

Meeting of the Regional Planning Committee

Date: 12 February 2025
Time: 1.30pm
Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Attachments excluded from Agenda [available online only](#)

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Hawke's Bay Regional Council

Draft RPS Engagement Framework

Proposed Engagement Framework for the progression of the
Regional Policy Statement to form part of the

February 2025

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1. Executive Summary

This document outlines options for Hawke's Bay Regional Council (HBRC), in collaboration with our Treaty partners, to continue our engagement with the Hawke's Bay community and key groups during the remaining stages of developing the Regional Policy Statement (RPS). The RPS will form part of the 'Kotahi Plan'.

This framework aims to maintain high quality engagement throughout the RPS development process and in turn reduce submission and appeal points in the long term, leading to enduring solutions embedded in the final plan.

HBRC shares resource management planning responsibilities with Post-Settlement Governance Entities (PSGEs), formalised through the Regional Planning Committee Act (2015). This partnership has been in place since 2015 however there have been capacity and resource constraints within PSGEs and challenges in providing information through a te ao Māori perspective.

In 2023, recognising these challenges, HBRC and its Treaty partners re-evaluated the delivery approach for the RPS. As a result, a new and innovative approach was embedded with the establishment of the Joint Taiao Operational Group (JTOG). This group comprises staff from both PSGEs and the council's planning team and the group focusses on supporting decision-making by the Regional Planning Committee (RPC).

This revised process represents a significant shift in how HBRC delivers its plans. To date, the JTOG has strengthened partnerships and collaboration within the RPC while improving iwi and hapū involvement across the region. PSGE staff have been actively engaged with iwi and hapū groups over the past year and incorporating their feedback into the RPS provisions during the drafting stage. This approach has proven to be a major strength, fostering stronger relationships with Treaty partners across the region.

Hawke's Bay is a vast and diverse region, encompassing numerous communities, including four territorial local authorities (TLAs), at least 20 iwi groups (8 of which are represented PSGE's on the RPC) and various organisations and community groups.

Substantial engagement has already occurred, and the JTOG will play a central role in carrying out the remaining engagement phases outlined in this report before formal notification of the RPS.

The outcome of this engagement strategy is to ensure decision-makers have a comprehensive understanding of the issues from all perspectives, enabling the development of practical and workable solutions where possible.

The proposed engagement plan for 2025 is outlined in section 3 of this framework. The key dates are:

1. February – July 2025: Plan preparation with JTOG.
2. August 2025 – February 2026: Engagement period for a pre- notification draft of the RPS.
3. March 2026: Notification.

An overview of engagement including engagement methods are outlined in section 4 of this framework.

2. Introduction

2.1 Purpose of this Engagement Framework

This document outlines a proposed approach to working alongside the Joint Taiao Operational Group (JTOG), mana whenua, tangata whenua, key stakeholders and the Hawkes Bay community during the remaining stages of Regional Policy Statement (RPS) development. The purpose of this engagement is to continue the high-quality involvement in the plan review process and to further develop in-depth understanding of the key issues and recommended solutions across the region. This will help JTOG and the Policy Team provide robust recommendations to the Regional Planning Committee (RPC). This engagement framework discusses engagement that has occurred to date, section 2.4, which has been an important part of the plan development as well as proposed engagement for 2025.

The proposed engagement plan for 2025 is outlined in section 3 and an overview of engagement including engagement methods are outlined in section 4.

2.2 Kotahi Principles

The Regional Planning Committee, (RPC), established guiding principles in March 2021 at the start of the Kotahi project. These principles shape not only the project's outcomes but also how we engage with individuals and communities throughout the process.

Communication: Timely, consistent, fit for purpose, and tailored to the audience.

Relationships: Partnership, active involvement, respect of values, recognition of difference and retention of identity, tangata whenua led components, recognition of mana whenua status.

Results Focus: Decision making on key matters, realistic expectations (time, resources, and finances), and agile.

Operational Awareness: Priorities, progress focussed, resourcing for HBRC and mana whenua, mātauranga Māori, policy direction and change, limitations and constraints

Mana Whenua: Commitment to build capacity and capability, understanding of values, interests and priorities, and knowledge of Te Tiriti o Waitangi.

2.3 Background to Regional Policy Statement development

A comprehensive review of Hawkes Bay Regional Council's key Resource Management Act 1991 (RMA) planning documents commenced in late 2020. The Regional Resource Management Plan, Regional Policy Statement and Regional Coastal Environment Plan were reviewed as required by section 35 of the RMA. This review found that the planning documents needed to be updated to provide better environmental outcomes, give effect to new national level direction and ensure they remain current.

Following this review, work began to prepare new planning documents that would both comply with national direction and reflect the communities' environmental aspirations.

This work was guided by an engagement timeline consisting of three phases: Listen, Create, and Deliver (shown below).



Figure 1: Engagement timeline pre-Cyclone Gabrielle, July 2022.

Phase 1 launched with a comprehensive engagement program across the region, including:

- Community drop-in sessions
- Formation of a technical advisory group
- Focused inter council collaboration
- Online consultation platforms
- Targeted workshops with both the Regional Planning Committee and Māori Committee.

The initial engagement phase successfully identified major environmental issues, community concerns and potential opportunities for the region. A summary of these findings was presented to the RPC in September 2022. The project was ready to move into the second phase, which would have involved creating a draft plan in collaboration with stakeholders and the community.

However, Cyclone Gabrielle struck the region in February 2023, causing unprecedented disruption and devastation. This necessitated a redirection of Council resources and attention to emergency response and recovery efforts resulting in a significant pause in the Kotahi project's progress.

Throughout 2024, the Coalition Government initiated significant changes to the Resource Management Act (RMA) planning framework. The Resource Management (Freshwater and Other Matters) Amendment Act 2024, which came into force on 25 October 2024, impacts on the Kotahi plan's engagement process. This Act requires a pause in the notification of freshwater plans that give effect to the National Policy Statement for Freshwater Management (NPS-FM) 2020 until a new NPS-FM is established. This is expected to take 18 to 24 months. This means the freshwater components of the RPS will need to be separated out from the RPS and will need to go down a different pathway.

The Policy team has reviewed the previous community engagement findings. This has been essential to ensure our earlier understanding of community needs and aspirations remains relevant in the post-cyclone context, while also confirming which issues have become more pressing or changed in nature.

Our planning process has been strengthened by lessons learned during cyclone recovery, especially regarding climate resilience and natural hazard management. The disaster has provided critical lessons

about our region's vulnerabilities and strengths, highlighting areas where our planning framework needs to be especially robust and forward-thinking.

This document outlines our path to creating a draft RPS that incorporates both our initial findings and recovery insights. We plan to present the draft for public consultation in the third quarter of 2025. This will allow sufficient time for thorough community input and refinement before we notify the RPS.

2.4 Engagement to date

The following table provides a summary of the engagement undertaken to date:

Pre-cyclone engagement	
2019	In 2019 a gap analysis was undertaken to identify specific areas where the RRMP, RPS and RCEP needs to be updated. Internal engagement was undertaken where surveys and interviews with HBRC staff were undertaken to ground-truth the desk-top analysis.
2020	An efficiency and effectiveness review of the RPS in accordance with section 35 of the RMA began. The section 35 evaluations indicated whether the RPS was performing as intended. The results of this report inform policy development by finding out what has worked, what hasn't worked, and why. The evaluations help direct what needs to change in the RPS to better achieve environmental and community aspirations and respond to changing legislative demands. The evaluation methods used to review the RPS included: <ul style="list-style-type: none"> • Discussions with staff across Council, scientists, including resource consent officers, compliance staff and catchment staff who have been involved with interpretation and implementation of the RPS. • Review of the Complaints Database, current legislation, and SOE monitoring report • Review of Councils strategic priorities. • A copy of the s35 report can be found here.
2021/ 2022	All Governors workshops were held. These workshops traversed a range of issues including the key issues facing Hawke's Bay at the time, challenges and opportunities in resource management. The workshops also explored catchments and Governors explored strategies to address what management was needed to support their catchments. The catchments were broken into the Esk, Mohaka, Tukituki, Pōrangahau and the Southern Coast, Heretaunga and Ahuriri, Wairoa and Northern Coast.
2022	HBRC hosted 12 drop-in sessions across the region and gathered feedback online from social media and the online consultation tool Social Pinpoint. This community engagement focused on what our communities value, what the big environmental issues are for them and what they wanted to see the environment look like in the future. It allowed us to understand and embrace our communities' shared knowledge and experiences, including mātauranga. Following the events, the data was compiled, reviewed and a report created to explain what we heard from our communities. A copy of the report can be found here .
2022	Policy Manager meetings were held bi-annually with the TLA's to discuss policy direction for the region and officers worked with their counterparts in TLA to discuss topics.

Post cyclone engagement	
2023	PSGEs – meeting with hapu, iwi in their areas. PSGE's have been provided resourcing to assist with the identification of Māori freshwater values and aspirations within their respective areas which is a critical to the success of the RPS.
Feb 2024	Workshop at East Pier with Hort NZ, TLAs and other key stakeholders to discuss each of the RPS topics. This was part of the Technical Advisory Group (TAG).
2024	Voluntary workshops with other staff from other sections of Council, including science, compliance, consents, and catchment staff were held to hear about the issues the region where individuals voiced both their professional and personal concerns.
2024	Discussions with TLAs became monthly as part of the Policy Manager meetings to discuss planning direction for the region.
June 2024	JTOG was formed to provide support to the Regional Planning Committee in preparing Kotahi.
Nov 2024	RPC Governor's workshops were run with support of HBRC policy and planning team, science team and JTOG members. These workshops discussed the topics to be included in the Kotahi plan that the RPC will decide on.

2.5 Legislative requirements

Schedule 1 of the RMA outlines the process that must be followed when planning documents are reviewed. Most of the focus of Schedule 1 is on the steps that must be followed for public notification. The RMA does not dictate how a council should complete these early planning stages but it does require formal consultation with the Minister for the Environment, other relevant Ministers, affected local authorities, tangata whenua through iwi authorities, and any customary marine title groups in the area. The RMA also sets out some pre-notification requirements concerning iwi authorities, whereby all iwi authorities must be sent a draft version of the RPS prior to formal notification so their feedback is considered.

The Local Government Act 2002 (LGA) has requirements in conjunction with the RMA. Part 6 of the LGA outlines consultation requirements. Section 82 of the LGA sets out the principles of consultation, which include providing reasonable access to relevant information, encouraging people to present their views and considering those views with an open mind. Section 83 details the Special Consultative Procedure (SCP), which is required for significant decisions, including the adoption of an RPS. Additionally, Section 81 requires councils to establish and maintain processes to provide opportunities for Māori to contribute to decision-making processes.

It is important that the obligations of both legislative documents are considered to ensure effective and lawful engagement.

3. Proposed Engagement for 2025

Legislative requirements for engagement on RMA plans are outlined above but nothing in the RMA prevents a council from choosing to go beyond the minimum requirements with respect to engagement when developing a proposed document for public notification. Officers recommend that a draft RPS be released for comment to all groups in Hawke's Bay so they can have a say in a more informal way about any provisions within the RPS and influence what the council is looking to manage through this RPS change. This will help reduce submission points and ensure the plan is more robust before the RPS is formally notified and the process of submissions begin.

Following a review of the previous engagement and our response and recovery to Cyclone Gabrielle the Planning team are recommending continual work with JTOG in drafting the RPS. This can include workshops with RPC if required.

3.1 Next steps

The next steps are outlined below and an engagement timeline is shown in section 3.2.

February – July 2025

- JTOG will continue working closely together with the Policy Team to develop and draft the RPS.
- Further updates and potential workshops to be held with the RPC to ensure Governors are up to date with the Kotahi process and the content that they will be deciding on.

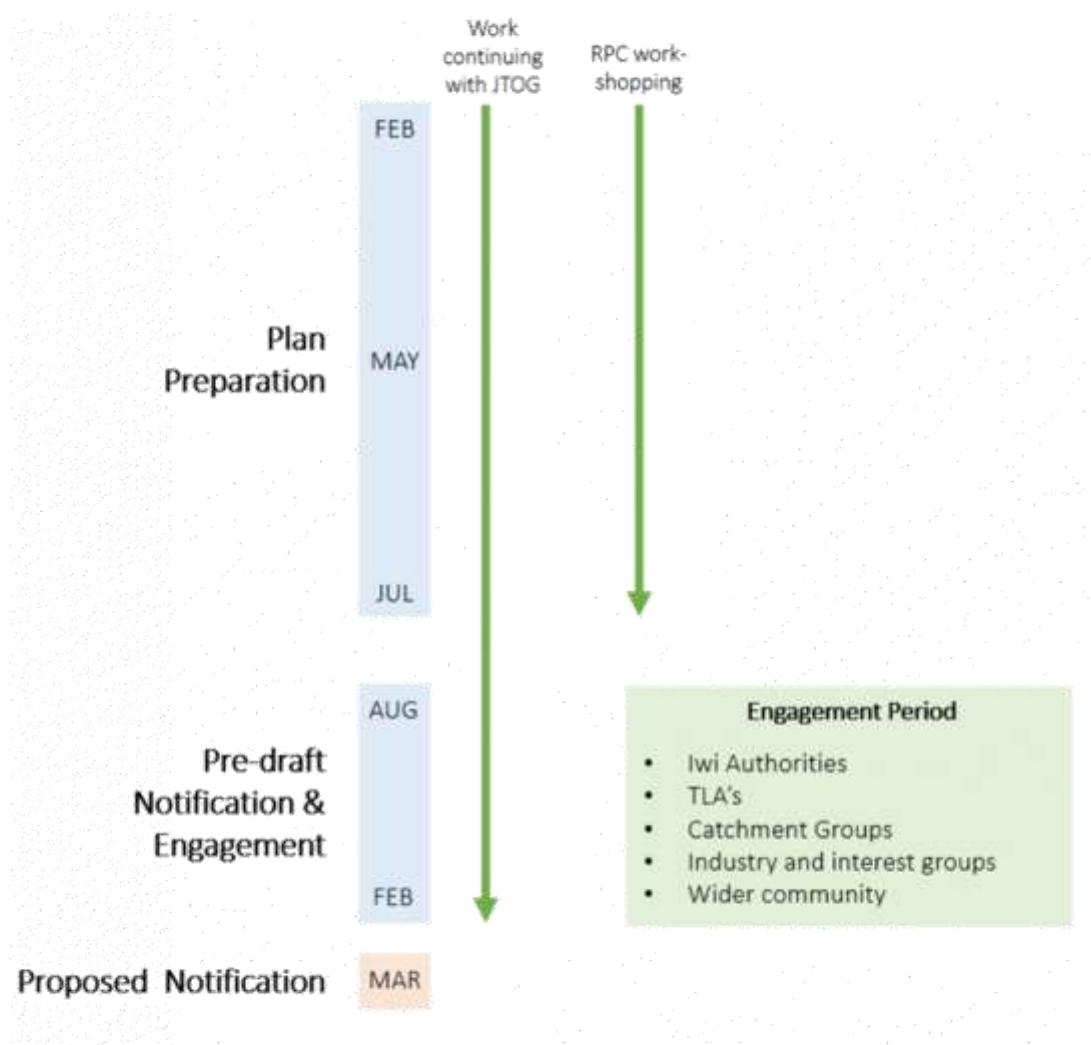
August 2025 – February 2026

- A pre-notification draft of the Kotahi Plan, excluding the freshwater component, will be delivered to mana whenua, tangata whenua, key stakeholders and the wider community for engagement.
- The PSGEs will continue to meet with hapū as mana whenua experiences, perspectives, and actions are fundamental to the success of the RPS development process.
- Further drop-in sessions, hui and/or focus groups for members of the rural community and other local environmental groups. This will ensure the community is aware of the proposed framework and any additional feedback to consider in the RPS.
- JTOG, TLA's and consents staff to review feedback from engagement and update the RPS where required.

March 2026 onwards

- RPS can be notified.

3.2 Engagement Timeline



4. Engagement Overview

4.1 Engagement

Engagement approaches are constantly evolving and there are many examples to learn from and adapt, leading to significant opportunities for innovation.

It is also important to acknowledge that many people are already experiencing a degree of consultation fatigue from local and central government and others; the pace of change, new information and requests for input and involvement is often overwhelming. The quantum of engagement occurring within Hawke's Bay has increased significantly in the wake of Cyclone Gabrielle and other subsequent events.

To support these discussions this section outlines the IAP2 Participation Spectrum and possible engagement methods moving forward.

4.2 IAP 2 Participation Spectrum

The IAP2 Spectrum of Public Participation defines five levels of increasing public impact on decision-making: Inform, Consult, Involve, Collaborate, and Empower. This internationally recognized framework helps organizations understand and choose the appropriate level of community engagement based on their goals, resources, and stakeholders' needs.

Inform the least involvement, where the community is informed about a decision or action.

Consult where community feedback is sought.

Involve where community involvement in ideas and solutions is sought and findings tested.

Collaborate where ideas and solutions are created with the community.

Empower where decision making powers are passed to communities.

This is illustrated in greater detail in *Table 1* below.

4.3 Key stakeholders

The Hawke's Bay region is a large area with diverse communities, which can be categorised into key groups:

- Mana whenua
- Tangata whenua
- Primary and rural industry
- Central Government
- Local government
- Environmental groups
- Industry groups
- Rural and urban communities
- Youth
- Catchment groups

4.4 Engagement Methods

A broad range of possible engagement methods sourced from literature and other project examples have been identified that we can use for the RPS.

It was considered important that engagement methods provide for:

- Issue/opportunity identification and evaluation;
- Alternatives to be considered; and
- Generating support for action.

The short listing of potential engagement methods was also based on the suitability of the method to achieve the Kotahi principles.

Short listed options range from consult to collaborate on the participation spectrum but specifically do not include any options which empower the community to make decisions. This is because the RPC and Council, retain ultimate decision-making responsibility for the RPS.

It will be necessary to utilise a range of engagement methods to tailor engagement to the particular community and topic being discussed.

The following introduces the possible engagement methods identified, with *Table 1* describing when each method can be used and possible resource requirements.

Community meetings / Hui

A 'traditional' form of communicating with the community. Generally supported by presentations by the Council and may involve invited technical experts. Provides opportunities for questions to be posed by community members and is intended to engage with a large proportion of the community to provide input into project direction.

Level of engagement: Consult

Drop-in sessions

A public information session, incorporating information displays accompanied by technical experts and the policy team. This option is generally more informal than a public meeting and it allows the community to attend at a time convenient to them and speak directly to those involved in the project often on a one-to-one basis. This approach avoids the large group setting, it gives more opportunity for people to ask their questions while still providing an opportunity for feedback from a large proportion of the community. Drop-in sessions can be effective when accompanied by interactive components and visual media and can be a place for instant feedback to be gathered.

Level of engagement: Consult

Wānanga

Whānau, hapū and iwi will have their own definition of wānanga, broadly speaking wānanga are about open discussion, where people are encouraged to bring their own thoughts, opinions and experiences about a particular topic or set of topics, to talk through differences and seek to come to a deeper understanding of the matters discussed.

Level of engagement: Consult, Involve & Collaborate**PSGE Led Engagement at a hapū/whānau level**

Post-Settlement Governance Entities (PSGEs) play a crucial role in leading engagement at the hapū and whānau levels within the Hawke's Bay region. The extent of PSGE-led engagement varies between entities, often influenced by the number of marae they oversee and their unique values.

HBRC is guided by PSGE's in their engagement efforts at the hapū and whānau levels to inform the Kotahi plan. HBRC supports this collaborative approach to ensure the plan reflects the diverse perspectives and values of the community. This method allows for the inclusion of specific local visions and values throughout the plan, as deemed appropriate by the PSGEs. Eight PSGEs are represented on the Regional Planning Committee (RPC).

During JTOG meetings, iwi representatives have been communicating specific interests to HBRC, particularly at the catchment level. This ensures that new plan provisions align with local visions and values. For example, PSGEs have been drafting their visions and values reports for freshwater management, reflecting their internal hapū-specific interests. These reports will be incorporated into the Kotahi plan when the NPS-FM allows for freshwater management to progress.

Level of engagement: Consult & Involve**Community focus group**

A small group or series of groups that are hosted by a facilitator about a specific/focused topic. Focus groups allow for open discussion that can be guided by a series of questions or statements which can inform or enhance the group's discussion. Each focus group will ideally have between 3-12 members to ensure discussions are effective. These groups will likely meet more than once but this can depend on the topic and the duration of each meeting.

Level of engagement: Consult & Involve**Complementary Engagement**

Alongside core engagement methods outlined in the section above, complementary engagement methods can be used to ensure broad reach and input from those otherwise not directly involved.

These options serve multiple purposes in community engagement. They can educate and inform stakeholders, focus discussions on specific issues, and gather perspectives from across the community. Additionally, they help define key problems, identify individuals interested in deeper involvement, and collect input from diverse groups. Importantly, these approaches also enable participation from people who might otherwise face barriers to engagement due to time constraints, limited resources, or accessibility challenges.

Complementary engagement can also be used to test outcomes from the core engagement method or enable broader input prior to decision-making. It is likely that a package of complementary methods will be needed given the complexity and scale of Kotahi.

There are a wide range of potential complementary engagement methods. Some examples include:

- Interactive digital tools, such as social pinpoint
- Videos
- Social media
- Project website
- Media briefings
- Online and postal surveys

- Innovative engagement tools to test scenarios / options and community sentiments at a broad scale.
- Project newsletter
- Champions
- Workshops and presentations
- Information stands at community events.

Table 1: Engagement spectrum (Adapted from IAP2 International Federation 2018)

Category	Inform	Consult	Involve	Collaborate	Empower
Engagement purpose	<ul style="list-style-type: none"> • Inform 	<ul style="list-style-type: none"> • Comment • Test proposals 	<ul style="list-style-type: none"> • Critique and develop • Comment • Test proposals 	<ul style="list-style-type: none"> • Create together 	<ul style="list-style-type: none"> • Follow direction set by others
Goal for participation	To provide a balanced and objective information to assist stakeholders to understand the problem, alternatives and opportunities and/or solutions	To obtain stakeholder feedback on analysis, alternatives and/or decisions	To work directly with stakeholders throughout the process to ensure that stakeholders concerns and aspirations are consistently understood and considered.	To partner with the stakeholders in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	Place the final decision making in the hands of the public.
Promise to stakeholders	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and aspirations and provide feedback on how stakeholder input influenced the decision	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Level of Community Interest	<ul style="list-style-type: none"> • Little or no public interest 	<ul style="list-style-type: none"> • Impacts on stakeholders and community (some or all) 	<ul style="list-style-type: none"> • Impacts on stakeholders and community 	<ul style="list-style-type: none"> • Broad public interest including for Māori • Moral considerations 	<ul style="list-style-type: none"> • Broad public interest including for Māori • Moral considerations
Project context	<ul style="list-style-type: none"> • Decision(s) already made • Unlikely to generate further public concern, involvement or response 	<ul style="list-style-type: none"> • Options for solution identified • Seek feedback and input 	<ul style="list-style-type: none"> • Complex issue • Wide-ranging impact 	<ul style="list-style-type: none"> • Complex issue • Wide-ranging impact • Significant to key partners 	<ul style="list-style-type: none"> • Broad public interest • Policy development led by community/ partners



RPS Governor's Workshop Summaries

About: During November 2024 three days of workshops were held with the Regional Planning Committee to familiarise the governors with the topics they will be making decisions on for the new Kotahi plan in 2025, and to provide the policy team with initial direction when drafting the new Kotahi plan based on the governors (and ultimately their communities') initial thoughts. The following workshops were held on each topic:

Morning Sessions:

Workshop 1 (7 November):

- RPS 101*
- Regionally Significant Issues
- Mana whenua

Workshop 3 (14 November 2024):

- Visions and values*
- Water quantity
- Water quality

Workshop 5 (20 November):

- Ecosystems and Indigenous Biodiversity
- Coastal environment
- Energy, Infrastructure and Transport

Afternoon Sessions:

Workshop 2 (7 November):

- Climate change
- Natural hazards
- Air

Workshop 4 (14 November):

- Beds & banks of rivers
- Forestry
- Soil

Workshop 6 (20 November):

- Energy, Infrastructure and Transport
- Urban Form and Development
- Integrated Management

Method: Over three days, workshops were held in the Hawke's Bay Regional Council's chambers using a rotating "bus-stop" format. The RPC was divided into three groups, joined by members of the Joint Taio Operational Group (JTOG), the HBRC Policy team, and the HBRC science teams. Each table discussed one topic, with the HBRC team and scientists providing a high-level overview, followed by questions and discussions where sticky notes "mind-mapped" key themes and ideas. Council staff rotated through the groups after each topic's discussions.

There were three morning sessions and three afternoon sessions each day, with a lunch break in between. The aim was to facilitate high-level discussions to capture the governors' initial thoughts and ideas on each topic. As these were workshops, no formal minutes were recorded, and no decisions were made. Attendance was voluntary for all governors.

The following summaries provide one-page overviews of the key themes and discussions captured at these workshops.

**Note: Workshop summaries for the "RPS 101" and "Visions and Values" workshops are not included as they were discussed at a higher explanatory level and do not specifically relate to topics for the Kotahi plan.*

REGIONALLY SIGNIFICANT ISSUES

RSI

Workshop Summary

What we heard

During our discussions, participants emphasised the need for better integration with other strategic frameworks, such as the Future Development Strategy (FDS), and highlighted the importance of community-centric rezoning, particularly for mana whenua communities. There was a strong call to enhance the regional council's role in directing local and district councils to fulfil their biodiversity functions.

Participants stressed the need for improved data availability and sharing to support informed decision-making. Health and safety, especially in the context of natural hazards and post-cyclone recovery, were highlighted. Additionally, there was a focus on enhancing water management practices, planning for climate adaptation and mitigation, and improving economic and social returns from natural resources while minimising environmental impacts.

Key Themes

Strategic alignment: Developing policies that ensure regional plans are aligned with other strategic frameworks like the FDS was highlighted. The role of spatial planning was raised multiple times through discussions.

Community-focused planning: Implementing rezoning policies that prioritise community health, safety and general needs. Listening to what communities want and need.

Biodiversity: Strengthening the regional council's directive role in biodiversity conservation across local and district councils.

Sustainable growth: Creating a hierarchy of needs to balance population growth, food production, and environmental sustainability, in line with te mana o te wai was reiterated throughout discussions to ensure environmental protection is upheld. However, a level of flexibility is needed e.g. prioritising people in natural hazards situations.

Data-driven planning: Enhancing data availability and sharing to support evidence-based planning and decision-making which includes ways for local knowledge and data to be incorporated.

Integrated water management: Implementing comprehensive water management strategies ki uta ki tai that address flow regulation, demand management, and catchment health.

Climate resilience: Planning for climate adaptation and mitigation, with a focus on developing policies that prioritise the health and safety of communities, especially in hazard-prone areas. Incentivising where possible the reduction of emissions, water use, enhancing biodiversity and sequestration.

Hazard preparedness and response: Developing policies for natural hazard preparedness, including managed retreat and spatial planning to protect the most vulnerable communities. The disproportionate effects on Māori land was highlighted which tends to be more prone to hazards and dislocated from essential services.

Economic and social sustainability: Promoting policies that improve economic and social returns from natural resources while minimising environmental impacts. Incentivising positive environmental outcomes where possible.



TANGATA WHENUA

Workshop Summary



What we heard

Ensuring that tangata whenua and Te Tiriti values, priorities, imperatives and objectives are integrated into the Regional Policy Statement (RPS) was highlighted throughout the discussions. Alongside supporting hapū and whānau interests, are processes within the regional plan framework that are fit holistically within the whole system, for example the entire awa (ki uta ki tai). Similarly, ensuring that these priorities and values are distributed throughout planning documents, rather than located in a single chapter was noted.

Participants stressed the importance of inclusivity for hapū and whānau, and the need for a single regional planning document to enable good environmental outcomes. Recognising the unique rangatiratanga of each hapū and ensuring resource consents align with mana whenua values were key points. Finally, there was a call for better relationships between the Hawke's Bay Regional Council (HBRC) and other entities, ensuring continuity of policy implementation and monitoring that supports mana whenua aspirations. Scaling management units, monitoring locations and approaches or similar planning tools to be relevant to communities was highlighted.

Participants called for better induction processes to set context and expectations, and for amplifying successful planning documents and processes, especially those related to freshwater values and visions. Simplifying complex issues and expressing values within the context of place were also important.

Key Themes

Enhanced Representation: Supporting formal mechanisms for mana whenua representation in regional planning processes (e.g. the RPC) and other advisory groups or committees that include representatives from all relevant iwi and hapū.

Defined Roles and Responsibilities: Developing clear guidelines for the roles and responsibilities of PSGEs and other mana whenua entities in environmental management. Integrating these roles into a reporting and monitoring framework such as the HBRC's State of the Environment reporting.

Support for Rangatiratanga: Implementing policies that recognise and support the autonomy and decision-making authority of hapū. Ensuring that resource consents and planning decisions align with the values and aspirations of mana whenua.

Improved Engagement Processes: Establishing comprehensive induction programs for all stakeholders involved in regional planning. Creating platforms for regular wānanga (workshops) to discuss and refine freshwater values and visions and simplifying planning processes to make them more transparent and easier to navigate for all stakeholders.

Inclusivity in Planning: Ensuring that all planning processes are inclusive and accessible to mana whenua communities and that incorporates the diverse perspectives of hapū and whānau.

Clear Vision: Articulating a clear, compelling vision for the future of regional planning that aligns with mana whenua values.

Effective Policy Implementation: Strengthening the relationship between HBRC and mana whenua entities to ensure effective policy implementation. Establishing robust monitoring and s32 evaluation frameworks to track progress and ensure accountability.

AIR

Workshop Summary



What we heard

During the discussions on air quality, participants highlighted several key concerns particularly with respect to the use of agrichemicals near residential areas, and odours from effluent overflow and industrial processes. Other issues raised related to dragway fumes, dust, pollen, fertiliser use, and vehicle emissions.

The intensification of farming and population growth was seen as increasing environmental issues and the management of silt dust from Cyclone Gabrielle was identified as a health risk. Participants discussed the impact of practices on air quality, such as burning wood from orchards versus chipping, and the need to provide for cultural practices that require fires such as Matariki celebrations. Outdated practices such as the burning diesel for frost protection and farm burning of landfills were also discussed.

Transport planning and connectivity issues were noted by participants as a solution to increased pollutants in urban centres and highlighted the need for better infrastructure. Establishing buffer zones, like Omaha's Clean Air Strategy, were identified as being helpful to mitigate impacts on air quality and health from the use of agrichemicals.

Key Themes

Rules & Monitoring: Continue ongoing data collection to inform and update rules to better manage the effects from the use of agrichemicals, industrial processes, and other air pollutants, as needed to protect public health and minimise nuisance.

Improve Infrastructure: Develop better transport planning and infrastructure to reduce urban pollutants.

Update Industry Practices: Promote modern practices like chipping wood instead of burning, increase buffer zones, and reduce outdated methods such as burning diesel for frost protection.

Manage Post-Event Risks: Develop effective strategies for managing silt dust and other post-event health risks.

Establish Buffer Zones: Implement buffer zones to reduce reverse sensitivity issues and protect residential areas from air quality impacts.

Enhance Waste Management: Improve waste management, recycling, and collection to reduce the burning of prohibited items, such as plastics and treated wood, to minimise pollution.

Education and Incentives: Balance education and incentives with regulatory measures to improve air quality.

COAST

Workshop Summary



What we heard

Participants highlighted HBRC's significant responsibility and stewardship role towards the people of the region and future generations so that pātaka kai will be available, taonga species are abundant and able to be harvested, and people are safe and able to connect with the coast. Developing a more inclusive, collaborative, and relational approach to coastal management was considered vital.

The enduring relationship of mana whenua with the coastal environment was widely discussed, including the importance of rangatiratanga, kaitiakitanga and manaakitanga principles in taiao management. Importance was placed upon holistic environmental understanding. The coastal environment is a receiver of upstream effects that requires a true ki uta ki tai approach, an understanding of the effects of human interaction with Parawhenua mea, and regard for Tangaroa's response to climate change.

Key Themes

Tackling sedimentation #1 priority: If we cannot tackle the major issue of sedimentation, the protection and restoration of our collective values and visions will be unattainable. This requires ensuring that the coastal environment outcomes are addressed through all the topics and domains (i.e. embedding a ki uta ki tai response). Discussion including identifying and tackling hotspots upstream, understanding the underlying social and financial drivers behind key contributing industries/practices, looking at timing of activities, removing benthic disturbance, and corrective measures at the coast such as silt removal.

Understand parawhenua: Participants challenged us to deepen our understanding and response to parawhenua (floodwaters). A force that once nourished the moana now carries excess sediment, nutrients, and contaminants. Talks centred predominately on land-based activities including stormwater, emerging contaminants, heavy metals, industrial contaminants, agricultural inputs, forestry, greywater, wastewater, and activities that determine flow rates (i.e. gravel extraction and water allocation).

Go big on restoration: In an already degraded environment the focus should be on ensuring future generations have safe and abundant mahinga kai, and that taonga species are at a sustainable and harvestable population level. There was an aspiration to go big on restoration, harness collaboration, and promote the wider benefits of restoration, e.g. for carbon sequestration, hazard mitigation, and social and cultural connection.

Coastal resilience is more than people: In responding to climate change we must ensure that we protect seascapes, natural processes, pātaka kai and culturally significant sites. There was a desire to work with communities and communicate and resolve the tensions at the intersection of people's safety, coastal hazards, and coastal values. Understanding Tangaroa's response to climate change was highlighted.

Ki uta ki tai is sustenance: Maanaki is an indicator of overall system health and requires a focus on species abundance and health. It was conveyed that rahui, mātauranga indicators (such as seabird corridors) and enabling active engagement and access for kaitikai needs to be embedded into the RPS. Pooling together our resources – local knowledge, mātauranga, science and data sharing – were considered key areas for delivery of ki uta ki tai.

CLIMATE CHANGE

Workshop Summary



What we heard

During climate change discussions, participants stressed building regional resilience and empowering communities at place in adaption efforts. Prioritising climate change in decision-making was deemed crucial, with a focus on equitable transitions that support the most vulnerable.

Actions that both mitigate climate change and support adaptation, such as wetland restoration, were strongly supported. Participants highlighted the need for urgent action across scales and to incentivise behaviour change. The disproportionate impact of climate change on low-income communities and the preservation of cultural practices, like mahinga kai, were key concerns. Local governments roles in mitigation and adaption were also highlighted.

Key Themes

Prioritise climate change: integrate climate change considerations into all regional planning and decision-making. Include specific climate change objectives and policies in the Regional Policy Statement (RPS) to guide regional and district plans.

Build community resilience: include policies that empower communities at place in adaptation planning and support local adaptation projects.

Support mitigation efforts: encourage net emissions reductions and the use of indigenous biodiversity and nature-based solutions to sequester carbon.

Promote social equity: include provisions that ensure transitions are equitable and that no community is left behind.

Impact on mana whenua: recognise the impact of climate change on mana whenua and develop policies that protect and promote cultural practices, such as mahinga kai.

Support indigenous biodiversity and nature-based solutions: include policies that promote the protection and restoration of indigenous biodiversity and encourage the use of nature-based solutions in adaptation.

Incentivise action: reduce the consenting burden for and incentivise climate positive actions that benefit people and the environment.

Address health impacts: include policies that consider that health impacts of climate change.

Green energy: support the transition to low emissions energy sources.





WATER QUANTITY

Workshop Summary



What we heard

The needs of the waterbody should first be met. A good understanding of hydrology and ground-surface water connections is needed to set adequate water levels and flows for native species to move naturally and to prevent damage to habitat and loss of taonga species.

The 'first in, first served' approach for water allocation was considered inequitable, although some were unsure of exactly how water is being allocated under the operative plan.

Matters raised included municipal use and metering of water, what 'efficient water use' means, making allocation available for mana whenua in overallocated catchments, the adverse effects arising from the taking use of water, the outcomes sought from 'making room for the river', climate change and the needs of future generations. A wide range of solutions were put forward.

Key Themes

Water levels and flows: Make sure that the needs of the river, lake or wetland are met first by setting appropriate minimum flows or levels and recognising variation in flows and levels. Sufficient water is needed for aquatic habitat and taonga species. HBRC should partner with local iwi to use mātauranga in modelling water systems and assessing impacts of taking water on values.

More efficient water use: Make sure that water taken is used efficiently. Water take should be metered, including for municipal water users. Metered data should be reported and shared, alongside information about the state of the local environment. Good knowledge is needed for people to be able to change their behaviours. Groups provide opportunity for sharing water between members, optimising water use.

Reimagining the allocation system: The allocation system needs to be appropriate to the context, natural water patterns, and different demands for water throughout the year. Over-allocation must be addressed. Options proposed included:

- More frequent consent reviews
- Allocating water for different types of activities
- More effective use of water transfers
- Charging for water takes and discharges
- Trading water
- Developing local allocation models, with mana whenua and community
- Allocating water to enable tangata whenua economic development
- Factoring in intergenerational needs

Adapting to climate change: Investigate opportunities to secure water into the future, including through storage, further efficiencies, flow augmentation opportunities, 'whole of life' considerations from point of water take to discharge use, data collection and knowledge sharing.

Strengthening Monitoring and Compliance: Establishing robust monitoring systems that involve mana whenua and local communities. Part of this requires regional policy to require water metering at a district level.



WATER QUALITY

Workshop Summary



What we heard

There was a strong desire for water quality and mauri to be improved, recognising its capacity to support life and provide for human and cultural safety. Addressing sedimentation in waterways emerged as a top priority, with a strong focus on improving water quality through better land care practices and riparian planting. Mauri and water quality may be seen to have improved when people can swim without getting sick, drinking water safely and have mahinga kai which is safe to eat, tasty and abundant. Having a diverse and abundant range of macroinvertebrates 'critters' in waterways was a good indicator of water health. There was a desire to use mātauranga in monitoring both state of the environment and plan effectiveness.

A number of questions were raised around the process for making the freshwater plan, what were good measures for water quality, the effectiveness of different practices and mitigations, recovery times after severe drought or flood events, the role of HBRC for urban streams, and the purpose of state of the environment monitoring.

Key Themes

Shared vision to improve water quality: A shared vision from mountains to sea (ki uta ki tai), with water quality being the same as the source puna. Being aspirational and more stringent than national direction given water quality in the region is poor. Living with the water as it is, rather than having to engineer rivers to fit human needs (allowing them to stabilise). Improving mauri, enhancing water's life supporting capacity and value for drinking and cultural practices can be done by protecting water quality.

Issues: There is a lot to do to improve mauri and water quality, a wide range of issues including sediment, nitrogen, phosphorus, algae, *E coli*, water temperature, lack of shade, and heavy metals. Prioritising sedimentation management and having better land care methods and riparian planting is important, as is water quantities (river levels and flows). Planning for climate change extremes and water flows is also important for water quality.

Monitoring and mātauranga: Using mahinga kai as a key measure alongside other mātauranga and supporting scientific monitoring (such as SQMCI scores, temperature, conductivity, turbidity etc.) particularly for our state of the environment reporting would be helpful. Including other measures that people can experience, such as more shade or healthy kai. Linking measurement to actions. Gaining a bigger picture by use of both science and mātauranga.

Plan-making process: Clarifying how the National Objectives Framework works. Developing an integrated approach, linking actions to outcomes and effects, using regulatory and other techniques, including education and information, to drive behaviour change. Setting clear discharge limits and provide guidance for how they can be achieved. Using rules to help resolve conflicts and competing uses.

Looking forward: Considering how to make decisions when there is not always enough information available. Measuring what will best inform actions and results. Considering how non-compliance will be addressed. Using a range of tools, such as farm plans and farm practices, education. Looking at both rural and urban catchments.

Prioritise Biodiversity Protection: Prioritise biodiversity protection which is essential for water quality, and wider ecosystem and human health. This ensures multiple positive flow on effects such as supporting the ability for mana whenua to practice mahinga kai and the health of the wider environment ki uta ki tai (from mountains to sea) which supports water quality.



BEDS & BANKS OF RIVERS



Workshop Summary

What we heard

Following the severe damage from Cyclone Gabrielle there has been renewed concern for the region's waterways, lakes and wetlands, their vulnerabilities and their importance to nature and for people. Bank erosion, sedimentation, loss of riparian vegetation and mahinga kai, and damage to places of community value, including to urupā, wāhi tapu and points of water access, are all matters that must be addressed.

There was a strong desire to look at the wider context, using natural systems to enhance riparian margins, place-based knowledge and mātauranga to develop solutions that will be more resilient for the future. Opportunity was also seen to improve people's connections with and access to water, to gain multiple benefits for biodiversity, social and cultural wellbeing and the environment, and to influence infrastructure investments in these spaces. It was also important for people to know their management responsibilities.

Key Themes

Reimagining waterways: Features of reimagined waterways could include making more room for rivers, restoring wetlands and replanting riparian margins, holding soil in the land and water in the landscape (slowing the movement of both sediment and water to waterbodies), seeing tributaries (including drains) as aquatic refuges during storms, improving fish passage, providing better protections for endemic species, using mātauranga and local knowledge, and improving access and opportunities for people to connect with water. At the same time, the questions of affordability and who pays must also be resolved.

Taking responsibility: Improving people's understanding and actions with respect to water systems, including through application of mātauranga, education, monitoring and sharing of data, and regulation.

Protecting values: A range of features and sites important to tangata whenua, such as mahinga kai, wāhi tapu and other taonga have been damaged or are threatened because of their proximity to eroding riverbanks and waterbody edges. Careful consideration and support will be needed to reduce risk.

Riparian management: Planting and restoration work is seen as important to stabilise banks, increase biodiversity, provide more shading and improve ecosystem resilience. Such work also creates opportunities for social interaction and can help improve the feeling of connection with the water.

Improving gravel management: Gravel was increasingly seen as an important resource to better manage, particularly noted by using more local knowledge. Some areas, such as Wairoa were now seen as having lost their gravel, while other rivers, like the Mohaka, were seen as having more sediment and less gravel. In the Ngaruroro River, extraction activities were impacting on aquifer recharge. Gravel extraction was seen as being important for flood management, creating win-wins, but could also create issues downstream when sediment was mobilised. Supporting data sharing mechanisms to inform decision making is important to improve its management.



FORESTRY

Workshop Summary



What We Heard

During the forestry workshops, participants highlighted several key concerns. The 'window of vulnerability' post-harvest was a major issue, participants emphasised the need for the staging of harvests within a catchment area. They also mentioned buffer zones to protect waterways and wetlands, advocating for greater setbacks than current national regulations. Managing silt, is just as important as slash, especially in steep and coastal areas. The potential for bio-fuel industry growth using forestry slash was seen as a positive opportunity.

The importance of better relationships with local forestry providers and incorporating native species into forestry practices was highlighted. Supporting forestry collective groups to manage at a catchment level and incorporating risk-based regulation into policy were suggested. It was also noted that mana whenua are owners of commercial forestry, sometimes as a result of treaty settlements, this results in a natural tension between commercial ownership versus environmental protection.

Key Themes

Implement Buffer Zones: Integrate greater setbacks into plan rules to protect waterways and wetlands and promote the use of native species. Use forestry impacts in the coastal receiving environment as a driver to create more stringent rules than the NES.

Manage Post-Harvest Vulnerability and Stagger Activities: Develop strategies to manage the post-harvest 'window of vulnerability' to reduce erosion and sedimentation. Implement catchment management and staggered harvesting schedules to minimise environmental impact. Implement forestry catchment management and staggered harvesting schedules to minimise environmental impact through spatial planning.

Promote Bio-Fuel Industry: Support the development of a bio-fuel industry using forestry slash.

Enhance Regulatory Framework: Implement more stringent rules than the NES to drive sustainable practices. Include specific regulations for safe and sustainable harvesting practices, especially in landslide-prone and high-connectivity areas. Develop risk-based regulations to prioritise waterway and wetland protection and address both siltation not just slash.

Engage Community and Stakeholders: Encourage collaboration with forestry stakeholders and the integration of native species in forestry practices through plan policies. Engage with stakeholders to leverage social pressure and ensure forestry policies are informed by local knowledge and community needs, realising the impact of pine forests on biodiversity.

Support Mana Whenua: Support provisions that acknowledge mana whenua involvement in forestry ownership. Facilitate data-sharing and access to cultural sites. Consider incentives for forestry companies to support iwi initiatives.



SOIL

Workshop Summary



What we heard

Soil and its management is seen as being critical for the region's economic base, food security, carbon sequestration, hazard mitigation and the many other dimensions of wellbeing – 'it all starts with the soil'. What you get in, you get out.

Queries were raised over HBRC's role beyond erosion control, sediment management and identification of highly productive land (as required by the National Policy Statement for Highly Productive Land (NPS-HPL)).

Participants wanted better protection of the best lands for food production to prevent further loss from urban development and to use Mātauranga to improve soil health, regenerative farming practices, more sharing of information on soils, less use of agrichemicals which impact soil biota, and run off into streams and to have more done to keep soil intact and prevent erosion (particularly returning unproductive erosion prone land to native bush).

Key Themes

Reimagining soil: A better understanding of different soils and their unique characteristics for supporting life, whether for food production, water retention or carbon sequestration. Recognition of the cleansing function of soils in minimising adverse effects of discharges and buffering waterways.

Soil carbon and health: Diversifying soil biota and maximising the capture of carbon into soil systems. Aligning policy with soil health outcomes.

Safeguarding productive land: Reducing fragmentation of rural land to smaller blocks that are unable to support primary production. Taking greater care with use of fertilisers, agrichemicals and pesticides. Greater awareness of soil health and the impacts of different land uses on soil.

Urban soils: Smarter use of urban soils, less urban expansion onto the best productive soils (more intensive infill development instead), better use of those soils in urban areas, having a 'green target' to preserve urban soils.

Mana whenua: Use of mātauranga for promoting soil health. Greater involvement of local mana whenua for decision-making on matters including discharges to land. Resolving the tension between soil management, urban papakāinga and being able to use Māori land as a way of life.

Better soil management practices: Strengthening practices that minimise soil loss through erosion, linking in with better water, biodiversity and natural hazard outcomes. Combining forestry with regenerative native plantings and carbon farming. Addressing post-forestry soil depletion.

Monitoring and knowledge sharing: Using soil biology as an indicator of biodiversity health. Incorporating citizen science and mātauranga. Recognising the critical issues for each catchment, including their soils and erodibility, hydrology and bank stability.

HAZARDS & RISKS

Workshop Summary



What We Heard

During the natural hazards workshops, participants highlighted several key concerns. Implementing and activating different warning systems was crucial for timely emergency response and community safety. The need for a comprehensive toolbox of regulatory measures to manage risks and ensure compliance with safety standards was emphasised. Understanding the community's risk appetite for different hazards helps in setting appropriate policies and priorities. Developing a risk matrix that considers hazard, location, context, and priorities is key to effective risk management.

Participants stressed the importance of educating the community on flood resilience and understanding the risks involved for better preparedness and protection. Planning for managed retreat and identifying safe relocation areas were critical for reducing risk in high-hazard zones. Determining costs and 'who pays' hazard mitigation and climate adaptation, plus addressing the needs of those not protected, was essential for equitable risk management. Recognising cultural, environmental, and social factors in risk management, ensuring provisions support Māori land, ensures inclusive and respectful planning.

Key Themes

Warning Systems: Implement and activate different warning systems for timely emergency response and community safety.

Regulatory Measures Toolbox: Develop a comprehensive toolbox of regulatory measures to manage risks and ensure compliance with safety standards.

Community Risk Tolerance: Understand the community's risk appetite for different hazards to set appropriate policies and priorities. What might be intolerable risks?

Risk Matrix and Prioritisation: Develop a risk matrix that considers hazard, location, context, and priorities for effective risk management.

Flood Resilience Education: Educate the community on flood resilience and understanding the risks involved for better preparedness and protection.

Managed Retreat and Relocation: Plan for managed retreat and identify safe relocation areas to reduce risk in high-hazard zones.

Funding and Protection: Determine 'who pays' for hazard mitigation and climate adaptation while also addressing the needs of residents not protected for equitable risk management.

Cultural and Environmental Considerations: Recognise cultural, environmental, and social factors in risk management, including special provisions for Māori land, to ensure appropriate planning.



ENERGY, INFRASTRUCTURE & TRANSPORT



Workshop Summary

What We Heard

Participants stressed the need for a spatial planning approach to infrastructure development in the region. Participants discussed the importance of transport planning, including active transport corridors, better public transport, and urban intensification to reduce transport emissions. Participants were supportive of the development of enabling infrastructure for passenger rail services.

Participants highlighted the importance of enabling renewable electricity generation in the region. Participants were supportive of enabling green energy generation but were also keen to prohibit oil exploration and extraction. Participants discussed the possibility of natural gas being used as a transition fuel for local energy resilience.

Key Themes

Spatial planning: Require a spatial planning approach to development in the region.

Transport planning: Ensure low emission transport options are available in areas identified for urban intensification and new development.

Infrastructure resilience: Ensure infrastructure is resilient to natural hazards and climate change.

Low emissions energy: Adopt a permissive approach to low emissions energy across all scales and prohibitive of the exploration and extraction of high emissions energy sources such as oil.

Enhance property level resilience: Promote features like rainwater tanks / greywater recycling and solar panels for new and existing residential and commercial properties.

URBAN FORM & DEVELOPMENT



Workshop Summary

What We Heard

The National Policy Statement on Urban Development (NPS-UD) sits behind much of the work being undertaken in this area, notably for the proposed Future Development Strategy for Napier, Hastings and Havelock North which is currently under development. Participants noted that the FDS is only one component of a much wider conversation about development. Generally, they supported application of the principles guiding this strategy across the region. They also recognised the connections between this topic and other topics which guide aspects of development in urban and rural areas.

They also supported more multi-council and PSGE collaboration to address development across the region. Spatial planning was seen as useful tool to help resolve region-wide growth issues, such as for natural hazard risk, protection of the best soils for production, infrastructure investment, and provision for development by and for Māori. Post Cyclone Gabrielle, there is heightened appreciation of the importance of resolving these matters for future generations.

Key Themes

Region-wide development principles: Applying the principles being used to identify growth areas in the FDS to development across the region. This provides consistent responses to natural hazard risk, protection of highly productive land from development, provision of infrastructure appropriate to the area, and recognition of carbon emissions.

Resilient development: The outcome of applying the development principles should be more resilient development, opportunities for productive living and jobs, better health outcomes, more indigenous biodiversity and reduced carbon emissions, amongst other matters. There is an opportunity to lean into stronger policy regarding development in hazard-prone areas, including through identification of 'go - no go' locations for development.

Mana whenua: There is a strong desire for mana whenua to be able to live, play and work on or near their marae. Also, traditional lands have often been less valuable, sometimes because of their greater vulnerability to natural hazards. Different considerations may be needed for papakāinga.

Collaboration: Partnering and collaborations between mana whenua and local government will be important going forwards.

Spatial planning: Region-wide spatial planning is seen as an important tool to use for understanding regional issues. This will enable transport planning to better align with planning for development, help integration with infrastructure development and provide greater certainty for investment in homes and businesses across the region.



BIODIVERSITY & ECOSYSTEM SERVICES



Workshop Summary

What We Heard

During the biodiversity workshops, participants highlighted several key concerns. The focus was on enhancing soil health, protecting indigenous biodiversity, and addressing the impacts of climate change. The importance of integrating traditional knowledge from whānau and hapū into environmental management was emphasised.

Key Themes

Soil Health: Promote practices that enhance and improve soil health and productivity. Implement soil conservation measures that support long-term ecosystem health.

Significant Biodiversity: Identify and protect significant biodiversity sites across Hawke's Bay. Develop policies that support the conservation of these areas and integrate them into regional planning.

Restorative Efforts: Develop long-term (50-100 years) plans for the restoration of cleared lands. Emphasise the importance of restoration and its benefits to the ecosystem and community.

Mana Whenua: Support provisions that recognise the relationship of indigenous biodiversity, including taonga, with mana whenua. Identify opportunities for protection while also recognising Māori aspirations for the use of their land.

Indigenous Biodiversity: Protect and enhance indigenous biodiversity taking a Ki uta, Ki tai approach. Address the impacts of climate change on biodiversity and develop strategies to mitigate these effects.

Community Involvement: Actively involve local communities, catchment groups, whānau, and hapū in biodiversity conservation efforts. Incorporate traditional knowledge and perspectives into environmental management and planning.

Invasive Species Management: Implement measures to control invasive species such as deer, possums, and feral cats. Develop policies to manage invasive plants and protect native species.

Education and Incentives: Balance education and incentives with regulatory measures to promote biodiversity conservation. Provide economic benefits and incentives for landowners to protect and restore biodiversity.

Monitoring and Data Collection: Ensure ongoing data collection and analysis, including various cultural indicators, to adapt to changing environmental conditions. Use this data to inform and update regional policies and plans regularly.



INTEGRATED MANAGEMENT



Workshop Summary

*This summary includes an overview of integrated management, as one was not provided previously.

Overview

All aspects of the environment are part of the RPS, including freshwater, biodiversity, air quality, climate change, coastal areas, natural hazards and risk, energy, transport and infrastructure. A core part of the RPS is to integrate the management of these resources to ensure they are managed together under one regime rather than creating silos by managing different areas, resources, or effects separately. The RPS will also need to give effect to new policies, planning and technical standards from Central Government.

On their own, the topics and domains in the RPS aim to achieve integrated management across the Plan. However, due to the complexity of managing interconnected systems, a standalone Integrated Management Chapter has also been included in the RPS to provide clear direction when conflicts arise between the RPS provisions at a higher level due to factors such as:

- **Competing objectives and priorities:** the RPS balances diverse and sometimes conflicting objectives such as environmental protection, infrastructure development, and hazard mitigation works. For example, hazard mitigation works, or key infrastructure routes may be requested within highly vulnerable biodiversity areas.
- **Limited resources:** Budget limitations often force councils to make trade-offs, such as prioritising certain outcomes or objectives over others. This can lead to conflicts between short-term needs and long-term goals.
- **Diverse stakeholder interests:** A wide range of groups (such as iwi, environmental advocates, industry, local community groups) often have differing perspectives on resource use, management interests, and what should be prioritised.
- **Cumulative effects:** while the RPS seeks to provide a unified framework, it can be difficult to address cumulative effects that result from multiple small-scale activities that individually have a "less than minor" effects.

While the National Planning Standards do not make it mandatory to have a standalone Integrated Management Chapter, this approach will ensure that when conflicts do occur, a framework is in place that ensures decision makers can follow a clear and transparent process agreed by the community.

What we heard

During the Integrated Management workshop, participants discussed several approaches to address conflicts between RPS outcomes. These included prioritising actions that align with the Council's key priorities and long-term goals, embedding the Te Mana o te Wai concept across the plan beyond just freshwater, and using an overall balance approach. It is notable, that integrated management was discussed in other workshops such as the Coast where the importance of having a holistic approach from mountains to sea (ki uta ki tai) was highlighted as essential for planning across the board.



INTEGRATED MANAGEMENT



What we heard (continued)

Participants agreed that a deeper understanding of the interconnectedness of systems was needed to understand “all the different moving parts, then identify our priorities, and then develop work plans and approaches”. Monitoring was identified as a critical priority to track outcomes and support informed decision-making. Cumulative effects were also seen as a significant issue.

It was agreed that a framework to resolve conflicts would be useful. Participants discussed the importance of using the Te Mana o te Wai hierarchy as a foundation, by prioritising the health of the Taiao, and allowing for “not so perfect circumstances,” such as short-term environmental impacts from coastal hazard mitigation that protect people. The need for trade-offs was also discussed where slightly worse environmental outcomes from certain activities might be acceptable where they lead to better overall outcomes, and whether a flexible framework is needed.

Key Themes

Prioritise monitoring: Monitoring is essential. Robust systems need to be in place to track environmental outcomes and support informed decision-making.

Holistic approach to management: Everything is connected, from the mountains to the sea (ki uta ki tai) and policies should reflect this. A centralised database consolidating environmental data and information from a range of sources would assist with integrated management and understanding how things are connected. E.g. how we manage sediment and nutrients is a key issue at present and needs to be integrated throughout all relevant areas of the plan.

Trade-offs: Balancing budget constraints with the type of environmental outcome requires careful consideration. An example was discussed at the workshop with respect to the disposal of dredged material and which would be preferable:

1. Use the budget to dispose of the dredged material out to sea (lower cost option for dredge disposal with higher environmental impacts) and plant trees in the upper catchment to mitigate soil loss over the longer term and it ultimately ending up in the river, or
2. Use the budget to dispose of the dredged material on land (higher cost option for dredge disposal with less environmental impacts) and undertake no planting in the upper catchment.

Clear and transparent framework to manage conflicts: Embedding the Te Mana o te Wai hierarchy into all areas of the plan (using te mana o te Taiao) was discussed, and if this should occur in a flexible and balanced manner. The health of natural ecosystems is first, the health of people is second, and the ability to provide for social, economic, and cultural well-being is third. Participants noted that a hierarchy assessment needs to allow for imperfect circumstances, such as coastal mitigation efforts that temporarily impact the environment but protect communities or allowing people and their property to be prioritised first in natural hazard situations.

Long-term goals: Long-term goals are needed that prioritise and create actionable plans to achieve them. Historical environmental degradation needs to be kept in mind when making decisions for the future. Looking forward, it was discussed to remember equality does not equal equity.

Addressing cumulative effects: Focus on regulations to prevent minor effects from causing slow cumulative degradation.



Statutory Advocacy Update

February 2025

The Statutory Advocacy Update centres on proposals forwarded to the Hawke's Bay Regional Council and assessed by staff acting under delegated authority as part of the Council's Statutory Advocacy project:

- Advocacy relates to the resource management-related proposals
- These are proposals where there is an opportunity to provide feedback or a submission
- HBRC is not the decision-maker, applicant nor proponent.

The following summary outlines those proposals that the Council's Statutory Advocacy project is currently **actively** engaged in. [Green text](#) represents update since previous report in September 2024.

National	<ul style="list-style-type: none"> • Reforming the Resource Management System – Tranche One RMA amendments • Fast-track Approvals Act 2024 • Reforming the Resource Management System – Tranche Two RMA amendments etc. • Local Government (Water Services) Bill • Climate Change Adaptation Policy programme
Regional	<ul style="list-style-type: none"> • Napier City Council Proposed District Plan • Hastings District Council Proposed Plan Change 6 – Lifestyle subdivision for displaced Category 3 owners • Marine and Coastal Area (Takutai Moana) Act 2011 (MACAA)
Other	<ul style="list-style-type: none"> • Application for Water Conservation Order – Ngaruroro and Clive Rivers

Inactive proposal for current reporting period (with date of previous report to Committee)

- | | |
|-------|-----|
| • Nil | Nil |
|-------|-----|

Completed proposals (no further reporting)

- | | |
|---|----------------|
| • COVID19 Fast-track Consenting applications to the EPA | September 2024 |
| • Resource consent application to Napier City Council for 59-lot development at Franklin Road, Bay View | September 2024 |



Statutory Advocacy Update

February 2025

Subject	Reforming the Resource Management System – Tranche One RMA amendments
Type	Legislation
Owner / Lead	Ministry for the Environment (plus other Ministries)
Summary	Proposed changes to the resource management system aim to give councils and consent applicants more certainty while the Government develops new legislation to replace the Resource Management Act (RMA).
Update	<p><u>Resource Management (Freshwater and Other Matters) Amendment Act has completed the Parliamentary process and came into effect on 24 October 2024. Key changes in the Act relate to:</u></p> <ul style="list-style-type: none"> • <u>Restrictions on regional councils publicly notifying any new freshwater planning instruments any earlier than 31 December 2025 or before a replacement NPS-FM comes into effect. This affects plan changes and/or RPSs and regional plans that give effect to the 2020 NPS-FM.</u> • <u>Paused rollout of the freshwater farm planning regulations across NZ.</u> • <u>Clarifying councils' ability to grant consents for discharges that would result in significant adverse effects, provided conditions can reduce effects over time.</u> • <u>Excluding the NPS-FM's hierarchy of obligations from consideration in resource consenting.</u> • <u>Repealing low slope map & related requirements from stock exclusion regulations.</u> • <u>Repealing permitted and restricted discretionary activity regulations for intensive winter grazing from the National Environmental Standards for Freshwater (NES-F).</u> • <u>Aligning provisions for coal mining with other mineral extraction activities under the National Policy Statement for Indigenous Biodiversity (NPS-IB), NPS-FM and NES-F.</u> • <u>Imposing a 3-year suspension of requirements under the NPS-IB for territorial authorities to identify new Significant Natural Areas (SNAs) in district plans.</u> • <u>Speeding up and simplifying process for preparing and amending national direction, including NESs, NPSs, national planning standards and the NZ Coastal Policy Statement.</u>
Potential Impacts for HBRC	<p><u>The Amendment Act's implications on the Council's activities are being assessed given that the Parliamentary process has now been completed. The most obvious implications are that:</u></p> <ul style="list-style-type: none"> • <u>Timing of public notification of a new regional policy statement will be impacted by new restrictions on freshwater planning-related documents under the RMA before 31 Dec 2025.</u> • <u>Processing of resource consent applications will no longer be required to consider the NPS-FM's hierarchy of obligations (but many of the NPS-FM's other provisions still apply).</u> • <u>Setting up programmes for roll-out of national regulations for a freshwater farm planning system in Hawke's Bay can slow and adapt to whatever the new system rollout might be.</u>
Actions arising	<u>HBRC staff are reviewing the Amendment Act to understand potential implications for HBRC's work programmes and activities. Remain actively involved in various regional government sector working groups for potential collective implementation efforts.</u>
Important Date	<u>25 October 2024 – Date when Resource Management (Freshwater and other matters) Amendment Act 2024 came into force.</u>
Further Information	<u>Ministry for the Environment Website – Resource Management (Freshwater and other matters) Amendment Act 2024</u>
HBRC Lead	Principal Advisor Strategic Planning - Gavin Ide

Statutory Advocacy Update

February 2025

Name	Fast-track Approvals Act 2024
Proposal Type	Legislation
Owner / Lead	Ministry for the Environment (plus other Ministries)
Summary	<p>The Fast-track Approvals Bill passed its final readings in Parliament and became law in December 2024. The Fast-track Approvals Act enables a 'one-stop shop consenting and permitting scheme' for infrastructure and development projects that are considered to have significant regional or national benefits. The Act consolidates and speeds up multiple approval processes under different legislation which are typically required for large and/or complex projects. Consenting and approvals are to be bundled under a range of different legislation including:</p> <ul style="list-style-type: none"> Resource Management Act 1991, Conservation Act 1987, Wildlife Act 1953, Heritage New Zealand Pouhere Taonga Act 2014, Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012, Crown Mineral Act 1991, and Fisheries Act 1996.
Update	<p>The Fast-track Approvals Act came into effect on 24 December 2024. In doing so, it repeals the interim fast-track consenting provisions carried over from the earlier Natural and Built Environment Act.</p> <p>Previously, public submissions on the Bill closed in April 2024. Almost 27,000 submissions were made. The Select Committee heard a selection of submitters' presentations and reported back to Parliament in mid-October 2024.</p> <p>Almost 150 projects have been listed in the Act that are eligible to use the one-stop-shop approvals system. The following six projects on that list are within Hawke's Bay:</p> <ul style="list-style-type: none"> Mana Ahuriri Holdings Limited – Ahuriri Station – Housing and land development CDL Land New Zealand Limited – Arataki – Housing and land development New Zealand Transport Agency Waka Kotahi – Hawke's Bay Expressway – Infrastructure Tukituki Water Security Project – Tukituki Water Security Project – Infrastructure Napier City Council – Taradale and Awatoto Borefields/Water Treatment Plans – Infrastructure Eastland Generation Ltd – Waihi Hydroelectric Power Scheme Reconsenting – Infrastructure
Potential Impacts for HBRC	HBRC already has experience participating in two recent resource consent applications under the COVID-19 Fast-track consenting legislation, but the Fast-track Approvals Act will inevitably bring its own nuances, details, and challenges for HBRC to work through. Impacts on workstreams across the council will need to be assessed as/when applications are lodged and opportunities arise for HBRC to participate in applications for fast-tracked projects .
Actions arising	No action from HBRC currently required. Remain actively involved in various regional government sector working groups to identify common implementation challenges and solutions.
Important Dates	24 December 2024 – Fast-track Approvals Act came into effect .
Further Information	New Zealand Parliament website – Fast-track Approvals Act 2024 Ministry for the Environment website – Fast-track Approvals Act 2024
HBRC Lead	Principal Advisor Strategic Planning - Gavin Ide

Statutory Advocacy Update

February 2025

Subject	Reforming the Resource Management System – Tranche Two of RMA amendments, etc.
Type	Legislation
Owner / Lead	Ministry for the Environment (plus other Ministries)
Summary	<p><u>On 17 December 2024, the Resource Management (Consenting and Other System Changes) Amendment Bill had its first reading and was referred to the Environment Select Committee. This bill amends the RMA to progress Government priorities, including making it easier to consent new infrastructure, encouraging investment in renewable energy, and making medium-density residential standards optional for councils.</u></p> <p><u>Proposed amendments include:</u></p> <ul style="list-style-type: none"> • <u>empowering the Minister to direct a council to initiate plan changes, and</u> • <u>empowering the Minister to direct the type of planning process councils must use to implement national direction</u> • <u>changes to s70 of the RMA to enable the continued management of discharges through permitted activity rules, in circumstances where significant adverse effect on aquatic life exist</u> • <u>clarifying the circumstances in which regional councils can control fishing methods to achieve biodiversity outcomes</u> • <u>strengthened compliance and enforcement powers</u> • <u>changing how applications to change the conditions of a marine aquaculture permit are to be assessed</u> • <u>extending durations for coastal permits for Ports to 2046</u> • <u>changes to enable a 35-year consent duration as the default presumption for long-lived infrastructure and renewable energy projects</u> • <u>one-year consent processing timeframes for renewable energy and wood processing consents</u> • <u>changes to the national Freshwater Farm Plan system to enable industry organisations to undertake certification and audit processes</u> • <u>changes to better enable regulation-making powers following emergencies</u> • <u>changes giving councils greater authority to decline land use consents in areas at risk of significant natural hazards (similar to s106 RMA already applicable to subdivisions).</u>
Update	<p><u>Submissions on the Bill close on 10 February 2025. The Select Committee report back is due on 17 June. The Bill is expected to pass into law in mid-2025.</u></p> <p><u>A one page Fact Sheet has been prepared by MFE summarising the changes in the Resource Management (Consenting and Other System Changes) Amendment Bill in five broad categories:</u></p> <ul style="list-style-type: none"> • <u>Infrastructure, including energy</u> • <u>Housing</u> • <u>Farming and primary sector</u> • <u>Emergencies and natural hazards</u> • <u>System improvements.</u> <p><u>A package of consultation documents for new and amended national direction (national policy statements and national regulations) is anticipated to be released in early 2025.</u></p>

Statutory Advocacy Update

February 2025

Potential Impacts for HBRC	There are likely to be significant looming impacts on workstreams across the council resulting from further RMA amendments. These will continue to be worked through as respective Bills work through Parliamentary processes and as more details of the proposed national direction instruments are confirmed.
Actions arising	<u>Staff are currently reviewing elements of the Bill to determine whether or not a submission from HBRC is necessary. Feedback from staff is also intended to be shared with Te Uru Kahika to inform content of a submission on behalf of NZ's 16 regional councils and unitary authorities.</u> Actively engage in relevant preliminary proposals and opportunities for feedback to government officials as time and priorities suit. Remain actively involved in various regional government sector working groups.
Important Dates	<u>10 February 2025 – Deadline for submissions to Select Committee on the Resource Management (Consenting and Other System Changes) Amendment Bill.</u>
Further Information	Ministry for the Environment website - changes to resource management New Zealand Parliament legislation – Resource Management (Consenting and Other System Changes) Amendment Bill
HBRC Lead	Principal Advisor Strategic Planning - Gavin Ide



Statutory Advocacy Update

February 2025

Name	<u>Local Government (Water Services) Bill</u>
Proposal Type	<u>Legislation</u>
Owner / Lead	<u>Department of Internal Affairs (DIA) plus other Ministries</u>
Summary	<u>The Local Government (Water Services) Bill is the latest in a series of bills that reshape management and supply of water services (networks for supply of water, wastewater and urban stormwater).</u>
Update	<p><u>The Local Government (Water Services) Bill had its first reading and has been referred to the Finance and Expenditure Select Committee. Submissions to the Select Committee on the Bill close on 23 February 2025.</u></p> <p><u>The Bill sets out details relating to the water services delivery system, economic regulation and consumer protection regime and changes to the water quality regulatory framework.</u></p> <p><u>The Local Government (Water Services) Bill sets out the enduring arrangements for local delivery of water services and includes extensive provisions relating to (among other things):</u></p> <ul style="list-style-type: none"> <u>Governance arrangements for the provision of water services, and local authority decision-making requirements</u> <u>The powers, functions, and responsibilities of water service providers</u> <u>The establishment of consumer trusts to own/co-own water organisations</u> <u>Charging for water services</u> <u>The economic regulation of water services by the Commerce Commission</u> <u>Access to finance for CCOs established to provide water services</u> <u>Central government intervention.</u> <p><u>Submissions are due on Sunday 23 February 2025. The Select Committee report is due on 17 June 2025 and the Bill is expected to be enacted by mid-2025.</u></p> <p><u>Cabinet material and briefings on the Local Government (Water Services) Bill can be accessed online.</u></p>
Potential Impacts for HBRC	<p><u>These will continue to be worked through as the Bill progresses into law. Much of the bill will not directly apply to HBRC as HBRC is not an operator of water supply or wastewater services. The Bill will certainly have greater impact on those services provided by the city and district councils.</u></p> <p><u>The Bill will have indirect impacts on HBRC as a consenting authority under the RMA.</u></p> <p><u>One proposal that will be significant for regional councils is the proposal to introduce a new single standard for wastewater and stormwater environmental performance, regardless of any local limits and targets for quality of freshwater and marine receiving environments.</u></p>
Actions arising	<p><u>Staff are currently reviewing elements of the Bill to determine whether or not a submission from HBRC is necessary. Feedback from staff is also intended to be shared with Te Uru Kahika to inform content of a submission on behalf of NZ's 16 regional councils and unitary authorities.</u></p> <p><u>Actively engage in relevant opportunities for feedback to government officials as time and priorities suit.</u></p> <p><u>Remain actively involved in various regional government sector working groups.</u></p>
Important Dates	<u>23 February 2025 – Deadline for submissions to Select Committee on the Bill.</u>
Further Information	<u>https://www.parliament.nz/en/pb/sc/make-a-submission/document/54SCFIN_SCF_FB7B9127-28F5-42B3-5E06-08DD18A128F8/local-government-water-services-bill</u>
HBRC Lead	<u>Group Manager Policy & Regulation – Katrina Brunton</u>

Statutory Advocacy Update

February 2025

Name	Climate Change Adaptation Policy programme
Proposal Type	National Framework
Owner / Lead	Ministry for the Environment (plus other Ministries)
Summary	<p>Multiple work programmes are running simultaneously in relation to climate adaptation. Key features of those initiatives include:</p> <ul style="list-style-type: none"> • A Climate Change Adaptation Framework intended to set out the Government's approach to sharing the costs of adapting to climate change. The framework aims to cover ways to: <ul style="list-style-type: none"> ◦ Minimise the long-term costs to NZ of adapting to the impacts of natural events. ◦ Provide certainty for property owners and ensure any support is predictable, principled, and fair. This includes clarity about the Government's response and the roles of insurers, local government, and other groups. ◦ Improve the sharing of information. ◦ Contribute to maintaining efficient housing and insurance markets. ◦ Ensure people have the ability and incentive to make decisions to reduce their risk where they can. • Parliament's Finance and Expenditure Select Committee is conducting an Inquiry to develop and recommend objectives and principles for the design of an adaptation framework. This covers: <ul style="list-style-type: none"> ◦ The nature of the climate adaptation problem New Zealand faces ◦ Investment and cost-sharing ◦ Roles and responsibilities ◦ Climate risk and response information-sharing.
Update	<p><u>On 1st October 2024, Parliament's Finance and Expenditure Committee published its report and completed its inquiry into climate adaptation. The Committee's recommendations cover a range of matters, including: objectives and principles for system design; inclusion of meaningful performance measures; Kaupapa Māori, data and information, and responses to key questions regarding 'who does what; who pays for investment in climate adaptation and how are costs shared for residential property retreat. Previously, HBRC had made a joint submission with the Hawke's Bay Regional Recovery Agency, Hastings District Council and Napier City Council. A submission was also made by the Clifton to Tongoio Coastal Hazards Strategy Joint Committee.</u></p>
Potential Impacts for HBRC	<p>There are likely to be significant looming implications on various workstreams across the council resulting from momentous legislation being prepared for tackling the challenges of climate change adaptation – challenges that are not unfamiliar to HB and HBRC. These will continue to be worked through as the Framework and Inquiry are translated into Bills and other central government policy packages where more details will inevitably emerge and be confirmed.</p>
Actions arising	None – submissions to the Select Committee Climate Adaptation Inquiry have been presented.
Important Dates	<p><u>~January 2025 (1 Oct 2024 + 60 working days)</u> <u>– The Government has sixty working days to respond to the Select Committee's report in writing. The Select Committee has written to Parliament's Business Committee asking that it organise a special debate in the House. A date is yet to be confirmed.</u></p>
Further Information	<p><u>Ministry for the Environment – Climate Adaptation Framework</u> <u>New Zealand Parliament – Finance and Expenditure Committee Inquiry – media release</u></p>
HBRC Lead	Principal Advisor Strategic Planning - Gavin Ide



Statutory Advocacy Update

February 2025

Name	Napier City Council Proposed District Plan
Proposal Type	Proposed Plan under RMA
Owner / Lead	Napier City Council (NCC)
Summary	<p>The Proposed District Plan (PDP) review was publicly notified on 21 September 2023. Public submission period closed 15 December 2023.</p> <p>The PDP provides a comprehensive framework for guiding land use, subdivision and development for Napier City, and includes policies and rules. Some (but not all) rules have immediate legal effect from the date of notification.</p> <p>NCC have indicated it intends to publicly notify 'Variations' to the PDP to introduce specific chapters and other provisions relating to natural hazards and indigenous biodiversity.</p>
Update	<p>The summary of submissions received and call for further submissions was notified in April 2024.</p> <p><u>The first tranche of hearings on Strategic Directions was held on 4-6 November 2024. The second tranche of hearings was held on 2-3 December 2024, and further hearings are scheduled to continue through to mid-2025.</u></p> <p><u>NCC has notified a proposed variation to the PDP with respect to Ecosystems and Indigenous Biodiversity with the closing date for submissions 31 January 2025</u></p> <p><u>A variation relating to natural hazards is still in preparation by NCC and not yet publicly notified.</u></p>
Potential Impacts for HBRC	<p>The Proposed District Plan must give effect to the Regional Policy Statement.</p> <p>HBRC lodged submissions in relation to natural hazards and risk, indigenous biodiversity, climate change and transportation.</p>
Actions arising	<u>HBRC staff are currently preparing a submission on the proposed Ecosystems and Indigenous Biodiversity variation.</u>
Important Dates	<p><u>Hearing dates are scheduled for the third tranche in March 2025</u></p> <p><u>Deadline for submissions on Ecosystems and Indigenous Biodiversity Variation closes 31 January 2025</u></p>
Further Information	https://www.napier.govt.nz/our-council/plans-strategies-reports/napiers-district-plan/proposed-district-plan/
HBRC Lead	Senior Policy Planner – Dale Meredith

Statutory Advocacy Update

February 2025

Name	Proposed Plan Change 6 (PC6) – Category 3 Lifestyle subdivision provisions for displaced owners
Proposal Type	Proposed Plan Change under RMA
Owner / Lead	Hastings District Council
Summary	<p>This is a change to Hastings District Plan proposing amendments to specific parts of the district plan to enable an easier pathway through the subdivision process for the creation of lifestyle sites within the Rural and Rural Residential Zones. PC6 will directly assist Category 3 landowners who have reached a voluntary buy-out agreement to achieve permanent replacement housing with allowing them to remain in the community from which they have been displaced.</p> <p>PC6 is to be processed through the Streamlined Planning Process as per the Severe Weather Emergency Recovery (Resource Management – Streamlined Planning Process) Order 2023.</p>
Update	<p><u>As required by the streamlined planning process, recommendations from HDC's hearing panel were forwarded for approval by the Minister for the Environment on 26 July 2024. The Minister's decision was issued on 17 September. HDC formally made PC6 operative from 28 September 2024.</u></p> <p><u>Previously</u>, HBRC had lodged a <u>submission</u> (https://www.hbrc.govt.nz/assets/Document-Library/Submissions/Hawkes-Bay-Regional-Council-submission-on-HDC-Proposed-Plan-Change-6-21-March-2024.pdf) in March 2024 generally supporting PC6's proposals. HDC held a hearing on 5 June 2024.</p>
Potential Impacts for HBRC	No known direct impacts as direct consequence of PC6 becoming operative.
Actions arising	No action by HBRC required.
Important Dates	No further important dates.
Further Information	Hastings District Council – proposed Plan Change 6 https://www.hastingsdc.govt.nz/services/district-plan/changes/
HBRC Lead	Principal Advisor Strategic Planning - Gavin Ide



Statutory Advocacy Update

February 2025

Name	Marine and Coastal Area (Takutai Moana) Act 2011 (MACAA)
Proposal Type	MACAA applications Customary Marine Title (CMT)
Owner / Lead	High Court; various applicants.
Summary	<p>Hawke's Bay has numerous overlapping applications for CMT that are in progress and have been heard or are being heard in blocks:</p> <ol style="list-style-type: none"> 1. Ngāti Pāhauwera Development Trust, Maungaharuru Tangitū Trust, Ngāi Tāhū O Mohaka Waikare, Ngāti Parau Hapū (Waiohiki Marae Board of Trustees): Decision on Stage 2 Hearings made 19/01/23. No recognition orders able to be finalised. Appeals still to be scheduled. 2. Rongomaiwahine Iwi Trust and Ngāi Tamanuhiri Iwi are pursuing application through direct Crown engagement. Rongomaiwahine Iwi trust is engaging with overlapping applications in both High Court and Crown pathways. 3. Ngāti Kurupakiaka and Te Ruahina Marae and Hapu have overlapping claims. Engagement together has occurred. No hearing yet set. 4. Group M (Ngāi Tūmapūhia-a-Rangi Hapū) have overlapping jurisdiction into Hawke's Bay from Wairarapa. Stage 1A Hearing completed 4/09/2023. Stage 1B Hearing completed 19/02/2024. Interim Decision issued 10/12/24.
Update	<p>Marine and Coastal Area (Takutai Moana) (Customary Marine Title) Amendment Bill: Submissions closed, still in Select Committee. The Supreme Court has just issued its decision in Whakatōhea, overturning the Court of Appeal's interpretation of the "tests" for CMT and PCR. It is likely this will affect amendments to (or withdrawal of) the Bill.</p> <p>Memorandum filed re: Pāhauwera et al. appeals scheduling: HBRC are neutral on timing of appeals.</p> <p>Group M Stage 1B interim Decision was released 10/12/24, parties can make submissions to the Court on whether and how the Supreme Court decision affects the law relating to MACAA relevant to the proceedings.</p>
Potential Impacts for HBRC	A CMT would provide for rights in relation to the RMA and NZCPS, notably permission rights in relation to consents and permits, and the right to create planning documents which can be lodged with HBRC and may prompt a plan review process relating to the CMT area.
Actions arising	<p>HBRC is maintaining a watching brief on Group M proceedings.</p> <p>Staff from HBRC's Policy, Consents and Māori Partnerships teams are currently finalising the process for HBRC's receipt and review of CMT planning documents.</p>
Important Dates	<p>17 Feb 2025 - Group M Wāhi tapu hearing.</p> <p>24-26 Feb 2025 - Group M Stage 2(a) hearing.</p>
Further Information	<p>2023-NZHC-15.pdf</p> <p>Re Te Hika o Pāpāuma Mandated Iwi Authority (Interim Judgment – CMT Orders) [2024] NZHC 3745 – Courts of New Zealand</p> <p>MR-2024-NZSC-164.pdf</p> <p>Marine and Coastal Area (Takutai Moana) (Customary Marine Title) Amendment Bill 83-2 (2024), Government Bill Contents – New Zealand Legislation</p>
HBRC Lead	Policy Planner – Shelley King



Statutory Advocacy Update

February 2025

Name	Application for Water Conservation Order – Ngaruroro and Clive Rivers
Proposal Type	Water Conservation Order (WCO)
Owner / Lead	Applicants for WCO are jointly: New Zealand Fish and Game Council, Hawke's Bay Fish and Game Council, Ngati Hori Ki Kohupatiki, Royal Forest and Bird Protection Society of NZ, Whitewater NZ.
Summary	<p>In 2017 six parties lodged an application for a water conservation order for the Ngaruroro and Clive rivers with the Minister for the Environment seeking protection of the entire length of the Ngaruroro River including the tributaries and hydraulically connected groundwater and the 7 km long Te Awa o Mokotūāraro (formerly known as the Clive River).</p> <p>In 2019 the Special Tribunal for the Water Conservation Order application recommended that the WCO be granted for the upper part of the Ngaruroro River and declined for the lower part of the Ngaruroro River (including Clive River).</p> <p>In 2022 the Environment Court recommended a WCO be granted for both the upper and lower Ngaruroro River (excluding Clive River) and issued a draft WCO.</p>
Update	<u>January 2025 – HBRC and Forest & Bird filed a joint submission on 17 January 2025 to the Environment Court in support of an agreed definition of damming in the lower Ngaruroro River. The Environment Court is now in a position to make a decision on the definition, and the last remaining appeal point, without the need for a hearing.</u>
Potential Impacts for HBRC	<p>If/when the WCO comes into legal effect, RMA regional planning documents will need to incorporate the WCO to the extent relevant as required by the RMA.</p> <p>NB: After conclusion of all court proceedings, the application will be referred back to the Minister for the Environment who will consider whether or not to make an order for the WCO (i.e. conclusion of court proceedings is not the final step before a WCO comes into legal effect).</p>
Actions arising	No action currently required.
Important Dates	<u>To be determined – date of the Environment Court decision on the last remaining point under appeal, the definition of damming in the lower Ngaruroro River.</u>
Further Information	https://www.epa.govt.nz/public-consultations/decided/water-conservation-order-ngaruroro-and-clive-rivers/
HBRC Lead	Intermediate Policy Planner – Saul Gudsell