



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 31 January 2018

Time: 2.00pm

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

Present: R Graham - Chairman
P Bailey
R Barker
P Beaven
T Belford
A J Dick
D Hewitt
N Kirton
F Wilson

In Attendance: J Palmer – Chief Executive
J Ellerm – Group Manager Corporate Services
A Roets – Governance Administration Assistant
M Mitchell – Principle Biosecurity Officer
C Leckie – Manager Land Services
M des Landes – Management Accountant

1. Welcome/Prayer/Apologies/Notices

The Chairman welcomed everyone to the meeting.

Resolution

RC1/18 That the apology for absence from Mike Mohi is accepted.

Graham/Kirton
CARRIED

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

The Chairman tabled and delivered his "address" to Council (following).

Spread out and advance 3

I invite you to embrace this military term, penned by our deputy chair to be our overarching kaupapa for 2018.

We all know what the problems are and their formidable scale.

Many of our rivers, streams, lakes and estuaries are a mess and it's time to create the platforms that are required to fix them.

To be successful we will need to mobilise our entire community in this common cause.

It is clear that many of our current farming practices are unsustainable and need to change, that our forest harvesting practises need to greatly improve and that our storm and waste water systems are often abysmal.

To mention just a few.

It is also simply not acceptable to discharge raw sewage into any of our streams, rivers or estuaries. This practice is due to poor prioritising of capital, under-engineering, neglect and incompetence and all this must stop.

We can and we are going to do a whole lot better.

So let's start the process of fixing our mess together. Our children and grandchildren deserve better.

Global warming is upon us and the biggest threat to humanity that we have ever seen, challenging our very existence.

In the short term, it will cause havoc on our coastal communities and test our flood control systems, urban and rural. We need to be ready, because that big storm at sea or in our hills will happen sometime soon.

But it's not good enough as a region to just react to the consequences of global warming. That is hard enough, but we also need to be at the forefront of remediation.

There is more than enough oil already stored in barrels to do some serious damage to our world and we certainly don't need to add to this volume by drilling for more in HB.

And if this isn't sufficient in itself, the additional risks to our water bodies is further reason to not welcome an oil or gas industry into HB.

I will strongly advocate and fight for our right to Tino Rangatiratanga (self-determination) on this issue

In fact we must go further. I want us to aim to be the first carbon neutral province in NZ, and that goal is well within our reach.

The Kahutia Accord which council is being asked to approve will set us on that path.

We need trees, trees and more trees.

Many of our problems with water stem from the fact that we have deforested our land faster than any other country in the history of the world.

Kahuita (a cloak of trees over the land) will be a partnership between the Ngati Kahungunu Iwi and council to begin the process of reforesting our eroding hill country.

And the great wonder in all this is that we can do it and get a commercial return on ours and the Iwi capital.

It is nature's gift back to us.

Developing and enhancing existing nursery capability to create capacity will be our first step in this project.

We will need millions of trees propagated and will need help from our regional prison, every marae and every commercial operator.

We also need further action developing new wetlands and planting trees on the banks of our rivers and stream that feed our lakes and estuaries.

The social dividend from this investment is huge and we need to bring the community with us on this journey

We are able to leverage our balance sheet and get financial resources from Central govt but we are also going to have to ask our ratepayers to dig even further in to their pockets to support this endeavour.

This might cost the average householder an extra \$1.00 per week and the question that we all need to ask ourselves is whether we are investing enough, relative to the wealth we extract from our natural resources

We have just completed a comprehensive review of our own capital structure and requirements and the draft report has been released to the community.

The report highlights our challenges to grow our Port while reducing our risk and we need to resolve this challenge in consultation with our community.

I am also very hopeful that the huge work that has been done by all our local participants in TANK will result in a solution applauded by all parts of our community.

In anticipation of this I am proposing that we set up a Karamu Action Group as a sub group of TANK. This would be made up of representative of all the marae in the Karamu catchment, local government, environmentalist and commercial parties.

But we all need to be very clear that this group is about action; the time for talking is over.

Whilst the Karamu is one of our worst rivers, with focused attention we can fix it quite quickly. This needs to be done stream by stream, drain by drain, septic tank by septic tank.

Our KPI will be to have clean water running through a network of wetlands and regional parks. Clean enough for the kids at Mangarua, Paki Paki, Havelock, Whakatu and Clive to swim in.

Each of our hotspots, Lake Whatuma, the Tukituki, Ahuriri estuary, Lake Tutira, Whakaki estuary and The Wairoa river need the same focus and attention and this council must support the respective councillor ambassadors to achieve results in their rohe.

We must encourage our farmers and businesses to invest in water storage that does not use the rest of the community as a "patsy banker". And does not plonk dams in the middle of a protected reserve or on the main stem of one of our rivers or prized streams.

We just need to be smarter about all this and ensure that it is commercial and driven by the users, not bureaucrats

So Spread out and advance

As they have done at Cape to City.

As they have done in Whangawehi.

As they have done at Maraetotara.

Kahutia will do the grunty stuff in the hills, but we want to continue to partner with our farmers and private community endeavours.

And on top of this we want to encourage everyone in HB to get involved and commit to plant at least one tree a year.

Together we can make HB the best place in the world to live and work and that is what we are going to do.

To greatly enhance and protect our environment so that it supports a dynamic and prosperous economy and is an envied destination.

I want to finish on a quote I got from a Wananga at Paki Paki on Saturday.

"Bring back the voice of the forest, from Mountain to sea"

3. Confirmation of Minutes of the Regional Council Meeting held on 13 December 2017

RC2/18 Resolution

Minutes of the Regional Council Meeting held on Wednesday, 13 December 2017, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Barker/Bailey
CARRIED**

4. Follow-up Items from Previous Regional Council Meetings

Mr James Palmer provided an update on the follow-ups from previous meetings, including advice that the NCC Wastewater outfall consent expires 6 December 2037, with the conditions of the consent providing for an annual review to be notified to the consent holder in May of the year it will be reviewed. Further discussion covered:

- the NCC work programme for the sewage network infrastructure maintenance and upgrading
- there is no consent allowing the discharge of raw sewerage into Ahuriri Estuary

- after the incident (not consented, non-compliant) the HBRC decision was made not to prosecute and enforcement action resulting was to require an explanation from NCC about what occurred and a requirement that they take steps to insure that it doesn't happen again
- suggested that review of the outfall consent be notified and carried out this year to ensure that NCC is prioritising
- HBRC has a dedicated team responsible for monitoring and enforcing territorial resource consents to ensure any non-compliance and outstanding reviews are followed up
- Based on advice NCC is addressing the infrastructure issues as fast as possible but complete resolution will take several years

Further discussions and queries traversed the LGOIMA requests received by Council as included on the list attached with the agenda item.

RC3/18

Resolution

That the Council receives and notes the "Follow-up Items from Previous Meetings" staff report.

**Bailey/Belford
CARRIED**

5. Call for Items of Business Not on the Agenda

Councillor Dick requested that the Chairman accept an urgent item of business, being the appointment of Councillor Barker to the Capital Structure Review Panel. Councillor Dick stated the reason the discussion cannot be delayed as being "to enable Cr Barker to attend and participate in the next meeting of that Panel. The Chairman accepted the item and moved:

RC4/18

Resolution

That Council appoints Councillor Rick Barker to the Capital Structure Review Panel.

**Graham/Dick
CARRIED**

That Council accepts the following "Items of Business Not on the Agenda" for discussion as Item 11:

Item	Topic	Raised by
1	Craggy Range	Cr Belford
2	River Road	Cr Wilson
3	Youth Environmental Council	Cr Bailey
4	Tutira update	Cr Bailey

6. Regional Pest Management Plan Adoption For Public Consultation

Mark Mitchell introduced the item, highlighting:

- The Biosecurity Act underwent amendments triggering this review, initiated mid-2016 and working closely with key stakeholders and Biosecurity Working Group
- Processes of consultation undertaken and recommendation to Council from the November 2017 Environment and Services Committee..

Discussions and queries traversed:

- Timeframes for submissions and consultation with Māori Committee representatives
- Management of goats, the "good neighbour" approach and pest management to protect investment made into native planting (and biodiversity), not

plantation/commercial forestry

- Budget, funding and resource requirements and the cost-benefit analysis

RC5/18

Resolutions

That Council:

1. Receives and notes the “Regional Pest Management Plan for Adoption for Public Consultation” 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. Approves the initiation of a proposal to revoke and replace the Hawke’s Bay Regional Pest Management Strategy 2013-2018.
4. Adopts the Regional Pest Management Plan as proposed, for public notification and consultation over the period February to March 2018.

**Dick/Belford
CARRIED**

7. Water Management Internal Audit

Mrs Jessica Ellerm introduced the item and Melissa des Landes was present to address specific questions around the scope of the Audit. Discussions and queries traversed:

- Testing and Compliance, best practice advice from Auditor in line with OAG expectations
- Compliance and Enforcement (pg22 amendment)
- LGNZ survey on 3 waters infrastructure – the aim of the research is to identify the performance and quality of Stormwater Systems across NZ, present the value and condition of 3 waters flood control infrastructure, etc, and provide an understanding of affordability under the current funding model for Local Government. Principle focus is to form a discussion with Central Government about the funding of the replacement and development of the 3 waters infrastructure.
- Opportunity to combine the information from the LGNZ survey, the OAG work programme and the internal audit findings

RC6/18

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 the Water Management Internal Audit scope as provided, and confirms approval for the audit to commence immediately.

**Barker/Bailey
CARRIED**

8. Affixing of Common Seal

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 175 DP 12548 CT D4/1523 - Transfer	4182	7 December 2017
	1.1.2 Lot 277 DP 11194 CT B3/91 - Transfer	4184	15 December 2017
	1.1.3 Lot 55 DP 12227 CT D2/184 - Transfer	4185	15 December 2017
	1.1.4 Lot 1 DP 4404 CT C2/276 - Transfer	4187	20 December 2017
	1.1.5 Lot 212 DP 6598 CT C2/334 - Transfer	4190	8 January 2018
	1.1.6 Lot 114 DP 12692 CT E1/71 - Transfer	4191	8 January 2018
	1.1.7 Lot 2 DP 6391 CT D4/1413 - Transfer	4192	8 January 2018
	1.1.8 Lot 94 DP 10121 CT C3/1182 - Agreement for Sale and Purchase	4193	15 January 2018
	1.1.9 Lot 51 DP 11103 CT B2/127 - Transfer	4194	24 January 2018
1.2	1.2.1 C. Gibson <i>(Delegations under Biosecurity Act 1993; Civil Defence Act 1983 (s.60-64); Civil Defence Emergency Management Act 2002 (s.86-91) and Local Government Act 2002 (s.174))</i>	4183	11 December 2017
	1.2.2 <i>(Delegations under the Civil Defence Emergency Management Act 2002 (s.86-92 inclusive) and Clause 32B Schedule 7 of the Local Government Act 2002)</i>		
	1.2.3 E. Wykes E. Wykes <i>(Delegations under the Maritime Transport Amendment Act 2013 (Sections 33G(a))</i>	4188 4189	4 January 2018 4 January 2018
1.3	Port of Napier Limited Subvention Agreement	4186	15 December 2017

RC7/18 **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 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.

**Dick/Barker
CARRIED**

9. Report from the 12 December 2017 Maori Committee Meeting

Cr Barker provided an update of what was discussed at the meeting in the absence of the Chair, Mike Mohi, highlighting Maori members' interest in the HBRC 2018-2028 Long Term Plan Process and being kept informed, as well as general discussions about the roles of the Maori and Regional Planning committees, how Council and the committees can integrate better and help inform each other's discussions to change the way we engage in future meetings.

RC8/18 **Resolution**

That Council receives and notes the report from the 12 December 2017 Maori Committee meeting.

**Barker/Beaven
CARRIED**

10. Chairman's Monthly Report

The Chairman did not provide a monthly report for the meeting.

11. Discussion of Items Not on the Agenda

Item	Topic	Raised by
1	Craggy Range – Cr Belford read out part of an analysis by a Planner, prepared to support a legal challenge by those opposed to the Craggy Range track on Te Mata Peak, referencing the Regional Policy Statement.	Cr Belford
2	River Road – Cr Wilson attended a very productive meeting with Iwi & landowners on 29 January. Ongoing issues with road access, and sees an opportunity for a planting program to be pro-active in this area. Suggestion that the District Council is given the opportunity to use the 'new' riverbed as part of the road, and shift the river back to its original course.	Cr Wilson
3	Youth Environment Council advertised on facebook asking for nominations for 2018. Cr Bailey chatted with Sally Chandler about the Youth Council, their goals and plans, and wants to get the Youth Council involved and excited about what's happening in council issues and processes.	Cr Bailey
4	<u>Tutira update</u> Issue with Tutira Lake earlier this year with dead fish is being investigated to find possible causes and Dr Hicks will report findings. Cr Bailey thanked the media and staff for their support through this unfortunate event.	Cr Bailey

12. Confirmation of Public Excluded Minutes of Regional Council meeting Held on 13 December 2017

RC9/18 Resolution

That the Council excludes the public from this section of the meeting being Confirmation of Public Excluded Minutes Agenda Item 12 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
Confirmation of Public Excluded Minutes of the 13 December Regional Council meeting	<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 subject of the information.</p> <p>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).</p> <p>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.</p>	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**Beaven/Bailey
CARRIED**

12. Confirmation of the Public Excluded Minutes of the Regional Council Meeting held on 13 December 2017

RC10/18 Public Excluded Minutes of the Regional Council Meeting held on Wednesday, 13 December 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**

Resolution

RC11/18 That the meeting moves out of Public Excluded session.

**Beaven/Bailey
CARRIED**

The meeting went into Public Excluded session at 3.15pm and out of Public Excluded session at 3.19pm

Closure:

There being no further business the Chairman declared the meeting closed at 3.20pm on Wednesday, 31 January 2018.

Signed as a true and correct record.

DATE:

CHAIRMAN: