



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 28 February 2018

Time: 1.10pm

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: M Mohi – Chairman – Maori Committee
J Palmer – Chief Executive
J Ellerm – Group Manager Corporate Services
G Hansen – Group Manager Asset Management
E Lambert – Group Manager External Relations
I Maxwell – Group Manager Resource Management
T Skerman – Interim Group Manager Strategic Planning
L Hooper – Governance Manager
M Moore – Harbourmaster
M Collings – Corporate Accountant

1. Welcome/Prayer/Apologies/Notices

The Chairman welcomed everyone, and Mr Mike Mohi offered a karakia to open the meeting.

The Chairman advised that late item “*Inclusion of Hawke's Bay Regional Planning Committee Co-Chairperson as a non-voting Member of Council*” listed on the agenda is not going to be considered today.

There were no apologies, however Mr Mike Mohi advised that he needs to leave the meeting by 3.30pm.

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

3. Confirmation of Minutes of the Regional Council Meeting Held on 31 January 2018

RC12/18 Resolution

Minutes of the Regional Council Meeting held on Wednesday, 31 January 2018, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record as amended.

**Belford/Kirton
CARRIED**

4. Follow-up Items from Previous Regional Council Meetings

Mr James Palmer briefly outlined the follow-ups provided in the item.

In response to a query in relation to Landscape Protection provisions in the Regional Policy Statement within the RRMP, Mr James Palmer and Mrs Liz Lambert advised that when the Regional Policy Statement was prepared the protection of outstanding natural landscapes did not meet the criteria in the RPS to be identified as a regionally significant issue. The identification of significant landscapes and their protection is determined by the relevant Territorial Authority.

In relation to the review of the Regional Pest Management Plan, it was suggested that Council more closely examines funding priorities and/or allocation of funding to different pests for control.

RC13/18 Resolution

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

**Beaven/Kirton
CARRIED**

5. Call for Items of Business Not on the Agenda

Recommendation

That Council accepts the following “Items of Business Not on the Agenda” for discussion as Item 13.

Item	Topic	Raised by
1.	Gisborne announcement	Cr Barker
2.	Mayors and Chairs	Cr Barker
3.	Cadetships	Cr Barker
4.	Upper Ngaruroro	Cr Graham
5.	Rangitane Settlement Group visit	Cr Graham
6	Ahuriri estuary contamination	Cr Kirton
7	NCC District Plan Change re Park Island	Cr Kirton

6. Adoption of 2018 Navigational Safety Bylaw for Referral to Maritime New Zealand

The Harbourmaster, Martin Moore, spoke to the item, presenting the bylaw for Council's referral to Maritime NZ after having been through a public consultation process on the Draft adopted by Council for that purpose on 27 September 2017. Discussions traversed:

- Recreational vessel use in the Porangahau area and associated signage
- Regulations for discharges from vessels are provided by Resource Management Marine Pollution Regulations, not regulated by the HBRC bylaw
- Rocket Lab exclusion zone and sufficient education for boaties to avoid issues with future launches

RC14/18 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. Receives and notes the "Adoption of 2018 Navigational Safety Bylaw for Referral to Maritime New Zealand" staff report.
3. Adopts the 2018 Navigational Safety Bylaw for lodging with Maritime New Zealand for final approval.

**Barker/Beaven
CARRIED**

7. Report and Recommendations from the Māori Committee

Mr Mohi provided detail underlying the report, highlighting:

- The meeting was held at Te Taiwhenua O Heretaunga and well attended by members of the Hastings community, including an appearance by Ngahiwi Tomoana
- New members in attendance actively participated in the meeting, especially on items relating to pest management and the use of 1080
- Representation for the Maungaharuru Tangitu Trust on the Māori committee and the ability of proxy members to attend committee meetings should the usual representative not be available
- Introduced a taurira (young student) employed by HB Tourism (partly funded by Te Puni Kokiri) to explore a career in the tourism field

RC15/18 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.

Confirmation of Tangata Whenua Representatives on the Maori Committee

2. Confirms the appointments of Tangata Whenua representatives to the Māori Committee, being:
 - 2.1. Ms Michelle Mcllroy representing Wairoa Taiwhenua and Kahungunu Executive, and Ms Teresa Smith as proxy member
 - 2.2. Mr Api Robin, Ms Ata Te Tomo as well as Peter Paku representing Te Whanganui a Orotū Taiwhenua and Hōri Reti as proxy member

Reports Received

3. Notes that the following reports were provided to the Māori Committee meeting.
 - 3.1. Regional Pest Management Plan Review Update
 - 3.2. Verbal Update on Current Issues by HBRC Chief Executive
 - 3.3. Kia Koi- Kia Ukauka- Kia Tatau – Smart Preservation for Us All! – interactive workshop

**Wilson/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 109 & Lot 118 DP 10990 CT 4/1227 - Agreement for Sale and Purchase	4204	12 February 2018
1.2	1.2.1 J. Palmer R. Hogan <i>(Delegations under Resource Management Act 1991; and Civil Defence Act 1983 (s.60-64); Civil Defence Emergency Management Act 2002 (s.86-91) and Local Government Act 2002 (s.174))</i>	4197 4205	29 January 2018 19 February 2018
	1.2.2 G. Clarke <i>(Delegations under Soil Conservation and Rivers Control Act 1941; Land Drainage Act 1908; Civil Defence Act 1983 (s.60-64); Civil Defence Emergency Management Act 2002 (s.86-91) and Local Government Act 2002 (s.174))</i>	4196	29 January 2018
	1.2.3 G. Bennett <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>	4195	26 January 2018
	1.24 I. Macdonald I. Maxwell L. Lambert K. Foote <i>(Delegations under the Civil Defence Emergency Management Act 2002 (s.26, 76,78, 85-92 inclusive))</i>	4200 4201 4202 4203	30 January 2018 30 January 2018 30 January 2018 30 January 2018

1.25	J. Palmer (Delegations under Soil Conservation and Rivers Control Act 1941; Land Drainage Act 1908)	4198	29 January 2018
1.26	J. Palmer (Delegations under the Biosecurity Act 1993)	4199	29 January 2018

RC16/18 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 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. Confirms the action to affix the Common Seal.

**Wilson/Bailey
CARRIED**

9. 2017-18 Annual Plan Progress Report

Mr James Palmer introduced the item, particularly noting the displacement impacts of the Ngaruroro Water Conservation Order on policy staff workloads and associated budgets.

Mr Manton Collings advised that a reforecast will be carried out in March in light of WCO and impacts of unbudgeted work programmes. Discussions and queries traversed:

- Variance (yellow) indicates where there is a timing or other insignificant issue in achieving the outcomes or milestones – whereas red (off track) indicates a significant issue could mean that an outcome was not or may not be achieved
- HAIL (Hazardous Activities & Industries List), access to information for TAs, updating the information that is on the register and ongoing investigations to verify the sites on the list are contaminated or have been remediated
- 89% (variance from 95% target) of monitored consents achieved the grade of full compliance – what number does that represent? To be included in future reports

RC17/18 Resolution

That Council receives and notes of the **"2017-18 Annual Plan Progress Report"**.

**Wilson/Bailey
CARRIED**

10. Report from the Regional Planning Committee

Cr Rex Graham, Chairman at the meeting, provided a brief comment on the discussions on the day, highlighting the committee consideration of options for addressing plan change 6 implications and updates on Oil & Gas and identification of Outstanding Water Bodies work programmes. Discussions and queries included:

- HBRC providing resource from within existing budgets to assist investigations into options for CHB water users to implement to meet PC6 minimum flow requirements
- Mr Mike Mohi advised that the Tamatea representative, Jenny Nelson-Smith, for He Toa Takitini (only notified of her appointment that day) subsequently distributed an email to RPC tangata whenua members in relation to impacts of their decision on the mana of Tamatea tangata (mana) whenua, requesting that reconsideration of the decision be considered

- several consent applications for dams in CHB have been received by Council recently
- Oil & Gas plan change work programme is currently in specifically targeted pre-consultation phase and wider public engagement phase is still to come, based on direction and decisions made by RPC on the approach to be taken and the associated work programme to achieve the plan change provisions.
- Identification of Outstanding Water Bodies plan change has become very resource intensive and a workshop will precede the RPC meeting to enable required decisions to be made at the meeting.

RC18/18 **Resolution**

That Council receives and notes the *Report from the Regional Planning Committee*.

