



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 26 August 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
M McIlroy – Māori Committee Co-chair
H Ormsby
A Tapine – Regional Planning Committee Representative
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 Regulation
C Edmonds – Acting Group Manager Strategic Planning
L Hooper – Governance Lead
C Dolley – Group Manager Asset Management

1. Karakia/Welcome/Apologies/Notices

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

Resolution

RC121/20 That the apologies for absence from Mike Paku, Māori Committee Co-chair, and Councillor Jerf van Beek be accepted.

Ormsby/Foss
CARRIED

2. Conflict of Interest Declarations

There were no conflicts of interest declared.

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

RC122/20 Resolution

Minutes of the Regional Council Meeting held on Wednesday, 29 July 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. Award of Environmental Certificate of Appreciation to John Huggins

Unfortunately John is unable to attend today and so presentation of his award will be made at a future date.

5. Follow-up Items from Previous Regional Council Meetings

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

Iain Maxwell advised the riparian planting programme involves 61 projects and provision of 44,000 plants this year, and that a Drought Resilience Strategy is being developed.

RC123/20 Resolution

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

Foley/Barker
CARRIED

6. Significant Organisational Activities through September 2020

James Palmer introduced the item, acknowledging the great work of the Regional Business Partner programme and the busy Compliance Team. Discussions covered:

- Government Resilience Funding of \$640k for erosion protection at Ferry Road in Wairoa leverages funding provided by Wairoa District Council, HBRC and NZTA
- Compliance staff are engaging with NCC about the programme of repairs to the wastewater outfall pipe leaks in response to the abatement notice
- Staff wellbeing programme includes St John mental health first aid training
- RMA amendments in relation to plan change processes under way
- Gravel management and level of service reviews for flood protection schemes
- Clive River dredging scheduled to occur in February 2021
- Update on the status of the HBRC Westshore tidal gates and NCC Lagoon Farm stormwater discharge resource consent applications

- Organisational carbon audit is under way and report is expected to be delivered by October
- Update on the engagement with CHBDC in relation to municipal wastewater discharge resource consents including proposed improvements
- Tuketuki production landuse consent applications and following up with landowners who have not yet submitted applications
- Wairoa Freshwater Improvement project partnering with Tatau Tatau o Te Wairoa
- Hearings for the WDC wastewater discharge consents process to be scheduled soon, likely in December
- Update on submissions received on the TANK plan change will be provided once staff have finished assessing them

Apiata Tapine arrived at 11.27am

RC124/20 **Resolution**

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

**Kirton/Ormsby
CARRIED**

7. Call for Minor Items Not on the Agenda

Recommendations

That Council accepts the following "Minor Items Not on the Agenda" for discussion as Item 13.

| Topic | Raised by |
|---------------------------------|--------------------|
| Planting Days and Utu | Cr Martin Williams |
| Induction process and Kahikatia | Michelle McIlroy |
| Rates newsletter | Cr Craig Foss |
| TBfree meeting meeting | Cr Will Foley |

8. Report and Recommendations from the Regional Planning Committee

Ceri Edmonds introduced the item, advising that Sheena Tepania is no longer available to serve on the TANK Plan Change Hearing Panel and staff suggest Antoine Coffin replace her.

RC125/20 **Resolutions**

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

1. Receives and notes the "*Report and Recommendations from the Regional Planning 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 this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision.

Outdoor Burning

3. Notes that there will be legal, administrative and resourcing costs associated with all options, and that no specific budget has been assigned in the 2020-21 Annual Plan for this project.

4. Agrees that the issue of outdoor burning restrictions be addressed as part of the Hawke's Bay Regional Resource Management Plan review scheduled to commence in 2021.
5. Directs staff to report back to the Regional Planning Committee later in 2020 on details of the process to be undertaken to address issues associated with outdoor burning through the Hawke's Bay Regional Resource Management Plan review.

TANK Plan Change Hearing Commissioners and Panel Appointments

6. For the Proposed TANK Plan hearings, appoints the following five people as Commissioners:
 - 6.1. Commissioner A: Andrew Fenemore *Chair Certificate
 - 6.2. Commissioner B: Greg Ryder *Chair Certificate
 - 6.3. Commissioner C: Rauru Kirikiri
 - 6.4. Commissioner D: Dr Roger Maaka
 - 6.5. Commissioner E: Antoine Coffin
7. For the Proposed TANK Plan hearings, agrees that the following three people are Reserve Commissioners:
 - 7.1. Commissioner E: Richard Allibone
 - 7.2. Commissioner F: Mark Farnsworth *Chair Certificate
8. Delegates authority to the Proposed TANK Plan Hearing Panel to hear and issue decisions on the Council's behalf relating to submissions received on the Proposed TANK Plan Change.
9. Notes that the Panel members will determine the Chair from amongst its number.
10. Delegates authority to the Chief Executive or his nominee to undertake all the necessary operational and logistical arrangements to establish the Panel, including replacing a commissioner should they become unavailable, and support it in carrying out its functions in a timely and cost-efficient manner.

Tukituki Plan Change 6A

11. Withdraws Proposed Plan Change 6A (Tukituki Catchment Table 5.9.1D) because the Streamlined Planning Process pathway is no longer available for use.
12. Advises all those people and organisations that provided pre-notification responses of the withdrawal of the proposed plan change.
13. Makes budget provision in the 2021-31 Long Term Plan to commence the review of nitrogen management in the Tukituki Catchment in Year 1 (2021-22).

**Barker/Ormsby
CARRIED**

9. Our Hawke's Bay Environment 2013-18 Key Issues Report

Dr Jeff Smith spoke to the item with a presentation. Discussions traversed:

- Reporting by three sub regions of Northern, Heretaunga and Southern, with key issues and actions Council is taking to address those
- New format designed to be more easily accessed and digested by the community and proposing to be every 3 years aligned with the Long Term Plan
- NPS for Freshwater Management requires Land and Water Plans for each catchment notified by 2024 with community agreed quality and quantity limits
- Reporting on the results and effectiveness of interventions to address issues
- Feedback on the report suggests future versions to include a 'status' for each of the 'key actions' and to incorporate mātauranga Māori

- Further discussions on focus areas to occur at future Environment and Integrated Catchments Committee (EICC) meetings
- Due to timing of the report being available and the need for adoption before releasing it to the public, it has come directly to Council when normally it would go to EICC first for recommendation to Council for adoption.

RC126/20 Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the "Our Hawke's Bay Environment 2013-18 Key Issues" 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. Adopts the *Our Hawke's Bay Environment 2013-18 Key Issues Report* for publication and release.
4. Refers the *Our Hawke's Bay Environment 2013-18 Key Issues Report* to the Environment and Integrated Catchments Committee for further focussed discussions and examination.

Ormsby/Kirton
CARRIED

10. Affixing of Common Seal

Reason for Report

1. 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 - Transfer | 4401 | 29 July 2020 |
| 1.1.2 | Lot 4 DP 14614 CT G2/1410 - Agreement for Sale and Purchase | 4403 | 12 August 2020 |
| 1.1.3 | Lot 92 DP 13039 CT E2/1240 - Transfer | 4404 | 12 August 2020 |
| 1.1.4 | Lot 5 DP 5336 CT C2/473 - Agreement for Sale and Purchase | 4405 | 12 August 2020 |
| 1.2 | Staff Warrants | | |
| 1.2.1 | J. Burchardt (Delegations under s. 34A(1) and s.38 Resource | 4402 | 30 July 2020 |

| | | | |
|--|---|--|--|
| | <i>Management Act 1991; Civil Defence Emergency Management Act 2002 (s.86-91) and Local Government Act 2002 (Clauses 32(1) and 32B Schedule 7))</i> | | |
|--|---|--|--|

RC127/20 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/Foss
CARRIED**

11. Summary Report from the Clifton to Tangoio Coastal Hazards Strategy Joint Committee

Chris Dolley introduced the item, which was taken as read.

RC128/20 Resolution

That Hawke’s Bay Regional Council receives and notes the “*Summary Report from the Clifton to Tangoio Coastal Hazards Strategy Joint Committee*”.

**Barker/Williams
CARRIED**

12. Discussion of Minor Matters Not on the Agenda

| Topic | Raised by |
|---|--------------------|
| Induction process and Kahikatia Would like a proper induction/orientation to be provided to tangata whenua representatives on the Māori Committee, and for the Co-chairs in relation to expectations associated with attendance at and participation in Regional Council meetings Desperately need to get 5 year old kahikatea grown by Takitimu as koha for the work done around their urupa into the ground | Michelle McIlroy |
| Planting Days and Utu – had privilege of participating in 3 recent very well organised and run planting days, which exemplified a process starting with harvesting seeds from native plants. Cr Williams then acknowledged and thanked Cr Hinewai Ormsby in te Reo Māori, for her mahi and “walking the talk”. | Cr Martin Williams |
| Rates newsletter – suggests future newsletters include more information to assist ratepayers to understand the work of Council and what their rates are used for. | Cr Craig Foss |
| TBfree meeting – Ospri held 3 farmer meetings to update landowners on the TB outbreak where concerns were raised about farmer welfare and comparisons to the support provided to landowners as part of the M.Bovis response | Cr Will Foley |

13. Confirmation of Public Excluded Meeting Held on 29 July 2020

RC129/20 Resolutions

That Hawke’s Bay Regional Council excludes the public from this section of the meeting being Confirmation of Public Excluded Minutes 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 | GROUNDS UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION |
|--|---|--|
| Confirmation of Public Excluded Meeting held on 29 July 2020 | 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. |

**Barker/Williams
CARRIED**

13. Confirmation of Public Excluded Minutes of the Regional Council Meeting held on 29 July 2020

RC130/20 Minutes of the Regional Council Meeting held on Wednesday, 29 July 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**

Resolution

RC131/20 That the meeting moves out of Public Excluded session.

**Williams/Barker
CARRIED**

The meeting went into public excluded session at 12.30pm and out of public excluded session at 12.33pm

Closure:

There being no further business the Chairman declared the meeting closed at 12.33pm on Wednesday, 26 August 2020.

Signed as a true and correct record.

DATE:

CHAIRMAN: