



## Meeting of the Hawke's Bay Regional Council

**Date:** Wednesday 16 December 2020  
**Time:** 11.00am  
**Venue:** Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
NAPIER

### Agenda

ITEM	TITLE	PAGE
1.	Welcome/Apologies/Notices	
2.	Conflict of Interest Declarations	
3.	Confirmation of Minutes of the Regional Council Meeting held on 18 November and 25 November 2020	
4.	Environmental Certificates of Appreciation Presentations	3
5.	Follow-up Items from Previous Regional Council Meetings	13
6.	Call for Minor Items Not on the Agenda	17
<b>Decision Items</b>		
7.	Report and Recommendations from the Corporate and Strategic Committee	19
8.	Pettigrew Green Arena Expansion Project	23
9.	Pettigrew Green Arena Car Park	25
10.	Local Government Members (2020-21) Amendment Determination (No 2) 2020	45
11.	2019-20 Annual Report for Adoption	51
12.	Affixing of Common Seal	57
<b>Information or Performance Monitoring</b>		
13.	Report from the 18 November 2020 Māori Committee Meeting	59
14.	Summary Report from the Clifton to Tangoio Coastal Hazards Strategy Joint Committee	63
15.	Report from the HB Civil Defence Emergency Management Group Joint Committee	67
16.	Discussion of Minor Matters Not on the Agenda	69



## HAWKE'S BAY REGIONAL COUNCIL

Wednesday 16 December 2020

### Subject: ENVIRONMENTAL CERTIFICATES OF APPRECIATION PRESENTATIONS

Item 4

#### Reason for Report

1. This item provides the means for the Regional Council to present Environmental Certificates of Appreciation to award recipients as attached.

#### Recommendation

That Hawke's Bay Regional Council presents:

1. the **Environmental Action in the Community – Te Oho Mauri Taiao ki te Hapori** certificate of appreciation to Hawea Park Hapu Partners
2. the **Environmental Action in the Community – Te Oho Mauri Taiao ki te Hapori** certificate of appreciation to Helen Howard
3. the **Environmental Action in the Community – Te Oho Mauri Taiao ki te Hapori** certificate of appreciation to Maraetotara Tree Trust
4. the **Environmental Leadership in Business – Te Hautūtanga Taiao me te Pakihi** certificate of appreciation to T & G Global.

#### Authored by:

Leeanne Hooper  
TEAM LEADER GOVERNANCE

#### Approved by:

James Palmer  
CHIEF EXECUTIVE

#### Attachment/s

- [↓ 1](#) Hawea Park Hapu Partners 2020 Environmental Award Recipient
- [↓ 2](#) Helen Howard 2020 Environmental Award Recipient
- [↓ 3](#) Maraetotara Tree Trust 2020 Environmental Award Recipient
- [↓ 4](#) T & G Global 2020 Environmental Award Recipient



## Hawea Park Hapu Partners

### Environmental Certificate of Appreciation

Item 4

Attachment 1

Name of Award Recipient: Hawea Park Hapu Partners

Award category **Environmental Action in the Community – Te Oho Mauri Taiao ki te Hapori:**  
Recognises no-for-profit organisations or individuals that are taking action to protect or enhance the environment, or are increasing understanding of environmental issues.

Initiative or reason for recognition: Hawea Park is the first time in NZ that a regional council has entered into a full landowning and operational partnership with local hap to construct a new historical park.

Despite its impressive history, the land has been derelict for many years and used as a dumping tip for concrete and other waste.

The first step was to get through the very difficult land ownership issues as there were five current owners, four of them Tangata Whenua.

The hapu partners have immersed themselves in the project, meeting monthly and organising and attending numerous planting days beginning the transformation of this historical land into an amazing parkland.

Name of nominator: Cr Rex Graham



## Helen Howard

### Environmental Certificate of Appreciation

**Name of Nominee:** Helen Howard

**Award category**      **Environmental Action in the Community – Te Oho Mauri Taiao ki te Hapori:**  
Recognises no-for-profit organisations or individuals that are taking action to protect or enhance the environment, or are increasing understanding of environmental issues.

**Initiative or reason for recognition**

Helen was instrumental in initiating the 'Fridays for Future Hawke's Bay' climate change action group that inspired our youth to gather, share and march in recognition of global warming and the urgency for intervention.

Her leadership was particularly demonstrated in the Napier CBD march calling for a Climate Change emergency to be made by our local Councils. This event started at the soundshell attracting across all spans of our community from young children to the elderly in a resounding united voice of hundreds on the need for Climate Action. She is still the lead in the now monthly Fridays for Future event. See more on the facebook page:  
<https://www.facebook.com/fridaysforfuturehawkesbay>

Her second most notable environmental conservation organisation is 'Plog Napier' which there are hundreds of our Napier community members contributing to the cause. Plog Napier is a project launched 1 November to get our community out and about with their families and friends to help combat plastic pollution in our oceans. After your walk or jog particularly focused on the beach, and rubbish haul, you can take a photo and upload it onto their social media. See all the rubbish collection on #plognapier

**Name of nominator:** Cr Hinewai Ormsby

Item 4

Attachment 2





## Maraetotara Tree Trust

### Environmental Certificate of Appreciation

Item 4

Name of Award Recipient: Maraetotara Tree Trust

Award category

- ☐ **Environmental Action in the Community – Te Oho Mauri Taiao ki te Hapori:** Recognises no-for-profit organisations or individuals that are taking action to protect or enhance the environment, or are increasing understanding of environmental issues.

Initiative or reason for recognition: Outstanding vision and measurable achievement enhancing, protecting and restoring the Maraetotara River.

from the <https://www.maraetotaratreetrust.co.nz/> website:

*In partnership with the Regional Council since 2002, Maraetōtara Tree Trust is progressively removing willows, fencing off covenanted 5-15m riverside margins and planting these with native trees that are predominately grown from seed or cuttings gathered from the river valley by MTT (eco-source plants are substantially preferred).*

*The Trust founders vision from 2002 remains: to establish a lush corridor the full length of the Maraetōtara River. The project's aims include to improve the ecosystem and to establish permanent reserved habitats for regenerating native plants, birds and wildlife.*

*Maraetōtara River previously suffered degradation from livestock pollution, willow tree infestation, and a general lack of care and protection of river margins.*

*The project continues to this day, successfully led by Maraetōtara Tree Trust volunteers. The propagation of seedlings, planting and ongoing aftercare of trees is funded by charitable donations and grants gained by MTT people. The project is also regularly assisted by voluntary work in the river by various community groups, schools, farmers from the valley and others.*

Name of nominator: Cr Craig Foss

Attachment 3



**T&G Global**  
**Environmental Certificate of Appreciation**

Item 4

Name of Award Recipient: T & G Global

Award category

- ☐ **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.

Initiative or reason for recognition:

T&G Global have made the important environmental decision to no longer use burning of vegetation as a land management tool. The burning of diseased wood and fruit trees which are being replaced due to redevelopment has been a general practice on the Heretaunga plains. Due to the development of alternative mulching options there are now practical choices for horticulturalists, which will in time become standard practice. The important environmental stand by T&G global has prompted other horticulturalists to start the process of changing their redevelopment practices.

Attachment 4

Name of nominator: Cr Jerf van Beek



# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 16 December 2020

## Subject: FOLLOW-UP ITEMS FROM PREVIOUS REGIONAL COUNCIL MEETINGS

Item 5

### Reason for Report

1. On the list attached are items raised at Council Meetings that staff have followed up on. All items indicate who is responsible for follow up, and a brief status comment. Once the items have been report to Council they will be removed from the list.

### Decision Making Process

2. Staff have assessed the requirements of the Local Government Act 2002 in relation to this item and have concluded that, as this report is for information only, the decision making provisions do not apply.

### Recommendation

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

### Authored by:

**Leeanne Hooper**  
**TEAM LEADER GOVERNANCE**

### Approved by:

**James Palmer**  
**CHIEF EXECUTIVE**

### Attachment/s

- [!\[\]\(5d60fe8e38bc12bfb78103fc624e324c\_img.jpg\) 1](#) Follow-ups from Previous Regional Council Meetings



## Follow-ups from previous Regional Council Meetings

## Meeting held 25 November 2020

	Agenda Item	Action	Responsible	Status Comment
1	Significant Organisational Activities	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	N Heath	Item scheduled on 3 February Environment & Integrated Catchments Committee agenda.
2	Significant Organisational Activities	Circulate the draft conditions for the NCC / HBRC Westshore tidal gates and NCC Lagoon Farm stormwater discharge consents to councillors for information	M Miller	Not yet actioned.
3	Report from the Environment and Integrated Catchments Committee	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.	B Douglas / R Franklin	The information is being collated and will be provided to Councillors prior to Christmas.

## Meeting held 18 November 2020

	Agenda Item	Action	Responsible	Status Comment
4	Māori Representation	Poll on the establishment of Māori constituencies to be included in 2022 HBRC elections	Electoral Officer	Added into the Project Plan pending confirmation should legislative change remove the ability for 5% of voters to demand a poll

## Meeting held 28 October 2020

	Agenda Item	Action	Responsible	Status Comment
5	Discussion of Minor items	3 waters and Māori cultural values – query as to whether HBRC has received and adopted the cultural values report and how it is planning to give effect to it	P Munro	Under investigation with Toni Goodlass (3 Waters Review Project Coordinator)

Item 5

Attachment 1





## **HAWKE'S BAY REGIONAL COUNCIL**

**Wednesday 16 December 2020**

**Subject: CALL FOR MINOR ITEMS NOT ON THE AGENDA**

**Item 6**

### **Reason for Report**

1. This item provides the means for councillors to raise minor matters they wish to bring to the attention of the meeting.
2. Hawke's Bay Regional Council standing order 9.13 states:
  - 2.1. "A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion."

### **Recommendations**

3. That Council accepts the following "Minor Items Not on the Agenda" for discussion as Item 16:

<b>Topic</b>	<b>Raised by</b>

**Leeanne Hooper**  
**GOVERNANCE LEAD**

**James Palmer**  
**CHIEF EXECUTIVE**



# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 16 December 2020

## Subject: REPORT AND RECOMMENDATIONS FROM THE CORPORATE AND STRATEGIC COMMITTEE

Item 7

### Reason for Report

1. The following matters were considered by the Corporate and Strategic Committee (C&S) meeting on 2 December 2020 and the recommendations agreed are now presented for Council's consideration alongside any additional commentary the Chair, Councillor Neil Kirton, wishes to offer.

### Agenda Items

2. The **Report from the 11 November 2020 Finance Audit and Risk Sub-committee (FARS)** item reported to the Corporate and Strategic Committee (C&S) on the meeting's proceedings including:
  - 2.1. an update on progress implementing the **Risk Maturity Roadmap** accompanied by a bowtie analysis demonstration
  - 2.2. an **Internal Audit Work Programme Update** item updated the Sub-committee on the internal audit work programme and sought feedback on newly developed reporting dashboards
  - 2.3. an **HBRC Covid-19 Response Review Report** item provided learnings and findings from the internal review of the Regional Council's organisational response to the Covid-19 pandemic
  - 2.4. a **Section 17a Review of the HBRC Works Group** discussed in Public Excluded informed the Sub-committee of the outcomes of the recent Section 17A Review of Works Group undertaken by Morrison Low, and the report's recommendation to increase the size and scale of the Works Group, and to introduce processes and tools to enable this as developed through further discussions with the Executive Leadership Team.
    - 2.4.1. Through discussions at the C&S meeting it was clarified that findings and recommendations from section 17a reviews are provided to the FARS and C&S for information only as they relate to operational matters within management's purview to action (or not) unless issues of material significance affecting Levels of Service are identified.
  - 2.5. a **Verbal FUSE Project Update** provided the Sub-committee with an update on the progress made to date implementing the new financial system (FUSE) as well as a rundown of the project's benefits
  - 2.6. The **Sub-committee Work Programme November 2020 Update** provided an update on the overall work programme progress to date and advised that a report covering Council's overall assurance framework will be prepared for the February 2021 FARS meeting, focussing and informing S17a effectiveness and efficiency conversations
  - 2.7. The **2019-20 Annual Treasury Report** and **Q1 2020-21 (1 July – 30 September 2020) Treasury Report** items provided updates on treasury activity and reported on the performance of Council's investment portfolio.
3. The **Pettigrew Green Arena Car Park** item sought the Committee's agreement to a preferred option for the location of a car park to accommodate additional patronage at the expanded Arena complex. Although a constructive discussion occurred, no firm position was determined and further information was requested. The further information and a presentation from the Regional Indoor Sport and Events Centre Trust and EIT representatives have been provided to the 16 December Regional Council meeting to

enable agreement to a preferred location for advising to the Trust in order for the proposal to proceed to the resource consent application phase.

4. The **2019-20 Compliance Annual Report** item and presentation highlighted:
  - 4.1. 92.5% of consents were monitored, of which 89.7% (2750) were fully compliant
  - 4.2. majority of non-compliant consents were discharges to land and water, with Municipal wastewater having the highest proportion of non-compliance and Municipal stormwater continuing to be non-complying
  - 4.3. Wineries were mostly compliant with an exception that was not meeting discharge standards
  - 4.4. Dairies had some significant and moderate non-compliance at a few sites
  - 4.5. All feedlots were monitored, non-compliance is technical rather than environmental
  - 4.6. Forestry has been largely compliant during the period
  - 4.7. 11% fewer complaints (982) received, 21% less infringement notices issued (88), 48% (21) fewer abatement notices issued and prosecutions increased by 300% to 12.
5. The **Harbourmaster Functions** presentation introduced Captain Martin Moore and the role and responsibilities of the Harbourmaster, including in relation education on safe boating, Rocket Lab rocket launches and boating speed restrictions on rivers, particularly Mohaka.
6. The **HB Tourism Six-Monthly Update** item and presentation covered how HB Tourism is tracking on achieving its KPIs, highlighting positive movement in domestic market share in part the result of the campaign targeted to the Wellington region, currently HB Tourism membership is free, and work to improve relationships with Hawke's Bay and New Zealand Māori Tourism and develop a cultural brand for HB.
7. The **Organisational Performance Report for Period 1 July to 30 September 2020 and 2020-21 Quarter 1 (1 July – 30 September 2020) Financial Report** items provided first quarter results for the 2020-21 financial year, and:
  - 7.1. introduced a reporting dashboard proposed to replace the current 80 page organisational report in future, and can be tailored to include metrics particular committees consider useful to see in this format
  - 7.2. Majority of variances were due to the inability (with the current Finance system) to phase budgets to align to timing of work delivery
  - 7.3. No significant over or underspend
  - 7.4. Dividend from Napier Port was higher than anticipated and potential implications on the amount that council will need to borrow and baseline financials for LTP.
8. A **Controller and Auditor General 2020 Managing Conflicts of Interest Guidance** item provided updated guidance for the Committee's information.
9. The **Regional Council's Corporate Carbon Footprint** item provided Council's 'baseline' carbon footprint as calculated by independent consultant, EKOS, with discussions covering:
  - 9.1. Additional work around forestry and open spaces carbon calculations and off-set options will need to be commissioned from an external consultant
  - 9.2. Potential to reduce the use of the vehicle fleet as the main contributor to Council's carbon footprint
  - 9.3. Incentives for staff to use public transport and the promotion of cycling to work.
10. Finally, the **HBRIC Ltd Quarterly Update** item provided a confidential update to the Committee on progress with several investment opportunities being explored by HBRIC, as well as the CCO's latest financial position.

## Decision Making Process

11. These items were specifically considered by the Corporate and Strategic Committee on 10 June 2020 and are now the subject of the following recommendations to Council.

## Recommendations

The Corporate and Strategic Committee recommends that Hawke's Bay Regional Council:

1. Receives and considers the "*Report and Recommendations from the Corporate and Strategic 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 these items without conferring directly with the community or persons likely to have an interest in them.

## Pettigrew Green Arena Car Park

3. Considers the cultural and values assessment information and presentation from the Regional Indoor Sport and Events Centre Trust in order to provide direction on a suitable location for the carpark at Pettigrew Green Arena.

## 2019-20 Compliance Annual Report

4. Adopts the 2019-20 Compliance Annual Report for publication on the Hawke's Bay Regional Council website.

## Reports Received

5. Notes that the following reports were provided to the Corporate and Strategic Committee
  - 5.1. Report from the Finance, Audit and Risk Sub-committee
  - 5.2. Harbourmaster Functions
  - 5.3. HB Tourism Six-Monthly Update
  - 5.4. Organisational Performance Report for Period 1 July to 30 September 2020
  - 5.5. 2020-21 Quarter 1 (1 July – 30 September 2020) Financial Report
  - 5.6. Regional Council's Corporate Carbon Footprint
  - 5.7. HBRIC Ltd Quarterly Update (*Public Excluded*)

## Authored by:

**Leeanne Hooper**  
**TEAM LEADER GOVERNANCE**

## Approved by:

**James Palmer**  
**CHIEF EXECUTIVE**

## Attachment/s

There are no attachments for this report.



## **HAWKE'S BAY REGIONAL COUNCIL**

**Wednesday 16 December 2020**

**Subject: PETTIGREW GREEN ARENA EXPANSION PROJECT**

**Item 8**

### **Reason for Report**

1. This item provides the opportunity for representatives of the Regional Indoor Sport and Events Centre Trust (RISEC) and EIT to make presentations about the Pettigrew Green Arena extension project and long term planning for the stadium as context for councillors' consideration of options for the location of associated car parking.

### **Recommendations**

That Hawke's Bay Regional Council receives and notes the presentations from representatives of the Regional Indoor Sport and Events Centre Trust and EIT.

### **Authored by:**

**Leeanne Hooper**  
**TEAM LEADER GOVERNANCE**

### **Approved by:**

**James Palmer**  
**CHIEF EXECUTIVE**

### **Attachment/s**

There are no attachments for this report.





**Subject: PETTIGREW GREEN ARENA CAR PARK**

**Reason for Report**

1. This item provides information about the options for the location of the car-parking for the Pettigrew Green Arena expansion, to enable a direction on the preferred option to be given to the Regional Indoor Sport and Events Centre Trust (RISEC) for the resource consent process.

**Officers' Recommendations**

2. Council officers recommend that the Napier Reserve land is recommended by HBRC to be utilised for the carpark.

**Executive Summary**

3. The Pettigrew Arena is in receipt of PGF funding to develop additional indoor court space for Napier/ Hastings. As part of the development of the site, a location is required for approximately 385 carparks in the near term and up to 535 carparks in the longer-term. During the day these carparks are available for EIT students' use.
4. There are two identified locations for the carpark. The first, located behind the existing Pettigrew Arena building and carpark on NCC Reserve land, and the second located on the adjacent Tūtaekurī river berm on the river side of the stopbank managed by HBRC. There is also a third hybrid option presented.
5. Staff assessment of the three options has resulted in a preference, by a narrow margin, for the NCC reserve.

**Background**

6. The Regional Indoor Sport and Events Centre Trust (RISEC) is the charitable trust that operates the Pettigrew Green Arena in Taradale. Since the decision not to proceed with the Multi-Use Sports Facility in 2018, the Trust has been developing options to progress its own facility expansion through providing additional indoor courts. A business case, feasibility study and proposal have been completed.
7. The facility is situated on NCC reserve land (Riverside Reserve). The reserve is broken into two parts with separate designations under the Reserves Act 1977. The area of the reserve in which the existing facility is located is designated as a local purpose community holding reserve, where the rear of the reserve that is currently green space, playground and dog agility area is a recreational reserve. The local purpose community holding reserve designation enables more commercial activity with the leased office space, gym and food provider within the facility.
8. The proposed extension is to construct a new building at the rear of the existing Pettigrew Green Arena (PGA) in Taradale over the car park and a small section of EIT land next door. It is proposed to include a wooden floor that can accommodate six full size futsal courts. The carpark area that has made way for the expanded building will need to be replaced and added to close by.
9. The new facility will be available for use by a large number of sporting codes, so the floor space will be able to be configured for the following sports:
  - 9.1. Basketball
  - 9.2. Futsal
  - 9.3. Volleyball
  - 9.4. Netball

- 9.5. Badminton
- 9.6. Indoor bowls.
10. The new facility is estimated to cost in the region of \$14 million (definitive budget still to be completed), with one third of the funding to be sought from corporate sponsorship, philanthropic trusts, government funding and public donations.
11. Construction of the proposed facility is to take approximately one year, and the project will have the ability to be scaled back if the funding targets are not achieved.
12. The need for the expanded facility has been supported by a number of documents and reports that have indicated a high level of unmet demand for indoor court space in Hawke's Bay driven by structured indoor sports.
13. These documents and reports have consistently indicated a need of between two and six additional courts across Hawke's Bay. Given the age of these reports and for some the dependence on the National Facilities Strategy for Indoor Sports (2013), these court demand projections do not account for the rapid growth of primarily basketball, but also futsal and volleyball, and the larger than projected growth in the population of Hawke's Bay.
14. To support RISEC with its expansion project, in April 2020 NCC approved the formation of an Indoor Sports Working Group comprising NCC councillors and officers, PGA, Sport HB and EIT representatives.
15. In August 2020 Government announced that the PGA expansion project has been granted \$6.4 million from the Government's Covid Response and Recovery Fund. This investment combined with \$4.1 million from NCC and approximately \$2 million of existing RISEC funding will comprise the bulk of the project's construction budget. The primary driver for the national government investment is to stimulate economic activity for the local economy. This impetus creates a haste to get the building underway.
16. The site plan for the expanded facility (attached) shows the new 5 futsal court facility sited where at the rear of the existing facility and over the current carpark. In addition to replacing the carpark that is planned to be built over, there is a need to create car parking capacity to cater for the additional visitors to the facility. A site plan is also attached for further expansion plans.
17. The HBRC land assessed for a carpark is in part held for the Improvement and Protection of the Tūtaekurī River and in accordance with the purposes of the Soil Conservation and Rivers Control Act 1941 (SCRCA). The objectives set out in Section 10 of the SCRCA included:
  - 17.1. The promotion of soil conservation
  - 17.2. The prevention and mitigation of soil erosion
  - 17.3. The prevention of damage by floods
  - 17.4. The utilisation of lands in such manner as will tend towards the attainment of the above objectives
18. Part of the land is also held as a Hydro Parcel surveyed prior to 1918. Further analysis is required on this land tenure with regards to the rights for HBRC to establish a carpark over this area. HBRC's relationship to this land is as the responsible authority for the waterway in accordance with the Resource Management Act 1991 (RMA). Section 30(1)(g) of the RMA which is relevance to the Hydro parcel sets out the function of HBRC with similar responsibilities to the SCRCA.

## **Discussion**

19. An agenda item similar to this one was presented at the HBRC Corporate and Strategic Committee on 2 December 2020, and although a constructive discussion occurred no firm position was determined. In addition, further information was requested on how the proposal fits within the HBRC values and questions in regards to a cultural impact assessment. This information on HBRC values is included in this item. No cultural impact assessment has been undertaken to date.

20. NCC considered the issue at the Sustainable Napier Committee on 3 December 2020 and resolved through the Committee to support the over the stop bank car park option on land managed by HBRC. The issue will be re-examined at the NCC Council meeting to be held on 17 December 2020.
21. Once each Council has completed their decision making process, advice can be provided to the Regional Indoor Sport and Events Centre Trust.
22. Additional information will be presented at the Council meeting, consisting of:
  - 22.1. Edited diagram of the likely carpark location and dimensions by HBRC taking into account resilience construction work on the Taradale stop bank (attachment 4)
  - 22.2. An analysis of the flood history in this location
  - 22.3. A statement on the current flood forecasting capability for this location.

### Options Assessment

23. Pettigrew Green Arena has an existing arrangement with the Eastern Institute of Technology in which PGA parking can be used by EIT students during weekdays, with PGA having access to EIT parking for events when overflow car parking is required.
24. The NCC reserve is bordered by the EIT Student Village to the north, and Hawke's Bay Regional Council land to the south (the stopbank, cycle paths and riverbank land). To enable the land required to construct the expanded facility and provide a service access lane around the facility, a small sliver of EIT land is required.
25. These site constraints and different landowners pose a challenge to locating car parking in a way that best services the needs of the facility and EIT.
26. There are three options for the location of the car park:
  - 26.1. Option 1 is locating the car-parking on the NCC-owned Riverside Reserve to the east of the proposed extension
  - 26.2. Option 2 is locating the car parking over the stopbank on HBRC managed land
  - 26.3. Option 3 is a hybrid of the two options – part located in the NCC reserve and part across the stopbank on HBRC land.

### Criteria

27. In order to develop a rounded assessment of the three options a criteria including the following aspects was developed.
  - 27.1. Strategic fit – the impact that the options have on the strategic intent of NCC and HBRC
  - 27.2. Site efficiency – how effectively the positioning of the car-park services the Pettigrew Green Arena
  - 27.3. Whole of life costs – the capital and operating costs of each option
  - 27.4. Existing utility – what community utility value will be given up for each option to construct a car-park
  - 27.5. Environmental/ecological impact – the impact of each option on the natural environment
  - 27.6. Risks – the risk levels associated with each option
  - 27.7. Acoustics – the acoustic impact on neighbouring residents
  - 27.8. Visual impact – Mitigating the car-park aesthetics and blending into its surroundings
  - 27.9. Future-proofing – the impact of the options on potential future PGA expansion.
28. The criteria and ratings have been developed and agreed between officers from Napier City Council and Hawke's Bay Regional Council.

## Limitations

29. The options assessment is a high-level officer assessment to inform council decisions as to the way forward. It provides a qualitative assessment to assess the three options using relevant criteria to identify the positive and negative aspects and separate the options. The assessment is not intended to make the decision, but to inform deliberations between councils to provide direction to PGA/RISEC.
30. Each criteria has been given equal weighting. It is possible that Council considers that some criteria should be given increased or decreased weightings and this should be considered during deliberations.

## Assessment results

31. Three options assessed against this criteria, with the intention of providing an objective and relative option comparison to assist with the decision making of NCC and HBRC.
32. The following rating scale was used to assess the options and help to differentiate based on the criteria.
  - 32.1. 1 – Little to no impact
  - 32.2. 3 – Medium impact
  - 32.3. 5 – Significant impact.
33. The assessment scoring of the three options is as follows.

Option	Total score	Ranking
1 – Riverside Park Reserve (NCC land)	44	1 (preferred)
2 – Over the stopbank (HBRC land)	50	2
3 – Hybrid options (both NCC and HBRC land)	52	3 (least preferred)

## Summary of options

34. Option 1: Riverside Park Reserve

Pros	Cons
Better car-parking security and accessibility	Closer to neighbouring residences meaning that noise and disturbances from car park users will be more significant
No need to have traffic cross the bike path	Is further from EIT for students, potentially meaning students may choose to park on the road rather than the designated car park
Car park not constructed in flood hazard zone – reducing risks and operating costs	Will remove green space used by the community
	Will require the relocation of infrastructure including public toilets, dog-agility park and playground.

35. Option 2: Over the stopbank

Pros	Cons
Closer proximity for EIT students	Increased risks to carpark infrastructure and private vehicles due to flooding from a 1 in 5 year flood event
Advantages to managing noise, disturbances and visual impact	Increased operational costs for the carpark owner from clean up and damage caused by potential flood damage
	Will remove greenspace used by the community
	Will require relocation of the Taradale pump/ jumps cycle track

## 36. Option 3: Hybrid option

Pros	Cons
No advantages over the 2 other options	Higher capital costs from crossing the stopbank twice
Advantages to managing noise, disturbances and visual impact	Greater disruption to cycle path from the two crossings

37. The full option evaluation matrix is included in the attached documents.

### Mitigations through design and processes

38. Design, engineering and construction methods can mitigate the negative impacts of the stopbank option. Plantings, choice of materials and engineering to help to mitigate the impact of flood waters in a flood event are all considerations for detailed design.
39. It may also be possible to use the car park to provide improved access for people to the river to support other recreational opportunities.
40. While the stopbank option (option 2) is considered optimal by the proponent as the best situation for servicing the arena itself, as well as better servicing EIT students, it carries a much greater risk of flooding, potentially causing loss or damage to parked vehicles, damage to the car park itself and increased operational costs through clean up after flood events.
41. Pettigrew Green Arena has undertaken to be responsible for asset repair costs, operational costs and risks should the car park be situated over the stopbank, so these costs will not be borne by HBRC or NCC.
42. It has yet to be decided how the closing of the carpark and the removal of vehicles will be managed when a heavy rain warning is received. Currently advice on the impacts of rain fall and flooding are the responsibility of HBRC, whilst the promulgation of warnings across the region and response actions are the responsibility of the Hawke's Bay CDEM Group. As the agencies responsible for these actions accountability for actions around the health and safety of people and property in relation to this proposal would sit with them.
43. As mention this issue has yet to be meaningfully addressed and the Council needs to be aware of the risks and liability it may incur as a result of allowing structures and activities within known hazard zones and land owned by the Council.

### Impact of Climate Change

44. The impacts of climate change in Hawke's Bay were recently presented at the 4 November 2020 Environment and Integrated Catchments Committee. The report noted:
- 44.1. The changes in rainfall are expected to impact river flows. Annual average discharge decreases (by approximately 20% by 2090 under the high emissions pathway). Mean annual low flows (MALF) largely decrease over time, exceeding 20% in some areas by 2090 under the high emissions pathway, but an increase in summer rainfall in coastal locations may mean an increase in some catchments by 2040 under the mid-range emissions pathway. ***Mean Annual Flood increases by up to 50% for many of the region's rivers by the end of the century under a high emissions pathway.***
45. The key point of this analysis is that flood events are likely to become more frequent and so over time the current flood impact assessment of 1:5 to the proposed carpark will become more frequent. At this stage it is a trend only and no detailed analysis has been undertaken.
46. HBRC is currently working with NIWA to develop robust methods to introduce climate change scenarios into our river modelling.

### The EIT perspective

47. EIT has formally expressed its firm preference to have the car-parking located over the stopbank. This is primarily driven by concerns over the proximity of the parking to EIT, and concerns that with the additional distance (200m) that the students will not use the park and prefer to park on the street.
48. The project requires that EIT provide a small section of its land to the north of the proposed site to enable vehicle access around the facility. EIT has indicated that unless the car-parking is situated in the preferred location for its students, then the granting of this land to enable construction as per the current designs may be withheld. This is a potential 'show-stopper' for the construction of the expanded facility.
49. It should be noted that HBRC should not consider that the project can only go ahead if HBRC grants permission for use of its land. The benefits of the court space to the community can be delivered irrespective of the location of the carpark. The EITs position of not agreeing to the car park being located an additional 200m away, is not seen as being a significant disbenefit in the overall assessment of this project.

### Issues

50. HBRC has scheduled work during this financial year to reinforce (widen) the Taradale stopbank. This work is funded by the IRG funding as part of the Government's Covid-19 Recovery response. Further work may be scheduled in years 2 (2021-22) and 3 (2022-23) of the programme which is currently under development.
51. HBRC has specific milestones to meet through the IRG Funding Agreement administered through PDU. The work scheduled for the Taradale stopbank cannot be substantially changed to suit the PGA work program.
52. This section of stopbank has been accessed by HBRC as a critical component of the Heretaunga Plains Flood Control Scheme due to the high consequence of failure on the Taradale area. The risk that a proposed carpark need to be fully understood and would require further analysis by HBRC.
53. Careful consideration would need to be made of flood water velocities across the stopbank adjacent to the proposed carpark. Edge protection to reduce velocity may be required between the carpark and stopbank requiring a buffer area. This has not been allowed for in the proponents plans.
54. Though this work (48,49 &50) does not directly impact the determination of a preferred option, the amended dimensions and the construction period itself will need to be considered through design and construction.
55. HBRC has undertaken significant work on developing a strategy for the public use rivers. This was presented to the Environment and Services Committee in July 2018. The draft strategy identified the river berm between Guppy Road and Gloucester Street for a high amenity public access facility. The Public Use of Rivers project has since been placed on hold pending the outcomes of the Heretaunga Plains Level of Service Review so that outcomes of the 1:500 level of service review can be fed back into the Public Use of Rivers projects along with an enhance consultation strategy. It should be noted that parking on the river berm was also identified as part of this strategy albeit at a much reduced scale.
56. Guppy Road to Gloucester Street has the following existing uses that would need to be considered as part of any carpark proposal:
  - 56.1. Walking, dog walking and cycling
  - 56.2. Fishing and gamebird hunting
  - 56.3. Awatoto to Puketapu horse trail
57. The Public Use of Rivers report identified that there would be significant sensitivities around any change of use in the Guppy Road to Gloucester Street, particularly if access was restricted.

58. The carpark is significant in size, and significant in scale in the environment in which it is proposed. The initial 385 carpark is approximately 1 ha in surface area.

### Strategic Fit

59. The use of this land has not been identified for this purpose (carpark) in Long Term Plan, Asset Management Plans or Infrastructure Strategy.
60. The land has been identified through draft documents for Public Use of Rivers Project (paragraph 50,51) as having an alternate use, this work has not yet been formalised through the Asset Management Plans or Infrastructure Strategy.

### Significance and Engagement Policy Assessment

61. HBRC has not undertaken any consultation with any group on the proposal to utilise Taradale river berm as a significant carpark. Examples are: local community, emergency services.
62. There has been no engagement with tangata whenua or cultural impact assessment carried out for the area in question.
63. NCC staff have advised that community engagement is to be considered through the resource consent process and through the proposed Napier City Council Spatial and Connectivity Plan.

### Risk Assessment

64. The potential that EIT will not provide the small section of land required for the project to commence if the carpark is not located on HBRC land.
65. The HBRC carpark option knowingly places third party infrastructure and private property in a flood hazard zone where lower risk options exist.
66. No analysis or assessment has been carried out around legal liability for a decision to place a significant carpark in a flood hazard zone in the event of serious injury or fatality.

### Financial and Resource Implications

67. Delays with this decision may result in the project not meeting key deadlines for Government funding and result in the return of the committed investment.
68. PGA have advised that a resource consent must be lodged by 17 December 2020 in order to meet contractual construction milestones with PGF.
69. Given the size and scale of the project PGA have a very optimistic schedule particularly for the resource consent phase.
70. HBRC understands that key input documents to the consenting process such as cultural impact assessment and traffic impact assessment have not yet been complete and are significant packages of work.
71. HBRC is not funding any part of the project, nor will not own or maintain the third party infrastructure and will not be responsible in any way for damage or destruction of third party or private property through flood or other event.
72. The question of any specific flood forecasting for this site would need to be resolved and potentially resourced for the life of the PGA asset. This would include an agreement around false alarms that may require the carpark to be emptied during a large event.

### Summary of Values

73. At a high level working with NCC, EIT and PGA to provide and optimise broad benefits to the community is supported by HBRC values and objectives. However, when it comes to more specific objectives around enhancement of ecology and environment, climate resilient services and infrastructure the construction of an up to 535 vehicle carpark within the river berm is not consistent with our stated direction.

74. Although HBRC operates 32 small car parks for river access across the Heretaunga and Ruataniwha plains these are significantly smaller and informal to allow access for recreation, cultural activities and enjoyment of our rivers and riparian margins.

## HBRC Values

### Organisation Values

#### 75. *Partnership and collaboration*

- 75.1. We work with the community in everything we do
- 75.2. This project is an opportunity to collaborate with EIT, PGA and NCC to provide the optimal development opportunity for this site, minimising rework as the PGA continues to expand over time. The court and performance space is desperately needed to support community wellbeing outcomes.
- 75.3. In contrast there has been no consultation with the general community or tangata whenua on the use of river berm for a significant car park.

#### 76. *Accountability*

- 76.1. We hold ourselves to account to deliver results, be responsive to community expectations and the best use of ratepayers funds and assets
- 76.2. Although HBRC is not directly funding any aspect of this project, HBRC can participate in decision making to ensure the optimal use of ratepayer and crown funds.

#### 77. *Transparency*

- 77.1. We report on what we do and the value this delivers for our community
- 77.2. The process for making this decision is transparent through public committee and council meeting processes.

#### 78. *Excellence*

- 78.1. We set our sights and expectations high and never stop striving to do better
- 78.2. We strive to make the best decision for our community while remaining true to our core focus. HBRC does undertake a lot of work identifying natural hazards and planning how our community can best mitigate or avoid these hazards. HBRC supporting placement of significant car park (up to 535 vehicles) within a flood hazard zone could be seen by some as a long standing symbol that goes against this approach.

## Organisational Focus

#### 79. *Water quality, safety and climate- resilient certainty*

- 79.1. The car park will create urban stormwater polluted with hydrocarbons and heavy metals from vehicles and traffic. This can be mitigated through water sensitive urban design or local pollution capture devices. These mitigations will likely be overcome and not operate effectively in a flood scenario.

#### 80. *Climate smart and sustainable land use*

- 80.1. The risk profile of this location will increase over time as climate change further influences the climate within Hawke's Bay, likely bringing more frequent flood events.
- 80.2. It is questionable that allowing substantial public infrastructure in a flood zone can be considered climate smart or sustainable in the long term.

#### 81. *Healthy functioning and climate resilient biodiversity*

- 81.1. This project does not support biodiversity outcomes - there is an opportunity cost of supporting the stopbank car park option in that environmental enhancement, biodiversity and cultural experience opportunities will be lost for perpetuity.



## 82. Sustainable and climate resilient services and infrastructure

- 82.1. Infrastructure located within a flood hazard zone is not as sustainable or resilient as options that place it in the protected zone of the flood control scheme.
- 82.2. The PGA infrastructure is highly dependent on traditional vehicle use based transport with parking metrics. As an example, the stage 2 plans require 150 carparks for 6 court spaces. It does not appear that options such as event based bus or on demand minivan, end of trip arrival facilities supporting cycling or informal event based overflow carparks have been considered.

## River Management Values

- 83. Nesting within the organisational focus and values, the Asset Management Group has developed a hierarchy of objectives in managing our river and waterway infrastructure.
  - 83.1. **The protection of life and communities-** by providing for the control of flooding within Scheme rivers and the draining of surface water from Scheme land so that the frequency, duration and extent of flooding presents minimal risk to human life and community viability and disruption to the community is minimised.
  - 83.2. **The sustainable use of land-** by providing for the draining of surface water from land and maintenance of the water table assisted by receiving facility for water from individual properties.
  - 83.3. **The protection and enhancement of ecology and water quality values-** by ensuring that flood management and maintenance practices do not significant adverse effects on the ecology of rivers, streams and wetlands and ensuring that where practicable enhancement aspects are included as part of asset upgrades and renewals.
  - 83.4. **The sustainable management of river sediment (gravel, sand and silt) resources-** by monitoring and managing river sediment to maintain the flood carrying capacity of the river channels, and managing allocation of river gravel resources in a consistent and equitable way.
  - 83.5. **The protection and enhancement of social and cultural values-** by providing for a wide range of amenity and recreation opportunities and balancing conflicting uses and demands on the river berm and drainage reserve areas. Recognising tikanga Māori values and the contribution they make to sustainable development and tangata whenua roles as kaitiaki, in keeping with Māori culture and traditions. To consult with Māori in a manner that creates effective outcomes.

## Land Tenure Values (Objectives)

- 84. The HBRC land assessed for a carpark is in part held for the Improvement and Protection of the Tūtaekurī River and in accordance with the purposes of the Soil Conservation and Rivers Control Act 1941 (SCRCA). The objectives set out in Section 10 of the SCRCA include:
  - 84.1. The promotion of soil conservation
  - 84.2. The prevention and mitigation of soil erosion
  - 84.3. The prevention of damage by floods
  - 84.4. The utilisation of lands in such manner as will tend towards the attainment of the above objectives
- 85. Part of the land is also held as a Hydro Parcel surveyed prior to 1918. Further analysis is required on this land tenure with regards to the rights for HBRC to establish a carpark over this area. HBRC's relationship to this land is as the responsible authority for the waterway in accordance with the Resource Management Act 1991 (RMA). Section 30(1)(g) of the RMA which is relevance to the Hydro parcel sets out the function of HBRC with similar responsibilities to the SCRCA.

**Decision Making Process**

86. Council and its committees are required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
- 86.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
  - 86.2. The use of the special consultative procedure is not prescribed by legislation.
  - 86.3. The decision is not significant under the criteria contained in Council's adopted Significance and Engagement Policy.
  - 86.4. The persons who will be affected by this decision in future are students and staff of EIT, patrons of the Pettigrew Green Arena and residents who live and recreate close by.
  - 86.5. Given the nature and significance of the issue to be decided, and also the persons likely to be affected by, or have an interest in the decisions made, Council can exercise its discretion and make a decision without consulting directly with the community or others having an interest in the decision.

**Recommendations**

That Hawke's Bay Regional Council:

- 1. receives and considers the "Pettigrew Green Arena Car Park" 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 a view as to the optimal carpark location, being \_\_\_\_\_, and communicates that to the Regional Indoor Sport and Events Centre Trust.