**Barker/Wilson
CARRIED**

11. Report from the Environment & Services Committee

Councillor Tom Belford spoke to the item, highlighting:

- the Enforcement Policy review which will be updated to include feedback provided at the meeting and reconsidered for recommendation to Council at the April committee meeting
- the ecosystem biodiversity prioritisation tool
- updates from Public Transport, Marine Group and hotspots projects
- Te Mata Park Trust presentation of their vision for the park which includes development of facilities and potential land purchase.

Further discussions covered:

- Suggestion that the ecosystem prioritisation tool be embedded across the organisation to guide decisions in consenting, asset management, compliance and other aspects of service delivery
- Hotspots update exceeded expectations, highlighting what has been achieved, including contributions to the solutions by landowners and members of the community. Suggestion that Council creates a 'certificate of appreciation' to acknowledge and thank people for their efforts in helping council to achieve positive outcomes for the environment.

RC19/18 **Resolution**

That Council receives and notes the Report from the Environment & Services Committee.

**Belford/Kirton
CARRIED**

12. HBRC Staff Projects and Activities Through March 2018

The item was taken as read, with queries and discussions including:

- Faecal contaminant source tracking and E.coli results for Wairoa River
- Feedlot monitoring and sampling in Tukituki
- Engineering expertise being provided by HBRC to assist Gisborne DC with stopbank improvements project
- Te Mata Mushrooms is considering and investigating options for the business including relocating the business to CHB; while continuing to pursue the resource consent applications with HDC for the current site
- Russell Roads gravel extraction operations on HBRC land – an abatement notice has been issued by Hastings District Council and there is an HDC resource consent application on hold for the operation. There are requirements Russell Roads must meet in relation to the gravel extraction agreement with HBRC, however the primary issues are for resolution with HDC as the body responsible

for regulating land use. HBRC concern is that the gravel extraction from that site continues – for protection of the Heretaunga Plains. *Amended with the addition of: Staff will continue to monitor the situation.*

- TANK consultation process – fractures between groups/interests starting to surface with increased intensity of decisions required to develop a draft plan change for RPC consideration. Concerns that consensus outcomes are becoming more difficult to achieve when ‘camps are forming’ and an unwillingness to compromise is becoming evident – always a risk with larger groups. *Amended with the addition of: Staff undertook to reconsider the approach to TANK and consult councillors Beaven and Belford in the process.*

RC20/18

Resolution

That Council receives the ***HBRC Staff Projects and Activities through March 2018*** report.

Barker/Beaven
CARRIED

13. Discussion of Items Not on the Agenda

Item	Topic	Raised by
1	Takapau visit with Debbie Hewitt Attended a wananga where a gully was being reclaimed and replanted, and a new Marae established on an historic site.	Cr Graham
2	Attended a meeting with Paul Bailey, at Ngamatea Station with mana whenua and landowners in the Upper Ngaruroro, in relation to the WCO application and visited the headwaters as part of being shown the phenomenal work that has been and is being done by the local community. Intention to invite key WCO protagonists to a meeting at Ngamatea Station to talk about the issues.	Cr Graham
3	Rangitane Settlement Group Worthwhile visit to Masterton with Mike Mohi and staff, to meet with the Trustees of the Rangitane Settlement Group and listen to the issues.	Cr Graham
4	Gisborne visit Met Central Government representatives and Mayors to hear announcements around economic development for the region including confirmation of the re-opening of the Napier-Gisborne rail line	Cr Barker
5	Important that the region’s Mayors & Chair meet to develop regionally focussed bids/proposals for the \$1billion funding available from central government to ensure successful economic outcomes for the region	Cr Barker
6	Cadetships Opportunity to develop a joint councils’ cadet programme to attract staff to local government through investment in training and developing people with necessary skills and experience	Cr Barker
7	Napier City Council Plan Change 11 After the RPC meeting where concerns were raised in relation to NCC’s plan change for re-zoning of Park Island, staff submitted on the plan change raising concerns in relation to infrastructure	Cr Kirton

	planning and NCC's seeming lack of consideration of flooding and other natural hazards risks	
8	Ahuriri contamination Sampling results show high levels of E.coli and enterococci Work attempting to narrow down sources to determine whether broad, diffuse source (e.g. birds & wildlife), industrial discharges, discharges from boats or NCC infrastructure Daily sampling at 5 sites continues	Cr Kirton

Mr Mohi offered a karakia to close the meeting.

Closure:

There being no further business the Chairman declared the meeting closed at 2.48pm on Wednesday 28 February 2018.

Signed as a true and correct record.

DATE:

CHAIRMAN: