



HAWKES BAY REGIONAL COUNCIL

TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

Unconfirmed

Minutes of a meeting of the Regional Planning Committee

Date: Wednesday 14 May 2025

Time: 11.30am

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

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

In Attendance: N Peet – Chief Executive
K Brunton – Group Manager Policy & Regulation
T Munro – Te Pou Whakarae
N Nicholson – Manager Policy & Planning
L Hooper – Team Leader Governance
B Harper – Senior
R Ellison – Advisor
A Bradbury – Team Leader Policy & Planning
S Gudsell – Policy
S King – Policy Planner
J Smith-Ballingall – Māori Partnerships Manager - Central & Internal Relationships
G Boyt – Mana Ahuriri Environmental Engagement Lead
R Wakelin – Acting Group Manager Integrated Catchment Management

1. Welcome/Karakia /Apologies

The Chair welcomed everyone and acknowledged loved ones lost recently before Councillor Charles Lambert led the group in offering a karakia to open the meeting.

RPC7/25

Resolution

That the apologies for absence from Councillor Martin Williams and Tania Hopmans be accepted.

Ormsby/Kele
CARRIED

The Chair advised the agenda items would be considered out of order, with item 11 being the first to be considered.

2. Conflict of interest declarations

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Regional Planning Committee held on 12 February 2025

RPC8/25

Resolution

Minutes of the Regional Planning Committee held on Wednesday, 12 February 2025, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

Harding/Eden
CARRIED

Mana Hazel joined the meeting online at 10.35am

11. Proposed Plan Change 7: Outstanding Water Bodies - Environment Court decision overview & Making Proposed Plan Change 7 Operative

Belinda Harper introduced the item, provided a brief history of the plan change to date and an overview of the PC7 provisions.

Discussions included:

- The PC7 is in effect and the outstanding, intrinsic values in it must be considered when assessing any resource consent applications.
- We are requesting that the RPC recommends that HBRC approves PC7 and agrees to make it operative. Although appeals on points of law remain open until 15 May, this recommendation will allow staff to prepare for making the plan operative, provided no appeals are lodged. This will enable updates to the Regional Resource Management Plan, offering greater certainty for plan users, and will also support our future spatial planning work, as PC7 includes indicative maps showing the location of outstanding water bodies.

Mike Mohi arrived at 11.39am

- Water Conservation Orders sit alongside the outstanding values in PC7.
- Wairoa River was originally in the notified plan change but was removed as the result of submissions.
- Key aspects of the Environment Court decisions include the addition of 6 new outstanding water bodies (total 19) and standalone criteria thresholds for cultural, spiritual, ecology recreation, landscape, subterranean waters, natural form and character.
- Appeals can be made on points of law only and must be lodged by 15 May.
- Where only part of a water body is deemed 'outstanding' that is based on the part of it where the outstanding values are in existence.
- When consented activities that were in place in 2019 come up for review, staff will consider the PC7 provisions in relation to the activity and whether it has 'more than minor' effects on

the outstanding values.

- The assessment of spiritual or cultural values in PC7 will need to be taken into account by the Environment Court in making decisions on TANK PC9.
- If an appeal is lodged, HBRC would seek to join as a s274 party.
- The 31 August deadline for the public notice is to allow time for staff to make the necessary administrative arrangements, including providing updated maps to the Environment Court.

RPC9/25

Resolutions

That the Regional Planning Committee:

1. Receives and considers the *Proposed Plan Change 7: Outstanding Water Bodies - Environment Court decision overview & Making Proposed Plan Change 7 Operative* staff report.
2. Recommends that Hawke's Bay Regional Council:
 - 2.1. Agrees that the decisions to be made are the result of Resource Management Act plan change consultation processes and Environment Court proceedings and therefore able to be made without re-consulting directly with the community.
 - 2.2. Approves Change 7 (outstanding water bodies) to the Hawke's Bay Regional Resource Management Plan in accordance with Clause 17 Schedule 1 of the Resource Management Act.
 - 2.3. Agrees to staff making the necessary administrative arrangements (including a mandatory public notice) so that Change 7 will become operative on a date sometime before 31 August 2025, unless an appeal is lodged with the high court.

Kele/Harding
CARRIED unanimously

4. Implications of Resource Management Reform on the current Planning Work Programme

Nichola Nicholson introduced the item and a presentation to cover this item and item 5. The presentation (attached) and discussions covered:

- The reforms include replacement of the Resource Management Act with the Natural Environment Act and Planning Act. Each Act will be supported by one set of national direction and there will be a single regulatory plan for the region. The Regulatory Plan will consist of a Spatial Plan chapter (developed by all councils working collaboratively with central government, infrastructure providers and Mana whenua), a Natural Environmental chapter (developed by the regional council) and Planning chapters (1 per district).
- New national direction proposed includes NES for Papakainga and amended the NPS for Highly Productive Land and the NPS for Freshwater Management.
- The RPC Act has been acknowledged however officials have not provided any detail on how it will be incorporated into the new legislation and there's been no detail provided about how treaty settlements will be upheld.
- It was suggested that PSGEs and HBRC collectively come together to develop a proposed way for the RPC to work within the new legislative framework, potentially co-designing the Spatial Plan, and it was agreed that HBRC staff will work with the PSGE kaimahi and Riki Ellison to provide options and ideas to a workshop in August.
- Saul Gudsell advised that LUC 3 classified land will be removed from the highly productive land classification and the team is working to develop a plan change, ready for notification when the changed legislation comes into force, and will form one of the layers in the spatial plan.
- Implications for the HBRC work programmes include that the spatial plan will partially replace the Regional Policy Statement, there will be no ability for the regional council to direct district/city councils and that there will be no transition period to the new system.

- Currently, NCC and HDC is working on plan changes in relation to flood hazards.
- In addition to the three options presented in the paper, a fourth option is for HBRC to pause all RMA planning work and focus on being prepared for the shift to the new system with initial focus on Hazards and Risks.
- There are capacity constraints across the board – financial, technical, staffing – for both HBRC and the PSGEs.
- Ultimately, the risk of option 4 is that, for whatever reason, the Spatial Planning Act is much different than what's been foreshadowed however this is mitigated by the fact that the previous government also signalled a spatial planning and that the first work on natural hazards exists in both the new spatial planning system and through policies, objectives and maps currently.

RPC10/25

Resolutions

That the Regional Planning Committee recommends Council:

1. Receives and considers the *Implications of Resource Management Reform on the current Planning Work Programme* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that the RPC can exercise its discretion and make decisions on this issue without conferring directly with the community.
3. Agrees that staff will proceed with a work programme that prioritises preparation of the Hazards & Risks and Climate Change chapters of the Regional Policy Statement, including changes to rules, for public notification as a change to the current *Hawke's Bay Regional Resource Management Plan (incorporating the regional policy statement)* and pauses work on the three other focus topics until the Hazards & Risk and Climate Change work is completed.

Harding/Nelson-Smith
CARRIED unanimously

5. Resource Management Reforms

This item was discussed as part of the previous agenda item.

RPC11/25

Resolution

That the Regional Planning Committee receives and notes the *Resource Management Reforms* staff report.

Ormsby/Harding
CARRIED unanimously

Sophie Siers and Jerf van Beek left the meeting at 1.00pm.

6. Hawke's Bay Marine and Coastal Group: Assessment of progress on the Research Roadmap

Shelley King, Becky Shanahan and Andrea Glockner delivered a presentation to update the committee on the HB Marine and Coast Group's work to progress the coastal research roadmap. The presentation (attached) and discussions covered:

- Successes include being chosen by Sustainable Seas for the Terrestrial and Coastal Linkages case study and receiving national recognition for collaboration on research.

Mana Hazel left the meeting at 1.15pm and the quorum was lost

- Research tracking catch levels improves the understanding of changes to fish stocks and the effects of the fisheries to support maritime spatial planning and inform closure of fishing areas as examples of how the research is applied.
- HBRC research reports are available to the public on the HBRC website, however organisations like MPI don't always make their reports available to the public.

Resolution

That the Regional Planning Committee receives and notes the *Hawke's Bay Marine and Coastal Group: Assessment of progress on the Research Roadmap* staff report.

Mackintosh/McIlroy
CARRIED

The meeting adjourned at 1.30pm and reconvened at 2.05pm, with councillors Sophie Siers and Jerf van Beek having rejoined the meeting.

7. Implementation of mana whenua planning documents

Nichola Nicholson introduced the item, which was taken as read, and Shelley King and Jack Smith-Ballingall spoke to a presentation (attached), which covered:

- The overall aim of the project is to create a consistent internal process for receiving, actioning and implementing mana whenua planning documents into HBRC's workstreams in an integrated way that aligns with mana whenua aspirations and expectations; and are given appropriate weight and clarity in subsequent decisions.
- Iwi hapū management plans come in several forms including as tangata kaitiaki management plans/ strategies, position statements and cultural frameworks, and freshwater management plans.
- Four stage approach is: receive (formalised tikanga including contacts), socialise, embed and integrate (staff education, reporting) into the organisation.
- Staff have updated the Pataka database of iwi/hapu organisations and are in the process of contacting iwi/hapu about updating previously submitted plans to ensure currency.
- It was suggested that a section be added to the Statutory Advocacy paper to report on plans submitted.

Resolution

That the Regional Planning Committee receives and notes the *Implementation of mana whenua planning documents* staff report.

Kele/Harding
CARRIED

8. Reimagining Flood Resilience for the Upper Tukituki and Heretaunga Flood Protection Schemes

Nic Peet introduced the item and provided an overview of the context for the Council's work to build flood resilience across the region. Chris Dolley, Louise McPhail and Chris Dolley delivered a presentation on the Re-imagining Flood Resilience project which focuses on the Upper Tukituki and Heretaunga Plains flood protection schemes. The presentation and discussions covered:

- This priority project responds to the recommendations 3, 42, 43 and 44 from the independent review after Cyclone Gabrielle.
- Engagement topics include how to balance the management of risks from flooding with affordability, how engineering solutions can work alongside nature, and how much communities are willing to pay.
- Timeframes for the project include long term (inter-generational) implementation beginning in 2027.
- This is a pilot project for testing the HBRC Mātauranga Māori framework – Te Kāpekhu.
- The purpose of the Steering Group is to provide direct project governance, facilitate clear community and partner-derived advice and guidance to HBRC, and to coordinate focus group outputs, and will present recommendations to HBRC. Invitations have been extended to PSGEs (via CEs) for appointments to the Steering Group and to NKII for technical input on the Technical Working Group.
- In the structure, Stakeholder Reference Groups will be (by invitation) mana whenua and

community-based membership, their purpose being to provide values-based advice to the Steering Group and, supported by technical expertise, review and consider options including costs.

RPC14/25

Resolution

That the Regional Planning Committee receives and notes the Reimagining Flood Resilience for the Upper Tukituki and Heretaunga flood schemes staff report and presentation

**Ormsby/Eden
CARRIED**

10. Te Muriwai o te Whanga Plan

Tania Eden introduced the item and provided an overview of the history of Ahuriri Estuary and the proposals for the area following the Mana Ahuriri settlement, acknowledging the work of Piri Prentice. Gareth Boyt delivered a presentation (attached) which covered:

- The Te Muriwai o Te Whanga plan is built around the six key pou – Te Ora o te Wai (water health), Te Mauri o te Taiao (biodiversity), Aroā o Te Wanga (historical/ education), Ahurea o te Whenua (cultural/ spiritual), Te Mahi Tūhono a Roopu (social) and Te Mahi Ohaoaha (economic) to deliver 62 initiatives.
- Catchment groups were built into the plan and the connections and relationships already established are being built upon to work together for the benefit of the catchment.
- There was discussion about the integration of whanau and hapu in catchment groups.

RPC15/25

Resolution

That the Regional Planning Committee receives and notes both Gareth Boyt's presentation on *Te Muriwai o Te Whanga*, and the update on HBRC's implementation planning.

**Kele/Mohi
CARRIED**

9. May 2025 Policy Projects update

Nichola Nicholson introduced the item, which was taken as read, noting that the decisions of the independent hearing panel for the Napier-Hastings Future Development Strategy were released on 12 May.

RPC16/25

Resolution

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

**Kele/Nelson-Smith
CARRIED**

12. May 2025 Statutory Advocacy and Resource Management reform update

Nichola Nicholson introduced the item, which was taken as read, noting the slow progress of the Marine and Coastal Act through the courts and that the Ngaruroro Water Conservation Order is on the Minister's desk awaiting his signature.

RPC17/25

Resolution

That the Regional Planning Committee receives and notes the *May 2025 Statutory Advocacy and Resource Management reform update*.

**Kele/Nelson-Smith
CARRIED**

The group offered a closing karakia.

Closure:

There being no further business the Chair declared the meeting closed at 3.11pm on Wednesday, 14 May 2025.

Signed as a true and correct record.

Date:

Chair:

Attachment 1 – item 11 **Proposed Plan Change 7: Outstanding Water Bodies - Environment Court decision overview & Making Proposed Plan Change 7 Operative** presentation (23 slides)

Attachment 2 – items 4 & 5 **Resource Management Reforms** presentation (13 slides)

Attachment 3 – Item 6 – **Hawke’s Bay Marine & Coastal Group: Assessment of progress on the Research Roadmap** presentation (11 slides)

Attachment 4 – item 7 **Implementation of mana whenua planning documents** presentation (8 slides)

Item 8 - **Reimagining Flood Resilience for the Upper Tukituki and Heretaunga Flood Protection Schemes** (9 slides)