**Authored & Approved by:**

**Chris Dolley**  
**GROUP MANAGER ASSET MANAGEMENT**

**Attachment/s**

- [↓1](#) Pettigrew Green Arena Car Parking Options Matrix
- [↓2](#) Pettigrew Green Arena Extension Site Plan with Car Park Adjustments
- [↓3](#) Pettigrew Green Arena Map
- [↓4](#) Pettigrew Green Car Park - 20m buffer

Definition		NCC Reserve	HBRC Reserve	Hybrid	Comment	Mitigation
Strategic fit						
HBRC - four focus areas	1 - Water quality, safety and certainty, 2 - smart, sustainable land use, 3 - healthy and functioning biodiversity, 4 - sustainable services and infrastructure	1	3	3	At this stage of the project it is difficult to rate the three options by HBRC's four focus areas, as a lot of the considerations that may make a difference in each area can be addressed or mitigated through design. Sustainable infrastructure may not score so highly due to the risk of flooding and the impact this will have on the life of the asset, similarly with a healthy and functioning biodiversity, but it could be agreed that with good design that the car park is a smart, sustainable use of land. Again, difficult to rate impact of a car park against high level council objectives, and a lot can be addressed or mitigated through design, though as the stopbank option does service the facility more effectively then this may score well in excellence in infrastructure. As public use of the Riverside Reserve is expected to be more than the land over the stopbank, constructing a car park over the reserve may adversely impact a safe and healthy city that supports community wellbeing. EIT's firm preference is for the stopbank option for the reason that this will better support their students and organisation, which could mean a higher score for working with and for the community.	
NCC - 5 outcome areas	1 - A vibrant innovative City for everyone, 2 - Excellence in infrastructure and public services for now and in the future, 3 - A sustainable City, 4 - Council works with and for the community, 5 - A safe and healthy City that supports community well-being	3	3	3		
Risks to project						
Site efficiency						
PGA customers proximity	Proximity to PGA facility from car-park	1	1	1	No tangible difference between options for PGA customers	
EIT proximity	Proximity for EIT students to EIT from car-park	3	1	3	The Riverdale Reserve solution is further from EIT, and has caused EIT to express concern	
Accessibility	Impact on the customer journey for people with disabilities	1	3	3	The impact of the crossing the stopbank to get to and from the facility may impact the ease of wheelchair access or access by those that have mobility issues - though specific disability car-parks will presumably be situated closer to the facility	
Traffic impact	Impact of the car-parking configuration on traffic and required traffic mitigations	1	1	1	Car-parking configuration options should have little impact on traffic mitigation as access ways remain in the same places	
Whole of Life Cost						
Capital	Costs of construction	3	3	5	Difficult to identify any difference in capital costs without detailed design. The stopbank option will require more earthworks to safely build up the accessway across the stopbank, though the reserve option may have increased costs to mitigate the presence of NCC water infrastructure, and relocate the dog-agility park, the public toilets and the playground Increased operational and maintenance costs for remediation work in event of flooding. The area is rated as impacted in a 1 in 5 year flood event.	
Operational	Costs of maintenance and renewal	1	5	3		
Exiting utility/contribution to wellbeing						
Green space	Utility value of green space in terms of recreational usage	3	3	3	Both the riverbank area and reserve have existing amenity value, though it is considered in terms of usage that the reserve provides greater amenity value. It is possible that carpark design over the stopbank can also provide improved access to the river	
Bike paths	Impact on the popular bike path on the stopbank	1	3	3	The reserve option doesn't require a path up and over the stopbank, which will require a traffic crossing on the bike path	
Dirt jump track	Impact on the bmx and mountainbike jump track located over the stopbank	1	5	3	The stopbank option may require the relocation of the pump track - and the hybrid option may also impact	
River access	Impact of enabling public to access the river for recreational purposes	3	1	1	The design of the car park options across the stopbank can enable the creation of better and safer access to the river	
Environmental/ecological impact						
Natural environment	Impact of each option on the natural environment	1	3	3	By using the riverbank for carparking it will impact the existing natural environment. This can be mitigated through design, and may even be able to be turned into a positive, through providing safe access to the river, softening the car-park through plantings and other features.	
Risks						
Loss of parking due to river flooding	Risks of damage to asset and any vehicles parked in a flooding event	1	5	3	Flooding of the Tutaekuri River would cause risk to the car-parking infrastructure, create operational costs for clean-up and potentially risk vehicles parked in the carpark during the event	
NCC Services access	Impact to NCC Water infrastructure	3	1	1	A chlorination station and bore is situated on the reserve. These require access, but this can be provided for through car-park design and construction	
Safety	CPTED considerations for customers and community	1	3	3	The options over the stopbank may have an increased safety risk due to the visual barrier the stopbank provides and the impeded view of the car-park from the facility. Due to restrictions over what can be built in the flood zone it may be difficult to provide adequate lighting.	
EIT support	EIT agreement to provide land to enable construction	5	1	3	EIT have stated that they will not grant the portion of Student Village land required for the project should the car-park be situated on the reserve	
Acoustics						
Proximity to residential	Impact to neighbouring residents (noise and disturbance)	3	1	1	The reserve solution will mean that car-parking is in closer proximity to residents, and may cause additional noise and visual impacts	
Visual impact						
Softening' car park into surrounds	Ability to mitigate the aesthetics and blend into surroundings	5	3	3	Similar options are available irrespective of where the car park is located. The stopbank is a visual barrier from a lot of the surrounding area, so the ability to minimise the visual impact is probably slightly higher for the HBRC option	
Future-proof						
Future PGA expansion	Impact to potential future expansion of PGA to accommodate growth and increasing demand. It is possible that future expansion may involve a 'landswap' between NCC and EIT to provide PGA with the EIT land closest to Gloucester St to the north of the existing PGA facility	3	1	3	PGA expansion, should future demand require it, can be pushed into neighbouring EIT land or back into the reserve. Building over existing car-parking is possible, though this adds some cost to the future project of re-building the car-parks. A landswap between EIT and NCC would likely involve the remaining Riverside Reserve land for the road facing EIT land. Again, building a car park on the reserve doesn't preclude swapping the reserve, but may add to future development costs for EIT to construct over the car park	
		44	50	52		





PROPOSED PLAN - STAGE ONE - STOPBANK OPTION

SCALE: 1:1000

PETTIGREW GREEN ARENA  
EXTENSION  
GLOUCESTER STREET, NPR

A01  
PROJECT No. P568

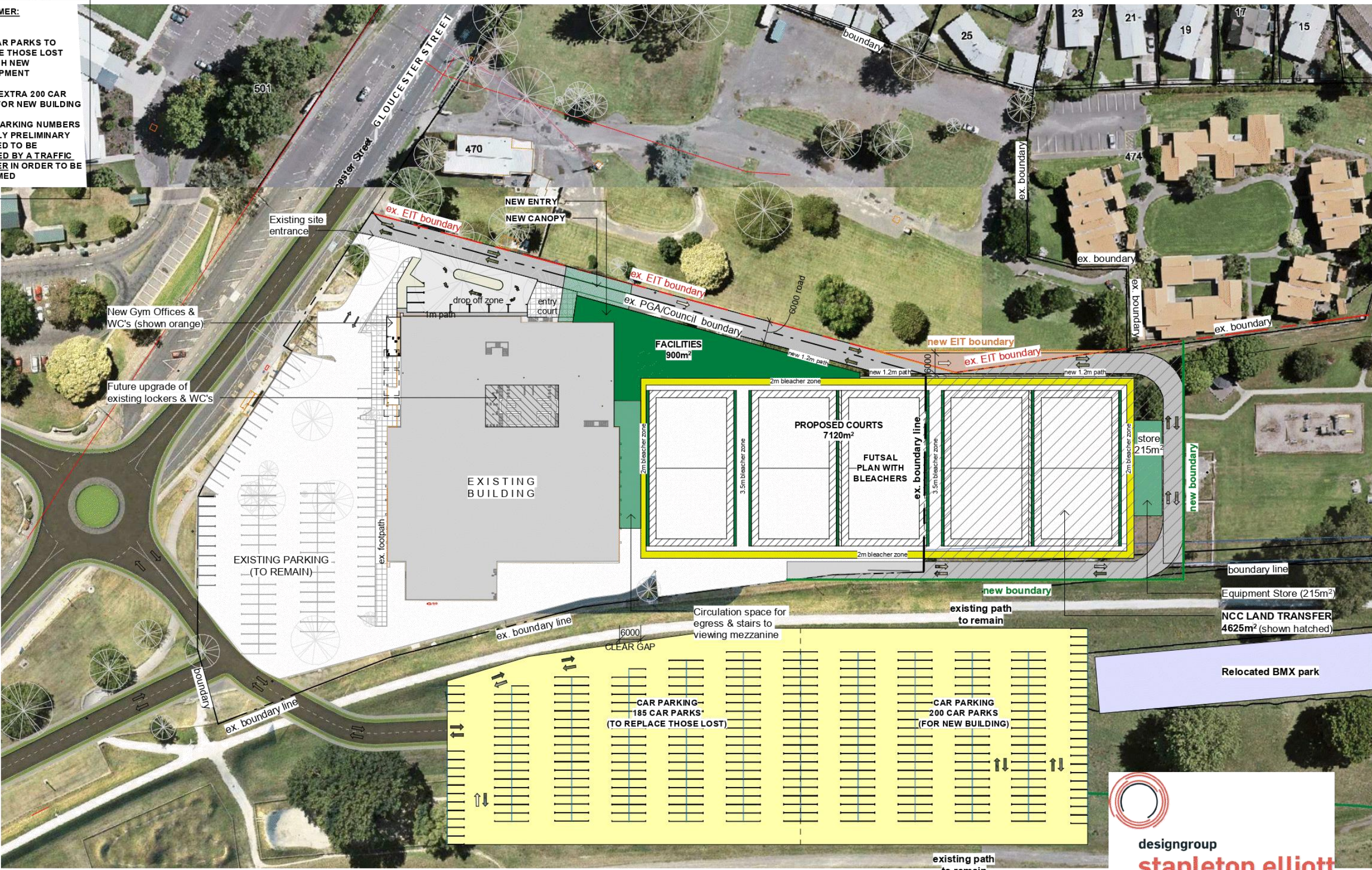
16.09.2020 DATE: SEPTEMBER 2020

**DISCLAIMER:**

1. 182 CAR PARKS TO REPLACE THOSE LOST THROUGH NEW DEVELOPMENT

2. PLUS EXTRA 200 CAR PARKS FOR NEW BUILDING

3. CAR PARKING NUMBERS ARE ONLY PRELIMINARY AND NEED TO BE REVIEWED BY A TRAFFIC ENGINEER IN ORDER TO BE CONFIRMED



Wellington / Auckland / Palmerston North / Napier / Tauranga

PH. +64-6-3574534 / dgse.co.nz

PROPOSED SITE PLAN - STOCK BANK PARKING OPTION  
SCALE @ A3 - 1:1000 SCALE @ A1 - DOUBLE SCALE



PROPOSED PLAN - STAGE ONE - NCC RESERVE OPTION

SCALE 1:1000

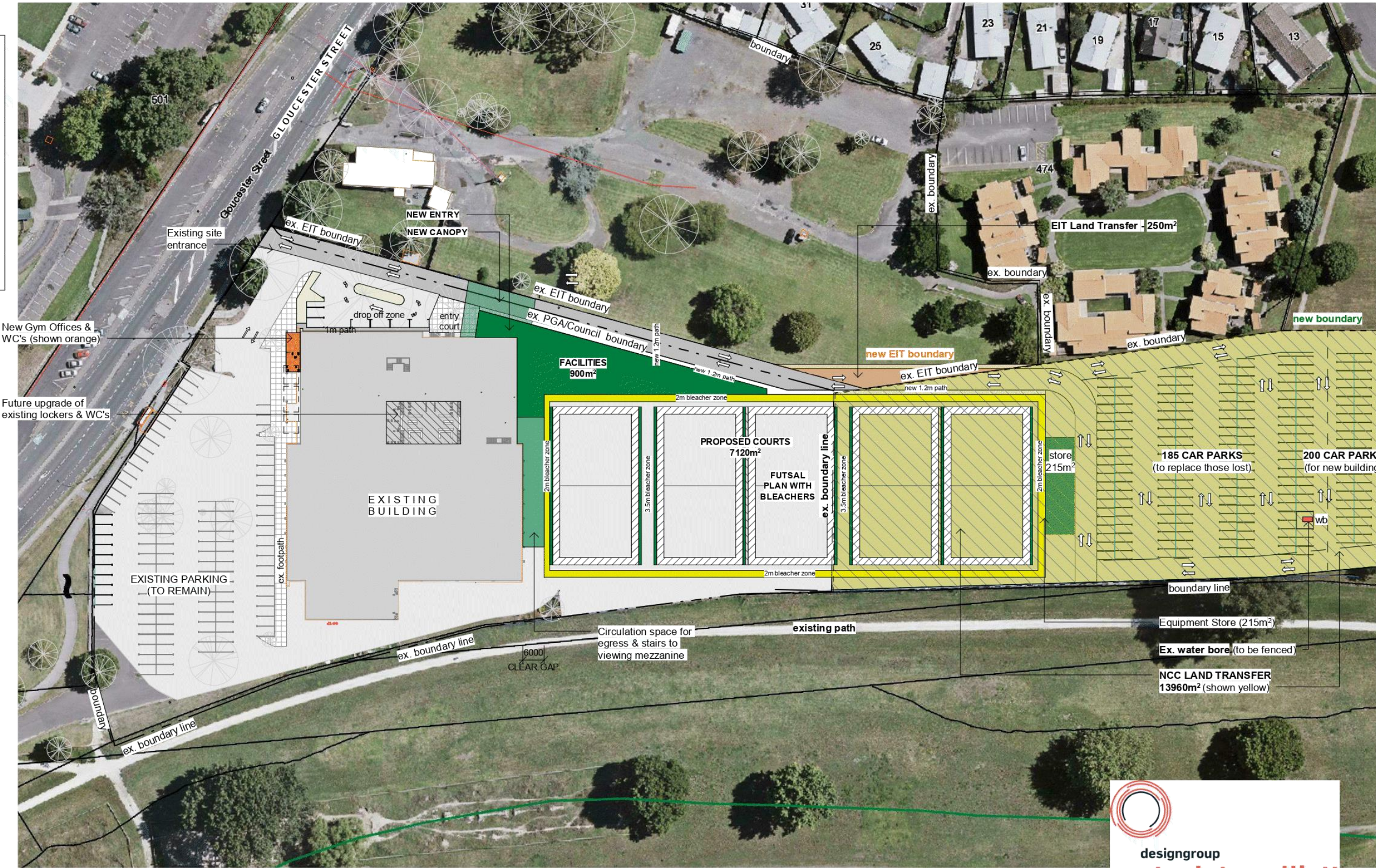
PETTIGREW GREEN ARENA  
EXTENSION  
GLOUCESTER STREET, NPR

A02  
PROJECT No. P568

16.09.2020 DATE SEPTEMBER 2020

DISCLAIMER:

- 1. 182 CAR PARKS TO REPLACE THOSE LOST THROUGH NEW DEVELOPMENT
- 2. PLUS EXTRA 200 CAR PARKS FOR NEW BUILDING
- 3. CAR PARKING NUMBERS ARE ONLY PRELIMINARY AND NEED TO BE REVIEWED BY A TRAFFIC ENGINEER IN ORDER TO BE CONFIRMED



Wellington / Auckland / Palmerston North / Napier / Tauranga

PH. +64-6-3574534 / dgse.co.nz

PROPOSED SITE PLAN - NCC PARKING OPTION

SCALE @ A3 - 1:1000 SCALE @ A1 - DOUBLE SCALE





PROPOSED PLAN - STAGE ONE - NCC RESERVE OPTION

SCALE: 1:2000

PETTIGREW GREEN ARENA  
 EXTENSION  
 GLOUCESTER STREET, NPR

A03

PROJECT No. P568

16.09.2020 DATE: SEPTEMBER 2020

DISCLAIMER:  
  
 1. 182 CAR PARKS  
 TO REPLACE  
 THOSE LOST  
 THROUGH NEW  
 DEVELOPMENT  
  
 2. PLUS EXTRA 200  
 CAR PARKS FOR  
 NEW BUILDING  
  
 3. CAR PARKING  
 NUMBERS ARE  
 ONLY  
 PRELIMINARY AND  
 NEED TO BE  
 REVIEWED BY A  
 TRAFFIC ENGINEER  
 IN ORDER TO BE  
 CONFIRMED

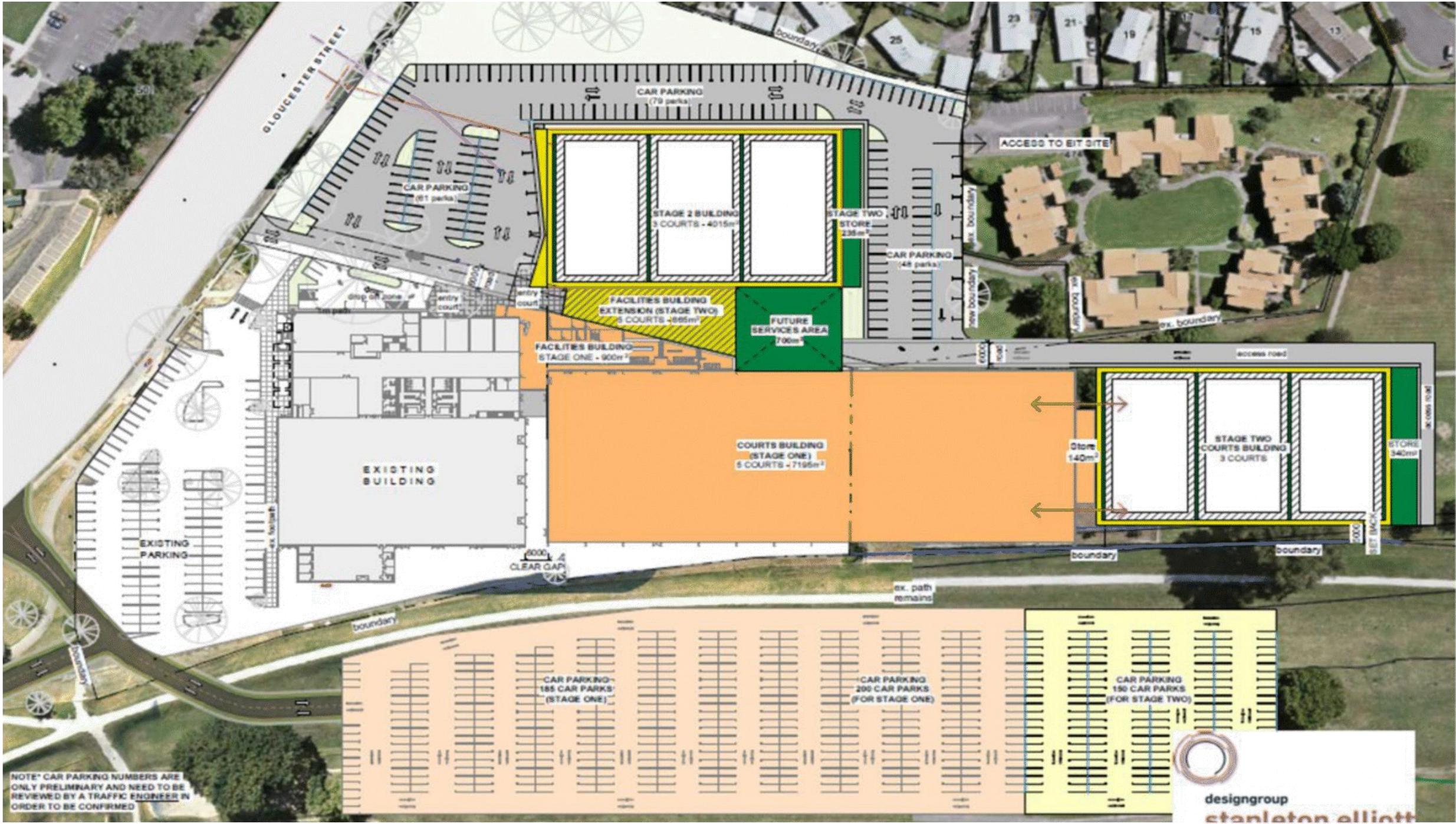


PROPOSED SITE PLAN - NCC PARKING OPTION 1 to 2000  
 SCALE @ A3 - 1:2000 SCALE @ A1 - DOUBLE SCALE



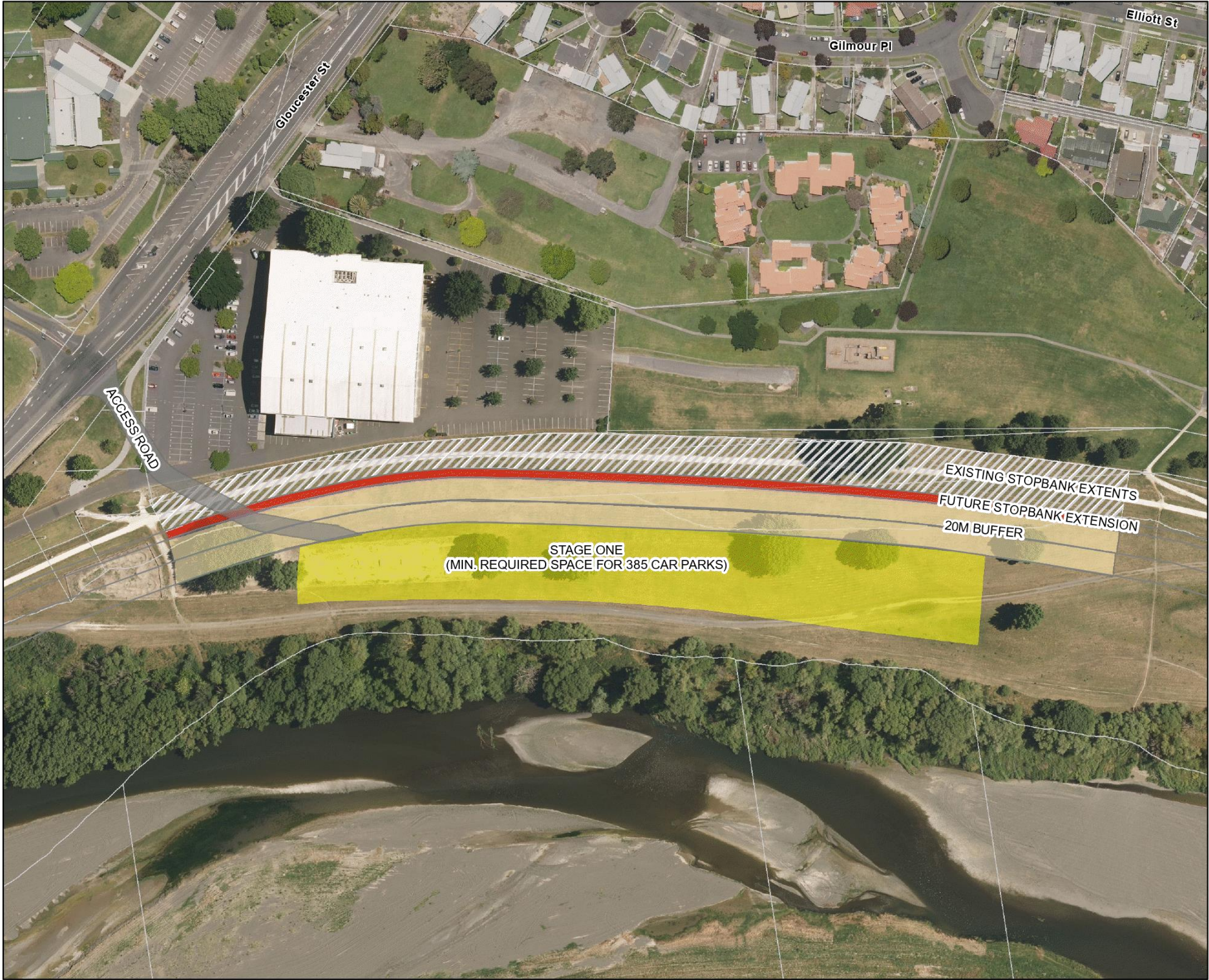












Pettigrew Green Car Park  
Option - 20m buffer



DATA FROM: Information obtained from the Hawke's Bay Regional Council's Geographic Information Systems Database.

LIMITATIONS AND COPYRIGHT  
This map may not be reproduced or transmitted to any other party, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the written permission of the copyright holder.

DISCLAIMER  
The Hawke's Bay Regional Council cannot guarantee that the data shown on this map is 100% accurate.

Date Printed: 7/12/2020





# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 16 December 2020

## SUBJECT: LOCAL GOVERNMENT MEMBERS (2020-21) AMENDMENT DETERMINATION (NO 2) 2020

Item 10

### Reason for Report

1. This item provides Council with the recently gazetted Local Government Members (2020-21) Amendment Determination (No 2) 2020 for local government elected member remuneration and allowances for acceptance by resolution as required by the Local Government Act. This determination confirms the changes required as a result of the change of the Environment and Integrated Catchments Committee Chair.

### Officers' Recommendations

2. Council officers recommend that Council resolves to receive the Determination as gazetted to enable immediate implementation of the new councillor salaries including Payroll reconciliation for the period from 29 July 2020.

### Executive Summary

3. The Council provided, to the Remuneration Authority, the amended proposal for how its Governance Pool would be distributed amongst the councillors with the addition of another position of additional responsibility for Councillor Hinewai Ormsby as the Environment and Integrated Catchments Committee Chairperson.
4. The Authority has accepted the Council's proposal without change, and the amended Determination was gazetted on Thursday 24 November 2020.

### Financial and Resource Implications

5. Changing the remuneration structure to include six positions of additional responsibility does not affect the total councillors' remuneration budget, however does have implications for the remuneration levels of the other five councillors in positions of additional responsibility. The new remuneration amounts are:
  - 5.1. \$62,000 per annum (unchanged) for a councillor with no additional responsibilities
  - 5.2. \$72,247 per annum (down \$2,050 from \$74,297) (for a councillor with additional responsibilities, e.g. Chair of a Committee, Sub-committee or Joint Committee).

### Decision Making Process

6. Council is required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained in the Act and have concluded that Council can exercise its discretion and make these decisions without consulting the community or others with an interest in the decision.

### Recommendations

That Hawke's Bay Regional Council:

1. Receives and considers the "Local Government Members (2020-21) Amendment Determination (No 2) 2020" staff report.
2. Confirms that the remuneration levels to be paid to elected members under the Local Government Members (2020-21) Amendment Determination (No 2) 2020, for the period from 30 July 2020 will be back-paid to the dates specified in the Determination, of:
  - 2.1. \$62,000 per annum for a councillor with no additional responsibilities
  - 2.2. \$72,247 per annum for each position of additional responsibility following:
    - 2.2.1. Cr Rick Barker Deputy Chairman

- 2.2.2. Cr Neil Kirton, Corporate and Strategic Committee Chairman
- 2.2.3. Cr Martin Williams, Regional Transport Committee and Hearings Committee Chairman
- 2.2.4. Cr Craig Foss, Finance, Audit and Risk Sub-committee Chairman
- 2.2.5. Cr Jerf van Beek, Clifton to Tangoio Coastal Hazards Strategy Joint Committee Chairman
- 2.2.6. Cr Hinewai Ormsby, Environment & Integrated Catchments Committee Chairperson.

**Authored by:**

**Leeanne Hooper**  
**TEAM LEADER GOVERNANCE**

**Approved by:**

**James Palmer**  
**CHIEF EXECUTIVE**

**Attachment/s**

- [!\[\]\(67ff022fd78f943b679992c2874bbfd1\_img.jpg\) 1](#) Local Government Members (2020-21) Amendement Determination No2 24 November 2020

19/11/2020  
PCO 23283/3.0

Item 10

Attachment 1

## Local Government Members (2020/21) Amendment Determination (No 2) 2020

Pursuant to the Remuneration Authority Act 1977 and to clauses 6 and 7A(1) and (5) of Schedule 7 of the Local Government Act 2002, the Remuneration Authority, after having regard to the matters specified in clause 7 of that schedule, makes the following determination (to which is appended an explanatory memorandum).

### Contents

	Page
1 Title	1
2 Commencement	1
3 Principal determination	1
4 Schedule amended	1

### Determination

- 1 Title**  
This determination is the Local Government Members (2020/21) Amendment Determination (No 2) 2020.
- 2 Commencement**
  - (1) Clause 4(1) to (3) is deemed to have come into force on 30 July 2020.
  - (2) Clause 4(4) to (6) is deemed to have come into force on 1 November 2020.
- 3 Principal determination**  
This determination amends the Local Government Members (2020/21) Determination 2020 (the **principal determination**).
- 4 Schedule amended**
  - (1) In the Schedule, Part 1, item relating to Hawke's Bay Regional Council, replace the item relating to Deputy Chairperson of Regional Council and Chairperson Environment and Integrated Catchments Committee with:  
Deputy Chairperson of Regional Council 72,247
  - (2) In the Schedule, Part 1, item relating to Hawke's Bay Regional Council,—

1

cl 4

Local Government Members (2020/21) Amendment  
Determination (No 2) 2020

- (a) item relating to Chairperson Corporate and Strategic Committee, replace "74,297" with "72,247":
  - (b) item relating to Chairperson Regional Transport Committee and Hearings Committee, replace "74,297" with "72,247":
  - (c) item relating to Chairperson Finance, Audit and Risk Sub-committee, replace "74,297" with "72,247":
  - (d) item relating to Chairperson Clifton to Tangoio Coastal Hazards Strategy Joint Committee, replace "74,297" with "72,247":
  - (e) item relating to Councillor with no additional responsibilities, replace "(3)" with "(2)".
- (3) In the Schedule, Part 1, item relating to Hawke's Bay Regional Council, after the item relating to Chairperson Clifton to Tangoio Coastal Hazards Strategy Joint Committee, insert:
 

Chairperson Environment and Integrated Catchments Committee	72,247
-------------------------------------------------------------	--------
- (4) In the Schedule, Part 2, item relating to Palmerston North City Council,—
  - (a) item relating to Deputy Mayor, replace "Chair—Economic Development Committee, Chair—Hearings Committee, and Chair—Chief Executive's Performance Review Panel" with "Chair—Planning and Strategy Committee, and Chair—Hearings Committee":
  - (b) revoke the item relating to Chair—Planning and Strategy Committee:
  - (c) revoke the item relating to Chair—Play, Recreation and Sport Committee:
  - (d) item relating to Councillor (with no additional responsibilities), replace "(7)" with "(8)".
- (5) In the Schedule, Part 2, item relating to Palmerston North City Council, replace the item relating to Chair—Finance and Audit Committee with:
 

Chair—Finance and Audit Committee and Chair—Chief Executive's Performance Review Panel	57,458
----------------------------------------------------------------------------------------	--------
- (6) In the Schedule, Part 2, item relating to Palmerston North City Council, after the item relating to Chair—Finance and Audit Committee and Chair—Chief Executive's Performance Review Panel (as inserted by subclause (5)), insert:
 

Chair—Economic Development Committee and Chair—Play, Recreation and Sport Committee	54,134
-------------------------------------------------------------------------------------	--------

Dated at Wellington this 24 day of November 2020.

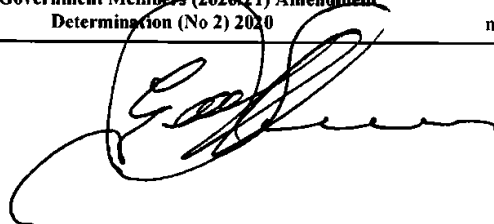


Chairperson.



