



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 13 December 2017

Time: 10.15am

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

Present: P Bailey
R Barker (Chair)
P Beaven
T Belford
D Hewitt
N Kirton
F Wilson

In Attendance: J Palmer – Chief Executive
E Lambert – Group Manager External Relations
J Ellerm – Group Manager Corporate Services
L Hooper – Governance Manager
A Walker – CHB DC Mayor
M Davidson – CHB DC Chief Executive

1. Welcome/Prayer/Apologies/Notices

The Chairman welcomed everyone to the meeting and Councillor Wilson offered a prayer to begin.

RC83/17 Resolution

That the apologies for absence from Councillors Rex Graham and Alan Dick, and Mr Mike Mohi be accepted.

**Wilson/Beaven
CARRIED**

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

The Chairman recognised the long term participation of June Graham in the life and work of council, presenting Ms Graham with a certificate of appreciation which reads *"This special certificate of appreciation is awarded to June Graham in recognition of her services to Hawke's Bay Regional Council as a dedicated observer and participant in the life and work of the Council as an active, informed and considered voice from the community."*

3. Confirmation of Minutes of the Regional Council Meeting Held on 29 November 2017

RC84/17 Resolution

Minutes of the Regional Council Meeting held on Wednesday, 29 November 2017, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Beaven/Bailey
CARRIED**

Follow-ups from Previous Regional Council Meetings

In relation to the 'refer back' to the Regional Planning Committee relating to Tukituki Plan Change implementation, Mr Palmer advised that staff will be re-writing the item to provide the Committee with detailed information on the options and possible pathways available to them for consideration at the 7 February 2018 meeting.

4. Call for Items of Business Not on the Agenda

Recommendations

That Council accepts the following "Items of Business Not on the Agenda" for discussion as Item 10

Item	Topic	Raised by
1.	Te Mata Mushrooms	Cr P Beaven

5. Recommendations from the Corporate & Strategic Committee

Cr Kirton, as Chairman, introduced the item, outlining the discussions and amendments to the recommendations to Council from the Committee, including in relation to the Water Management internal audit which will be further refined and updated detail brought to the 31 January Regional Council meeting for Council's agreement ahead of initiation of the work. There was discussion about the HB Tourism presentation and future economic development funding scenarios, as well as the review of council's procurement policy and the investigations in relation to possible

renegotiation of the GoBus contract for provision of public transport services.

RC85/17

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.

Submission on Remuneration Authority Elected Representatives' Remuneration Review

2. Agrees to support the submission by Local Government New Zealand in respect of the Review of Elected Members' Remuneration.
3. Agrees to advise the Remuneration Authority of its support for the LGNZ submission while also noting additional views on council sizing and setting remuneration; being:
 - 3.1 opposition to the use of socioeconomic deprivation index and tourist guest nights to calculate council size
 - 3.2 support for the inclusion of land area in the council size calculation for regional councils.

Reports Received

4. Notes that the following reports were provided to the Corporate and Strategic Committee
 - 4.1. Recommendations from the Finance, Audit and Risk Sub-Committee (*including **Audit NZ Management Report for HBRC Annual Report for Year Ending 30 June 2017** and the scope for the Water Management internal audit as part of **December 2017 Update on the Sub-committee Work Programmes***)
 - 4.2. Compliance and Land Management Departmental Review Findings
 - 4.3. Motor Vehicle Fleet Efficiency & Policy; Responses to Woodham Efficiency; Council S17a Activities and Information Technology Review Updates
 - 4.4. HBRC Procurement Policy Review and GoBus Contract
 - 4.5. HB Tourism Future Funding Scenarios
 - 4.6. Health and Safety Update Report for the Period 1 May Through 30 November 2017
 - 4.7. Community Engagement and Communications Quarterly Update.

**Kirton/Wilson
CARRIED**

6. Affixing of Common Seal

1. The Common Seal of the Council has been affixed to the following documents and signed by the Chairman or Deputy Chairman and Chief Executive or a Group Manager.

		Seal No.	Date
1.1	Leasehold Land Sales		
	1.1.1 Lot 58 DP 14447 CT G2/665 - Transfer	4172	23 November 2017

1.1.2	Lot 51 DP 11103 CT b2/127 - Agreement for Sale and Purchase	4173	23 November 2017
1.1.3	Lot 13 DP 7310 CT B2/76 - Agreement for Sale and Purchase - Transfer	4174 4175	30 November 2017 30 November 2017
1.1.4	Lot 175 DP 12548 CT D4/1523 - Agreement for Sale and Purchase	4176	30 November 2017
1.1.5	Lot 114 DP 12692 CT E1/71 - Agreement for Sale and Purchase	4177	4 December 2017
1.1.6	Lot 55 DP 12227 CT d2/184 - Agreement for Sale and Purchase	4178	5 December 2017
1.1.7	Lot 212 DP 6598 CT C2/334 - Agreement for Sale and Purchase	4179	5 December 2017
1.1.8	Lot 277 DP 11194 CT B3/91 - Agreement for Sale and Purchase	4180	5 December 2017
1.1.9	Lot 1 DP 4404 CT C2/276 - Agreement for Sale and Purchase	4181	5 December 2017

RC86/17

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 that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 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. Confirms the action to affix the Common Seal.

Bailey/Wilson
CARRIED

7. Report from the Regional Transport Committee

Councillor Wilson, as Chair of the meeting, introduced the item and outlined discussions at the meeting including the review of the Regional Land Transport Plan being delayed awaiting direction from the new government, options for Manawatu Gorge alternatives and the status of the Napier to Wairoa rail reestablishment

proposal.

RC87/17

Resolution

That the Council receives the "Report from the Regional Transport Committee" report.

**Wilson/Bailey
CARRIED**

Item - 8. CHB Wastewater Treatment Review and Strategy - was considered at 11am, immediately following item 11.

9. Chairman's December Report

The Chairman provided a verbal update of his activities over the last few weeks since the November meeting, including liaison between the Chairman and CE, liaison with various politicians in relation to planting trees, the substantial body of work involved with the Capital Structure Review and changes required to the way water is managed.

RC88/17

Resolution

That the Council receives the verbal "Chairman's December Report".

**Barker/Beaven
CARRIED**

10. Discussion of Items Not on the Agenda

Item	Topic	Raised by
1.	<p>Te Mata Mushrooms</p> <p>Request for an update on the status of the consent application and odour complaints.</p> <p>CE advises in April 2016 Environment Court directed TMM to apply for a new HBRC resource consent, lodged in April 2017. Application is currently on hold pending Hastings District Council resource consents to meet noise and traffic rule requirements of the district plan, expected to be processed beginning in January 2018. TMM doing everything it can, to get the resource consents required. Since the EC decision, HBRC has received 320 odour complaints, 51 since 1 November 2017, and cannot be resolved until the new resource consent is in effect and redevelopment work carried out. Currently \$3000 in enforcement fines issued for odour issued in October are outstanding, due by 20 December, and prosecution running in relation to an unlawful discharge of effluent that occurred earlier in 2017. CE has suspended further enforcement actions for the interim as there is nothing TMM is able to practicably do to resolve its odour issues and considers it is not in the public interest to continue to issue fines and not an efficient or effective use of staff time. This position is open to review at any time, should the CE consider that the situation has changed.</p>	Cr P Beaven

8. CHB Wastewater Treatment Review and Strategy

CHB Mayor Alex Walker and CE Monique Davidson made a presentation on the recent history of the wastewater treatment issues experienced by CHB DC since 2008 and efforts to meet the resource consent compliance requirements for the systems. At present the ammonia exceedences are the biggest issue, and the odour issue is the focus for the community. Council recently received the findings of the independent review of the Waipawa and Waipukurau treatment plants, and there is a specific detailed review under way of the Waipawa treatment plant and ponds. Based on advice received, there are two options for long term solutions. Short term improvements include additional aeration, optimising tertiary treatment processes, and installing a misting system to neutralise odours. From here, CHB DC is leading a robust, fresh process to find intergenerational solutions. Queries and discussions traversed:

- Opportunities where HBRC can assist CHB with the process of developing its wastewater strategy and programmes to achieve the desired outcomes
- CHB will work with rotary pathways trust to resolve any implications that may arise for the cycle pathways and mountain bike park
- Aim to consult with public on final solution in 18 months time
- Will work directly with industries in relation to their consented waste streams
- Contamination settings, volume settings conditions around the performance of the infrastructure
- Affordability, long term infrastructure investments, possible partnership opportunities to be considered
- Consent conditions review processes and requirements

Recommendation

That Council receives and notes the "CHB Wastewater Treatment Review and Strategy" report and presentation.

**Hewitt/Barker
CARRIED**

12. Public Excluded Recommendations from the Corporate and Strategic Committee

RC89/17 Resolutions

1. That the Council excludes the public from this section of the meeting, being Agenda Item 12 Public Excluded Recommendations from the Corporate and Strategic Committee with the general subject of the item to be considered while the public is excluded; the reasons for passing the resolution and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution being:

GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION	GROUND UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
Public Excluded Recommendations from the Corporate and Strategic Committee	<p>7(2)(a) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to protect the privacy of natural persons.</p> <p>7(2)(b)(ii) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of that information is necessary to protect information which otherwise would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the</p>	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

subject of the information.

7(2)(i) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

7(2)(j) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.

2. That Erin Harford-Wright remains in attendance for discussion of this item as the person responsible for the Communications Plan and public release of the Report.

**Wilson/Kirton
CARRIED**

The meeting went into public excluded session at 11.55am and out of public excluded session at 12.48pm

Resolution

RC90/17 That Council approves release of the decisions made in Public Excluded session, in respect of the Interim Capital Structure Review Stage 1 Findings report and associated resolutions.

**Belford/Beaven
CARRIED**

Closure:

There being no further business the Chairman declared the meeting closed at 12.49pm on Wednesday 13 December 2017.

Signed as a true and correct record.

DATE:

CHAIRMAN: