



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 29 January 2020

Time: 11.00am

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

Present: R Graham - Chairman
R Barker
W Foley
C Foss
N Kirton
C Lambert
H Ormsby
J van Beek
M Williams

In Attendance: J Ellerm – Group Manager Corporate Services
P Munro – Te Pou Whakarae Māori Partnerships
I Maxwell – Group Manager Integrated Catchment Management
T Skerman – Group Manager Strategic Planning
E Lambert – Group Manager External Relations
J Lawrence – Group Manager Office of the CE & Chair
L Hooper – Team Leader Governance

1. Welcome/ Apologies/ Notices

The Chairman welcomed everyone to the first meeting of 2020, and councillor Hinewai Ormsby led those present in offering a karakia.

Resolution

That the apology for absence from the Chief Executive, James Palmer, is received.

**van Beek / Barker
CARRIED**

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

3. Confirmation of Minutes of the Regional Council Meeting held on 18 December 2019

RC1/20 **Resolution**

Minutes of the Regional Council meeting held on Wednesday, 18 December 2019, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Ormsby/van Beek
CARRIED**

4. Follow-up Items from Previous Regional Council Meetings

The item was taken as read.

RC2/20 **Resolution**

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

**Barker/Foss
CARRIED**

5. Call for Minor Items not on the Agenda

Recommendation

That Hawke’s Bay Regional Council accepts the following “Minor Items Not on the Agenda” for discussion as Item 12.

Topic	Raised by
Buses	Cr Barker
Date	Cr Barker

6. Report and Recommendations from the Environment and Integrated Catchments Committee

Councillor Barker introduced the item, which was taken as read.

RC3/20 **Resolutions**

The Environment and Integrated Catchments Committee recommends that Hawke’s Bay Regional Council:

- 1 Receives and notes the “Report and Recommendations from the Environment and Integrated Catchments Committee”

- 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 these matters without conferring directly with the community and persons likely to be affected by or to have an interest in the decisions.

Confirmation of the Environment and Integrated Catchments Committee Terms of Reference

- 3 Adopts the Terms of Reference for the Environment and Integrated Catchments Committee, incorporating agreed amendments as follows.

Environment and Integrated Catchments Committee Terms of Reference

The purpose of the Environment and Integrated Catchments Committee (EICC) is as follows.

1) Policy

To consider and recommend to Council:

- 1.1 carbon reduction and Climate Change adaptation and mitigation policies and strategies developed to guide the establishment of work plans
- 1.2 policies with regard to Council responsibilities and involvement in flood protection and drainage
- 1.3 policies with regard to Council's responsibilities for biosecurity, biodiversity, and pest management
- 1.4 policies, strategies, 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 on the receiving environments and recommend to Council the development of new policy frameworks based around such information.

3) Policy/ Plan Implementation

- 3.1 To periodically review the effectiveness of Council's non-regulatory resource management operational 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 environmental enhancement and improvement programmes of Council, including for regional parks.
- 3.3 To assist staff, where appropriate, in identifying a preferred option and/or funding mechanism for Council consideration of biosecurity/ biodiversity initiatives, proposals for new or expansion of existing open spaces and regional parks, and infrastructure asset construction or improvement work; and in promoting the preferred option to the beneficiaries/ community.
- 3.4 To consider and recommend to Council all other policy implementation issues of Council.

4) Financial Authority

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

5) Use of Delegated Powers for the Environment & Integrated Catchments 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:	<ul style="list-style-type: none"> • All Councillors being: Rick Barker, Will Foley, Craig Foss, Rex Graham, Neil Kirton, Charles Lambert, Hinewai Ormsby, Jerf van Beek and Martin Williams • One appointed member of the Māori Committee, being • One appointed member of the Regional Planning Committee, being
Chair:	A member of the Committee as elected by the Council being: Councillor Rick Barker
Deputy Chair:	A member of the Committee as elected by the Council being: Councillor Hinewai Ormsby
Meeting Frequency:	Two-monthly
Staff Executive:	Group Manager Integrated Catchment Management Group Manager Asset Management Group Manager Strategic Planning

Reports Received

- 4 Notes that the following reports were provided to the Environment and Integrated Catchments Committee.
 - 4.1 Pandora Pond Water Quality Monitoring
 - 4.2 Right Tree Right Place.

**Barker/Ormsby
CARRIED**

7. Report and Recommendations from the Regional Transport Committee

Councillor Martin Williams, Committee Chair, introduced the item and provided an overview of key discussions had in relation to baseline study on utilisation of transportation in the region, and a future workshop session with experts to do some blue skies brainstorming leading into development of the 2021 Regional Land Transport Plan review.

RC4/20

Resolutions

The Regional Transport Committee recommends that Hawke's Bay Regional Council:

1. Receives and considers the "*Report and Recommendations from the Regional Transport Committee*" 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 these matters without conferring directly with the community.

Confirmation of the Appointments and Terms of Reference for the Regional Transport Committee

3. Confirms the Elected Representative appointments by the region's Territorial Local Authorities to the Regional Transport Committee, being:
 - 3.1. For Hawke's Bay Regional Council, appointees are Councillor Martin Williams as Chairman and Councillor Charles Lambert as Deputy Chairman
 - 3.2. For Napier City Council, appointees are Councillor Keith Price and Mayor Kirsten Wise as alternate
 - 3.3. For Hastings District Council, appointees are Mayor Sandra Hazlehurst, and Councillor Tania Kerr as alternate

- 3.4. For Wairoa District Council, appointees are Mayor Craig Little, and Councillor Jeremy Harker as alternate
 - 3.5. For Central Hawke's Bay District Council, appointees are Mayor Alex Walker, and Councillor Kate Taylor as alternate
 - 3.6. For NZ Transport Agency, appointees are Ms Emma Speight, and Mr Oliver Postings as alternate.
4. Confirms the Terms of Reference for the Committee as adopted by Hawke's Bay Regional Council on 6 November 2019.

Reports Received

5. Notes that the following reports were provided to the Regional Transport Committee
 - 5.1. Introduction to the Regional Transport Committee
 - 5.2. NZTA Central Region - Regional Relationships Director's Report December 2019
 - 5.3. December 2019 HBRC Transport Manager's Report
 - 5.4. RoadSafe Hawke's Bay December 2019 Update
 - 5.5. December 2019 Public Transport Update
 - 5.6. Verbal Updates by Advisory Representatives.

**Williams/Lambert
CARRIED**

8. **Cr Barker Notice of Motion: Council Name Change**

Councillor Barker introduced his motion, including his rationale for suggesting the Council's name be changed to Environment Hawke's Bay. Discussions covered:

- Opportunity to change the public focus onto the work we do in the environment
- Concerns voiced about potential costs and associated resources required
- Need to be satisfied that the name is functionally useful and council does not lose sight of its responsibilities in areas of the social, cultural and economic wellbeings.

RC5/20

Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the "*Cr Barker Notice of Motion: Council Name Change*".

**Barker/Kirton
CARRIED**

2. Instructs the Chief Executive to provide advice to the Corporate and Strategic Committee on the relevant considerations for Council to consider a name change to 'Environment Hawke's Bay'.

**Barker/Kirton
CARRIED**

9. **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 144		
	DP 10912		
	CT D4/928		
	- Agreement for Sale and Purchase	4379	20 January 2020

1.2	Staff Warrants		
	1.2.1 L. Solly	4374	19 December 2019
	F. Wilson	4375	19 December 2019
	R. Finlayson	4376	19 December 2019
	D. Okros	4377	13 January 2020
	M. Brinsdon	4378	13 January 2020
	<i>(Delegations under Resource Management Act 1991 and Civil Defence Emergency Management Act 2002 (s.86-91) and Local Government Act 2002 (Clauses 32(1) and 32B Schedule 7)</i>		
	1.2.2 A. Clare	4372	12 December 2019
	A. Prosser	4373	12 December 2019
	D. Okros	4377	13 January 2020
	M. Brinsdon	4378	13 January 2020
	<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>		
	1.2.3 A. Clare	4372	12 December 2019
	<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>		
	1.2.4 M. Brinsdon	4378	13 January 2020
	<i>(Delegations under the Local Government Act 2002 (Section 177)</i>		

RC6/20

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.

**Barker/van Beek
CARRIED**

10.

Policy on Appointment and Remuneration of Directors and Process for the Appointment of HBRIC Ltd Councillor Directors

The Chairman introduced the item, with queries and discussion traversing:

- Preference voiced for councillor directors rather than solely independent Board of Directors
- More thorough and robust process to appoint directors in accordance with the Policy than to appoint outside of that process
- Discomfort expressed at insufficient understanding of HBRIC and associated issues prior to making such important appointments
- Previous discussions amongst councillors when appointing Committee Chairs at the beginning of November

RC7/20

Resolutions

That Hawke’s Bay Regional Council:

1. Receives and considers the “*Policy on Appointment and Remuneration of Directors and Process for the Appointment of HBRIC Ltd Councillor Directors*” 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.
3. Confirms the *Policy on Appointment and Remuneration of Directors* as adopted by resolution on 25 September 2019.
4. Appoints councillors Craig Foss, Rick Barker and Neil Kirton to the HBRIC Ltd Board of Directors, as Council Directors.

**Graham/Barker
CARRIED**

11. Significant Activities Through February 2020

Queries and discussions covered:

- Whether there’s scope in the report’s structure to report separately on Council’s climate change response programme
- Purchase of eroding coastal hillside to control sediment loss into Te Angaiangi Marine Reserve
- Feedback from farmers in the Tukituki catchment is positive that council’s on the right track now with PC6 implementation
- Request that status of predator control be provided, for example possum (pest) numbers and control measures for rabbits and TB control
- HPUDS work to be done with HDC and NCC mayors to protect high value productive land
- Work being done by the Regional Sector to assess implications of Bay of Plenty decision on fisheries management and biodiversity including likely costs, roles and responsibilities, and advice will be brought to Council out of that work

RC8/20

Resolution

That the Hawke’s Bay Regional Council receives and notes the ***Significant HBRC Activities through February 2020*** staff report.

**Barker/Lambert
CARRIED**

12. Discussion of Minor Matters not on the Agenda

Topic	Raised by
Buses – witnessed an accident 10 days ago in Hastings at the Eastbourne and Warren Street intersection, and was impressed by how smoothly the two GoBus drivers at the scene reacted and managed the scene and first aid until the Police and ambulance arrived.	Cr Barker
Date – 17 June date for EICC meeting conflicts with a strong personal commitment and has asked for the meeting date to be shifted.	Cr Barker

13. HBRIC Ltd Board Chairperson Appointment

RC9/20 **Resolution:**

That Council excludes the public from this section of the meeting, being Agenda Item 13 HBRIC Ltd Board Chairperson Appointment 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
HBRIC Ltd Board Chairperson Appointment	7(2)s7(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.	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**Barker/Foss
CARRIED**

14. Confirmation of the Public Excluded Minutes of the Regional Council meeting held on 18 December 2019

RC10/20 **Resolution:**

That the Council excludes the public from this section of the meeting being Confirmation of Public Excluded Minutes Agenda Item 14 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
HBRIC Ltd and Napier Port Holdings Ltd Director Appointments	S7(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. s7(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).	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.
Long Term HBRC Staff Accommodation Options	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)	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.
HB CDEM Office building lease renewal	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)	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**Barker/Foss
CARRIED**

The meeting went into public excluded session at 12.05pm and out of public excluded session at 12.15pm

Councillor Hinewai Ormsby led the group in karakia to close the meeting.

Closure:

There being no further business the Chairman declared the meeting closed at 12.18pm on Wednesday, 29 January 2020.

Signed as a true and correct record.

DATE:

CHAIRMAN: