



MINUTES OF AN EXTRAORDINARY MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 15 April 2020

Time: 9.00am

Venue: Online using Zoom

Present: R Graham - Chairman
R Barker
W Foley
C Foss
N Kirton
C Lambert (from 10.40am)
M McIlroy – Māori Committee Co-chair (from 10.05am)
H Ormsby
M Paku – Māori Committee Co-chair (from 10.05am)
A Tapine – RPC Tangata Whenua Representative
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 External Relations
C Dolley – Group Manager Asset Management
L Hooper – Governance Lead
J Lawrence – Group Manager Office of the CE & Chair
K Kozyniak – Principal Scientist, Air
Dr J Smith – Manager Science

1. Welcome/Karakia /Apologies/Notices

The Chairman welcomed everyone to the meeting and Pieri Munro led the group in offering a karakia.

Resolution

RC45/20 That the apologies for lateness from Michael Paku, Michelle McIlroy and Charles Lambert be accepted.

**Barker/Foss
CARRIED**

Minor items accepted for discussion are:

- Cr Craig Foss – Procurement
- Cr Rex Graham – HBRIC Ltd
- Cr Martin Williams – Business Survey

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

3. Confirmation of Minutes of the Regional Council Meeting Held on 8 April 2020

Amendments to the Minute on page 4, item 8. Ospri NZ Verbal Update on HB Tb Management & Covid-19 Response agreed to:

- Amend last bulleted paragraph to read: “, and OSPRI gave undertaking to share their information and data with councillors”
- Amend first bulleted paragraph to read: “the breakdown of relationships and channels of communication has contributed to how and why the Hawke’s Bay outbreak occurred.”

RC46/20 Resolution

Minutes of the Extraordinary Regional Council Meeting held on Wednesday, 8 April 2020, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record as amended.

**Barker/Foss
CARRIED**

- There was a request for a report on the results of the last three years of HBRC Tb monitoring data.

9. 15 April 2020 Update on Significant Organisational Activities

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

- From next week this report will identify new or updated information in red text for ease of reading
- More report writing and data analysis happening in the Science area with fieldwork suspended
- Cancellation of consultation on the temporary rates remission policy relating to the new due date is the subject of an agenda item on the 22 April Council agenda
- HBRC staff surveys and check-ins happening regularly to monitor wellbeing and home working environments
- Science staff carrying out a review and stocktake of key ecological sites in the marine environment

RC47/20 Resolution

That the Hawke’s Bay Regional Council receives and notes the **15 April 2020 Update on Significant Organisational Activities**.

**Kirton/Ormsby
CARRIED**

10. Confirmation of Decision

The item was taken as read.

RC48/20 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 or persons likely to have an interest in the decision.
2. Confirms the reintroduction of Certificates of Appreciation being awarded annually, in the three categories of:
 - 2.1. **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.
 - 2.2. **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.
 - 2.3. **Environmental Action in the Community – Te Oho Mauri Taiao ki te Hapori:** Recognises not-for-profit organisations or individuals that are taking action to protect or enhance the environment, or are increasing understanding of environmental issues.

Ormsby/Barker
CARRIED

4. Regional Planning Committee Tangata Whenua Representation on Council's Committees

The item was taken as read, with queries traversing:

- Concern was raised about how one person will manage the workload and be able to meet the RPC's objectives for better information flow
- View of RPC tangata whenua in making the decision was that a single representative across all the issues would provide for better communication and less confusion
- Initial proposal for a seat for RPC rep be created and
- Reservations raised about how having one person on all committees could add value to processes and facilitate better communication between councillors and RPC iwi members to be better informed about work going on across council
- Council's purpose of having tangata whenua on committees is for those representatives to 'represent' Māori views and feed those considerations into committee discussions and decisions as well as report those back to tangata whenua
- Range and breadth of regional council work is significant, and the time commitment required was not fully realised by the appointee at the outset
- It was noted that Api has not yet received the formal support from Tatau Tatau o Te Wairoa to undertake the role
- It was suggested that Apiata Tapine, as the nominated RPC representative, be given time to discuss his commitments and capacity with Tatau Tatau o Te Wairoa and seek their view and/or support ahead of 'accepting' the role; and that the appointment be referred back to RPC tangata whenua.

RC49/20 Resolution

That Hawke's Bay Regional Council leaves the matter to lie on the table until such time

as the appointee has the opportunity to formally accept or decline the appointment.

**Graham/Kirton
CARRIED**

5. Implications of Alert Level 3 on TANK Notification

Tom Skerman introduced the item, which was taken as read. Queries and discussions covered:

- Item seeks Council's agreement to further consider the date for TANK notification in light of the uncertainty of what Level 3 restrictions will look like
- Not intended for HBRC to revisit or change plan provisions, but to provide additional time for submitters to consider the content and seek specialist advice
- Concerns raised about the process losing momentum by further delaying notification and implications for the processing of the 200 Heretaunga water permit renewal applications
- Query as to whether it is possible to notify the plan change with a delayed date when submissions will open
- Consent renewal applications for the unconfined aquifer have been on hold for several months awaiting the outcomes of the TANK plan change, and staff intend to publicly notify the applications and proceed with processing them
- Rationale for providing two weeks following move to level 3 is for staff to have time to analyse implications for the process and associated timelines and design a process that provides sufficient opportunities for submitters to participate in the process
- There is the ability to extend the submissions period after first notifying timeframes

Michelle McIlroy and Mike Paku joined the meeting at 10.05am

- The further along the process a plan change is, the more weight it carries in the resource consent application process
- Boundaries around timeframes include requirements for when Hearings must be held
- Prudent, practical measure to maintain momentum and RPC tangata whenua keen to notify the plan change and embark on the submissions process
- Critical that mana whenua have the opportunity to consider the Plan Change, to consult with each other at the hapu and marae level and then participate in the submissions process
- Potential risk to the process of the enactment of the RM Amendment Act and 3 waters legislation, should those happen prior to notification.

RC50/20

Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the "Implications of Alert Level 3 on TANK Notification" staff report.
2. Agrees to proceed with notification of Proposed TANK Plan Change 9 on 2 May 2020, with a nine week submission period.

**van Beek/Barker
CARRIED**

The meeting adjourned at 10.41am and reconvened at 10.58am with Councillor Charles Lambert in attendance.

6. Climate Change Working Group Update

Tom Skerman introduced the item, being a report back from the working party, which was taken as read with input from working party members including:

- With limited resources available currently, the group systematically looked at what can be effectively achieved in the lead up to the LTP process where input from the community can assist with prioritising activities, funding and resourcing.
- A more strategic, long term view is required. Will need to think deeply about priorities

within the impacts of the Covid-19 pandemic on Council's finances and plan, through LTP process, ways to rebalance the budgets and shift resources and assets, to enable doing most of the activities Council wants to in the number one priority area of Climate Change.

- Need to tackle Climate Change as a region and as a longer term overriding issue, keen to keep momentum and progress a survey of champions in the climate change space regionally, in order to plan effectively for the LTP and Regional Policy Statement. Need to be considering the government's shovel ready projects through the lens of achieving net zero carbon emissions.
- Climate change will be at the heart of the LTP, and focussed on economic recovery that supports the region's transition to a low carbon economy.
- Most recent meeting with Corrections, NKII and local nursery providers, to discuss the Kahutia prison nursery initiative suggested an alternative opportunity for a poplar pole nursery as the business case for a commercial native nursery based at the prison cannot be justified. Current production at capacity for the needs of NKII and HBRC. There's also interest in a work release initiative with existing commercial nurseries in HB.
- Suggestion that learnings from the current Covid situation will provide opportunities in the 'new normal' that will be or contribute to climate change mitigation and/or adaptation.

RC51/20 **Resolution**

That the Council receives the "*Climate Change Working Group Update*" report.

**Barker/Ormsby
CARRIED**

7. **Hawke's Bay Summer 2019-20**

Kathleen Kozyniak provided an update on the recent rainfall figures to 13 April, including decent falls in the Ruahine Range, which have unfortunately not made a significant difference for the majority of the region. Questions and discussion covered:

- Helpful amounts of rain are expected to only effect low flows for a brief period before water take bans will need to be put back on. Soil moisture levels remain below average and groundwater at record or near record low levels.
- NIWA outlook is released monthly and forecasts since December predicting average rainfall have been inaccurate – June model forecasts near or below normal rainfall, near or above average temperatures and predominantly westerly flow over HB.
- When a low flow ban is in force, no water takes connected to river flows are allowed.

RC52/20 **Resolution**

That the Regional Council receives the "*Hawke's Bay Summer 2019-20*" report.

**Williams/Foss
CARRIED**

8. **Select Committee Report on the Resource Management Amendment Bill**

James Palmer introduced the item, which is to ensure that councillors are aware of the status of the Bill and its contents as has significant potential impacts on Council operations and regulatory responsibilities.

RC53/20 **Resolution**

That Hawke's Bay Regional Council receives and notes the "*Select Committee Report on the Resource Management Amendment Bill*" staff report.

**Ormsby/Barker
CARRIED**

Minor items for discussion accepted are:

- Martin Williams – Taking a lead from Local Government NZ advice encouraging that councils should seek the views of their communities, undertook a phone survey of 10 local businesses which indicated that those businesses are largely okay at the moment and government subsidies have really helped, but longer term issues are of concern and they are seeking confidence and certainty about how they will recover. Is the tourism role for HBRC one of insuring that the region has the best product available, e.g. cycleways, and leave promotion to HB Tourism.
- Craig Foss – Procurement – Outside of harvest season, HB sits about 2% above other NZ regions in unemployment stats and key objective is to keep as many of those employed prior to Covid-19 in employment. Asks whether, within procurement policy, HBRC staff are able to ask current contractors whether there is capacity to get more people employed within those to either do more or accelerate projects.
- Rex Graham – HBRIC Ltd – Queries whether HBRIC can be used to bring together and coordinate potential council responses to assist the economic recovery. HDC is creating a fund to support welfare service organisations, e.g. Salvation Army and Nourished for Nil, and asks whether HBRC would match \$100k contribution.
- Michelle McIlroy – 192 food parcels delivered in Wairoa as of 14 April, currently funded by iwi organisations and Liz Lambert advised that those costs can be reimbursed by Civil Defence and urged to contact Wairoa Civil Defence office.

11. Confirmation of the Public Excluded Minutes of the Regional Council Meeting Held on 8 April 2020

Resolution

RC54/20 That Council excludes the public from this section of the meeting, being Agenda Item 11 Confirmation of the Public Excluded Minutes of the Regional Council Meeting Held on 8 April 2020 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

HBRC's Engagement with the Crown's Covid-19 Economic Recovery Programmes

REASON FOR PASSING THIS RESOLUTION

s7(2)(b)(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 ensure a trade secret is not disclosed.

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).

GROUND UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION

The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**Kirton/Foley
CARRIED**

Resolution

RC55/20 Public Excluded Minutes of the Extraordinary Regional Council Meeting held on Wednesday, 8 April 2020, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Kirton/Williams
CARRIED**

Resolution

RC56/20 That the meeting moves out of Public Excluded session.

**Kirton/Foley
CARRIED**

The meeting went into public excluded session at 11.52am and out of public excluded session at 11.53am

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

Closure:

There being no further business the Chairman declared the meeting closed at 11.54am on Wednesday, 15 April 2020.

Signed as a true and correct record.

DATE:

CHAIRMAN: