



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 25 November 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)
J van Beek
M Williams

In Attendance: J Palmer – Chief Executive
P Munro – Te Pou Whakarae Māori Partnerships
C Dolley – Group Manager Asset Management
J Ellerm – Group Manager Corporate Services
I Maxwell – Group Manager Integrated Catchment Management
C Edmonds – Acting Group Manager Strategic Planning
E Lambert – Group Manager Regulation
L Hooper – Team Leader Governance

1. Welcome/Prayer/Apologies/Notices

The Chairman welcomed everyone and Pieri Munro offered a mihi whakatau before leading the group in offering a karakia to open the meeting.

Councillor Neil Kirton extended his apology for early departure at 11.45am.

Mike Paku advised, for the record, that he is attending as tangata whenua representative of the Māori Committee and does not have a vote at this table.

Michelle McIlroy advised, for the record, that she is attending as a tangata whenua representative of the Māori Committee and Wairoa Te Whanganui A Orotu and does not have a vote at this table.

The Chairman advised that item 15 will be the first decision item to be considered.

2. Conflict of Interest Declarations

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Regional Council meeting held on 28 October 2020

RC159/20 Resolution

Minutes of the Regional Council Meeting held on Wednesday, 28 October 2020, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**van Beek/Foss
CARRIED**

Confirmation of Minutes of the Extraordinary Regional Council meeting held on 18 November 2020

Mike Paku raised concerns that the minutes did not accurately capture the tangata whenua position in terms of not supporting a poll, so it was agreed that the minutes be left to lie on the table for confirmation at the 16 December 2020 Regional Council meeting after amendment.

4. Acknowledgement of Liz Lambert's Service

The Chair thanked Liz Lambert for her service to the Council and to the region, as a Group Manager as well as Interim Chief Executive for a period, following which others added their praise and thanks including for:

- extremely knowledgeable and particular ability to engage with community interest and sector groups
- work to establish the Regional Planning Committee, and that legacy
- work with tangata whenua and the Māori Committee over the years
- unflappable, insightful, sage and down to earth person to deal with
- James Palmer spoke about the extent to which Liz's contribution to the organisation has been incredibly formative, including Council's very first generation Regional Resource Management Plan in the country, which continues to guide Council's RMA activities to this day and building the foundations of Council's partnerships with Māori. Liz will be missed by her colleagues for her caring, compassionate and fun nature.

Liz Lambert thanked everyone for their kind words, feeling humbled, and wishing everyone well.

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

The item was taken as read, with a query in relation to the overflow from the CHB wastewater settling ponds during a recent rainfall event.

RC160/20 **Resolution**

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

**Ormsby/Barker
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
Rangatiratanga of our waterways	Michelle McIlroy

6. **Significant Organisational Activities Looking Forward Through December 2020 & January 2021**

James Palmer introduced the item, apologising that due to current workloads several activities had not been updated from last month. Discussions covered:

- Possum Control monitoring test failings have been resolved by staff working directly with landowners
- Request for the Whakaki Catchment Pilot Project case studies investigating the costs of implementing farm plans, NPFSM reforms and ETS obligations while looking for opportunities to boost profitability and productivity to go to a future EICC meeting when ready
- Request to be provided with the draft conditions for the NCC / HBRC Westshore tidal gates and NCC Lagoon Farm stormwater discharge consents
- Criticism of the Tukituki consents process from farmers included concerns about the Overseer versions used to calculate nitrogen budgets and other associated issues with implementing Tukituki PC6
- Karamu and Ahuriri catchment characterisation projects and how tangata whenua engagement and kaitiakitanga will be incorporated into that work to determine the source of contaminants to initiate land management interventions to prevent them getting into the water body in the first place
- How to insure that the Carp in the Tukituki have been eliminated and monitoring tools to prevent any wider incursion
- Ngati Pahauwera is leading the co-design process for the Mohaka Plan Change, which is progressing well
- Matangirau Reserves Trust Board is in the midst of election of trustees so engagement on Mohaka Plan Change may need to be delayed until the new trustees have been elected, and it was noted that there are tangata whenua representing 5 marae on the awa that need to be included in the engagement

RC161/20 **Resolution**

That the Hawke’s Bay Regional Council receives and notes the ***Significant HBRC Activities Looking Forward through December 2020 & January 2021*** staff report.

**Barker/Foss
CARRIED**

15. Napier City Mayoral Relief Flood Response Fund

James Palmer introduced the item, expressing his concern for the families experiencing enormous hardship as a result of the 9 November flood. Queries and discussions covered:

- The Application Assessment Panel composition is as per the attached information provided by Napier City Council
- A review of the event and CDEM response, in particular around the infrastructure failure, is essential to using learnings to better prepare for the next event, and is expected to be available by 30 June 2021
- Noted that some families may need interim relief and hope that would not be denied in the knowledge of future assistance to be granted
- Recognise the significant efforts by Te Taiwhenua o Te Whanganui ā Orotu in standing up and providing welfare support to the community, as well as HBRC, NCC and CDEM staff.

RC162/20 Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the "Napier City Mayoral Relief Flood Response Fund" 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. Agrees to contribute \$100,000 to the Napier City Mayoral Relief Flood Response Fund, to be funded from the Regional Disaster Damage Reserve.

**Kirton/Ormsby
CARRIED**

Neil Kirton left the meeting at 11.55am

8. Proxy for the HBRIC Ltd Annual General Meeting

The item was taken as read.

RC163/20 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 and persons likely to have an interest in the decision.
2. Notes the date of the Hawke's Bay Regional Investment Company Limited Annual General Meeting is 18 December 2020.
3. Agrees that the Chairman, Rex Graham, be appointed as Council's proxy at the Annual General Meeting of the Hawke's Bay Regional Investment Company Limited to be held at 9.00am on Friday, 18 December 2019, and to vote as proxy holder on behalf of the Council, and that Deputy Chairman, Rick Barker, act as alternate.

**Foss/van Beek
CARRIED**

9. 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	Staff Warrants			
	1.1 R. Hogan	4416	10 November 2020	
	N. Zaman	4417	10 November 2020	
	J. Blunden	4418	10 November 2020	
	M. Alebardi	4419	10 November 2020	
	K. Peacock	4420	10 November 2020	
	S. Moffitt	4421	10 November 2020	
	S. Sykes	4422	10 November 2020	
	L. van Jaarsveldt	4423	10 November 2020	
	M. Wilcox	4424	10 November 2020	
	S. Smithers	4425	10 November 2020	
	M. Alton	4426	10 November 2020	
	I. Mikolic	4427	10 November 2020	
	S. Murphy	4428	10 November 2020	
	<i>(Delegations under s. 34A(1) and s.38(1) Resource Management Act 1991; Civil Defence Emergency Management Act 2002 (s.86-91); Section 177 of the Local Government Act 2002</i>			
	1.2 P. O'Donnell	4414	10 November 2020	
	<i>(Delegations under Soil Conservation and Rivers Control Act 1941 and Land Drainage Act 1908)</i>			
1.3 B. Neville	4429	10 November 2020		
<i>(Delegations under Biosecurity Act 1993)</i>				
1.4 Ian Lilburn	4415	10 November 2020		
<i>(Delegations under the Maritime Transport Act 1994 (Section 318(1) and clauses 32 and 32B Schedule 7 of the Local Government Act 2002</i>				
1.5 S. Edmead	4430	10 November 2020		
<i>(Delegations under s. 34A(1) and s.38(1) Resource Management Act 1991)</i>				

RC164/20 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/Williams
CARRIED**

10. Report from the Environment and Integrated Catchments Committee

The item was taken as read, with staff agreement to provide the potential financial implications of decisions to harvest, or not, Tūtira Regional Park and Tangoio Soil Conservation Reserve to a future Environment and Integrated Catchments meeting.

RC165/20 Resolution

1. The Environment and Integrated Catchments Committee recommends that Hawke's Bay Regional Council receives and considers the "*Report from the Environment and Integrated Catchments Committee*", noting that the following reports were provided to the Environment and Integrated Catchments Committee.
 - 1.1. Tūtira Regional Park and Tangoio Soil Conservation Reserve Forest Harvest Update
 - 1.2. Hawke's Bay Marine & Coast Group and Sustainable Seas National Science Challenge Collaboration
 - 1.3. Marine Biosecurity Programme Update
 - 1.4. Biosecurity Operational Plan and Annual Report
 - 1.5. Heretaunga Plains Flood Control Scheme Review Update
 - 1.6. Crown Funded Flood Resilience Projects Update
 - 1.7. Presentation - Introduction to the Landcare Research Wetland Restoration Programme
 - 1.8. Regional Drought Relief Fund
 - 1.9. Implications of Climate Change on the Hawke's Bay Region
 - 1.10. Climate Change Survey Results.

**Ormsby/Barker
CARRIED**

11. Report from the 18 November 2020 Māori Committee Meeting

Mike Paku, Co-chair, introduced the item and highlighted:

- the importance of the Take Ripoata Ā Takiwā – Taiwhenua Representatives' Updates as the only means by which tangata whenua bring issues to the attention of Council
- the appointment of Katrina Kawana to the National Eel Forum Working Group as the representative for Mai Paritu tae atu ki Turakirae Fisheries Forum
- feel that the report does not adequately express the unanimous position of Taiwhenua in support of Council establishing Māori constituencies in full knowledge of potential opposition and risk; asking that the seats be established to reflect a valued, true partnership
- Committee members are uncertain about how to move forward when they feel devalued
- Michelle McIlroy added korero in relation to the concerns she raised in her takiwa to the Council about the impacts of 1080 poison and polluted waterways on mahinga kai practices and the health of tangata whenua and feels devalued and ignored
- More elaboration of the discussions about Māori constituencies at the meeting is required before bringing this item to the 16 December 2020 Regional Council meeting for receiving.

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

There were no meetings to report.

13. Discussion of Minor Matters Not on the Agenda

Topic	Raised by
Rangatiritanga of our waterways Māori were ignored and devalued when they asked HBRC to establish Māori constituencies, not treated as partners Calls upon the New Zealand Māori Council and the Nation to call for rangatiritanga of waterways and follow our whanaunga Ngai Tahu and go all the way and keep fighting until there is peace, rangimarie	Michelle McIlroy

Pieri Munro offered a whakaro to Council's guests to close the public part of the meeting.

14. Confirmation of the Public Excluded Minutes of the Regional Council meeting held on 28 October 2020

RC166/20 Resolution

That Hawke's Bay Regional Council excludes the public from this section of the meeting being Confirmation of Public Excluded Minutes Agenda Item 14 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
Nominations for 2020 Certificates of Appreciation	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.	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.
Appointment of Directors - Napier Port Holdings Limited	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.

**Barker/Ormsby
CARRIED**

14. Confirmation of the Public Excluded Minutes of the Regional Council meeting held on 28 October 2020

RC167/20 Public Excluded minutes of the Regional Council meeting held on Wednesday, 28 October 2020, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Barker/van Beek
CARRIED**

RC168/20 That the meeting moves out of Public Excluded session.

**Barker/Ormsby
CARRIED**

The meeting went into public excluded session at 12.15pm and out of public excluded session at 12.20pm

Closure:

There being no further business the Chairman declared the meeting closed at 12.20pm on Wednesday, 25 November 2020.

Signed as a true and correct record.

DATE:

CHAIRMAN: