MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 9 November 2016
Time: 9.00am
Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Present: R Graham (Chairman)
PB Bailey
R Barker
P Beaven
T Belford
A J Dick
DH Hewitt
NK Kirton
FW Wilson

In Attendance: A Newman – Chief Executive
E Lambert – Group Manager External Relations
M Adye – Group Manager Asset Management
J Palmer – Group Manager Strategic Planning
P Drury – Group Manager Corporate Services
I Maxwell – Group Manager Resource Management
L Hooper – Governance & Corporate Administration Manager
M Mohi – Maori Committee representative
M Collings – Corporate Accountant
A Pearce – HBRIC Ltd Chairman
D Dinsdale – HBRIC Ltd Director
J Scotland – HBRIC Ltd Director
B O’Keeffe – Acting CEO, HBRIC Ltd
1. **Welcome/Apologies/Notices**

   The Chairman welcomed everyone to the meeting and Mike Mohi offered a karakia timatanga.

   There were no apologies.

   The Chairman advised he would like to have a councillor only workshop following the close of the meeting today.

2. **Conflict of Interest Declarations**

   There were no conflict of interest declarations.

3. **Confirmation of Minutes of the Regional Council Meeting Held on 26 October 2016**

   RC17/16 **Resolution**

   Minutes of the Regional Council Meeting held on Wednesday, 26 October 2016, a copy having been circulated prior to the meeting, were taken as read and confirmed as amended.

   Bailey/Barker
   CARRIED

4. **Matters Arising from Minutes of the Regional Council Meeting held on 26 October 2016**

   In relation to page 4, item 9, councillors raised issues in relation to LGOIMA requests and Councillors’ obligations to provide information they hold in their role as an elected representative.

   *Added 30 November 2016 by Council resolution:*

   Councillor Hewitt volunteered her correspondence in response to Councillor Belford’s LGOIMA request (OIR-16-120), and Councillor Belford has appealed Council’s decision to refuse that request in accordance with LGOIMA section 17.(h).

   There were no further matters arising from the minutes.

5. **Call for Any Minor Items Not on the Agenda**

   **Recommendation**

   That Council accepts the following minor items not on the Agenda, for discussion as Item 15

   1. Damage to the Napier YMCA fence (Kirton)
   2. HBRIC Ltd AGM (Beaven)
   3. Upper tuki gravel extraction (Hewitt)
   4. CHB A&P Show (Hewitt)
   5. Mana Ahuriri Treaty Settlement (Wilson)
   6. River awards (Wilson)

6. **Proposed Governance Structure for the 2016-19 Triennium**

   There was a query in relation to the Finance Audit & Risk Committee and rationale for establishing it as a Committee rather than a Sub-committee as originally established with discussion covering the workload, timing of decisions required, the purpose of an Audit & Risk Committee and specialist expertise needed by members. Further discussion suggested amendment of the Terms of Reference and the appointment of an Independent Member in accordance with recommendations by the Auditor General as well as the process undertaken to appoint that person. The
skillset of the independent member is crucial to insure required expertise resides in the membership.

A query was raised about the Regional Transport Committee ‘interests’ representatives, suggestions for amendments of the Terms of Reference to reflect that those representing interests are nominees, and for the discussion of representative ‘portfolio interests’ to take place at the Committee meeting for reflection in an amended Terms of Reference to be brought back to Council for adoption.

There was further discussion about the appropriate appointments for Chairperson to the Hearings Committee and the Joint Coastal Hazards Committee, associated workloads and RMA ‘making good decisions’ accreditation requirements.

Mr Adye clarified the purpose of the Biosecurity Working Party is to assist with review of the Regional Pest Management Plan review and implementation of any projects required by the amended Biosecurity Act.

Discussion about options for appointing an additional Regional Council representative to the Regional Planning Committee traversed having further discussions at the councillor only workshop, a suggestion that Mr Mohi be nominated for the appointment, and given the importance of the appointment that considerations be deferred to the 30 November Council meeting.

Recommendations

1. That Council receives and notes the “Proposed Governance Structure for the 2016-19 Triennium”.

2. Establishes the following committee structure and adopts the Terms of Reference, membership, meeting frequency and Council Executive responsible for each committee as detailed following.

3. **Regional Transport Committee (RTC)**

   Councillor Kirton nominated Councillor Alan Dick to the role of Regional Transport Committee Chairperson, seconded by Councillor Bailey. There being no further nominations, Councillor Dick was elected unopposed.

   3.1 Elects Councillor Alan Dick as Chairman of the Regional Transport Committee

      **Kirton/Bailey**

      **CARRIED**

   Councillor Dick nominated Councillor Fenton Wilson to the role of Regional Transport Committee Deputy Chairperson, seconded by Councillor Hewitt. There being no further nominations, Councillor Wilson was elected unopposed.

   3.2 Elects Councillor Fenton Wilson as Deputy Chairman of the Regional Transport Committee

      **Dick/Hewitt**

      **CARRIED**

3.3 Terms of Reference being:

**Regional Transport Committee**

**Terms of Reference**

*(adopted by resolution of Council 9 November 2016)*

1. Prepare the Regional Land Transport Plan (RLTP) for approval by the Regional Council, in accordance with the Land Transport Management Act 2003.

2. Prepare the Regional Public Transport Plan (RPTP) for approval by the Regional Council, in accordance with the Land Transport Management Act 2003.

3. Monitor the implementation of the Regional Land Transport Plan and the
Regional Public Transport Plan.
4. Advocate to Government on transport issues of concern to the region.
5. Undertake governance of RoadSafe Hawke’s Bay.
7. Provide the Regional Council with any advice and assistance it may request in relation to its transport responsibilities.

Members

a. Voting Members
Two elected members of the Regional Council

One representative, as appointed by Council, from each of the following organisations (which are able to propose short term replacements to the Committee if they are unable to attend any meeting).
- Wairoa District Council
- Hastings District Council
- Napier City Council
- Central Hawke's Bay District Council
- New Zealand Transport Agency

b. Advisory Nominees (non-voting)

- New Zealand Police – representing road safety
- Automobile Association (AA) – representing access and mobility, including private motorists, pedestrians, cyclists and public transport users
- Port of Napier – representing the Port and coastal shipping
- KiwiRail – representing rail issues
- Road Transport Association NZ – representing the road transport industry
- Cultural interests representative, also representing environmental issues

Chairman
One Regional Council elected member, being: Councillor Alan Dick

Deputy Chairman
One Regional Council elected member, being: Councillor Fenton Wilson

Quorum
A quorum of the Regional Transport Committee shall be four voting members

Voting
In accordance with section 105(7) of the Land Transport Management Act 2003, at any meeting of the RTC, the Chairman, or any other legislated person presiding at the meeting:

(a) has a deliberative vote; and
(b) in the case of an equality of votes, does not have a casting vote (and therefore the act or question is defeated and the status quo is preserved).

Regional Council, Territorial Authority and NZ Transport Agency representative members have full speaking and voting rights on all matters

Advisory Members
Advisory members are non-voting nominees.

The role of advisory members is to:

- Provide advice to the Regional Transport Committee on matters pertaining to their advisory portfolios, when requested by the Committee Chairman
- Report on relevant activities or events pertaining to their advisory portfolios
Meeting Frequency
Three monthly, or as required

Staff Executive
Transport Manager

Technical Advisory Group (TAG)
The Transport Committee considers advice relating to strategic transport issues from a Technical Advisory Group (TAG), generally comprising roading and infrastructural planning officers from NZTA and the Territorial Authorities, and is chaired by the HBRC Transport Manager. TAG members attend but do not vote at the Regional Transport Committee meetings. TAG members may provide advice at meetings when invited to do so by the Committee Chairman

Dick/Barker
CARRIED

4. Environment and Services Committee
Councillor Graham nominated Councillor Tom Belford to the role of Chairperson of the Environment and Services Committee, seconded by Councillor Barker. There being no further nominations, Councillor Tom Belford was elected unopposed.

4.1 Elects Councillor Tom Belford as Chairman of the Environment and Services Committee.

Graham/Barker
CARRIED

Councillor Belford nominated Councillor Peter Beaven to the role of Deputy Chairperson of the Environment and Services Committee, seconded by Councillor Kirton. There being no further nominations, Councillor Peter Beaven was elected unopposed.

4.2 Elects Councillor Peter Beaven as Deputy Chairman of the Environment & Services Committee.

Belford/Kirton
CARRIED

4.3 Terms of Reference being:

Environment and Services Committee
Terms of Reference
(adopted 9 November 2016)

1) Policy
1.1 To consider and recommend to Council policies with regard to Council responsibilities or involvement with land drainage and river control under the Local Government Act 2002, Land Drainage and Rivers Control Act 1954 and Land Drainage Act 1908
1.2 To consider and recommend to Council policies with regard to Council’s responsibilities for biosecurity under the Local Government Act 2001 and the Biosecurity Act 1993.
1.3 To consider and recommend to Council strategies, policies and by-laws and compliance and enforcement programs relating to maritime and navigational safety under the Maritime Transport Act.

2) Environmental Monitoring and Research
2.1 To consider and recommend to Council environmental monitoring strategies and research and investigation programmes, including the State of the Environment Reports.
2.2 To consider technical reports on the findings of research and investigations into the impact of activities and recommend to Council the development of new policy frameworks based around such information.
3) **Implementation**

3.1 To periodically review the effectiveness of Council's work programmes within the ambit of the Committee and make recommendations to Council for any changes.

3.2 To recommend to Council management plans or any similar such documents for the effective implementation of these programmes of Council.

3.3 To assist staff, where appropriate, in identifying a preferred option and funding mechanism for Council consideration for any biosecurity initiative or infrastructure asset construction or improvement work and in promoting the preferred option to the beneficiaries.

3.4 To consider and recommend to Council all other policy implementation issues of Council.

4) **Compliance and enforcement**

4.1 To consider reports on the effectiveness of Council’s compliance monitoring and enforcement activities, and to recommend to Council the response to issues arising from such reports.

5) **Financial Authority**

5.1 To recommend to Council, consideration of possible financial implications of specific initiatives.

6) **Advocacy and Liaison**

6.1 To receive reports and liaise with Territorial Authorities on any issues dealt with through the Environment and Services Committee, as necessary.

6.2 To assist with the coordination of services between the Regional Council, other relevant local authorities and other entities/groups.

7) **Statutory Process**

7.1 To consider and authorise the lodging of an appeal or referral to the Environment Court against a decision of a territorial authority or an application or designation or proposed plan or plan change or variation on which the Regional Council had lodged a formal submission.

8) **Use of Delegated Powers for the Environment and Services Committee**

This committee may, without confirmation by the local authority that made the delegations, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them, provided that the decision deserves urgency and the decision to make the resolution a decision of Council is carried unanimously.

**Members:**

- All Councillors being: Alan Dick, Debbie Hewitt, Fenton Wilson, Neil Kirton, Paul Bailey, Peter Beaven, Rex Graham, Rick Barker and Tom Belford
- Two appointed members of the Maori Committee being:

**Chairman:**

A member of the Committee as elected by the Council being: Councillor Tom Belford

**Deputy Chairman:**

A member of the Committee as elected by the Council being: Councillor Peter Beaven

**Meeting Frequency:**

Two-monthly, generally on the second Wednesday of the month

**Staff Executive:**

Group Manager Resource Management

Group Manager Asset Management
5. **Biosecurity Working Party (as a sub-committee of the Environment and Services Committee)**

5.1 Terms of Reference to be developed and confirmed by the Environment and Services Committee

5.2 Councillor representatives on the Biosecurity Working Party to be elected by the Environment and Services Committee

Hewitt/Graham
CARRIED

6. **Hearings Committee**

6.1 Terms of Reference being:

**Hearings Committee**

**Terms of Reference**

(adopted 9 November 2016)

1. Pursuant to Section 34(1) of the Resource Management Act (RMA) the Hawke’s Bay Regional Council delegates the following functions, powers and/or duties under the RMA:\*

   1.1. To hear and make decisions on applications arising out of the Council’s regulatory responsibilities on:

      1.1.1. notified applications where submissions have been made and submitters wish to be heard;

      1.1.2. reviews of conditions (s.128) where consent holder and/or submitters wish to be heard;

      1.1.3. notified applications where submissions have been made and where the Committee considers it necessary to hold a hearing;

      1.1.4. objections to decisions made under delegated authority by staff, where they wish to be heard (s.357);

      1.1.5. where the staff recommendation is to decline any application for reasons other than inadequate information;

   1.2. To determine other related discretionary process matters that may be associated with a hearing such as waivers of time, as appropriate under the Resource Management Act 1991.

   1.3. To hear and make decisions on objections against costs under Section 36(6) of the Act and objections to the levying of Financial Contributions under Section 108 of the Act.

   1.4. To hear and make decisions on lapsing of consents under Section 125 of the Act where a decision of an officer acting under delegated authority is subject to an objection.

   1.5. The appointment of Hearings Committee members or independent commissioners to a Hearing Panel to undertake the functions set out above in 1.1 to 1.4 pursuant to s 34A RMA and the appointment of the Chairperson of the Hearing Panel.

2. Pursuant to section 82 of the Biosecurity Act (BA) the Hawke’s Bay Regional Council delegates the following functions, powers and/or duties under the BA:

   2.1. To hear and make decisions on submissions received on any statutory

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\* NOTE: For the avoidance of doubt, the Hearings Committee is not delegated the functions, powers and duties to hear and make decisions on submissions made in relation to a proposed plan, policy statement, plan change or variation under the RMA. Such functions, powers and duties are delegated to a Panel of accredited RMA hearings commissioners appointed by the Council on an as needed basis, based on recommendations from the Regional Planning Committee.
documents prepared by Council which have been subject to a formal submission process under the Biosecurity Act.

2.2. To authorise the resolution and settlement of appeals and references through formal hearings or mediation before the Environment Court or any other judicial body which relate to the preparation of any statutory documents prepared under the Biosecurity Act by the Council and to either generally or from time to time delegate to officers the authority to resolve and settle appeals and references through formal mediation.

3. The Hawke’s Bay Regional Council delegates to the Hearings Committee Chairperson and Council Chairperson, the ability to appoint Hearings Committee members or Independent Commissioners to a Hearing Panel to undertake the functions set out above in 1 and 2 above and the appointment of the Chairperson of the Hearing Panel.

**Members:**

Up to five elected “RMA Making Good Decisions” accredited Members of Council; being: Councillors Paul Bailey, Peter Beaven and Rick Barker

And up to four “RMA Making Good Decisions” accredited members of the Maori Committee as nominated by the Chairperson of the Maori Committee; being:

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**Hearing Panel Composition:**

The Hearing Panel sitting to make decisions relating to 1. and 2. above shall comprise any combination of:

- The Chairperson sitting alone
- Up to three members of the Hearings Committee
- Up to five accredited Commissioners
- If considered advisable in any particular case by the Chairman of the Hearings Committee, a member of the Council’s Maori Committee.
- Also, when appropriate, the Chairman of the Standing Committee when hearings directly relate to policy originating from that Committee.

The Hearing Panel Chairperson has a Casting vote.

**Chairman:**

An “RMA Making Good Decisions” Accredited member of the Committee as elected by the Council being: Peter Beaven

**Deputy Chairperson:**

A member of the Committee as elected by the Council being: Paul Bailey

**Meeting Frequency:**

As is required

**Quorum:**

The Chairman of the Hearings Committee plus one other member of the Hearings Committee or the Chairman of the Regional Council

**Staff Executive:**

Group Manager Resource Management and Group Manager Asset Management

**Qualifications:**

In accordance with s39B all persons appointed to a Hearing Panel shall be accredited, except that where there is a group, and over half of all the persons in the group are accredited and there are exceptional circumstances that do not provide the time or opportunity to ensure that all persons in the group are accredited.
Councillor Graham nominated Councillor Beaven to the role of Chairman of the Hearings Committee, seconded by Councillor Barker. Councillor Hewitt nominated Councillor Barker for Chairman of the Hearings Committee, seconded by Councillor Wilson – Councillor Barker declined. There being no further nominations, Councillor Beaven was elected unopposed.

6.2 Elects Councillor Peter Beaven as Chairman of the Hearings Committee.

Graham/Barker  
CARRIED

Councillor Beaven nominated Councillor Paul Bailey to the role of Deputy Chairman of the Hearings Committee, seconded by Councillor Belford. There being no further nominations, Councillor Bailey was elected unopposed.

6.3 Elects Councillor Paul Bailey as Deputy Chairman of the Hearings Committee.

Beaven/Belford  
CARRIED

Councillor Wilson nominated Councillor Barker to the role of member of the Hearings Committee, seconded by Councillor Beaven.

6.4 Elects Councillor Rick Barker as a member of the Hearings Committee.

Beaven/Belford  
CARRIED

7.  Corporate and Strategic Committee

Councillor Graham nominated Councillor Neil Kirton to the role of Chairman, seconded by Councillor Wilson. There being no further nominations, Councillor Kirton was elected unopposed.

7.1 Elects Councillor Neil Kirton as Chairman of the Corporate and Strategic Committee.

Graham/Wilson  
CARRIED

Councillor Kirton nominated Councillor Debbie Hewitt to the role of Deputy Chair, seconded by Councillor Wilson. There being no further nominations, Councillor Debbie Hewitt was elected unopposed.

7.2 Elects Councillor Debbie Hewitt as Deputy Chairwoman of the Corporate and Strategic Committee.

Kirton/Wilson  
CARRIED

7.3 Terms of Reference being:

**Corporate and Strategic Committee**

**Terms of Reference**

*(adopted 9 November 2016)*

1. Responsible for considering and recommending to Council strategic planning initiatives including development of the Council’s Strategic Plan and other strategic initiatives with external stakeholders including District and City councils.

2. To consider the resourcing implications of strategic initiatives.

3. To consider major financial matters arising from other Committees’ recommendations.

4. To consider and recommend to Council the strategic direction for Council's investment portfolio.

5. To consider and recommend to Council, where appropriate, the sale or acquisition of Council investments.
6. **Use of Delegated Powers for the Corporate and Strategic Committee** – this committee may, without confirmation by the local authority that made the delegations, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them, provided that the decision deserves urgency and the decision to make the resolution a decision of Council is carried unanimously.

**Members:**

All Councillors being: Alan Dick, Debbie Hewitt, Fenton Wilson, Neil Kirton, Paul Bailey, Peter Beaven, Rex Graham, Rick Barker and Tom Belford

Two appointed members of the Maori Committee being:

**Chairman:**

A Councillor as elected by the Council being: Councillor Neil Kirton

**Deputy Chairwoman:**

A Councillor as elected by the Council being: Councillor Debbie Hewitt

**Meeting Frequency:**

Generally on the second Wednesday of every second month

**Staff Executive:**

Chief Executive, Group Manager Strategic Development, Group Manager Corporate Services and other staff as required.

8. **Finance, Audit & Risk Sub-committee of Corporate and Strategic Committee**

Councillor Dick nominated Councillor Neil Kirton to the role of Chairman of the Finance, Audit and Risk Sub-committee, seconded by Councillor Hewitt. There being no further nominations, Councillor Kirton was elected unopposed.

8.1 Elects Councillor Neil Kirton as Chairman of the Finance, Audit and Risk Sub-committee.

8.2 Agrees that Finance, Audit and Risk remains a sub-committee of the Corporate and Strategic Committee, with the Terms of Reference, as amended, being:

**Finance, Audit and Risk Sub-committee**

**Terms of Reference**

*Adopted by Council resolution 9 November 2016*

**a) Purpose**

The purpose of the Audit and Risk Sub-committee is to report to the Corporate and Strategic Committee to fulfil its responsibilities for:

1. The robustness of risk management systems, processes and practices
2. The provision of appropriate controls to safeguard the Council's financial and non-financial assets, the integrity of internal and external reporting and accountability arrangement
3. The independence and adequacy of internal and external audit functions
4. Compliance with applicable laws, regulations, standards and best practice guidelines
5. The review of Council’s revenue and expenditure policies and the effectiveness of those policies.

**b) Specific Responsibilities**

The Audit and Risk Sub-committee shall have responsibility and authority to:
1. Consider the appropriateness of the Council’s existing accounting policies and principles and any proposed changes

2. Enquire of internal and external auditors for any information that affects the quality and clarity of the Council’s financial statements and statements of service performance, and assess whether appropriate action has been taken by management in response to this

3. Satisfy itself that the financial statements and statements of service performance are supported by adequate management signoff and adequate internal controls and recommend adoption of the Annual Report by Council

4. Confirm that processes are in place to ensure that financial information included in Council’s Annual Report is consistent with the signed financial statements

5. Review whether Council management has a current and comprehensive risk management framework and associated procedures for effective identification and management of the council’s significant risks in place

6. Undertake periodic monitoring of corporate risk assessment, and the internal controls instituted in response to such risks

7. Undertake systematic reviews of Council operational activities against Council stated performance criteria to determine efficiency/effectiveness of delivery of Council services

8. Confirm the terms of appointment and engagement of external auditors, including the nature and scope of the audit, timetable, and fees

9. Receive the external audit report(s) and review actions to be taken by management on significant issues and audit recommendations raised within the report(s)

10. Conduct a sub-committee members-only session with external audit to discuss any matters that the auditors wish to bring to the Sub-committee’s attention and/or any issues of independence

11. Review the effectiveness of the system for monitoring the Council’s compliance with laws (including governance legislation, regulations and associated government policies), Council’s own standards, and best practice guidelines; including health and safety.

c) Membership
   • Four members of Council, being: Councillors Alan Dick, Neil Kirton, Paul Bailey and Rick Barker
   • An external appointee, being: David Benham

d) Chairman
   A member of the Committee as elected by the Council, being Councillor Neil Kirton

e) Meeting Frequency
   The Committee shall meet quarterly, or as required

j) Quorum
   The quorum at any meeting of the Committee shall be not less than 3 Councillor members of the Committee.

k) Accountability
   The Finance, Audit and Risk Sub-committee is not delegated to make any decisions unless by specific delegation of Council.

l) Officers Responsible
   • Chief Executive
   • Group Manager Corporate Services

Dick/Barker
CARRIED
Councillors Rick Barker, Paul Bailey and Alan Dick were nominated to be members of the Finance, Audit and Risk Sub-committee.

8.3 Elects Councillors Rick Barker, Paul Bailey and Alan Dick as Finance, Audit and Risk Sub-committee members.

Graham/Wilson
CARRIED

8.4 Agrees that confirmation of the Appointment of the Independent Member of the Finance, Audit and Risk Sub-committee will be considered at the first meeting of the Corporate and Strategic Committee.

Kirton/Barker
CARRIED

9. **Hawke’s Bay Regional Planning Committee (RPC)**

9.1 Agrees that the Terms of Reference for the Regional Planning Committee, as amended to reflect the RPC Act and agreed by Tangata Whenua, will be adopted by March 2017

Councillor Wilson nominated Councillor Rick Barker to the role of Co-Deputy Chairman of the Regional Planning Committee, seconded by Councillor Belford.

9.2 Elects Councillor Rick Barker as Deputy Co-Chairman of the Regional Planning Committee.

Wilson/Belford
CARRIED

Councillor Hewitt nominated Chairman Rex Graham to the role of Co-Chairman of the Regional Planning Committee, seconded by Councillor Wilson.

9.2 Elects Councillor Rex Graham as Co-Chairman of the Regional Planning Committee.

Hewitt/Wilson
CARRIED

10. **Māori Committee**

10.1 Agrees that the Terms of Reference will be confirmed by Council by March 2017, including membership, as agreed by the Māori Committee.

Councillor Hewitt nominated councillor Fenton Wilson to the role of Māori Committee representative, seconded by Councillor Graham

Hewitt/Wilson
CARRIED

Councillor Hewitt nominated Councillor Graham to the role of Māori Committee representative, seconded by Councillor Wilson

Hewitt/Wilson
CARRIED

Councillor Graham nominated Councillor Rick Barker to the role of Māori Committee representative, seconded by Councillor Wilson

Graham/Wilson
CARRIED

10.2 Elects Councillors Fenton Wilson, Rex Graham and Rick Barker as Council’s representatives on the Māori Committee

10.3 Agrees to further discuss remuneration of Maori Committee representatives

Graham/Hewitt
CARRIED
11. **Tenders Committee**

11.1. Terms of Reference being:

**Tenders Committee**

**Terms of Reference**

*(adopted 9 November 2016)*

1. To consider and accept tenders which exceed the delegated authority of the Chief Executive.
2. To consider and decide on exemptions to Council’s Contracts and Tenders policy.
3. The quorum is a majority of members of the Committee.

**Members:**

- The Chairman of the Council being: Rex Graham
- The Deputy Chairman of the Council being: Rick Barker
- The Chairs of the Corporate & Strategic and Environment & Services committees; being: Neil Kirton (C&S) and Tom Belford (E&S)

**Chairman:**

- Chairman of the Council being: Rex Graham

**Meeting Frequency:**

- As required

**Staff Executive:**

- Chief Executive

11.2. Confirms that the Committee membership is made up of Councillor Tom Belford as Chairman of the Environment and Services Committee, Councillor Neil Kirton as Chairman of the Corporate and Strategic Committee, the Deputy Chairman of Council, Rick Barker, and Regional Council Chairman Rex Graham.

**Belford/Bailey CARRIED**

12. **Joint Civil Defence Emergency Management Committee**

12.1. Agrees the Terms of Reference will be confirmed at the first meeting of the Committee.

12.2. Confirms Chairman Rex Graham as HBRC’s representative on the Committee, and Deputy Chairman Rick Barker as alternate.

**Bailey/Barker CARRIED**

13. **Clifton to Tangoio Coastal Hazards Strategy Joint Committee**

13.1. Confirms the Terms of Reference adopted by the Joint Committee, being:

**Terms of Reference for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee**

*As at 6 March 2015*

**Definitions**

For the purpose of these Terms of Reference:

- **“Administering Authority”** means Hawke’s Bay Regional Council.
- **“Coastal Hazards Strategy”** means the Coastal Hazards Strategy for the Hawke Bay coast between Clifton and Tangoio².

² The Coastal Hazards Strategy is further defined in Appendix 1 to these Terms of Reference.
“Council Member” means an elected representative appointed by a Partner Council.

“Hazards” means natural hazards with the potential to affect the coast, coastal communities and infrastructure over the next 100 years, including, but not limited to, coastal erosion, storm surge, flooding or inundation of land from the sea, and tsunami; and includes any change in these hazards as a result of sea level rise.

“Joint Committee” means the group known as the Clifton to Tangoio Coastal Hazards Strategy Joint Committee set up to recommend both draft and final strategies to each Partner Council.

“Member” in relation to the Joint Committee means each Council Member and each Tangata Whenua Member.

“Partner Council” means one of the following local authorities: Hastings District Council, Napier City Council and Hawke’s Bay Regional Council.

“Tangata Whenua Appointer” means:
- The trustees of the Maugaharuru-Tangitu Trust, on behalf of the Maugaharuru-Tangitu Hapu;
- Mana Ahuriri Incorporated, on behalf of Mana Ahuriri Hapu;
- He Toa Takitini, on behalf of the hapu of Heretaunga and Tamatea.

“Tangata Whenua Member” means a member of the Joint Committee appointed by a Tangata Whenua Appointer.

Name and status of Joint Committee

2.1 The Joint Committee shall be known as the Clifton to Tangoio Coastal Hazards Strategy Joint Committee.

2.2 The Joint Committee is a joint committee under clause 30(1)(b) of Schedule 7 of the Act.

Partner Council Members

3.1 Each Partner Council shall appoint two Council Members and alternates to the Joint Committee. If not appointed directly as Council Members, the Mayors of Hastings District Council and Napier City Council and the Chairperson of Hawke’s Bay Regional Council are ex officio Council Members.

3.2 Under clause 30(9) Schedule 7 of the Act, the power to discharge any Council Member on the Joint Committee and appoint his or her replacement shall be exercisable only by the Partner Council that appointed the Member.

Tangata Whenua Members

4.1 Each Tangata Whenua Appointer may appoint one member to sit on the Joint Committee.

4.2 Each Tangata Whenua Appointer must make any appointment and notify all Tangata Whenua Appointers and Partner Councils in writing of the appointment.

4.3 The Tangata Whenua Members so appointed shall be entitled to vote.

4.4 Under clause 30(9) Schedule 7 of the Act, the power to discharge any Tangata Whenua Member on the Joint Committee and appoint his or her replacement shall be exercisable only by the Tangata Whenua Appointer that appointed the Member.

Purpose of Terms of Reference

5.1 The purpose of these Terms of Reference is to:

5.1.1 Define the responsibilities of the Joint Committee as delegated by the Partner Councils under the Act.

5.1.2 Provide for the administrative arrangements of the Coastal Hazards Strategy Joint Committee as detailed in Appendix 2.

Meetings
6.1 Members, or their confirmed alternates, will attend all Joint Committee meetings.

**Delegated authority**

7.1 The Joint Committee has the responsibility delegated by the Partner Councils for:

- Considering and recommending a draft strategy to each of the Partner Councils for public notification;
- Considering comments and submissions on scenarios and the draft strategy and making appropriate recommendations to the Partner Councils;
- Considering and recommending a final strategy to each of the Partner Councils for approval.

**Powers not delegated**

8.1 The following powers are not delegated to the Joint Committee:

- Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.
- The determination of funding for undertaking investigations, studies and/or projects to assess options for implementing the Coastal Hazards Strategy.

**Remuneration**

9.1 Each Partner Council shall be responsible for remunerating its representatives on the Joint Committee and for the cost of those persons’ participation in the Joint Committee.

9.2 The Administering Authority shall be responsible for remunerating the Tangata Whenua Members.

**Meetings**

10.1 The New Zealand Standard for model standing orders (NZS 9202:2003), or any New Zealand Standard substituted for that standard, will be used to conduct Joint Committee meetings as if the Joint Committee were a local authority and the principal administrative officer of the Hawke’s Bay Regional Council or his or her nominated representative were its principal administrative officer.

10.2 The Joint Committee shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference.

10.3 Notice of meetings will be given well in advance in writing to all Joint Committee Members, and not later than one month prior to the meeting.

10.4 The quorum shall be 5 Members.

**Voting**

11.1 In accordance with clause 32(4) Schedule 7 of Act, at meetings of the Joint Committee each Council Member has full authority to vote and make decisions within the delegations of this Terms of Reference on behalf of the Partner Council without further recourse to the Partner Council.

11.2 Where voting is required, all Members of the Joint Committee have full speaking rights.

11.3 Each Member has one vote.

11.4 Best endeavours will be made to achieve decisions on a consensus basis.

11.5 Standing Orders 2.5.1(2) and 3.14.2 which state: The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, also has a casting vote” do not apply to the Joint Committee.

**Election of Chairperson and Deputy Chairperson**

12.1 On the formation of the Joint Committee the members shall elect a Joint Committee Chairperson and may elect up to two Deputy Chairpersons. The
Chairperson is to be selected from the group of Council Members.

12.2 The mandate of the appointed Chairperson or Deputy Chairperson ends if that person through resignation or otherwise ceases to be a member of the Joint Committee.

**Reporting**

13.1 All reports to the Committee shall be presented via the Technical Advisory Group\(^3\) or from the Committee Chairperson.

13.2 Following each meeting of the Joint Committee, the Project Manager shall prepare a summary report of the business of the meeting and circulate that report, for information to each Member following each meeting. Such reports will be in addition to any formal minutes prepared by the Administering Authority which will be circulated to Joint Committee representatives.

**Good faith**

14.1 In the event of any circumstances arising that were unforeseen by the Partner Councils, the Tangata Whenua Appointers, or their respective representatives at the time of adopting this Terms of Reference, the Partner Councils and the Tangata Whenua Appointers and their respective representatives hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of the Partner Councils and the Tangata Whenua Appointers collectively.

**Variations to these Terms of Reference**

15.1 Any Member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the Joint Committee.

15.2 Amendments to the Terms of Reference may only be made with the approval of all Members.

16. **Adopted by**

16.1 The Coastal Hazards Strategy Joint Committee, made up of the following:

  - Napier City Council represented by Cr T Jeffery and Cr F White
  - Hastings District Council represented by Cr T Kerr and Cr G Lyons
  - Hawke’s Bay Regional Council represented by Cr P Beaven and Cr C Scott
  - Maungaharuru-Tangitū Trust (MTT) represented by Mrs T Hopmans
  - Mana Ahuriri Inc represented by Mr P Prentice
  - He Toa Takitini represented by Mr P Paku

**Appendix 1 – Project Background**

**Project Goal**

A Clifton to Tangoio Coastal Hazards Strategy will be developed in cooperation with the Hastings District Council (HDC), the Hawke’s Bay Regional Council (HBRC), the Napier City Council (NCC), and groups representing Mana Whenua and/or Tangata Whenua. This strategy will be developed to provide a framework for assessing coastal hazards risks and options for the management of those risks for the next 105 years from 2015 to 2120.

The long term vision for the strategy is that coastal communities, businesses and

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\(^3\) A description of the Technical Advisory Group and its role is included as Appendix 2 to these Terms of Reference.
critical infrastructure from Tangoio to Clifton are resilient to the effects of coastal hazards.

**Project Assumptions**
The Coastal Hazards Strategy will be based on and influenced by:

- The long term needs of the Hawke’s Bay community
- Existing policies and plans for the management of the coast embedded in regional and district council plans and strategies.
- Predictions for the impact of climate change
- The National Coastal Policy Statement

**Project Scope**
The Coastal Hazards Strategy is primarily a framework for determining options for the long term management of the coast between Clifton and Tangoio. This is expected to include:

- An assessment of the risk from natural hazards with the potential to impact on the coastal environment. This may include a range of return periods for each hazard and a determination of acceptable risk to the community for various return period events.
- Sea level rise and increased storminess predicted to occur as a result of climate change and a determination of acceptable risk to the community for various scenarios.
- Identification of areas of community risk and/or specific community risks and opportunities for improving community resilience. This may include a protocol for assessing community consequences and comparing and prioritising mitigation approaches.
- Approaches to quantify the potential impacts including computer modelling and specific underlying parameters and assumptions that are used in the development of those models.
- Stakeholder involvement and participation.
- Protocols for expert advice and peer review.
- An action plan of ongoing activity assigned to various Members.

The Strategy will:

- Describe a broad vision for the coast in 2120, and how the Hawke’s Bay community could respond to a range of possible scenarios which have the potential to impact the coast by 2120.
- Propose policies to guide any intervention to mitigate the impact of coastal processes and hazards through the following regulatory and non-regulatory instruments:
  - Regional Policy Statement
  - District Plans
  - Council long-term plans
  - Infrastructure Development Planning (including both policy and social infrastructure networks).

**Appendix 2 - Administering Authority and Servicing**
The administering authority for the Coastal Hazards Strategy Joint Committee is Hawke’s Bay Regional Council.

The administrative and related services referred to in clause 16.1 of the conduct of the joint standing committee under clause 30 Schedule 7 of the Local Government
Act 2002 apply.

Until otherwise agreed, Hawke’s Bay Regional Council will cover the full administrative costs of servicing the Coastal Hazards Strategy Joint Committee.

A technical advisory group (TAG) will service the Coastal Hazards Strategy Joint Committee.

The TAG will provide for the management of the project mainly through a Project Manager. TAG will be chaired by the Project Manager, and will comprise senior staff representatives from each of the participating Councils and other parties as TAG deems appropriate from time to time. TAG will rely significantly on input from coastal consultants and experts.

The Project Manager and appropriate members of the TAG shall work with stakeholders. Stakeholders may also present to or discuss issues directly with the Joint Committee.

Functions of the TAG include:

- Providing technical oversight for the study.
- Coordinating agency inputs particularly in the context of the forward work programmes of the respective councils.
- Ensuring council inputs are integrated.

Councillor Graham nominated Councillor Peter Beaven to the role of Clifton to Tangoio Coastal Hazards Strategy Joint Committee representative, seconded by Councillor Belford

13.2 Elects Councillor Peter Beaven as one of HBRC’s representatives on the Joint Committee.

Councillor Graham nominated Councillor Paul Bailey to the role of Clifton to Tangoio Coastal Hazards Strategy Joint Committee representative, seconded by Councillor Beaven

13.3 Elects Councillor Paul Bailey as one of HBRC’s representatives on the Joint Committee

The meeting adjourned at 10.30am and reconvened at 10.45am

14. Leaves the matter of Options for an additional member appointment to the Regional Planning Committee to lie on the table until the 30 November 2016 Regional Council meeting.

Mr Paul Drury introduced the item, which was taken as read.

RC18/16 Resolution

That Council:

Receives and notes the remuneration levels and allowances to be paid to elected members under the Local Government Elected Members’ Determination 2016.

Barker/Belford CARRIED
8. **Appointment of Members to Outside Groups/Boards**

The Chairman introduced the item, with the report being taken as read. Discussion and queries traversed through the appointments to the various bodies included:

- Councillors with particular interest encouraged to put their names forward
- Focus of the various groups and whether political representation is necessary if more operational
- Frequency of meetings
- Chairman will delegate others to attend LGNZ meetings when he’s not able to go himself and appreciates their willingness to assist.

**Recommendations**

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council’s adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community or persons who have an interest in the decision.

2. Appoints Councillor representatives to the following organisations or groups:
   
   2.1. One representative on the Cycling Governance Group; being Councillor Paul Bailey.
   
   **Barker/Graham**  
   **CARRIED**

   2.2. Two representatives on the Heretaunga Plains Urban Development Strategy Implementation Working Group, being Councillors Tom Belford and Alan Dick.
   
   **Barker/Graham**  
   **CARRIED**

   2.3. One representative on the TBfree Hawke’s Bay Committee; being Councillor Tom Belford.
   
   **Graham/Kirton**  
   **CARRIED**

   2.4. One representative on the Hawke’s Bay Drought Committee; being Chairman Rex Graham.
   
   **Barker/Wilson**  
   **CARRIED**

   2.5. Representation on the Tukituki Facilitation Group be left to lie on the table until the next Council meeting.
   
   **Barker/Bailey**  
   **CARRIED**

   2.6. One representative on the Hawke’s Bay Tourism Board of Directors, being Councillor Fenton Wilson.
   
   **Graham/Dick**  
   **CARRIED**

   2.7. One representative on the Hawke’s Bay Sports Council, being Chairman Rex Graham.
   
   **Barker/Bailey**  
   **CARRIED**

   2.8. Confirms the Chairman of Council, or his substitute delegate, as the Hawke’s Bay Regional Council’s representative at Zone 3 meetings of
Local Government New Zealand.

2.8.1. Authorises the Chairman, as HBRC delegate, to vote at those meetings on behalf of the Hawke's Bay Regional Council.

2.8.2. Appoints the Chairman as Council's representative on the Regional Sector Group of Local Government New Zealand.

2.8.3. Delegates to the Chairman of HBRC, the authority to respond to and provide input into matters relating to Local Government New Zealand, reporting as necessary to Council.

Beaven/Barker
CARRIED


There was discussion around preferred Council meeting days and start times, and the need to schedule meetings for the Environment & Services and Corporate & Strategic committees prior to Christmas.

RC19/16 Resolutions
That Council adopts the Schedule of Meetings for the remainder of the 2016 calendar year, which includes:

1. Regional Transport Committee Submissions Hearing, Friday 18 November 2016 commencing at 1pm
2. Regional Planning Committee, Wednesday 23 November 2016 commencing at 10.00am
3. HB Civil Defence Emergency Management Group Joint Committee, Monday 28 November 2016 commencing at 1.30pm
4. Regional Council, Wednesday 30 November 2016 commencing at 9am
5. Clifton to Tangoio Joint Coastal Hazards Committee, Monday 5 December 2016 commencing at 10am
6. Maori Committee, Tuesday 6 December 2016 commencing at 10.15am
7. Regional Transport Committee, Friday 9 December 2016 commencing at 10.15am
8. Regional Council, Wednesday 14 December 2016 commencing at 9am
9. With additional meeting dates for Environment & Services and Corporate & Services committees prior to the end of 2016 to be agreed between the Chairman, CE, Governance Manager and Committee Chairs.

Barker/Bailey
CARRIED

Item - 10. Review of the Ruataniwha Water Storage Scheme - has been moved to follow the HBRIC Ltd Update (item 13)

11. Issues Arising from Local Body Elections

Mr Iain Maxwell spoke to the section of the report about Public Notification of water bottling consents, advising that a legal opinion on the use of "special circumstances" based on recent case law is imminent and proposes that staff bring a paper back to the 30 November meeting for Council to consider its options. There was discussion traversing the notification decision making process, cost recovery of science work through the use of section 36 charges and consents processing, and options that may be available through the section 36 for recovery of full costs associated with the
activity as well as policy development and consent review/renewal processes.

Mr Iain Maxwell spoke to the section of the report about Feedlots compliance requirements and proposed that staff bring a paper to Council early in the new year for Council to consider possible policy development. Discussion traversed current requirements for operating feedlots as a permitted activity, engagement between HBRC and feedlot owners, undertaking a ‘stocktake’ across the region ahead of next Winter, when feedlots are usually in use, and public concern around the issues witnessed over the past Winter.

Mr James Palmer spoke to the part of the report relating to Oil and Gas Exploration, expressing concerns raised about drilling and fracking activities and the policies and/or rules to prohibit or control those including options for policy development. Discussion traversed terminology used in reference to productive aquifers and regionally significant groundwater resources, scientific evidence of the extent of the aquifer, the future deep well drilling programme and plan change process timelines.

RC20/16

**Resolutions**

That Council:

1. Receives and notes the “Issues Arising from Local Body Elections” staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council’s adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision.
3. Agrees that staff will prepare a report on options for policy development for water bottling resource consent applications for the 30 November Regional Council meeting.
4. Agrees that staff will prepare a report on options for policy development to clarify the consent and compliance requirements in relation to feedlots to the Environment & Services Committee or Council, prior to engaging with the industry.
5. Requests the Regional Planning Committee consider proposing a plan change to the Regional Resource Management Plan to prohibit the drilling for oil and gas within the region’s productive aquifers and surface water bodies.

Kirton/Bailey
CARRIED

12. **Water Symposium**

Mr James Palmer introduced the item, planned for December 2016, seeking input from councillors on the concept, their individual level of involvement and timing for the event. Discussion traversed delaying the event to the New Year, whether the scope should be extended to include all water not just freshwater, more consideration of the Agenda (tabled) to enhance and support the TANK process, and consideration of consulting more widely on what should be on the agenda for the day.

RC21/16

**Resolutions**

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council’s adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring with the community.
2. Notes the proposed approach from staff to a planned Regional Water
Symposium, and provides feedback on the programme and how Councillors would like to be involved.

3. Proposes a date some time in February 2017 for the Symposium.

Dick/Belford
CARRIED

The meeting adjourned at 12.30pm and reconvened at 1.00pm

13. HBRIC Ltd October 2016 Update

Dr Andy Pearce, HBRIC Ltd Chairman, introduced Danelle Dinsdale and Jim Scotland, directors, and Acting CEO Blair O’Keeffe before speaking to the HBRIC Ltd update report.

Dr Pearce advised that Port Director appointments will be coming to the 30 November Council meeting for confirmation ahead of the Napier Port AGM on 19 December, and then noted key points relating to RWSS including:

- expenditure on the project has progressively been cut back since September to around 1/8 of the average monthly expenditure
- both the constructor JV and the investor remain committed to the project and are awaiting the outcome of the land swap litigation
- HBRIC welcomes a review as proposed by Council and will assist in any way they can
- that the appeal to the Supreme Court in relation to the land swap will likely take several months
- the option for Council to appoint councillor directors to the HBRIC Ltd Board.

Queries and discussion traversed:

- September expenditure relating to contractual obligations leading up to (what was supposed to be) financial close, with October expenditure expected to be substantially lower (tens of thousands as opposed to approximately $400k in September)
- costs of legal representation for the Supreme Court application for leave to appeal the High Court decision
- rationale for HBRIC being a party to the DoC appeal is based on HBRIC’s need for urgency and relates to the specific 22ha in question and associated riparian margin strips while the DoC case is more general and relates to the entire DoC estate

RC22/16 Resolution

That Council receives and takes note of the “HBRIC Ltd October 2016 Update” report.

Wilson/Dick
CARRIED

10. Review of the Ruataniwha Water Storage Scheme

Mr James Palmer introduced the item, outlining staff’s advice provided in the report.

Queries and discussion traversed:

- the length of time required to carry out a review depends on the scope of the review
- consultation with the community
- litigation carried out through the Plan Change 6 and RWSS resource consents Board of Inquiry processes where evidence was considered
- independent advice and review has been provided by Deloitte
- Requiring Authority application processes
- Consultation with HBRIC Ltd and legal advice required if considering issuing instructions to change the Sol
• Review to be run independent from HBRC CE, with GM Strategic Planning to take the lead
• focus the review on information not previously subject to litigation and/or review
• Costs to Council of exiting from the project and an ‘exit strategy’
• The costs to the region of implementing PC6 without RWSS
• Timeframes for Supreme Court processes
• Suggestion that all feasibility and assessment work prior to handing RWSS over to HBRIC Ltd was prepared by and for Council for decisions taken in December 2012 and could be excluded from the review
• Any decision to exit the scheme will be significant and require decision making steps from the conclusion of the review including public consultation, the preparation of analysis, and the provision of analysis to the public around the range of issues and the options.

RC23/16  Resolutions

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council’s adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision.

2. Agrees to commission an independent review of key contractual, legal, financial, economic and environmental elements of the Ruataniwha Water Storage Scheme, including the impacts and consequences of implementing Plan Change 6 with and without the Scheme, as well as withdrawal from the scheme.

3. Requests that the Group Manager Strategic Development leads the review process and reports back to the Council meeting on 30 November 2016 with detailed advice on the packages of work to be included in a review, resource implications, expected timeframes for delivery and whether commissioning external advice on any particular aspects is likely to be required.

4. Consults the Board of Directors of HBRIC Ltd on the issues arising from any direction to suspend all expenditure and work related to the Ruataniwha Water Storage Scheme by way of a shareholder’s resolution to modify HBRIC Ltd’s Statement of Intent.

Kirton/Wilson  CARRIED

14. Update on Havelock North Water Contamination Inquiry

Mr Andrew Newman introduced the item, advising that Iain Maxwell as Group Manager Resource Management has borne and will continue to bear the bulk of the responsibility for Council’s input into the Government Inquiry.

Mr Iain Maxwell outlined the timeline of actions following the public announcement by Hastings District Council and the Hawke’s Bay District Health Board of suspected contamination of the Havelock North drinking water supply by way of background, advising that science investigations have established that there is no issue with the aquifer generally, and it is not widely contaminated.

Mr Maxwell then outlined the expectations of the Board hearing the inquiry, how it intends to carry out its hearing and what information it expects to receive, including that he expects facts and evidence, not advice or opinions. Queries and discussion traversed:

• The Board has specified that briefs of evidence will be confidential until they are heard, however will be provided in confidence to councillors as soon as they are available
- Budgets to cover the costs of investigations, legal costs and staff resources
- Water supply issues, bore and wellhead security
- Delegations under the Inquiries Act for CE of HBRC as core participant

**Minutes**

**RC24/16**

**Resolutions**

That Council:

1. Receives and notes the “Update on Havelock North Water Contamination Inquiry” report from staff.

   **Dick/Beaven**

   **CARRIED**

2. Delegates to the Chief Executive, authority to report to the Government Inquiry into Havelock North Drinking Water, the Council’s stage one “Statement of Evidence” and act as its designated “core participant”, as defined under Section 17 of The Inquiries Act 2013.

3. Requires the Chief Executive to make available to councillors, on a confidential basis, the Council’s stage one “Statement of Evidence” to the Government Inquiry into Havelock North Drinking Water.

4. Directs staff to prepare, as part of stage two of the Government Inquiry into Havelock North Drinking Water, a draft submission for report back to Council prior to submission that:

   4.1. considers the systemic public law and policy matters relevant to the Council’s roles and responsibilities for consenting and compliance of public water supplies by local authorities in the Hawke’s Bay region and will include examination of the relevant chapters of the Regional Resource Management Plan (RRMP)

   4.2. addresses, along with all other relevant matters, the following questions arising from Chapter 4.3 of the RRMP

      4.2.1. Does the HBRC undertake a risk assessment process, identifying risks associated with its statutory and policy responsibilities and which are reported to HBRC meetings? Have any risks to the quality of water supply been assessed in this process and reported to HBRC?

      4.2.2. What documents exist that demonstrate and give effect to the HBRC responsibilities to “promote” and “integrate” the sustainable management and adoption of a “consistent and coordinated approach” in regard to the quality of public water supply in the region?

      4.2.3. Over the past 3 years, what statutory advocacy and collaboration has HBRC undertaken with Hawke’s Bay territorial authorities to resolve problems arising from the effects of conflicting land use activities on public water supplies?

      4.2.4. What working groups has HBRC established or operated with Hawke’s Bay territorial authorities, to facilitate discussions on topics such as policy development, information requirements, monitoring programmes and policy implementation techniques, for public water supply?

      4.2.5. What systems and protocols has HBRC established or operated with Hawke’s Bay territorial authorities for the day to day administration, including information gathering and sharing, joint hearing opportunities, natural hazard planning, contaminated site issues, waste water treatment and storm water control issues, over the past three years?

      4.2.6. What monitoring programme has HBRC in place to ensure compliance by Hawke’s Bay territorial authorities for each of their public water...
supply resource consents?

5. Directs staff to engage the services of an appropriately qualified person or persons with specific legal knowledge and local experience of the Council’s resource management plans, policies and resource consenting and compliance procedures, to provide advice in preparing the draft submission for stage two of the Government Inquiry into Havelock North Drinking Water.

Kirton/Dick
CARRIED

15. Minor Items Not on the Agenda

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<th>ITEM</th>
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<th>COUNCILLOR / STAFF</th>
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<td>1.</td>
<td>Damage to the Napier YMCA fence needs urgent repair</td>
<td>Cr Kirton</td>
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| 2.   | HBRIC Ltd AGM  
       Has not received Agenda for 16 November meeting – which was posted out to all councillors and will be provided a copy immediately | Cr Beaven |
| 3.   | Tukituki gravel extraction  
       Disappointed that CHBDC gravel extraction allowed in Tukituki when significant benefits would have resulted from extraction 5km up stream | Cr Hewitt |
| 4.   | CHB A&P Show  
       Invitation to everyone to attend the A&P Show this weekend | Cr Hewitt |
| 5.   | Mana Ahuriri Treaty Settlement  
       Attended the signing at Parliament and it was an impressive event and felt privileged to attend | Cr Wilson |
| 6.   | River awards  
       Overall winner was an Auckland urban waterway, and HBRC won an award for the improved MCI (water quality) in the Mangaonuku Stream | Cr Wilson |
| 7.   | Winston Peters  
       On his visit last week Winston Peters stated his support for 25% return on any water bottling/oil & gas royalties. | Cr Belford |

Mike Mohi closed the meeting with a karakia whakamutunga

Closure:
There being no further business the Chairman declared the meeting closed at 3.00pm on Wednesday 9 November 2016.

Signed as a true and correct record.