



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 29 April 2020

Time: 9.05am

Venue: Online by Zoom invitation

Present: R Graham - Chairman
R Barker
W Foley
C Foss
N Kirton
C Lambert
M McIlroy (Māori Committee Co-Chair)
H Ormsby
M Paku (Māori Committee Co-Chair)
A Tapine (RPC 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
E Lambert – Group Manager External Relations
J Lawrence – Group Manager Office of the CE & Chair
L Hooper – Governance Lead
B Smith – Chief Financial Officer
M Mitchell – Acting Catchment Services Manager
C Leckie – Right Tree Right Place Project Lead

1. **Karakia /Welcome/ Apologies/Notices**

Councillor Martin Williams offered a karakia to begin the meeting.

The Chairman welcomed everyone to the meeting.

Councillor Rex Graham was experiencing technical difficulties and so Deputy Chair, Rick Barker, assumed the Chair at 9.13am.

2. **Conflict of Interest Declarations**

There were no conflicts of interest declared.

3. **Confirmation of Minutes of the Extraordinary Regional Council Meeting Held on 22 April 2020**

RC64/20 **Resolutions**

Minutes of the Extraordinary Regional Council Meeting held on Wednesday, 22 April 2020, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Ormsby/Williams
CARRIED**

4. **Follow-up Items from Previous Regional Council Meetings**

The item was taken as read, with one query in relation to the appointment of an RPC tangata whenua representative on Council committees.

Councillor Rex Graham re-joined the meeting at 9.17am and re-assumed the Chair.

5. **Call for Minor Items Not on the Agenda**

There were no minor items raised for discussion.

6. **Policy on Notification of Water Bottling Consents**

Liz Lambert introduced the item, which seeks Council's review of the policy requiring public notification of any resource consent applications relating to water bottling, and Malcolm Miller outlined the options available as well as the background to the issue. Discussions traversed:

- The proposal giving rise to the issue is to change the conditions of consent to allow up to 20% of their current water take to be used for bottling water and to produce beverages made up of more than 90% water
- The TANK Collaborative Stakeholder Group made the decision to not include rules or provisions specifically relating to the notification of water bottling consent applications in the TANK plan change and if it is decided to include it at this stage the Plan Change would need to be referred back to the RPC and delay notification
- Suggestion that if the policy is to be amended that the matter is referred to the RPC for consideration and recommendation to Council
- the arbitrary up to 90% of contents being water is part of the production process for 'reconstituting' juices or other similar beverages, and suggested another option could be to change that threshold
- the policy was designed to account for public interest as special circumstances and implemented to replace the normal RMA notification assessment by staff (based on environmental effects) and as a disincentive to applicants due to additional costs associated with submission and hearing processes of public notification borne by applicants
- it was noted that it is likely submissions on the TANK plan change will raise water

bottling associated issues and it may be that relevant provisions are introduced through the submissions process, although this process may take 2 or 3 years

RC65/20 Resolution

That Hawke's Bay Regional Council leaves the matter to lie on the table while further investigation is undertaken into potential options and feedback provided by Regional Planning Committee tangata whenua.

**Barker/Ormsby
CARRIED**

13. Verbal Update on Tourism Recovery from Hamish Saxton

The Chair welcomed Hamish Saxton, Kim Thorp and George Hickton from HB Tourism to the meeting, to provide a briefing on tourism economic recovery plans.

- Plans are for when NZ is back in the Level 1 environment where domestic travel increases
- Target audience for HB is Wellington, with open invite pitch as alternative to overseas travel using elements of the HB environment e.g. Kidnappers golf replaces Palm Springs and vineyards for Barossa Valley
- Still more than 250,000 overseas visitors in NZ
- Normally 75% of HB market is domestic tourism and hotels are key to that with all the associated services, e.g. laundry, restaurants
- Important to retain a regional focus for HB

RC66/20 Resolution

That the Hawke's Bay Regional Council receives and notes the Verbal Update on Tourism Recovery from Hawke's Bay Tourism.

**Kirton/Foss
CARRIED**

The meeting adjourned at 10.55am and reconvened at 11.10am

7. LGFA Deeds of Amendment and Restatement

Bronda Smith introduced the item, providing an explanation of the options available to Council in relation to amended borrowing provisions proposed by LGFA, one being to enable CCOs to borrow directly from LGFA rather than through Council.

RC67/20 Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the "LGFA Deeds of Amendment and Restatement of Proposed Borrowings" 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 or persons likely to have an interest in the decision.
3. Confirms and approves the proposed Local Government Funding Agency Deed amendments and appoints councillors Craig Foss and Neil Kirton, as the two elected representatives for HBRC, to execute each Deed of Amendment and Restatement (Multi-Issuer; Guarantee and Indemnity; and Notes Subscription Agreement), and authorises Simpson Grierson to date the deeds.

**Graham/Barker
CARRIED**

8. Community Welfare Organisation Relief Fund

Joanne Lawrence introduced the item, outlining the funding already available to charitable organisations from Central Government and suggesting that if Council does want to establish its own fund that it waits to find out if and where the need and demand exists.

RC68/20 **Resolutions**

That Hawke's Bay Regional Council leaves the matter to lie on the table until such time as there is demonstrated need for the fund from charitable organisations.

**Barker/Kirton
CARRIED**

9. Biodiversity Hawke's Bay Foundation Request to Change Funding

Mark Mitchell introduced the item, outlining the rationale for the request to change the way the funding provided by Council is used, after which James Palmer provided an overview of how it was intended the Endowment Fund would work.

RC69/20 **Resolutions**

That Hawke's Bay Regional Council:

1. Receives and considers the "Biodiversity Hawke's Bay Foundation Request to Change Funding" 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 or persons likely to have an interest in the decision.
3. Grants the Biodiversity Hawke's Bay Foundation's request to change funding to be split evenly between the Endowment Fund (\$100K) and Biodiversity HB operating expenses (\$100K), and requests that staff formalise the agreement through the 2020-21 Annual Plan process.

**Barker/Ormsby
CARRIED**

10. 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 245 DP 6421 CT E2/1438 - Agreement for Sale and Purchase | 4395 | 23 March 2020 |

RC70/20 **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 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**

11. Biosecurity - Regional Pest Management Plan (RPMP) and Pest Control Activities

Iain Maxwell introduced the item, after which Mark Mitchell explained the purpose of the Regional Pest Management Plan, outlined the activities of the Biosecurity team and advised that Council's Biosecurity functions are currently undergoing a section 17a review. Queries and discussions covered:

- Any pests identified in the RPMP are subject to rules relating to propagation, breeding and spread in accordance with programmes of Exclusion, Eradication, Progressive Containment, Sustained Control or Site-led
- where responsibility lies for progressive containment, control and eradication including on public, Council and DoC owned land
- Urban pest control programmes assist with raising the visibility of pest management issues and outcomes
- Very short 'control period' for Chilean Needle Grass in November and December and management is a focus area of the s17a review.
- Monitoring programmes are the primary tool for assessing risk and, in relation to TB being the PCA monitoring programme, triggering action or response

RC71/20 **Resolution**

That Hawke's Bay Regional Council receives and notes the "*Biosecurity - Regional Pest Management Plan and Pest Control Activities*" staff report.

**Williams/Barker
CARRIED**

12. Review of HBRC Activities in Relation to the Mohaka Valley TB Outbreak

Iain Maxwell introduced the item, advising it does not seek to assign blame but rather focuses on Council's role and responsibilities relating to Possum Control Areas and the Ospri managed TB programme. Mark Mitchell explained that HBRC used to carry out possum control (PCA) for Ospri and provided an overview of how that programme worked. Queries and discussions covered:

- Mohaka area of TB outbreak has never been under PCA control by HBRC
- Buffer area for production forests and forest company responsibility for possum control
- The role of the HB TB Free Management Committee and representation by Councillor Will Foley and Mark Mitchell on that body
- Statutory obligations for Possum Control Areas as required by the Biosecurity Act and the RPMP that require others to do the work of pest control with Council having tools to ensure compliance

RC72/20 **Resolution**

That the Regional Council receives and notes the "*Review of HBRC Activities in relation to the Mohaka Valley TB Outbreak*" staff report and requests an annual report to Council from OSPRI NZ and HBRC Biosecurity on Possum and TB control.

**Barker/van Beek
CARRIED**

Item - 13. Verbal Update on Tourism Recovery was received immediately following item 6.

14. CE's Verbal Report on the HBRC Operational Response to Covid-19

James Palmer advised Council staff continue to support the CD response and Central Government has indicated they want the welfare response to continue through levels 3 and 2. The transition to Level 3 has enabled staff access to Dalton Street and Guppy Road offices in accordance with protocols and processes including a contact tracing app, and planning is under way for the move to level 2.

16. Discussion of Minor Matters not on the Agenda

There were no minor items raised for discussion.

17. Update on Significant Organisational Activities

The item was taken as read.

RC73/20 Resolution

That the Hawke’s Bay Regional Council receives and notes the *29 April 2020 Update on Significant Organisational Activities*.

**Barker/Williams
CARRIED**

15. Councillor Verbal Covid-19 Situation Updates

Rick Barker – the civil defence function continues to run well, and CDEM in the initial stages of planning the welfare response transition from civil defence to MSD, requests that HBRC staff review learnings and retain positive changes in practice and incorporate those into BAU.

A hub has been set up at the Hastings Showgrounds for distribution of excess produce, and this will continue for as long as the need exists.

Acknowledgement of the considerable efforts of staff across Council and their willingness to go above and beyond including working long hours and over weekends as required.

Great to see the observance of Anzac Day in innovative ways across the country.

It was advised that 74% of cycleways are open, as well as carparks at Regional Parks.

The drought is getting more severe with farmers starting to dip into capital stock and spreading further north in the region, and will have enduring effects.

Councillor Jerf van Beek offered an inspirational quote “men brave and generous live the best lives, seldom will they sorrow: then there are fools, afraid of everything who grumble instead of giving” and a karakia to close the meeting.

Closure:

There being no further business the Chairman declared the meeting closed at 12.55pm on Wednesday, 29 April 2020.

Signed as a true and correct record.

DATE:

CHAIRMAN: