



HAWKES BAY
REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

Minutes of a meeting of the Regional Planning Committee

Date: Wednesday 13 August 2025

Time: 2.00pm

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

Present: T Hopmans (Co-chair) – *Maungaharuru Tangitū Trust*
Cr H Ormsby (Co-chair)
Cr T Hokianga (Deputy Co-chair)
T Eden – *Mana Ahuriri Trust*
Cr X Harding
M Hazel – *Hineuru Iwi Trust (online)*
L Kele – *Tamatea Pōkai Whenua Trust (online)*
Cr C Lambert
Cr J Mackintosh (*online*)
M McIlroy – *Tātau Tātau o Te Wairoa Trust*
M Mohi – *Te Kotahitanga o Ngāti Tūwharetoa Trust*
J Nelson-Smith – *Tamatea Pōkai Whenua Trust*
Cr S Siers
T Thornton – *Ngati Pahauwera Development Trust*
Cr J van Beek (*online*)
Cr M Williams

In Attendance: N Peet – Chief Executive
K Brunton – Group Manager Policy & Regulation
T Munro – Te Pou Whakarae
N Nicholson – Manager Policy & Planning
S Gudsell – Intermediate Policy Planner
S King – Policy Planner
J Smith-Ballingall – Māori Relationship Manager, Central HB & Internal
R Hollyman – Governance Advisor
R Ellison – RPC Independent Tangata Whenua Advisor
D Smith (*online*)
K Hooker (*online*)
R Graham – public forum speaker
Dr N Jones – Medical Officer of Health public forum speaker

1. Welcome/Karakia /Apologies

The Chair welcomed everyone to the meeting and Matua Mike Mohi opened with a karakia.

Resolution

RPC18/25 That the apologies for lateness from Councillor van Beek be accepted.

Ormsby/Hopmans
CARRIED

2. Conflict of interest declarations

There were no conflicts of interest declared.

Councillor Williams noted that he has been involved with submissions on the National Direction Programme representing entities with a different perspective than council. This is also the case for a number of PSGEs who have also made submissions.

3. Confirmation of Minutes of the Regional Planning Committee held on 14 May 2025

RPC19/25 **Resolution**

Minutes of the Regional Planning Committee held on Wednesday, 14 May 2025, a copy having been circulated prior to the meeting, were taken as read and confirmed.

Ormsby/Nelson-Smith
CARRIED

4. Deputation - Health risks of orchard fires / smoke on the Heretaunga Plains

Rex Graham presented a deputation with supporting photographs (**Attachment 1**), highlights and discussions included:

- There are environmental and health impacts from orchard and vineyard burning on the Heretaunga Plains. Smoke with fine particulate matter can be linked to respiratory issues, asthma, and premature deaths and is supported by the most recent (2022) 'New Zealand Health and Air Quality' study, as confirmed by Nicholas Jones (Medical Officer of Health).
- Current rules permit burning for orchard redevelopment and disease control, but enforcement is challenging due to delayed reporting and limited monitoring capacity.
- HBRC staff confirmed their proactive compliance efforts, including early morning monitoring and a high number of infringement notices issued in 2023–24, with Hawke's Bay leading nationally in prosecutions for illegal burning.
- Committee members raised concerns about the adequacy of existing rules, the inability to make plan changes under current government restrictions, and the need for interim solutions. Suggestions included developing a bylaw, engaging with the horticulture industry on best practice compliance, and preparing for future rule changes once permitted.
- The committee requested that staff investigate options including industry engagement, health data analysis, and potential interim regulatory tools.

RPC20/25 **Resolution**

That the Regional Planning Committee receives and notes the *Deputation - Health risks of orchard fires / smoke on the Heretaunga Plains*.

Eden/McIlroy
CARRIED

5. Natural Hazards and Climate Change Plan development update

Nichola Nicholson, Shelley King, and Saul Gudsell spoke to the item and shared a presentation (**Attachment 2**) noting:

- Development of the Natural Hazards chapter continues, incorporating feedback from councils, Joint Taiao Operational Group (JTOG), and national policy direction; the Climate

Change chapter is paused due to government directives.

- Climate considerations are embedded within the Natural Hazards chapter, ensuring future scenarios are addressed despite the pause on standalone climate planning.
- Engagement with PSGEs is supported by Kaupapa funding, and collaboration with Napier, Hastings, and potentially Central Hawke's Bay councils is ongoing to avoid duplication and align efforts.
- A dedicated RPC workshop is proposed to review draft policy and explore options; to be scheduled once the new Council is in place.
- Members emphasised the need for actionable responses informed by Cyclone Gabrielle, using best available data and avoiding delays from excessive review.
- The committee endorsed the continued development of the chapter to amend the operative RPS.

RPC21/25

Resolutions

That the Regional Planning Committee:

1. Receives and notes the *Natural Hazards and Climate Change Plan development update*.
2. Endorses the proposal to:
 - 2.1. continue to develop the Natural Hazards chapter to amend the operative Regional Policy Statement, and
 - 2.2. hold workshops on the draft chapter with Regional Planning Committee governors.

**Harding/Eden
CARRIED**

6. National Direction Package update

Nichola Nicholson, Shelley King, and Saul Gudsell spoke to the item, assisted by a presentation (**Attachment 3**) highlighting:

- A formal submission was made on the National Direction package.
- While immediate updates to regional policy statements or Resource Management Act (RMA) plans are not required, future planning must align with the new direction.
- Concerns were raised about the adequacy of the proposed NPS on Natural Hazards. HBRC emphasised the need for stronger national direction to support councils in restricting development in high-risk areas in the submission.
- Discussions covered the permissibility of granny flats and housing on Māori land in high-risk areas, the removal of Land Use Capability (LUC) Class 3, and the shift to modern land use assessment methods. HBRC is updating its Land Use mapping to reflect more accurate data.
- Members expressed concern over proposed changes to synthetic nitrogen fertilizer reporting, emphasising the importance of maintaining reporting requirements to protect water quality and public health.

RPC22/25

Resolution

That the Regional Planning Committee receives and notes the *National Direction Package update*.

**Siers/Hokianga
CARRIED**

7. Freshwater Vision and Values

Nichola Nicholson, Shelley King, and Saul Gudsell spoke to the item assisted by a presentation (**Attachment 4**) highlighting:

- The freshwater vision and values work was initiated under the National Policy Statement for Freshwater Management (NPS-FM) 2020 in partnership with Post-Settlement Governance Entities (PSGEs) to meet national requirements, despite a pause in freshwater planning until

December 2027.

- Five reports have been completed, including one representing three PSGEs along the Mohaka catchment, and will be circulated to committee members and presented at a future meeting. Discussions are underway on how to integrate the findings into the new planning system, including spatial planning.
- These reports reflect significant collaborative effort and valuable insights and staff and PSGEs were acknowledged for their extensive work and partnership, with particular thanks to technical teams and JTOG members for their ongoing contributions.
- The reports are public documents but contain intellectual property held by the PSGEs. While they can be shared, any reuse beyond HBRC's intended purpose requires PSGE approval.

RPC23/25

Resolution

That the Regional Planning Committee receives and notes the *Freshwater Vision and Values* staff report.

**Harding/McIlroy
CARRIED**

8. Update on Policy and Māori Partnerships joint projects

Nichola Nicholson, Shelley King, and Jack Smith-Ballingall spoke to the item and shared a presentation (**Attachment 5**) highlighting:

- Since May, the focus has broadened from iwi/hapū management plans to include a wider range of Māori planning documents such as Mana Whakahono ā Rohe agreements, Cultural Impact Assessments (CIAs), cultural values reports, and other RMA instruments.
- A draft framework has been developed to guide the consistent treatment of these documents across the organisation, including tailored guidance for different document types, recognising their unique purposes, levels of accessibility, and intellectual property considerations.
- A dual workstream between Māori Partnerships and Policy teams is enhancing internal systems with templates, updated website, and staff training to ensure culturally informed and consistent handling of these documents.
- The overarching goal is to embed Māori values and expectations into council operations and planning, ensuring alignment with RMA compliance, strategic planning, and cultural capability development.
- Members requested a matrix or flowchart to clarify how Māori planning documents interact and inform council work. There was strong support for referencing these documents in council papers to demonstrate their influence and avoid duplication of effort.
- The Auditor General's report identified over 12,000 Treaty settlement commitments across 80 settlements, with many public agencies falling short. HBRC has identified approximately 23 commitments and is actively progressing two key OAG recommendations – improving monitoring and including commitments in annual reporting.
- Concerns were raised about inconsistent access to up-to-date data across communities. Members emphasised the need for shared data sets to support informed, equitable decision-making and to ensure all stakeholders are working from the same information.
- Continued engagement with PSGEs is essential to ensure shared understanding and appropriate application of cultural values. Members recommended aligning council processes with the Hawke's Bay Regional Planning Committee Act 2020 and individual PSGE Treaty settlement legislation to ensure legal compliance and consistency.

RPC24/25

Resolution

That the Regional Planning Committee receives and notes the *Update on Policy and Māori Partnerships joint projects*.

**Eden/Lambert
CARRIED**

9. August 2025 Policy Projects update

Nichola Nicholson, Shelley King, and Saul Gudsell spoke to the item and shared a presentation (**Attachment 6**) highlighting:

- The Plan Change 9 – TANK continues through the Environment Court process, with hearings expected in May 2026. It is unaffected by the government’s plan-making pause, as it is already in the hearing stage.
- The Flood Protection Bylaw review (under the Local Government Act) and work on the National Policy Statement (NPS) for Urban Development are continuing. The NPS for Highly Productive Land has paused due to an anticipated update.
- Spatial planning preparation is ongoing. A successful hui was held with councils and PSGEs, generating strong engagement and actionable outcomes. Work is progressing at the officer level to maximise the available time before statutory deadlines.
- HBRC has received four Mana Whakahono ā Rohe initiations. Initial hui are being scheduled. Nationally, over 40 initiations have occurred, with only four formal agreements completed to date.

RPC25/25

Resolution

That the Regional Planning Committee receives and notes the *August 2025 Policy Projects update*.

**Nelson-Smith/Mohi
CARRIED**

10. August 2025 Statutory Advocacy update

Nichola Nicholson, Shelley King, and Saul Gudsell spoke to the item, assisted by a presentation (**Attachment 7**) highlighting:

- The second Resource Management Amendment Bill (Tranche 2) is expected to pass in early September. New and amended national direction instruments are expected to be gazetted by the end of 2025.
- The Local Government (Water Services) Bill has been set down for a second reading in parliament shortly. HBRC has made submissions on the Napier City Council Proposed District Plan, with hearings on ecosystems, natural hazards, and rezoning scheduled. Marine and Coastal Area Act hearings are ongoing and expected to continue into May 2026.
- The amendment bill introduces significant changes, including a plan-making freeze, expedited consent processing for energy and wood processing activities, restrictions on reviewing coastal permits until 2030, and new ministerial powers to override plan provisions that hinder economic growth (expiring end of 2027).
- Updates to freshwater farm plans include simplified certification and auditing processes, with industry bodies potentially approved to certify. Courts will gain powers to revoke or suspend consents for serious non-compliance, and insurance against fines will be prohibited. Penalties increase to \$1M for individuals and \$10M for companies.
- New powers will allow temporary regulations to override RMA processes for up to three years following a natural hazard event, enabling faster recovery responses.
- Members raised concerns about the high cost of participation for both council and PSGs, and staff committed to improving collaboration and information sharing to reduce duplication and increase efficiency.

RPC26/25

Resolution

That the Regional Planning Committee receives and notes the *August 2025 Statutory Advocacy update*.

**Siers/Hokianga
CARRIED**

Mike Mohi led the group in offering a closing karakia

Closure:

There being no further business the Chair declared the meeting closed at 4.01pm on Wednesday 13 August 2025.

Signed as a true and correct record.

Date: 3 November 2025

Chair: Hinewai Ormsby **Chief Executive:** Nic Peet

Industrial Burning on the Heretaunga Plains

Rex Graham

Introduction

- I have been in the fruit growing industry all my life. I started pruning in an orchard in Twyford as a teenager and bought my first orchard in 1972. My father and my brother were fruit growers and many of my closet mates today are still active in the industry.
- This industry is regularly voted by its international peers as the most internationally competitive pip fruit industry in the world.
- That is why it is so strange that in this matter of large open industrial fires, they are so far behind the rest of the world and even worse that they would risk the environmental integrity of their product.

- This is a snapshot presentation of the fires on the Heretaunga Plains since May this year.
- I receive photos every day from concerned residents who notice and worry about these fires.
- There have been fires every day this autumn and early winter, some days are worst than others.
- This fruit wood is all still very green, It hasn't had time to dry as specified in the burning guidelines.

22 May 2025

This smoke is the result of more than one fire



Fires on the Heretaunga Plains.

- These fires are mostly caused by fruit and grape growers redeveloping their orchards and burning the old trees and vines.
- The smoke from these fires often drifts over the Heretaunga Plains, including residential areas and is very dangerous to people's health.
- This is a very important point. **Nobody disagrees with this fact, that this smoke is extremely dangerous to people's health.**
- This practice of open burning is banned in Europe and most other western countries including China.
- Despite this and the evidence and accepted health risks growers are currently permitted to do this on the Heretaunga plains.

22 May 2025

This is the same photo as slide 3 of the same two fires but showing just how wide the pollution effect was. In most cases the smoke is trapped under the inversion layer.

25 May 2025

This is a fire in Lawn road that drifted inland, over Clive and Napier. At one point it extended to the golf links in Karamu Rd and surrounding area.

The health risks

- The fine particles contained in the smoke above PM10 are carcinogenic.
- All this smoke which is difficult to see when you are under it contains these dangerous particles.
- This smoke is more dangerous to young people, elderly people and those with respiratory issues.
- This is confirmed by our health professionals in HB and overseas.
- Nobody not even the growers deny that these fine particles are not dangerous to peoples health.

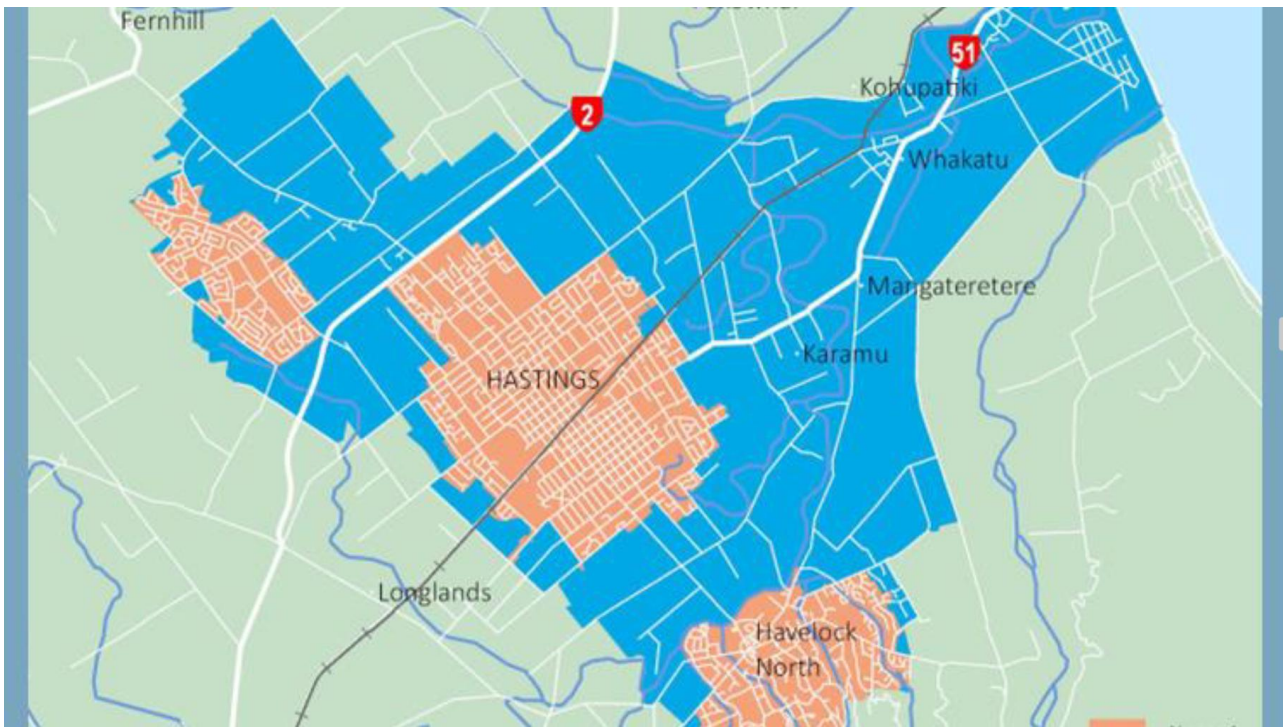


Orchard Fires

- Growers are currently able to legally light these fires.
- Growers don't have to burn these trees, they have options and many of them take these options and do not burn this green wood and this is greatly appreciated by their neighbours and the wider community.
- The options to not burn are slightly more expensive and take more time. But they don't cause this massive smoke pollution.
- The growers that burn, do it because its cheaper for them and they transfer the cost in terms of passing the health risk over to the rest of us on the Heretaunga plains.

Airsheds

- The council has created airsheds to protect major residential areas from this smoke.
- The airsheds are designated by lines drawn on a map.
- Unfortunately, the smoke which drifts in the air doesn't recognize these lines drawn on the ground.
- It is a complete nonsense.
- Only four marae are in the airshed.



If your property is in the airshed, you can't burn outdoors from 1 May – 31 August unless you are a grower.

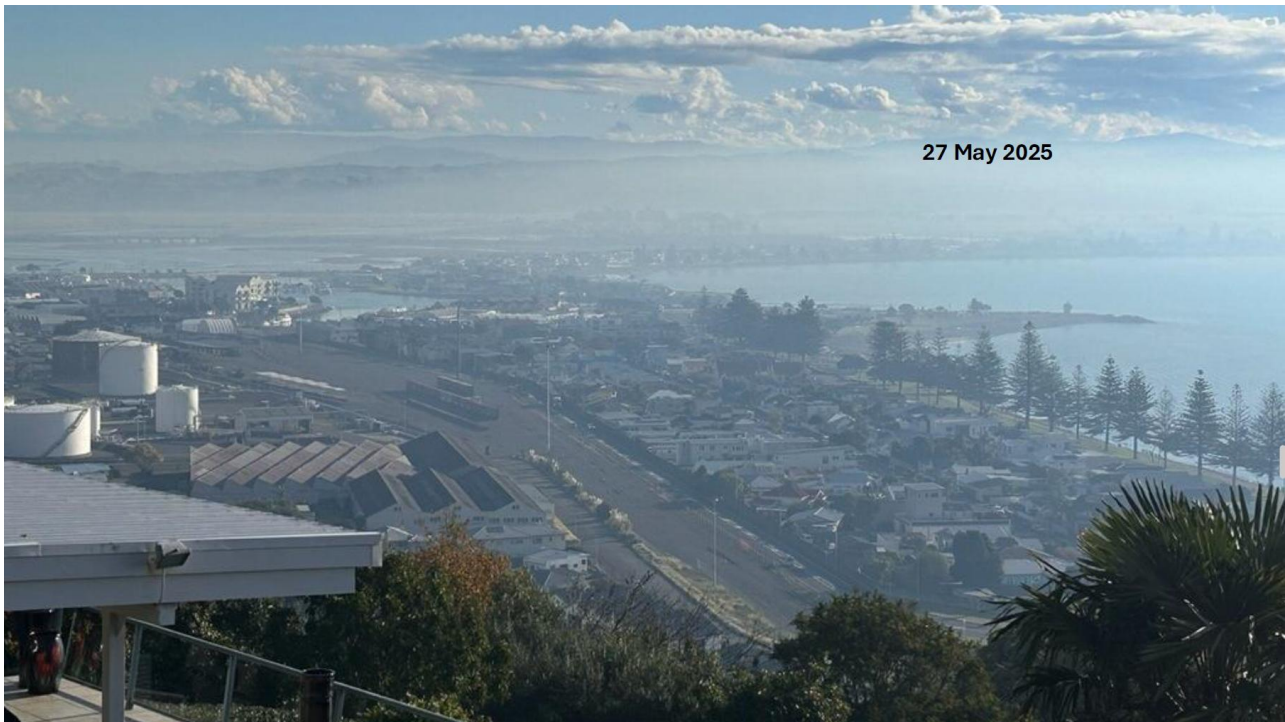
Only growers are allowed to burn within the airshed and by definition pollute our air with dangerous smoke .

Smoke from fires outside the airshed often invades this space and the entire concept is a farce.

The inversion layer

- The Heretaunga plains often has an inversion layer especially in late autumn, winter and spring.
- This inversion layer traps the smoke and layers it out over the wider area of the plains.
- And this is the period that growers burn before summer.
- So burning creates a paradox.
 - Growers need get rid of the old trees and vines quickly so they can replant.
 - Burning is quick and easy and the cheapest option.
 - The wood is still very green.
 - Its difficult for them to burn without their smoke being trapped by the inversion layer.





Slide 16 taken on 27th May 2025. This photo was taken at 2.30pm from the Napier Hill.

This is smoke not fog.

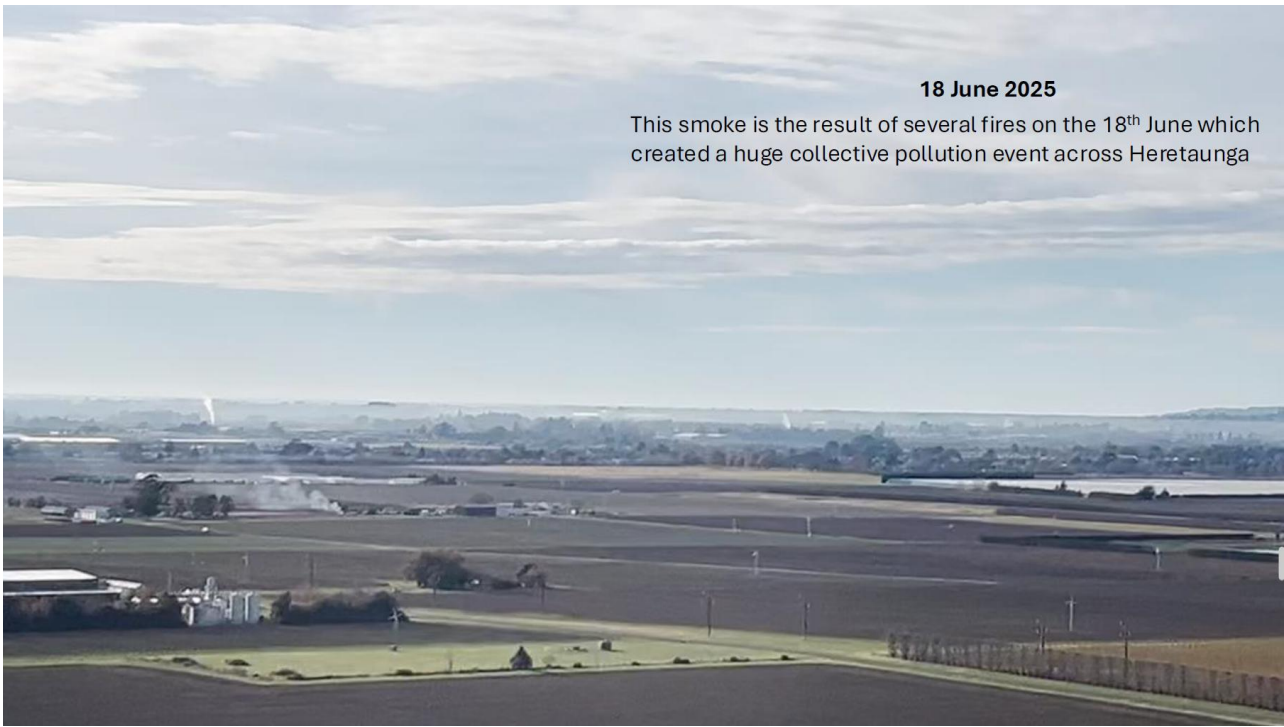
It was generated further south on the plains and drifted over Ahuriri. Several residents on the Hill rung me and said that they could smell the smoke from their houses on the hill.



This is an illegal fire burning plastics and prohibited material, they are less frequent and attract heavy fines.

18 June 2025

This smoke is the result of several fires on the 18th June which created a huge collective pollution event across Heretaunga



26-27 July 2025 Riverslea Road/Longlands Road

This fire was one of the worst that I have visited, it spiked the PM10 levels in Hastings on both days. This property owner caused a huge pollution event in the south of Hastings in to Riverslea , Parkvalle and Akina



Tolerable wood burning

- **People need to stay warm.** The smoke from house fires in the winter does contribute to this pollution, especially on frosty nights when there is a strong inversion layer. The HBRC has done a lot of work to help fix this , subsidizing modern wood burners
- This is an issue that we need to work through as a community, it cannot be done over night, and many will need financial help to do this.
- We also understand the the cultural need for some small fires for barbeques, hangi and kids events and the effects of these small fires on our environment is negligible.

What must happen

- **These industrial fires need to stop.**
- They are having a very negative effect on the health of our community.
- If a grower wants to redevelop his orchard or vineyard, then he must do it without polluting our air.
- The existing rules are;
 - **Weak and pander to a powerful industry lobby.**
 - **The rules are ignored by many growers.**
 - **The rules are difficult to enforce.**
 - **Fines are minimal and rarely applied.**

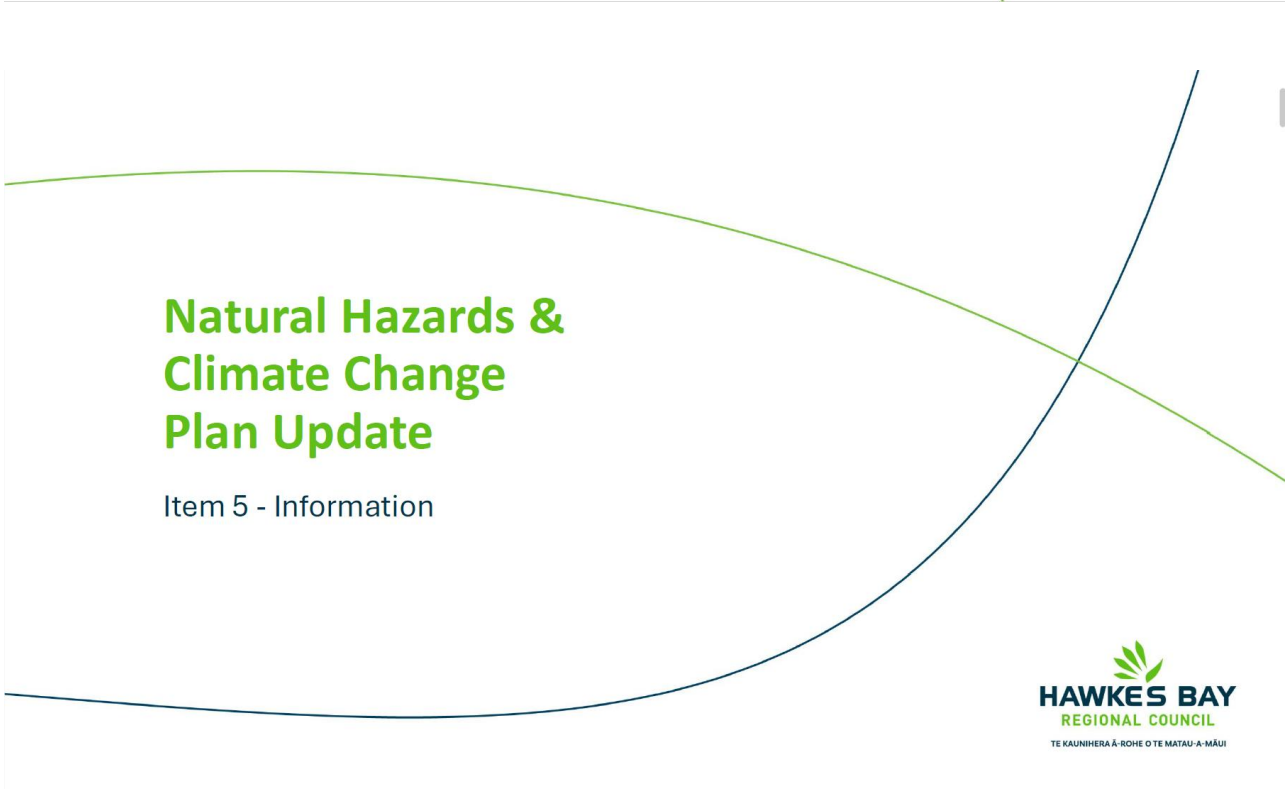
Summary

- We need the horticulture industry in Heretaunga to remain vibrant and internationally competitive.
- In the face of all the future uncertainty it is important that they can keep their social license.
- They do this by being environmentally responsible and care about the community that they are part of.
- They must also protect the environmental integrity of their product



RPC Hui

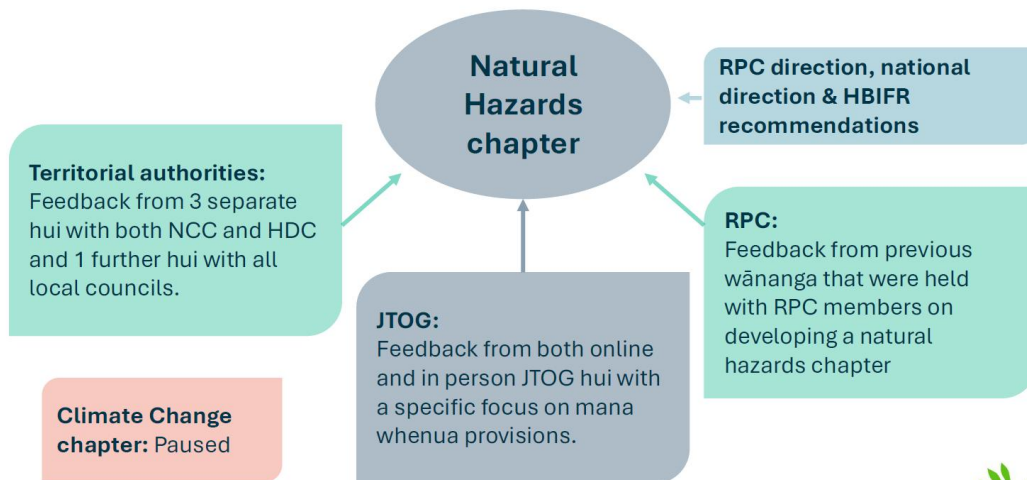
August 2025




**Natural Hazards &
Climate Change
Plan Update**

Item 5 - Information






Feedback from Territorial authorities:
Feedback from both NCC and HDC, who are both undertaking natural hazard related plan changes, was to not change current roles and responsibilities in relation to natural hazard management. Stronger RPS direction was asked for, empowering and supporting councils to set rules managing natural hazard risk.



Feedback from JTOG:
JTOG emphasised the importance of adopting equitable approaches and integrating mātauranga Māori throughout hazard planning. The vulnerability of Māori communities to hazards remains a key concern, with a desire for greater empowerment of mana whenua in managing risk in their own communities.





Plan Stop:

Recently the Government committed to stopping councils from progressing new plan and regional policy statement reviews, changes, or variations. However, not all work will stop as some exemptions are provided for.

Exemption pathways

Natural hazards exemption:

Proposed plans, or parts of proposed plans, related to natural hazards.



Government priorities exemption:

Including housing growth, urban development, and Treaty settlement obligations.



Application to the Minister:

Councils can apply to the Minister for the Environment for a plan stop exemption to continue work.



Next Steps

JTOG and Territorial authorities:

Continued work with the JTOG and TAs on policy development.

Natural hazards Workshop:

Policy and Planning staff propose a dedicated workshop for RPC Governors to support the development of the Natural Hazards RPS chapter, enabling input into policy framework and options.

National Direction Package Update

Item 6 - Information



Infrastructure & Development

- Amendments to NPS for Renewable Electricity Generation and NPS & NES Electricity generation
- Amendment to Telecommunication Regulations
- New NES for Granny Flats
- New NES for Papakāinga
- New NPS for Natural Hazards



Freshwater

- Amendments to NPS for Freshwater Management relating to;
 - Rebalancing Te Mana o te Wai
 - Water Storage
 - Cost and pace of change
 - Commercial vegetable growing
- Amendments to NPS for Freshwater Management including;
 - Fish passage
 - Fertiliser reporting



Primary Sector

- Amendments to NES for Marine Aquaculture
- Amendments to NES for Commercial Forestry
- Amendments to NZ Coastal Policy Statement
- Amendments to NPS for Highly Productive Land
- Amendments to Stock Exclusion Regulation
- Amendments to mining and quarrying provisions



Housing Growth

- Freeing up land for urban development, including removing planning barriers
- Infrastructure funding and financing to support urban growth
- Providing incentives for communities and councils to support growth.





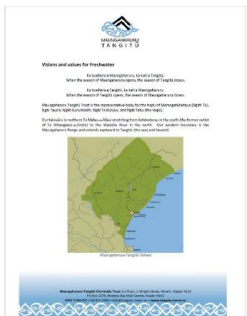
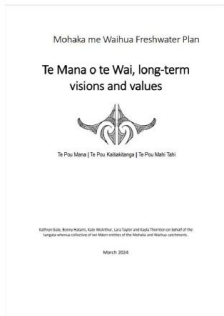
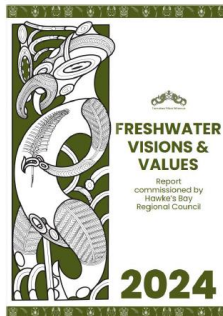
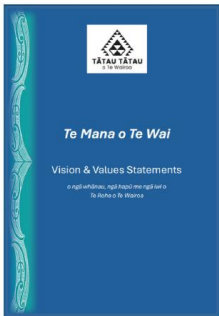
Timeframes



- Submission period has closed for all four packages
- Bill passed through submissions this week
- Live by the end of year

Freshwater Visions & Values

Item 7 - Information



Next Steps



Determine how to best use these documents in the new RM system



Explore the inclusion into spatial planning



Policy & Māori Partnerships Joint Projects

Item 8 – Information Item



This update outlines collaborative projects led by the Policy and Māori Partnerships teams to strengthen tangata whenua participation in resource management.

Joint work programme highlights:

- Expanded scope to include all RMA instruments that provide for mana whenua participation in RM.
- Dual workstream approach: short-term priorities, reform-dependent tasks, long-term goals.
- Development of a mana whenua documents framework for consistent integration.

Why is this work important?

- Improves Māori participation in planning.
- Works towards delivering on Treaty settlement commitments.
- Builds HBRC's cultural capability.
- Supports inclusive decision-making and kaitiakitanga.



Upcoming actions

- Finalise mana whenua documents framework
- Complete priority tasks to improve internal systems
- Continue support for MWHHR process
- Consideration of OAG report and recommendations

Focus areas

- Māori Partnerships: Cultural capability, iwi/hapū engagement
- Policy Team: RMA compliance, strategic alignment

Long term impact

This work positions HBRC to respond proactively to legislative reform while honouring its obligations to mana whenua and enhancing regional governance.



Policy Projects Update August 2025

Item 9 – Standing Item



Plan Change 9 - TANK	<ul style="list-style-type: none"> • Preparing for Environment Court Hearings May 2026 • Not affected by “Plan Stop”
Flood Protection Bylaw	<ul style="list-style-type: none"> • Work currently underway • Not affected by “Plan Stop” as prepared under the LGA
NPS – Urban Development	<ul style="list-style-type: none"> • Work continues to understand next steps • Confirming work won’t be prevented by “Plan Stop”
NPS – Highly Productive land	<ul style="list-style-type: none"> • Confirming impacts of “Plan Stop”
Spatial Planning Preparation	<ul style="list-style-type: none"> • Work currently underway
Mana Whakahono ā Rohe	<ul style="list-style-type: none"> • Initiations received from TPW, Hineuru, Mana Ahuriri, NKII • Initial hui’s being scheduled



Statutory Advocacy Update August 2025

Item 10 – Standing Item



Reforming the Resource Management System – Tranche 2	<ul style="list-style-type: none">• Bill expected to pass into law during August
Programme of new and amended National Direction	<ul style="list-style-type: none">• Significant changes proposed (see attached paper), changes to be gazetted by end of 2025
Local Government (Water Services) Bill	<ul style="list-style-type: none">• Bill set down for second reading in Parliament shortly
Napier City Council Proposed District Plan	<ul style="list-style-type: none">• Staff are preparing statements for the hearings panel on both hearing stream 8 (Ecosystems) and Hearing stream 6a (rezoning)
Marine and Coastal Area (Takutai Moana) Act	<ul style="list-style-type: none">• Hearings continue from July 2025 through until May 2026

