



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Tuesday 24 April 2018
Time: 10.15am
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 (*until 11.30am*)
N Kirton
F Wilson

In Attendance: M Mohi – Chairman – Maori Committee
J Palmer – Chief Executive
J Ellerm – Group Manager Corporate Services
I Maxwell – Group Manager Resource Management
L Hooper – Governance Manager
M Collings – Corporate Accountant

1. Welcome/Prayer/Apologies/Notices

The Chairman welcomed everyone to the meeting.

Debbie Hewitt advised that she would need to leave the meeting at 11.20am to attend a meeting in CHB relating to Plan Change 6 implementation.

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

3. Confirmation of Minutes of the Regional Council Meeting Held on 28 March 2018

RC40/18 Resolution

Minutes of the Regional Council Meeting held on Wednesday, 28 March 2018, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Belford/Kirton
CARRIED**

Secretarial note: As there are no provisions under Council's Standing Orders for discussion of the minutes other than confirmation of their correctness, "matters arising" are recorded following as Item 4 – Follow-up Items from Previous Regional Council Meetings.

4. Follow-up Items from Previous Regional Council Meetings

In relation to pg 13 of the 28 March minutes, there was discussion to clarify the resolutions passed in relation to item 17. HBRC Letter of Expectation for HBRIC Ltd and the company's mandate or work programme.

Mr Mohi arrived at 10.24am

In response to a query about SedNet NZ add-on, James Palmer advised that SedNet enables Council to prioritise efforts at a sub-catchment level, identifying significant contributors to sediment load within a catchment but will never replace on the ground observations, rather is a modelling tool which will – combined with LiDAR data – enable modelling sediment movement on a property basis to cross check with the data collected on the ground.

- A request was made for the results of the feedlot sampling referenced in follow-up item 8 to be provided to councillors once available.
- A request was made for an update on the status of the Affco resource consent, when it is due to expire and compliance with the conditions.
- It was noted that the RRMP effectiveness review is a follow-up for staff to take back to the Regional Planning Committee as it was raised at the RPC meeting on 21 March.

RC41/18 Resolution

That the Hawke's Bay Regional Council receives and notes the "Follow-up Items from Previous Meetings" staff report.

**Barker/Beaven
CARRIED**

5. Call for Items of Business Not on the Agenda

Council accepts the following "*Minor* Items of Business Not on the Agenda" for discussion as Item 12.

Item	Topic	Raised by
1.	Connecting Tairāwhiti	Cr Wilson

2.	Will not be present for discussion as item 12, so provided following: Attended 1. Aramoana Coastal Environmental Education day on 1 April which was very worthwhile attending, 2. Papanui hotspots field day on 5 April was interesting to follow progress, and 3. Ballance Bel Group award winner's field day on 17 April - lots happening in Central Hawke's Bay.	Cr Hewitt
3.	LGNZ zone 3 conference	Cr Bailey
4.	Transport Summit and Government Transport Policy	Cr Dick

6. Recommendations from the Environment & Services Committee

Councillor Belford introduced the item as Chair of the Committee, highlighting discussions on the substitution of Cr Bailey for Cr Wilson on the Regional Biosecurity Plan Review hearing panel, acceptance of the updated Enforcement Policy for Council adoption, the recognition and awarding of certificates of appreciation for community environmental initiatives as well as a presentation by Taine Randell. Further discussions traversed:

- Declining Whitebait populations require urgent action
- Separation of Politics and Enforcement (not Execution) – to be consistently amended throughout Enforcement Policy
- Hotspots funding allocations, particularly in Tukituki catchment for Lake Whatuma
- Potential for partnership with NKII for forestry investment to access central government 'Billion Trees' funding and to leverage HBRC funding – currently subject of HBRIC investigations to develop business case
- Process of recommendations from Committees to Council including timeframes and follow-ups requested at Committee meetings

The meeting adjourned at 10.55am for a process/procedures discussion, and reconvened at 11.04am

RC42/18

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.

HBRC Enforcement Policy Adoption

2. Adopts the April 2018 HBRC Enforcement Policy as amended to reflect changes agreed at the 11 April Environment and Services Committee meeting.

Process for Awarding HBRC Certificate of Appreciation

3. Creates three categories for nomination to recognise environmental stewardship, being:
 - 3.1. **Environmental Leadership in Business – Te Hautūtanga Taiao me te Pakihi:** Recognises business or local authorities that demonstrate kaitiakitanga, innovation or efficiency, or an ongoing commitment to environmental best practice.
 - 3.2. **Environmental Leadership in Land Management – Te Hautūtanga Taiao me te Whakahaere Whenua:** Recognises land users who are committed to environmental stewardship and sustainability in their meat, fibre, forestry or

other land use operations.

- 3.3. **Environmental Action in the Community – Te Oho Mauri Taiao ki te Hapori:** Recognises no-for-profit organisations or individuals that are taking action to protect or enhance the environment, or are increasing understanding of environmental issues.
4. Calls for nominations to the above categories from Councillors at the Environment and Services Committee held in February and September each year, with the Award being presented to the recipient at the April and November Regional Council meetings with a morning or afternoon tea event.

Reports Received

5. Notes that the following reports were provided to the Environment & Services Committee.
 - 5.1 April 2018 Hot Spot/Freshwater Improvement Projects Update
 - 5.2 Whitebait
 - 5.3 Giant Willow Aphid Update
 - 5.4 Cycle Way Update – Mad Mile
 - 5.5 Mangapoike Landslide Update
 - 5.6 Hawke's Bay Marine and Coastal Group Roadmap
 - 5.7 Forest and Carbon presentation by Taine Randell
 - 5.8 Zero Carbon
 - 5.9 Summary of Hawke's Bay Territorial Authorities' Key Long Term Plan Proposals
 - 5.10 Operational Activities Update

**Barker/Belford
CARRIED**

7. Hearings for the Regional Pest Management Plan

The item was taken as read.

RC43/18 Resolutions

That the Hawke's Bay Regional Council:

1. Receives and notes the ***“Hearings for the Regional Pest Management Plan”*** staffs 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. Notes that Councillor Tom Belford, Mr Apiata Tapine and Mr John Simmons have been previously appointed by the HBRC Hearing Committee as members of the Hearing Panel on the Proposed Regional Pest Management Plan 2018-2038.
4. Notes that Councillor Fenton Wilson was appointed as a member of the Hearing Panel on the Proposed Regional Pest Management Plan 2018-2038 but has excused himself due to a potential conflict of interest.
5. Confirms the appointment of Councillor Paul Bailey, as recommended by the Environment and Services Committee at their meeting on 11 April 2018, as a member of the Hearing Panel on the Proposed Regional Pest Management Plan

2018-2038 to replace Councillor Fenton Wilson.

6. Delegates to the persons named in (3) and (5) above the powers, functions and duties set out in sections 71 to 74 {excluding section 72(5)} and sections 100D(6)(b) of the Biosecurity Act 1993, in respect of the Proposed Regional Pest Management Plan 2018-2038.
7. Delegates to the persons named in (3) and (5) above the powers, functions and duties of the Council set out in sections 75(1) and (2) of the Biosecurity Act 1993 to prepare a written report on the Plan.
8. Directs that the persons named in (3) and (5) above provide recommendations to Council as to Council's decisions on the Plan.
9. Appoints John Simmons as the Chairperson of the hearing panel.
10. Authorises the Chairperson acting alone to exercise any powers, functions and duties delegated by (6) above in respect of the conduct of the hearing.
11. Authorises the Chairperson to have a casting vote when there is an equality of votes when exercising any of the powers, functions and duties delegated by (6) and (7) above.

**Wilson/Barker
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 DP 6598 CT E1/142 - Agreement for Sale and Purchase - Transfer	4213 4218	3 April 2018 17 April 2018
	1.1.2 Lot 1 DP 17786 CT K3/58 - Agreement for Sale and Purchase	4214	6 April 2018
	1.1.3 Lot 1 DP 13693 CT F2/189 - Agreement for Sale and Purchase - Transfer	4216 4217	12 April 2018 12 April 2018
1.2	1.2.1 N. Cottier <i>(Delegations under Resource Management Act 1991; Soil Conservation and Rivers Control Act 1941; Land Drainage Act 1908 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>	4215	11 April 2018

It was noted leasehold land sales appear to be slowing.

RC44/18 **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.

**Beaven/Barker
CARRIED**

9. Financial Report to 31 March 2018 and Reforecast for Financial Year Ending 30 June 2018

Mrs Jessica Ellerm introduced the item on financials for the 9 months to 31 March, highlighting WCO costs not budgeted, predicted to total \$440k by year end, equating to increase of \$250k to deficit; and underspent budgets for staffing as a result of positions not being filled. Discussions traversed:

- Request for the identification and rationalisation of costs for WCO work against the 'core work' that has been deprioritised as a result
- How the deficit might be funded, and the options for Council to discuss at year end
- Costs associated with HBRIC Ltd including reduced Directors fees, RWSS sale and dividend levels
- Staff salary costs and organisational review and restructure exercise was unbudgeted expenditure
- Operating reserves, how they are accumulated and what they are able to fund

Councillor Hewitt left the meeting at 11.31am

- \$20million increase of infrastructure assets is the result of the revaluation

RC45/18 **Resolution**

That the Hawke's Bay Regional Council receives and notes the "***Financial Report to 31 March 2018 and Reforecast for Financial Year ending 30 June 2018***" staff report.

**Kirton/Barker
CARRIED**

10. Report from the 10 April 2018 Māori Committee Meeting

Mr Mike Mohi, as Māori Committee Chair, introduced the item, highlighting discussions about the Long Term Plan consultation and submissions. Further highlights of discussions at the meeting raised were eels, afforestation in relation to planting native species, representation on the Māori Committee and Māori representation on HBRC.

RC46/18 **Resolution**

That Council receives and notes the "***Report from the 10 April 2018 Māori Committee Meeting***".

**Graham/Bailey
CARRIED**

11. HBRC Staff Projects and Activities Through May 2018

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

- HB Drinking Water Governance Joint Committee mandate and whether that might extend to include stormwater and wastewater as both impact on drinking water

including views expressed both in favour and opposed due to the HBRC regulatory responsibilities, specifically in relation to wastewater. Central Government response to the Havelock North inquiry findings is imminent.

- Recommendation that attendance at the Road Safety expo 7-11 May would be worthwhile for councillors
- Esk Valley and Mangaone Floods modelling, including contrasting the 1938 flood
- Port wharf extension consent application has been publicly notified and the submissions period closes 1 May
- Confirmation of the 2 May public meeting about Te Mata Mushrooms

RC47/18 **Resolution**

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

Wilson/Barker
CARRIED

12. **Discussion of Items Not on the Agenda**

Item	Topic	Raised by
1.	Connecting Tairāwhiti Apology for Māori Committee meeting due to meeting in Wairoa relating to the corridor from Napier to Opotiki and looking at roading issues and prioritising projects	Cr Wilson
2	Transport Summit and Government Transport Policy Attended meeting last week on the new Government Policy Statement which signals significant policy changes including increasing fuel taxes over the next 3-4 years, decreasing funding for state highways, 46% increased funding for public transport, 248% increase in support for walking & cycling, as well as provincial growth fund can now be used in conjunction with national roading funds for appropriate projects	Cr Dick
3.	LGNZ zone 3 conference Attended last week, highlighted Fielding council presentation about their wastewater treatment plant issues, water testing for contamination from foam used in firefighting at airports, and the Tourism funding model used in Manawatu district.	Cr Bailey
4.	Aramoana Education Centre open day on 1 April – focus was sedimentation of coastal waterways and the community seeking afforestation funding Bell Group in CHB won a farm environmental award and held a successful field day on 5 April	Mr Palmer Cr Graham

13. **Confirmation of Public Excluded Minutes of the Regional Council Meeting Held on 28 March 2018**

RC48/18 **Resolution**

That the Council excludes the public from this section of the meeting being Confirmation of Public Excluded Minutes of the Regional Council Meeting Held on 28 March 2018 Agenda Item 13 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
Final Capital Structure Review Report	<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>	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**Wilson/Beaven
CARRIED**

13. Confirmation of the Public Excluded Minutes of the Regional Council Meeting held on 28 March 2018

RC49/18 Public Excluded Minutes of the Regional Council Meeting held on Wednesday, 28 March 2018, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Wilson/Beaven
CARRIED**

Resolution

RC50/18 That the meeting moves out of Public Excluded session.

**Beaven/Bailey
CARRIED**

The meeting went into public excluded session at 12.11pm and out of public excluded session at 12.12pm

Closure:

There being no further business the Chairman declared the meeting closed at 12.12pm on Wednesday 24 April 2018.

Signed as a true and correct record.

DATE:

CHAIRMAN: