



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 28 October 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
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
C Dolley – Group Manager Asset Management
C Edmonds – Acting Group Manager Strategic Planning
E Lambert – Group Manager Regulation
L Hooper – Governance Team Leader
M Groves – Manager Regional Assets
D Karacher – Acting Manager Regional Projects
M Miller – Manager Consents

1. Welcome/Karakia/Apologies/Notices

The Chairman welcomed everyone, and Cr Hinewai Ormsby led the offering of a karakia to open the meeting.

The Chairman advised that Sarah Tully will present the Economic Recovery dashboard to councillors after today's meeting.

2. Conflict of Interest Declarations

Apiata Tapine and Michelle McIlroy advised their interest in item 8. *Delegations to Wairoa District Council Wastewater Discharge Resource Consent Application Hearing Panel* as submitters to the application.

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Regional Council Meeting Held on 30 September 2020

RC146/20 Resolution

Minutes of the Regional Council Meeting held on Wednesday, 30 September 2020, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Barker/Ormsby
CARRIED**

4. Follow-up Items from Previous Regional Council Meetings

The item was taken as read.

RC147/20 Resolution

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

**Barker/Ormsby
CARRIED**

5. Significant Organisational Activities through November 2020

The item was taken as read, with James Palmer highlighting the significant amount of ongoing work and support provided to businesses by the Regional Business Partner Programme in response to Covid-19 pandemic. Discussions traversed:

- Actions in response to the s17a Biosecurity review report will cover Ospri as well, including monitoring frequency for the PCA programme
- Avenue through Sustainable Homes programme for replacement of old septic tanks
- Upper Tukituki gravel extraction meeting with community held recently agreed general support for HBRC proposal with a further November meeting with the key ratepayers scheduled as well as engagement with industry
- Contractors undertaking aerial rook control including on 2 urban rookeries
- Three waters "whole of region" strategic activity updates and TLA asset infrastructure plans being put forward through long term plan processes with potential for HBRC to submit in relation to the adequacy of their Asset Management plans
- The Annual Compliance Report will be on the 2 December Corporate & Strategic Committee agenda, and will cover specific engagement with HDC and NCC in relation to stormwater and wastewater and development of a region-wide stormwater education programme
- Request for an update on CHB wastewater consent compliance
- Very good results of having received around 150 pre-applications and 800 FEMPs (only 7 outstanding) from Tukituki catchment landowners

- Council’s participation in A&P shows effective for rural engagement

RC148/20 **Resolution**

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

**Barker/van Beek
CARRIED**

6. 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
Log of wood	Cr Craig Foss
Wairoa hort	Cr Rex Graham
3 waters and Māori values	Mike Paku

7. Report and Recommendations from the Regional Planning Committee

Rex Graham introduced the item as Chair of the meeting, highlighting items covering the Kotahi proposal and the Committee’s support for a co-design process for the Mohaka Plan Change. Further discussions traversed:

- the innovative Kotahi proposal to combine the Regional Resource Management and Coastal Environment plans into a single regional resource management plan which considers environmental issues and solutions in a more holistic way and reflects a ki uta ki tai approach for resource management in the Hawke’s Bay region to enable delivery of the notification of the remaining freshwater planning provisions for the region by the 31 December 2024 deadline.

RC149/20 **Resolutions**

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.

Mohaka Plan Change

3. Agrees to support a co-design process between HBRC and tāngata whenua for development of the proposed Mohaka Catchment plan change
4. Receives the Project Brief as a guide to the development of the proposed Mōhaka Catchment plan change and draft implementation plan, subject to the endorsement of all co-design partners.

Reports Received

5. Notes that the following reports for information were provided to the Regional Planning Committee

- 5.1. Regional Coastal Environment Plan - Effectiveness Review
- 5.2. Kotahi
- 5.3. Update on Central Government's Essential Freshwater and Resource Management Reform Work Programmes
- 5.4. Resource Management Policy Projects October 2020 Update
- 5.5. October 2020 Statutory Advocacy Update.

**Ormsby/Barker
CARRIED**

8. Delegations to Wairoa District Council Wastewater Discharge Resource Consent Application Hearing Panel

The item was taken as read.

RC150/20 Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the "*Delegations to Wairoa District Council Wastewater Discharge Resource Consent Application Hearing Panel delegations*" 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. Delegates to the hearing panel appointed to hear the Wairoa District Council wastewater discharge resource consent application, the duties and functions as set out in sections 37, 37A, 39, 39AA, 40, 41, 41A, 41B, 41C, 41D, 42, 42A, 103B, 104, 104A, 104B, 104C, 104D, 104E, 105, 107, 108, 108AA, 108B, 109, 113, and 115 of the Resource Management in order to hear and decide the application.

**Barker/Ormsby
CARRIED**

9. Proposed Schedule of 2021 Council and Committee Meetings

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

RC151/20 Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the "Proposed Schedule of 2021 Council and Committee Meetings" staff report.
2. Agrees that Council can exercise its discretion and make these decisions without consulting directly with the community or others having an interest in the decisions
3. Adopts the 2021 Schedule of Meetings as proposed.

**Barker/van Beek
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 30 DP DP11447 CT B4/121 - Transfer	4411	6 October 2020
	1.1.2 Lot 1 DP 522426 CT 926696 - Transfer	4412	14 October 2020

RC152/20 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 action to affix the Common Seal.

**Barker/Foss
CARRIED**

16. Clive River Dredging

Chris Dolley, Martina Groves and David Keracher spoke to the item with discussions traversing:

- Land based disposal investigations initiated two years ago have revealed logistical challenges and significantly higher costs than anticipated or budgeted /rated for
- Consequences of deferring the dredging for a further year would be on Council's reputation and recreational users' activities curtailed as well as curtailing cultural use
- Taiwhenua concerns for 30 years about the dredging programme and, in particular, disposal of the dredge material
- Staff recommending that the scope of the project is changed so that work can commence immediately to ensure the next dredging programme is adequately financed and meets community and tangata whenua expectations
- Restrictions on when the dredging can occur around spawning and whitebaiting seasons, and requirement that it is undertaken in summer months
- Erosion control activities through TANK plan change will contribute to lessening sediment loss to the river, however this will take many years to show results
- Consultation with the community is a key aspect of potentially extending the scope of the dredging programme, specifically around increased rates to build the Reserves to fund extended dredge area and land disposal including land purchase
- Tangata whenua don't support dredging only for recreational purposes, or disposal that moves the 'problem' from one place to another
- Public Works Act is 'last resort' to acquire the land, and would likely take six to twelve months.

RC153/20 Resolutions

That Hawke's Bay Regional Council:

Councillor Foss moved an amendment, seconded by Councillor Barker, being:

Current Dredging Activity

3. Agrees that a traditional ocean based disposal dredging campaign be undertaken in February 2021 with a comprehensive communication package and monitoring programme.

Future Dredging Activity

4. Agrees to ~~consider~~ changing the scope of Clive River dredging from ocean based to land based disposal and appropriate funding of the project reserve as part of the 2021-2031 Long Term Plan development process.
5. Agrees to ~~consider~~ increasing the scope of Clive River dredging to incorporate a larger extent of the river, ~~potentially~~ including up to Kohupatiki Marae, as part of the 2021-2031 Long Term Plan development process.

**Foss/Barker
CARRIED**

The amendments having been CARRIED, the Substantive Motion became:

That Hawke's Bay Regional Council:

1. Receives and considers the "*Clive River Dredging*" 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.

Current Dredging Activity

3. Agrees that a traditional ocean based disposal dredging campaign be undertaken in February 2021 with a comprehensive communication package and monitoring programme.

Future Dredging Activity

4. Agrees to change the scope of Clive River dredging from ocean based to land based disposal, and to determine appropriate funding mechanisms as part of the 2021-2031 Long Term Plan development process.
5. Agrees to increase the scope of Clive River dredging to incorporate a larger extent of the river, including up to Kohupatiki Marae, as part of the 2021-2031 Long Term Plan development process.
6. Requests that staff seek possible grants or other co-funding opportunities that could contribute either to reducing the cost or increasing the scope of future dredging activity.

**Kirton/Lambert
CARRIED**

The meeting adjourned at 12.53pm and reconvened at 1.45pm

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

Chris Dolley spoke to the item, providing an overview of discussions held at the last meeting of the Joint Committee on 16 October, which continue to focus on issues associated with funding the implementation of the Strategy and recommended mediation activities.

RC154/20 Resolution

That Hawke's Bay Regional Council receives and notes the "*Summary Report from the Clifton to Tangoio Coastal Hazards Strategy Joint Committee*"

**van Beek/Barker
CARRIED**

12. Councillors' Reports from October 2020 Meetings of Outside Bodies

Cr Hinewai Ormsby provided an update from the HB Tourism Board of Directors, including recent tourism statistics for the region and 2021 events planning.

Cr Will Foley provided an update on the Drought response, which was recently declared as being over however a watch is being kept on weather patterns and rainfall statistics.

RC155/20 Resolution

That the Regional Planning Committee receives and notes the “*Councillors' Reports from October 2020 Meetings of Outside Bodies*”.

**van Beek/Barker
CARRIED**

13. Discussion of Minor Matters not on the Agenda

Topic	Raised by
Log of wood – Invitation to councillors to join him to congratulate the Magpies on lifting the Ranfurly Shield from Otago on 4 October.	Cr Craig Foss
Wairoa horticultural project granted substantial funds from Central Government to progress.	Cr Rex Graham
3 waters and Māori cultural values – query as to whether HBRC has received and adopted the cultural values report and how it is doing to give effect to it.	Mike Paku

14. Nominations for 2020 Environmental Certificates of Appreciation

RC156/20 Resolution

That Council excludes the public from this section of the meeting, being Agenda Item 14 Nominations for 2020 Certificates of Appreciation 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**

Nominations for 2020
Certificates of Appreciation

**REASON FOR PASSING THIS
RESOLUTION**

7(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.

**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.

**Barker/van Beek
CARRIED**

15. Appointment of Directors - Napier Port Holdings Limited

RC157/20 Resolution

That Hawke's Bay Regional Council excludes the public from this section of the meeting, being Agenda Item 15 Appointment of Directors - Napier Port Holdings Limited 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**

Appointment of Directors -
Napier Port Holdings Limited

REASON FOR PASSING THIS RESOLUTION

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.

**FOUNDATIONS 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.

**Barker/van Beek
CARRIED**

The meeting went into public excluded session at 2pm and out of public excluded session at 2.21pm

Cr 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 2.22pm on Wednesday, 28 October 2020.

Signed as a true and correct record.

DATE:

CHAIRMAN: