

Meeting of the Hawke's Bay Regional Council Māori Committee

Date: 5 March 2025
Time: 11.00am
Venue: Council Chamber
 Hawke's Bay Regional Council
 159 Dalton Street
 NAPIER

Agenda

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1.	Welcome/Karakia/Housekeeping/Apologies	
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Information or Performance Monitoring		
6.	Reimagining flood Resilience for the Upper Tukituki and Heretaunga Plains flood schemes	7
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9.	Development of HBRC's Annual Plan 2025-26	27
10.	HBRC Chair and CE's verbal updates on current issues	
11.	Take Ripōata ā Takiwā – Taiwhenua representatives' verbal updates	
12.	Discussion of minor items not on the Agenda	

Parking

1. Paid parking is available on Vautier Street adjacent to the HBRC Building & on Raffles Street.
2. There is free all-day parking further afield – on Munroe Street or Hastings Street by Briscoes.
3. There are limited parking spaces (3) for visitors in the HBRC car park – entry off Vautier Street – it would be appropriate that the “visitors” parks be available for the members travelling distances from Wairoa and CHB.

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

Hawke's Bay Regional Council

Māori Committee

5 March 2025

Item 3

Subject: Alternate member appointments

Reason for report

1. The Māori Committee Terms of Reference makes allowance for short term replacements (alternates) to be appointed to the Committee where the usual member/s cannot attend.

Recommendation

That _____ be appointed as a member of the Māori Committee for the meeting of 5 March 2025 as a short term replacement on the Committee for _____.

Authored by:

Leeanne Hooper
Team Leader Governance

Approved by:

Desiree Cull
Strategy & Governance Manager

Hawke’s Bay Regional Council

Māori Committee

5 March 2025

Subject: Call for minor items not on the Agenda

Reason for Report

1. This item provides the means for committee members to raise minor matters they wish to bring to the attention of the meeting.
2. Hawke’s Bay Regional Council standing order 9.13 states:
 - 2.1. “A meeting may discuss an item that is not on the agenda **only** if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. The meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.”

Recommendation

That the Māori Committee accepts the following *minor items not on the agenda* for discussion as item 12.

Topic	Raised by

Subject: Reimagining flood Resilience for the Upper Tukituki and Heretaunga Plains flood schemes

Reason for report

1. This item introduces a presentation on the *Reimagining flood Resilience for the Upper Tukituki and Heretaunga Plains flood schemes* project.
2. The presentation will outline the key steps that are underway to progress this project, including:
 - 2.1. a project plan overview
 - 2.2. meaningful collaboration and the approach to partnership
 - 2.3. Mātauranga Māori integration.

Background

3. On 13 and 14 February 2023, Cyclone Gabrielle delivered an extraordinary amount of rainfall to the Hawke's Bay region, generating the largest flood flows on record for many of the region's rivers and severe flooding.
4. In late July 2023, an independent review was commissioned by HBRC to investigate the circumstances and contributing factors that led to flooding during Cyclone Gabrielle. The Hawke's Bay Independent Flood Review (HBIFR) presented their report, containing 47 recommendations, to HBRC Councillors on 24 July 2024.
5. This project, *Reimagining flood Resilience for the Upper Tukituki and Heretaunga Plains flood schemes* (the Reimagining Project) was established in direct response to the recommendations of the HBIFR, and the scheme reviews and capital works programmes that have been initiated post Cyclone Gabrielle.
6. External consultants, Traverse Environmental, have been engaged to work alongside HBRC staff on this project.
7. The Reimagining Project is intended to take a long-term view, to determine what flood resilience in Hawke's Bay might look like in generations to come.
8. The intention is that outcomes from this project will be available to inform the next iteration of HBRC's Long-term Plan, due to be released in 2027.
9. The Reimagining Project has been identified as a pilot initiative for the Mātauranga Māori Framework, Te Kāpehu, which has been developed by HBRC over a 12-month period and is now in its working draft phase.
10. Te Kāpehu is a practical tool designed to guide how the HBRC appropriately engages with and incorporates Mātauranga Māori in its work. It validates the holistic approach to Te Taiao inherent in Mātauranga Māori and reflects the worldview of mana whenua partners. By creating space for Mātauranga Māori in design and decision-making processes, the framework aims to achieve improved, sustainable, and culturally inclusive outcomes.
11. A resolution was passed by Hawke's Bay Regional Council at their meeting on 18th December to proceed with the Reimagining Flood Resilience Project.
12. It was also agreed that \$700,000 of funding be allocated through the 2025-2026 Annual plan for this project.

Considerations of tangata whenua

13. While developing this project, HBRC has considered the HBIFR recommendations alongside our obligations under Te Tiriti o Waitangi.
14. Recognising the critical need to enable Mātauranga Māori and local knowledge to inform future resilience solutions, this initiative prioritises the inclusion of tangata whenua perspectives to ensure both technical and cultural appropriateness.
15. The approach is designed to test and refine the integration of Mātauranga Māori into our decision-making processes, and overall project management.

Discussion

Strategic fit

16. The Reimagining Flood Resilience Project is a key strategic initiative for HBRC. Its long-term, intergenerational focus benefits communities and Māori alike. By combining technical flood management with Mātauranga Māori, the project aims to deliver strategies that are both resilient and culturally attuned.

Meaningful collaboration and partnership mechanism

17. Initially, a co-design approach was proposed to involve partners such as Tamatea Pōkai Whenua Trust, Mana Ahuriri Trust, Ngāti Kahungunu Iwi Inc, and local councils. Early engagement and capacity assessments have led to a refined model.
18. The Council remains committed to genuine collaboration. Alternate oversight mechanisms are being explored to enable an adaptive framework that supports flexible, iterative engagement and participation of tangata whenua partners.
19. The project and governance structure continues to be refined but several key elements have been proposed, including:
 - 19.1. PSGE and Iwi representation will be included in the Technical Advisory Group (TAG), supported by dedicated mātauranga Māori expertise.
 - 19.2. A partnership oversight mechanism will be identified to provide strategic guidance and enable meaningful collaboration with Māori.
 - 19.3. Early input from project partners, tangata whenua and mana whenua will continue to be sought to inform the project development.

Application of Te Kāpehu

20. The project will pilot Te Kāpehu to integrate Mātauranga Māori into flood resilience strategies. The framework comprises five components:
 - 20.1. **Te Paewai (The Horizon):**

This component identifies the current context by pinpointing areas where Mātauranga Māori is relevant and focuses on immediate challenges, such as the vulnerability of culturally significant sites and papakāinga to flood events, ensuring that traditional knowledge informs our risk assessments.
 - 20.2. **Te Pae Tawhiti (The Distant Horizon):**

Guides the Project in articulating the shared intergenerational aspirations of HBRC and mana whenua, establishing a clear, forward-looking vision for sustainable flood resilience.
 - 20.3. **Ngā Pou Matua (The Direction Markers):**

Uses core values—whakapapa, mana, tapu, and mauri—as ethical and cultural guides for decisions, ensuring that technical measures also uphold the intrinsic value of Māori heritage.

- 20.4. **Ngā Whare (The Star Houses):**
Translates these values into practical guidelines, informing engagement protocols and ensuring that every aspect of the Project reflects the spirit of traditional knowledge.
- 20.5. **Te Waka (The Vessel):**
Symbolises the importance of sustained, equitable partnerships between HBRC and mana whenua, ensuring that collaborative processes drive Project progress.
21. The application of Te Kāpehu within the project will include, but not be limited to:
- 21.1. mapping relevant activities to ensure traditional knowledge is embedded at critical junctures
 - 21.2. establishing protocols for the use and protection of Mātauranga Māori in consultation with mana whenua
 - 21.3. implementing mechanisms for monitoring and evaluation using culturally based indicators, with regular reviews to refine the approach
 - 21.4. facilitating regular hui and workshops with the Māori Committee to ensure continuous feedback and adaptation.

Next steps

22. The following next steps have been identified:
- 22.1. complete the development of the project structure.
 - 22.2. maintain regular engagement with the Māori Committee through workshops and progress updates to review progress and seek feedback and input on the approach to tangata whenua considerations.

Decision-making considerations

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

Recommendation

That the Māori Committee receives and notes the *Reimagining flood Resilience for the Upper Tukituki and Heretaunga Plains flood schemes* staff report and presentation.

Authored by:

Simon Bendall
Project Lead - Traverse Environmental

Louise McPhail
Manager Recovery (Asset Management)

Te Wairama Munro
Te Pou Whakarae

Approved by:

Chris Dolley
Group Manager Asset Management

Attachment/s

There are no attachments for this report.

Hawke's Bay Regional Council

Māori Committee

5 March 2025

Item 7

Subject: Update on the joint climate action work programme

Reason for report

1. This item introduces a verbal update on work progressing in the joint climate action work programme overseen by the Climate Joint Action Committee.

Background

2. In November, Hawke's Bay Regional Council staff provided an update on the joint climate action work programme being progressed with oversight from the Climate Action Joint Committee.
3. This included an update on the Regional Climate Change Risk Assessment project that commenced in September 2024 under the workstream 'Climate information to support risk-informed decision making'. The Committee requested another update on this work at this meeting.

Discussion

4. A verbal update on the risk assessment project will be provided at the meeting. The findings of the risk assessment will be presented to the Climate Action Joint Committee on 31 March 2025, where next steps from the report will also be considered. At this meeting, the Climate Joint Action Committee will also confirm the joint climate action work program for the coming year.
5. To support the public release of the report, the Climate Action Technical Advisory Group have engaged a communications consultant, Reputation Matters. This will include communications collateral to support governors in having conversations about this work, and opportunities for further work and action, with their respective entities.
6. Staff will also provide a verbal update on other emissions reduction focused work being progressed through this work programme.

Decision-making considerations

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

Recommendation

That the Māori Committee receives and notes the *Update on the joint climate action work programme* staff report.

Authored by:

Jack Smith-Ballingall
Māori Partnerships Manager - Central &
Internal Relationships

Amberley Gibson
Climate Change Lead Strategic Advisor

Approved by:

Te Wairama Munro
Te Pou Whakarae

Attachment/s There are no attachments for this report.

Subject: February 2025 Statutory Advocacy and Resource Management reform update

Reason for Report

1. This item updates the status of reports on proposals forwarded to the Regional Council and assessed by staff acting under delegated authority as part of the Council's Statutory Advocacy project. This edition features a new-look style. Feedback on this new style is invited.
2. The Statutory Advocacy project centres on local resource management-related proposals upon which the Regional Council has an opportunity to make comments or to lodge a submission. These include, but are not limited to:
 - 2.1. resource consent applications publicly notified by a territorial authority
 - 2.2. reviews and changes to district plans overseen by a territorial authority
 - 2.3. non-statutory strategies, structure plans, registrations, etc prepared by territorial authorities, government ministries or other agencies involved in resource management.
3. From time to time, the Statutory Advocacy project also coordinates the Regional Council's feedback on resource management-related proposals from central government agencies such as Ministry for the Environment, Ministry for Primary Industries and Parliamentary Committees etc.
4. In all cases, the Regional Council is **not** the decision-maker, applicant nor proponent.
5. Copies of formal submissions made by the Regional Council on resource management-related proposals can be viewed online at www.hbrc.govt.nz (keyword #hbrcsubmissions).

Decision-making process

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

Recommendation

That the Māori Committee receives and notes the *February 2025 Statutory Advocacy and Resource Management reform update*.

Authored by:

Gavin Ide
Principal Advisor Strategic Planning

Nichola Nicholson
Acting Manager Policy & Planning

Approved by:

Katrina Brunton
Group Manager Policy & Regulation

Attachment/s

- 1  Statutory Advocacy Update February 2025

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> • Excluding the NPS-FM's hierarchy of obligations from consideration in resource consenting. • Repealing low slope map & related requirements from stock exclusion regulations. • Repealing permitted and restricted discretionary activity regulations for intensive winter grazing from the National Environmental Standards for Freshwater (NES-F). • 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. • Imposing a 3-year suspension of requirements under the NPS-IB for territorial authorities to identify new Significant Natural Areas (SNAs) in district plans. • Speeding up and simplifying process for preparing and amending national direction, including NESSs, NPSs, national planning standards and the NZ Coastal Policy Statement.
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>https://environment.govt.nz/acts-and-regulations/acts/rm-freshwater-and-other-matters-amendment/</u>
HBRC Lead	Principal Advisor Strategic Planning - Gavin Ide
Name	Fast-track Approvals <u>Act</u> 2024
Proposal Type	Legislation
Owner / Lead	Ministry for the Environment (plus other Ministries)

Statutory Advocacy Update

February 2025

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	<p>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.</p>
Actions arising	<p>No action from HBRC currently required. Remain actively involved in various regional government sector working groups to identify common implementation challenges and solutions.</p>
Important Dates	<p>24 December 2024 – Fast-track Approvals Act came into effect.</p>
Further Information	<p>New Zealand Parliament website – Fast-track Approvals Act 2024 Ministry for the Environment website – Fast-track Approvals Act 2024</p>
HBRC Lead	<p>Principal Advisor Strategic Planning - Gavin Ide</p>



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>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.</p> <p>Proposed amendments include:</p> <ul style="list-style-type: none"> empowering the Minister to direct a council to initiate plan changes, and empowering the Minister to direct the type of planning process councils must use to implement national direction 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 clarifying the circumstances in which regional councils can control fishing methods to achieve biodiversity outcomes strengthened compliance and enforcement powers changing how applications to change the conditions of a marine aquaculture permit are to be assessed extending durations for coastal permits for Ports to 2046 changes to enable a 35-year consent duration as the default presumption for long-lived infrastructure and renewable energy projects one-year consent processing timeframes for renewable energy and wood processing consents changes to the national Freshwater Farm Plan system to enable industry organisations to undertake certification and audit processes changes to better enable regulation-making powers following emergencies 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).
Update	<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> Infrastructure, including energy Housing Farming and primary sector Emergencies and natural hazards System improvements. <p>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.</p>
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.

Statutory Advocacy Update

February 2025

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>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.</p>
Important Dates	<p><u>10 February 2025 – Deadline for submissions to Select Committee on the Resource Management (Consenting and Other System Changes) Amendment Bill.</u></p>
Further Information	<p>Ministry for the Environment website - changes to resource management https://legislation.govt.nz/bill/government/2024/0105/latest/LMS1014951.html</p>
HBRC Lead	<p>Principal Advisor Strategic Planning - Gavin Ide</p>



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_FB7B9127-28F5-42B3-5E06-0BDD18A128FB/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 Tangoio 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>https://environment.govt.nz/what-government-is-doing/areas-of-work/climate-change/adapting-to-climate-change/adaptation-framework/</u> <u>https://www.parliament.nz/en/pb/sc/committees-press-releases/climate-adaptation-inquiry-completed/</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> 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 <i>Whakatōhea</i>, 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 https://www.courtsofnz.govt.nz/assets/5-The-Courts/high-court/high-court-lists/marine-and-coastal-area-takutai-moana-act-2011-applications-for-recognition-orders/2023-NZHC-15.pdf</p> <p>Re Te Hika o Pāpāuma Mandated Iwi Authority (Interim Judgment – CMT Orders) [2024] https://www.courtsofnz.govt.nz/cases/re-te-hika-o-papauma-mandated-iwi-authority-interim-judgment-cmt-orders</p> <p>MR-2024-NZSC-164 https://www.courtsofnz.govt.nz/assets/cases/2024/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 https://www.legislation.govt.nz/bill/government/2024/0083/latest/LMS993613.html</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	<u>https://www.epa.govt.nz/public-consultations/decided/water-conservation-order-ngaruroro-and-clive-rivers/</u>
HBRC Lead	Intermediate Policy Planner – Saul Gudsell



Subject: Development of HBRC's Annual Plan 2025-26

Reason for report

1. This item provides the Māori Committee with an update on the development of Council's Annual Plan 2025-26.
2. This follows the update staff presented to the Māori Committee on 6 November 2024.

Background

3. Annual plans are prepared and adopted under section 95 of the Local Government Act 2002 (LGA). Council is required to produce an annual plan in the years between long-term plans. Long-term plans are reviewed and adopted every three years. The Annual Plan 2025-26 is Year 2 of the Three-Year Plan 2024-2027 (our long-term plan equivalent post Cyclone Gabrielle).
4. An annual plan provides an opportunity for small adjustments or variances from the long-term plan to reflect changes since the plan was adopted.
5. If the proposed annual plan includes significant or material differences from the content of the long-term plan for that financial year, Council must consult under the principles of consultation under section 82 of the LGA.

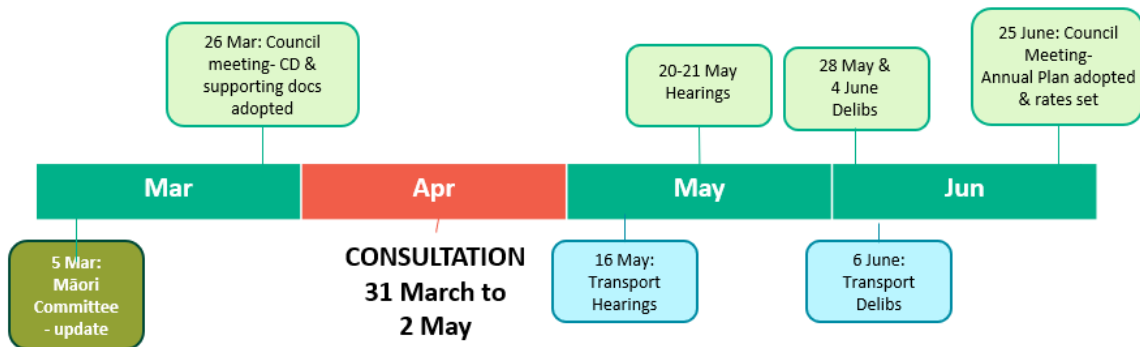
Development of Annual Plan 2025-26

6. The Council has held several workshops since staff last updated the Māori Committee in November 2024.
7. Staff were asked to explore potential areas for cost savings and alternative funding options to reduce the forecast 18.3% average rates increase while prioritising flood resilience. Additional costs have also been identified now we have better information on new work that needs doing and on costs for existing work.
8. Council will adopt the proposed Annual Plan for consultation on 26 March 2025. Subject to any last minute changes, Council is working towards consulting on an average rates increase of 9.9% plus a new targeted rate to fund Mangarau Stream flood resilience work. This new targeted rate impacts some Hastings district ratepayers.
9. This is significantly lower than the average rates increase of 18.3% forecast for Year 2 of the Three Year Plan, therefore Council has resolved to consult.
10. Council will be consulting on the following:
 - 10.1. Mangarau Stream – a new targeted rate, with the funds being passed to Hastings District Council who own and manage the asset and who will undertake the work. Options for consultation include the length of time for the rate to be collected.
 - 10.2. Amending two targeted rates – Passenger Transport and the Upper Tukituki Flood Resilience Scheme.
11. Council is also consulting concurrently on:
 - 11.1. Revenue and Financing Policy – amendments to the above two targeted rates, and other minor changes.
 - 11.2. Rates Remission and Postponement Policies.

11.3. Hawke’s Bay Regional Public Transport Plan 2025-2035.

Next steps

12. The timeline is outlined below.
13. Staff are finalising the consultation material, including the supporting information, to present to Council on 26 March 2024 to adopt for consultation.
14. Consultation takes place from 31 March to 2 May 2024. Hearings and deliberations are held in May and June, with Council scheduled to adopt the Annual Plan on 25 June 2025.



Decision-making considerations

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

Recommendation

That the Māori Committee receives and notes the *Development to HBRC’s Annual Plan 2025-26* staff report.

Authored by:

Mandy Sharpe
Senior Corporate Planner

Approved by:

Desiree Cull
Strategy & Governance Manager

Attachment/s

There are no attachments for this report.