



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 26 February 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 Palmer – Chief Executive
P Munro – Te Pou Whakarae Māori Partnerships
J Ellerm – Group Manager Corporate Services
I Maxwell – Group Manager Integrated Catchment Management
T Skerman – Group Manager Strategic Planning
E Lambert – Group Manager Regulation
J Lawrence – Group Manager Office of the CE & Chair
L Hooper –Governance Lead
M Miller – Manager Consents
N Zaman – Manager Compliance
T Wilding – Team Leader Hydrology and Hydrogeology
Dr J Smith – Manager Science

1. Welcome/ Apologies/ Notices

The Chairman welcomed everyone to the meeting and Cr Hinewai Ormsby led the group in offering a karakia.

2. Conflict of Interest Declarations

There were no conflict of interest declarations in relation to today's agenda items.

3. Confirmation of Minutes of the Regional Council Meeting held on 29 January 2020

RC11/20 Resolution

Minutes of the Regional Council meeting held on Wednesday, 29 January 2020, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Williams/Ormsby
CARRIED**

4. Follow-up Items from Previous Regional Council Meetings

An item to report on investigations of a Council name change was deferred to June to allow staff time to undertake the unplanned/ un-budgeted piece of work. Suggest either the item is dealt with at 11 March C&S meeting with "back of the envelope" costs assessment only, or put out to 2022 so that staff can get on with the work the community expressed should be priority. Agreed that CE to take "name change" item to the 25 March Council meeting.

5. Call for Minor Items not on the Agenda

Recommendations

That Council accepts the following "Minor Items Not on the Agenda" for discussion as Item 14.

Topic	Raised by
Chairing practice workshop	Cr Rex Graham
Drought committee	Cr Will Foley

6. Significant Activities Through March 2020

Queries and discussions traversed:

- CHB wastewater upgrades requiring additional resource consent applications for new, amended discharges to land
- Clive River dredge materials to be disposed of onto land so dredging on hold until sufficient land proximal to the river can be acquired
- Tranche 2 water take applications on hold awaiting further information on environmental effects of taking the water and related off-sets required
- Nursery expansion proposed to address shortfall in poles to meet landowner demand and progressing the prison nursery
- Tb outbreak and possum control areas
- Broader conversations with TAs in relation to 3 waters and more specifically wastewater, in light of stricter Central Government requirements and resources required to upgrade infrastructure
- Iwi consultation on safer off-road cycle trail parallel to Waimarama Road has been completed.

RC12/20 **Resolution**

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

van Beek/Foss
CARRIED

James Palmer introduced Thomas Wilding, Team Leader Hydrology Hydrogeology, who provided a Climate Update presentation including rainfall, soil moisture, river flow and groundwater level statistics for February to date.

7. **Hawke's Bay Region Triennial Agreement for the Triennium October 2019 – 2022 for Adoption**

James Palmer introduced the item, which was taken as read.

RC13/20 **Resolutions**

That Hawke's Bay Regional 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 with the community.
2. Adopts the *Hawke's Bay Region Triennial Agreement for the Triennium October 2019 – 2022* as agreed and proposed by the Hawke's Bay Leaders Forum.
3. Delegates the Hawke's Bay Regional Council Chairman and Chief Executive to sign and therefore enter into the *Hawke's Bay Region Triennial Agreement for the Triennium October 2019 – 2022*.

Barker/Williams
CARRIED

8. **Regional Planning Committee Tāngata Whenua Remuneration Review**

James Palmer introduced the item, which was taken as read.

RC14/20 **Resolutions**

1. That Hawke's Bay Regional Council:
 - 1.1. Receives and considers the "*Regional Planning Committee Tāngata Whenua Remuneration Review*" staff report.
 - 1.2. 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 with the community.
 - 1.3. Sets the remuneration for Tāngata Whenua representatives appointed to the Regional Planning Committee in accordance with the findings of the Strategic Pay report and the agreed \$62,000 base councillor remuneration, for effect from 1 January 2020 and for the remainder of the 2019-22 Triennium, at:
 - 1.3.1. \$13,750 per annum for a Tāngata Whenua committee member
 - 1.3.2. \$20,625 per annum for the RPC Deputy Co-Chair
 - 1.3.3. \$27,500 per annum for the RPC Co-Chair
 - 1.3.4. A payment of \$37.50 per hour (after the first hour of eligible travel) to be paid to upon submission of an approved Travel Claim form.

Ormsby/van Beek
CARRIED

9. Cr Martin Williams Notice of Motion: Tukituki Water Security

Cr Williams spoke to his Notice of Motion (following), explaining the rationale for putting it to the meeting today. Queries and discussions covered:

- Resourcing for the work within existing budgets, with implications for the 2021-31 LTP to resource additional work required
- Work under Water Security Programme is under way already, with dedicated funding
- Work programmes under way with irrigators on water use efficiency and conservation
- Stakeholder engagement throughout the investigation of options is crucial
- Requirements of Plan Change 6 and where the proposed work may sit in the wider Council policy work programme

RC15/20

1. That Hawke's Bay Regional council gives priority and urgency to the Tukituki Water Security project, progressing the evaluation of feasible options to provide water security to land owners and activities subject to the restrictions on taking water as set for Tukituki River catchment areas under Change 6 to the Regional Resource Management Plan.
2. That the Plan B Options Evaluation be progressed by Council in consultation with relevant stakeholders, retaining external experts or consultants as considered reasonably necessary, within the budget provision set under the 2018-28 Long Term Plan.
3. That the Plan B Options Evaluation be completed for reporting back to Council by 30 November 2020, with recommendations for the preferred option(s) for water security within the Tukituki River catchments areas to information the setting of the draft Long Term Plan (2021-31) prior to formal public consultation on those options.

**Williams/Foley
CARRIED**

Councillor Kirton moved an amendment, seconded by Councillor Ormsby, being the additional:

- 2.1 That the water security options evaluation includes consideration of:
 - 2.1.1 land management practices
 - 2.1.2 water conservation strategies
 - 2.1.3 managed aquifer recharge and stream flow enhancement approaches.

Kirton/Ormsby

The amendment was CARRIED and put as part of the Substantive Motion following

RC16/20

Resolutions

That Hawke's Bay Regional 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 have an interest in the decision.
2. Instructs staff to give priority and urgency to the Tukituki Water Security project and progress the evaluation of feasible options (Plan B Options Evaluation) to provide water security to land owners and activities subject to the restrictions on taking water as set for the Tukituki Catchment under Change 6 to the Regional Resource Management Plan, within existing budget provisions and for completion for reporting back to Council by 30 November 2020.

- 2.1 That the water security options evaluation includes consideration of:
 - 2.1.1 land management practices
 - 2.1.2 water conservation strategies
 - 2.1.3 managed aquifer recharge and stream flow enhancement approaches.

Williams/Foley
CARRIED

The Chairman invited Tom Skerman to present Council's current Water Security Programme activities to the meeting. Activities on the work programme include the 3D aquifer mapping project recently completed, the Regional Water Assessment underway, and the Heretaunga and Tukituki Water Security projects – all of which have received Provincial Growth Fund grants.

Request to include all workstreams in a bigger picture of everything Council is doing in the Water Security area, e.g. water efficiency and conservation, and Future Farming Trust

The meeting adjourned at 1pm and reconvened at 1.30pm

10. Report and Recommendations from the Clifton to Tangoio Coastal Hazards Strategy Joint Committee

Councillor Jerf van Beek introduced the item, as the elected Chair for the Joint Committee, highlighting the decision to bring in an independent facilitator on an as needed basis rather than appointing an independent Chair as recommended by staff and inviting councillors to a joint councils' workshop on 3 March.

RC17/20 Resolutions

That Hawke's Bay Regional 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.
2. Adopts the Terms of Reference as agreed by the Clifton to Tangoio Coastal Hazards Strategy Joint Committee on 4 February 2020.
3. Notes the election of HBRC Councillor Jerf van Beek as Chair of the Joint Committee, and Deputy Mayors Tania Kerr (Hastings) and Annette Brosnan (Napier) as deputies.
4. Appoints Councillor Martin Williams as an Alternate member of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee, and advises the appointment to the Joint Committee.

van Beek/Barker
CARRIED

11. Report and Recommendations from the Hawke's Bay Drinking Water Governance Joint Committee Meeting

Councillor Hinewai Ormsby introduced the item, as Deputy Chair of the Joint committee, highlighting ongoing discussions in relation to meeting frequency, the 3 waters service delivery review being granted \$1.55m by Central Government and the Water Services Regulator Bill submission as well as the potential to expand the scope of the Joint Committee to also include storm and wastewater (the other 2 of the 3 waters).

RC18/20 Resolutions

That Hawke's Bay Regional 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.

2. Confirms the following appointments to the Hawke's Bay Drinking Water Governance Joint Committee.
 - 2.1. Representatives of Central Hawke's Bay District Council – Mayor Alex Walker and Councillor Brent Muggeridge
 - 2.2. Representatives of Hastings District Council – Mayor Sandra Hazlehurst and Councillor Kevin Watkins
 - 2.3. Representatives of the Hawkes' Bay District Health Board – Ana Apatu and another representative to be confirmed.
 - 2.4. Representatives of Hawke's Bay Regional Council – Councillors Hinewai Ormsby and Martin Williams
 - 2.5. Representatives of Napier City Council – Councillors Nigel Simpson and Ronda Chrystal
 - 2.6. Representative of Ngati Kahungunu Iwi Inc – Ngahiwi Tomoana
 - 2.7. Representatives of Wairoa District Council – Mayor Craig Little and Councillor Denise Eaglesome-Karekare.
3. Adopts the Terms of Reference as agreed by the Hawke's Bay Drinking Water Governance Joint Committee on 13 February 2020.
4. Notes the re-appointment of the Independent Chair, Mr Garth Cowrie, and the election of Councillor Hinewai Ormsby as Deputy Chair.

Reports Received

5. Notes that the following reports were provided to the Hawke's Bay Drinking Water Governance Joint Committee:
 - 5.1. Introduction to the Joint Committee, its role and responsibilities
 - 5.2. Three Waters Governance Funding Review
 - 5.3. Drinking Water Joint Working Group Work Plan.

**Ormsby/van Beek
CARRIED**

12. 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 - Transfer	4380	28 January 2020
	1.1.2 Lot 1 DP 25978 CT W1/163 - Agreement for Sale and Purchase - Transfer	4381 4384	28 January 2020 14 February 2020

1.2	Staff Warrants		
	1.2.1 B. Friar J. Harlen <i>(Delegations under sections 34A(1) and 38(1) of the 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 (Clauses 32(1) and 32B Schedule 7))</i>	4382 4385	29 January 2020 18 February 2020
	1.2.2 M. Alton E. Huggett <i>(Delegations under sections 34A(1) and 38(1) of the 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>	4383 4386	13 February 2020 18 February 2020

RC19/20 **Resolutions**

That Hawke's Bay Regional 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.
2. Confirms the action to affix the Common Seal.

Barker/van Beek
CARRIED

13. Report from the Environment and Integrated Catchments Committee

Councillor Rick Barker introduced the item, as Chair, highlighting the Climate Change item and formation of a working party, an upcoming workshop about the Right Tree Right Place project and the Heretaunga Plains Flood Control Scheme Level of Service review.

RC20/20 **Resolution**

That Hawke's Bay Regional Council receives and notes the "Report from the Environment and Integrated Catchments Committee".

Barker/Ormsby
CARRIED

14. Discussion of Minor Matters Not on the Agenda

Topic	Raised by
Chairs workshop – HBRC is hosting an LGNZ Chaining Practice workshop on 1 April and councillors to advise Leeanne or Jo if they would like to register.	Cr Rex Graham
Drought committee – no longer in existence and will be 'replaced' by the Rural Advisory Group	Cr Will Foley

15. Confirmation of Public Excluded Minutes of the Meeting Held on 29 January 2020
RC21/20 Resolution

That the Council excludes the public from this section of the meeting being Confirmation of Public Excluded Minutes Agenda Item 15 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	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.
Confirmation of the Public Excluded Minutes of the Meeting held on 18 December 2019		

Kirton/Barker
CARRIED

Resolution

RC22/20 Public Excluded Minutes of the Regional Council meeting held on Wednesday, 29 January 2020, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

Kirton/Barker
CARRIED

Resolution

RC23/20 That the meeting moves out of Public Excluded session.

Kirton/Barker
CARRIED

The meeting went into public excluded session at 1.48pm and out of public excluded session at 1.50pm

Closure:

There being no further business the Chairman declared the meeting closed at 1.50pm on Wednesday, 26 February 2020.

Signed as a true and correct record.

DATE:

CHAIRMAN: