updated with information gathered during initial community engagement pre-Christmas 2020 on catchment values and issues.</p> <p>14. Public meeting at Te Pohue 25 March 2021 to introduce wider community to the Mohaka catchment policy development work</p> <p>15. A wananga was held by NPDT in the Taupo on the 14-15 June 2021 as part of the Maori-led workstream.</p> <p>16. A verbal update was provided to the RPC 1 September 2021.</p> <p>17. Last quarter of 2021 Ngāti Pāhauwera and consultants continued work on the Māori-led workstream and agreed outputs. A further hui is planned for late January with the leaders rūpū to provide feedback and approve the pou work and some of the early TMOTW, values and long-term vision drafting. Once this has been through the rūpū approval process this will be shared more widely with HBRC staff and the RPC. Despite COVID disruptions this is running close to schedule.</p> <p>18. An update was provided to the All Governors meeting on 22 June 2022.</p>	Update on catchment values work anticipated early 2022
'PC9' Greater Heretaunga/ Ahuriri catchment area plan change (aka TANK)	<p>19. The TANK Plan Change was notified on 2 May 2020 and the submissions period closed on 14 August 2020.</p> <p>20. 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>21. A Hearings Panel of commissioners was appointed to hear and decide matters on submissions. The hearings panel consists of Antoine Coffin (Chair), Dr Brent Cowie, Dr Greg Ryder, Dr Roger Maaka, and Rauru Kirikiri.</p> <p>22. Hearings commenced on 24 May 2021 and ran for three weeks through June. The first three days of the hearing were held at Mangaroa Marae in response to requests from tāngata whenua.</p> <p>23. A further hearing day was held on 27 September 2021. The further day was specifically about water quantity aspects of PPC9.</p> <p>24. The hearings were closed on 22 August 2022 and we are waiting on a decision from the commissioners.</p>	Updates from staff as and when new information becomes available.

Project	Narrative update	Next intended reporting to RPC
Implementation of National Policy Statement on Urban Development 2020 (NPS-UD)	<p>25. The three councils are jointly responsible for developing a 'Future Development Strategy' for the Napier-Hastings urban area by 2024. That Strategy would sit outside of the Regional Policy Statement and regional plans (much like the existing Heretaunga Plains Urban Development Strategy).</p> <p>26. To inform the Future Development Strategy, the three councils have commissioned a technical assessment of the 2020-2050 business (i.e. industrial and commercial) land demand and supply for the Napier-Hastings urban area. That work is expected to be completed in late 2022.</p>	Updates from staff as and when new information becomes available.
Ngaruroro and Clive Rivers Water Conservation Order	<p>27. 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>28. Hearings were rescheduled and held during the week of 14 June 2021.</p> <p>29. HBRC staff will provide an update when the Court's decisions on the WCO is made available.</p> <p>30. For more information, see: https://www.epa.govt.nz/public-consultations/decided/water-conservation-order-ngaruroro-and-clive-rivers/</p>	Updates from staff as and when new information becomes available.
Statutory Acknowledgements of Treaty settlements	<i>Refer to Pātaka online mapping tool for further information [website link] about current Statutory Acknowledgements in Hawke's Bay region that have been passed in various Treaty settlement statutes.</i>	Updates from staff as and when new information becomes available.

SUBJECT: SEPTEMBER 2022 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 2022 Statutory Advocacy update* staff report.

Authored by:

Nichola Nicholson
INTERMEDIATE POLICY PLANNER

Gavin Ide
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Ceri Edmonds
MANAGER POLICY & PLANNING

Approved by:

Katrina Brunton

GROUP MANAGER POLICY & REGULATION

Attachment/s

1 [↓](#) September 2022 Statutory Advocacy Update

Statutory Advocacy Update (as at 1 September 2022)

Note: updates since reporting for previous Māori Committee meeting (6 April 2022) are provided in **red** text.

Table 1: National Proposals

Received	Proposal	Agency	Status	Current Situation
10 Aug 2022	Managing our wetlands in the coastal marine area A discussion document released by MFE outlining options to resolve ambiguities in how coastal wetlands are addressed in the NPS for Freshwater Management and the National Environmental Standards for Freshwater 2020. This follows on as a separate proposal for consultation from the May/June release of an exposure draft of amendments to the NPS-FM and NES-F (see below).	Ministry for the Environment	Public feedback due 21 Sept 2022	Council staff are reviewing MFE's proposals. Preliminary assessment indicates that MFE's preferred approach is well-aligned to positions previously advocated by HBRC and the wider collective of NZ's regional councils and unitary authorities. Discussion document identifies that MFE's preferred approach is to amend the NES-F so that it does not apply to natural wetlands within the coastal marine area, i.e. that the NES-F would apply to only inland natural wetlands.
31 May 2022	Exposure drafts of amendments to the National Policy Statement for Freshwater Management 2020 and the National Environmental Regulations – Freshwater 2020 Amendments were drafted for: 1. altering the regulations applicable to various types of activities occurring in or near wetlands; and 2. technical or clarification reasons.	Ministry for the Environment	Submissions closed 10 July 2022	A copy of HBRC's submission on the exposure draft amendments can be found at HBRC Submissions . <i>Te Uru Kahika</i> (the collective of NZ's regional councils and unitary authorities) also made comprehensive submissions on the proposed amendments.
10 Feb 2021	Reforming the Resource Management System The Government plans to repeal the Resource Management Act 1991 (RMA) and replace it with three new pieces of legislation. 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). https://www.mfe.govt.nz/rma/resource-management-system-reform	Ministry for the Environment (lead) in association with various other Ministries	Information only (for now)	Environment Minister Hon David Parker is quoted as recently saying that both the full Natural and Built Environments Bill and the Spatial Planning Bill will be introduced into Parliament in October 2022 , thereafter there will be an opportunity to make submissions through a select committee process. The Government's aim is for those two bills to be passed into law this parliamentary term, and also aiming to introduce a draft Climate Change Adaptation Act in 2023.

Received	Proposal	Agency	Status	Current Situation
9 June 2022	Exposure Draft National Policy Statement for Indigenous Biodiversity (NPS-IB) The NPS-IB sets out the objectives and policies to identify, protect, manage and restore indigenous biodiversity under the Resource Management Act 1991. https://www.mfe.govt.nz/publications/biodiversity/draft-national-policy-statement-indigenous-biodiversity	Ministry for the Environment	Public feedback on Exposure Draft closed 21 July 2022	MFE released an Exposure Draft of the NPS-IB on 9 June 2022. Deadline for public submissions was 21 July 2022. Ministers and MFE officials are considering the feedback received prior to finalising the NPS-IB. A copy of HBRC's submission on the NPS-IB exposure draft can be found at HBRC Submissions .
14 Aug 2019	National Policy Statement – Highly Productive Land (NPS-HPL) MPI and MfE have prepared a draft NPS to improve the way highly productive land is managed under the RMA. https://www.mpi.govt.nz/news-and-resources/consultations/proposed-national-policy-statement-for-highly-productive-land/	Ministry for Primary Industries	Public feedback closed 10 October 2019. Anticipating announcement by Minister ~Sept 2022	Previously, in October 2019 HBRC, NCC, HDC and CHBDC made a joint submission which can be found at HBRC Submissions . Planning staff are anticipating announcement and release of NPS-HPL sometime in Sept/Oct 2022.
27 Apr 2022	National [Climate Change] Adaptation Plan In August 2022, the Government released a final version of its first National climate change Adaption Plan ('NAP'). The NAP follows on from findings and recommendations of the first National Climate Change Risk Assessment released in 2020. The first NAP brings together in one place the Government's current efforts to help build NZ's climate resilience. It also sets out a proposed future work programme, indicating the Government's priorities for the next six years. The NAP is to be reviewed six-yearly. https://environment.govt.nz/what-government-is-doing/areas-of-work/climate-change/adapting-to-climate-change/national-adaptation-plan/	Ministry for the Environment	Final	

Table 2: Territorial Local Authority Proposals

Received	TLA	Proposal	Applicant/ Agency	Status	Current Situation
March 2019	NCC	Napier City Council District Plan Review & Spatial Picture	Napier City Council	Draft District Plan consultation period closed (was 6 August - 24 September 2021)	<p>Napier City Council released their draft district plan and spatial picture with an extended the submission period to the 24 September 2021 due to Covid-19.</p> <p>A copy of the HBRC submission to the Draft District Plan can be found here and the HBRC submission to the Spatial picture can be found here.</p> <p>The timeline and further information can be found on the NCC website https://www.napier.govt.nz/our-council/plans-strategies-reports/napiers-district-plan/district-plan-review/</p>
28 May 2021	CHBDC	<p>Central Hawke's Bay District Plan Review</p> <p>CHBDC have undertaken a full review of the District Plan. A new proposed district plan was publicly notified on 28 May 2021.</p>	Central Hawke's Bay District Council	<p>CHBDC commenced hearings March 2022.</p> <p>Series of hearings ongoing during 2022</p>	<ul style="list-style-type: none"> First of series of hearings commenced in March 2022 at Waipawa. Hearing Stream #5 scheduled to commence on 7 September 2022 relating to subdivision and natural hazard themes. Refer to CHBDC's Hearings Portal for more information. HBRC's submission was lodged on 6 August. A copy of HBRC's submission can be found at HBRC Submissions.

Table 3: Other Proposals

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

Received	Proposal	Agency	Status	Current Situation
24 July 2017	Application for Water Conservation Order (WCO) 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	Special Tribunal Recommendation Report Released. Environment Court Inquiry in progress	<ul style="list-style-type: none"> 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. Hearings were rescheduled and held during the week of the 14 June 2021. HBRC staff will provide an update when the Court's decisions on the WCO are made available. <p>For more information, see: https://www.epa.govt.nz/public-consultations/decided/water-conservation-order-ngaruroro-and-clive-rivers/</p>
Various	Marine and Coastal Area (Takutai Moana) Act 2011	Applicants Ngāti Pāhauwera Development Trust, Maungaharuru Tangitū Trust, Ngai Tāhū O Mohaka Waikare, Ngati Parau Hapu (Waiohiki Marae Board of Trustees)	High Court decision released 22 December 2021, now subject to appeals Stage 2 High Court hearing commenced 23 May 2022 at Napier	<ul style="list-style-type: none"> Previously... High Court commenced a 'Stage 2 hearing' in Napier on 23 May 2022 to consider form of orders. Two weeks have been timetabled for this Stage 2 hearing. HBRC submitted evidence regarding consents held in relation to the Waipatiki mussel farm. Notwithstanding commencement of the Stage 2 hearing, several parties have lodged appeals against High Court's decision made in December 2021. Decision can be found here 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/20211222-Re-Ngati-Pahauwera.pdf No further updates at time of writing

HAWKE'S BAY REGIONAL COUNCIL
REGIONAL PLANNING COMMITTEE
Wednesday 14 September 2022

Item 13

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 matters to be discussed as determined earlier in Agenda Item 5.

Item	Topic	Raised by
1.		
2.		
3.		