Local Government Members (2020/21) Amendment  
Determination (No 2) 2020

Explanatory  
memorandum



Member.

Member.

**Explanatory memorandum**

*This memorandum is not part of the determination, but is intended to indicate its general effect.*

This determination amends the Local Government Members (2020/21) Determination 2020. The amendments relating to the Hawke's Bay Regional Council are deemed to have come into force on 30 July 2020. The amendments relating to the Palmerston North City Council are deemed to have come into force on 1 November 2020.

The amendments in this determination are made at the request of the councils concerned and approved by the Remuneration Authority.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*:

Attachment 1

Item 10

# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 16 December 2020

## Subject: 2019-20 ANNUAL REPORT FOR ADOPTION

Item 11

### Reason for Report

1. This item presents the Annual Report for the 2019-20 financial year to 30 June 2020.

### Executive Summary

2. Operating surplus is \$40.8m, up from \$3.08m in prior year but \$47.3m below budget as a result of stranded Napier Port IPO funds retained within Hawke's Bay Regional Investment Company (HBRIC).
3. Excluding the one-off Port IPO dividend, the year delivers a \$3.2m deficit for the year against a budget surplus of \$7m.
4. The impact of the pandemic on the financial markets and subsequent investment returns reduced actual investment income from managed funds and other financial deposits to \$0.43m (\$0.892 revenue less \$0.465m losses), \$7.3m short of an expected \$7.7m.
5. The pandemic delayed some projects and increased some costs particularly those relating to Emergency Management to support Council's pandemic response. However, despite the pandemic, the levels of services were largely delivered as per the Annual Plan.
6. The annual revaluation of the Napier and Wellington investment property portfolios provided a further \$11.5m of unrealised revaluation gains towards the operating surplus.
7. Total Other Comprehensive Revenue is \$130.5m, up from \$66.5m in prior year and above budget by \$125m, mostly due to the revaluation of HBRIC/Napier Port.
8. On the balance sheet, the main movements reflect the revaluations and the Port/HBRIC transactions with non-current borrowings increasing by \$14m to reflect the loan from HBRIC to the Council (\$16m loan increase offset by debt repayments through the year).
9. From the cost centre perspective, direct employee costs including restructuring costs were up on cost centre budgets overall by \$750k (3%) this is due to additional headcount and implementation of the remuneration review to better align staff to market, address historic under-remuneration of some roles and the introduction of a formal performance pay mechanism. The cost of this was approximately 4% of salary compared to the 2% budgeted for increases.
  - 9.1. Note that the actual personnel costs in the financial statements include Works Group salaries, wages and allowances etc. which are not included in the annual plan budgets. The annual plan budget includes the net profit from Works Group external contracts only. This is being addressed as part of the Long Term Plan budgeting process.
10. External costs were over budget by \$1.8m (31%). Specifically, general overheads (including accommodation and IT infrastructure) was \$1.25m (34%) overspent and the support services cost centres were \$395k (45%) overspent. Some of this overspend is the result of increased headcount (rent for additional accommodation, energy costs for more staff, services (cleaning etc for more accommodation), recruitment fees, IT licenses, etc), some overspend is due to additional costs caused by the pandemic (increased cleaning, sanitiser, protective screens, IT infrastructure to support remote working, etc), additional audit fees for the 18/19 audit, and the general increase in IT costs have not been adequately budgeted.
11. The net funding requirement for 2019-20 for Operating and Capital is over budget by \$0.8m (3.5%). Asset Management was \$2.9m underspent mainly offset by the overspending in Consents and Compliance (\$1.508m), Governance (\$869k), and Emergency Management (\$467k).

Group of Activities	Net Funding Requirement			
	Actual	Budget	Variance \$	Variance %
Strategic Planning	\$2.246m	\$2.680m	\$0.434m	84%
Asset Management	\$3.623m	\$6.528m	\$2.905m	55%
ICM	\$11.668m	\$12.058m	\$0.390m	97%
Consents & Compliance	\$3.426m	\$1.918m	\$(1.508m)	178%
Emergency Management	\$0.605m	\$0.138m	\$(0.467m)	438%
Transport	\$0.271m	\$0.254m	\$(0.017m)	107%
Governance & Community Engagement	\$3.189m	\$2.320m	\$(0.869m)	137%
<b>Total</b>	<b>\$25.03m</b>	<b>\$25.9m</b>	<b>\$(0.868m)</b>	<b>97%</b>

12. Capital expenditure across the Groups of Activities was \$3m (18%) below budget and asset purchases (new vehicles, computers, furniture, etc) was \$1.6m (39%) below budget.
13. The presentation of the Annual Report to the Council for adoption has been delayed due to staffing issues at Audit New Zealand and the additional audit work that has been required to assess the impact of the Covid-19 pandemic on organisations that has been mandated by the Auditor General.
14. Karen Young, Director, Audit NZ will attend the meeting to answer any questions and allow for auditor only time with the committee as per the Term of References.

### Discussion

15. The main driver for the financial surplus for 2019-20 is the IPO of Napier Port with the sale of 45% of the group's holdings in the port generating \$107m in one-off revenue for the group. The net proceeds from the sale exceeded expectations by \$24m.
  - 15.1. The 2019-20 budget for HBRC was based on all proceeds from the Port IPO being available to HBRC but tax implications have resulted in a split with \$63m remaining with HBRIC.
  - 15.2. \$44m of the IPO receipts reverted to HBRC with all receipts being invested in managed funds. Prior to year-end, an asset/loan swap between the Council and HBRIC placed a further \$16m of managed funds under direct Council control.
16. Expected dividends received from HBRIC were down from \$10m to \$2.5m due to the deferral of the anticipated interim Napier Port dividend. The Port dividend is based on free cash flow which has been affected by the uncertain trading conditions and the Port commencing work on the new wharf.
17. Expected capital growth, dividends and interest from the managed funds was significantly impacted by the financial market and share price fluctuations but recovered at the end of the year resulting in small growth for the year of 1%.
18. The increase in Total Other Comprehensive Revenue is due to the:
  - 18.1. Revaluation of HBRIC based on the value of its Port shareholdings resulting in an increase of \$117m
  - 18.2. Revaluation increases in carbon credits of \$1.2m
  - 18.3. Unrealised growth in the managed funds of \$1.4m
19. Operating expenditure was up \$9.4m from prior year and \$5.7m (10%) over budget. This relates to \$2.25m of cost centre overspend, depreciation \$600k above budget and fair value losses on some of the forestry offset by reduced finance costs.

20. The general overhead cost centres were overspent by \$1.25m (34%) compared to budget:

		External Cost Variance		Main overspends & % overspend against budget
Cost Centre		\$	%	
D11	Office	(112,209)	18%	Building Maintenance \$57k (160%), Energy \$30k (142%), Rental Costs \$40k (137%), Services \$44k (158%)
D12	Rate Collection	18,252	-5%	
D13	General Overheads	(381,099)	45%	Audit Fees \$150k (255%), Postage/Printing/Courier \$40k (174%), Recruitment \$80k (237%)
D14	Computer Overheads	(779,737)	44%	
		<b>(1,254,793)</b>	<b>34%</b>	Infrastructure and Software Costs

21. Audit fees were particularly high due to the inclusion of cost over-runs for the 2018-19 audit and fully accruing for the 2019-20 audit.
22. The support cost centres were overspent by \$643k (10%) compared to budget on staff costs and \$395k (45%) overspent on external costs. The external costs below have been adjusted to exclude overhead allocations. Additional resource was required, and cost incurred in the finance team due to significant turnover, and a need to add both capacity and capability to the team as a result of the organisations growth and increased complexity. Contractors were required during the recruitment of new staff. This team is now right-sized and providing a professional service to the organisation.
23. Computer overheads are significantly over budget due to the increased headcount and the associated licence costs, additional software to support staff working remotely during the pandemic, and previous under-budgeting of IT costs through not adequately budgeting for the increase in costs of IT services and not accounting for the increase in use of IT services (e.g. storage costs are increasing exponentially). The increased IT costs in the new LTP have recognised this deficiency.

		External Cost Variance		Staff Cost Variance		External cost variance driver and % overspend against budget
Cost Centre		\$	%	\$	%	
D21	Executive	(56,294)	45%	105,412	-7%	
D22	Finance	(151,799)	105%	(217,627)	22%	Contractors \$142k (384%)
D23	Corporate Support	(102,407)	111%	(50,228)	10%	Contractors \$97k
D24	Computer Services	(175,451)	125%	(308,030)	22%	Contractors \$166k
D25	External Relations	(17,640)	40%	(16,944)	4%	Printing \$21k, (1029%)
D26	OCEC	110,248	-36%	(196,243)	23%	
D27	Iwi Engagement	(1,316)	5%	41,157	-12%	
		<b>(394,660)</b>	<b>45%</b>	<b>(642,503)</b>	<b>10%</b>	

24. Across all activity cost centres, the results were close to budget with an overspend in external costs \$192k (11%) offset by an underspend on staff costs of \$131k (1%) when allocated overheads are excluded.

	Cost Centre	External Cost Variance		Staff Cost Variance		External cost variance driver and % overspend against budget
		\$	%	\$	%	
D31	Strategic Direction	(7,867)	8%	80,725	-7%	
D41	Consents Processing	(7,782)	7%	(50,529)	6%	
D42	Compliance Monitoring	(10,349)	6%	(102,927)	8%	
D43	Environmental Information	(38,768)	20%	(167,781)	12%	Vehicles 15k (129%), Cell phone \$10k (754%)
D44	Environmental Scientists	(10,226)	5%	92,194	-5%	
D45	Client Services	20,695	-15%	209,560	-33%	
D51	Biosecurity	(10,849)	9%	(176,436)	17%	
D52	Plant Pest Management	(15,456)	27%	3,448	-1%	Vehicles 13k (149%)
D66	Catchment Management	(10,599)	4%	(7,851)	0%	
D67	Students - forestry	(0)	0%	56,984	-53%	
D71	Emergency Management	(36,179)	26%	(54,404)	4%	HBCDEM direct IT Costs \$24k Advice \$12k, Recruitment \$14k, Travel & Accommodation \$14k
D76	Asset Management	(53,391)	21%	315,146	-15%	
D81	Transport	(10,326)	27%	1,831	0%	
D91	Students	(1,189)	0%	(69,035)	44%	
		(192,287)	11%	130,925	-1%	

25. The User Charges and cost recovery revenue across the groups of activities showed significant variance but was \$1.6m (15%) more than budget. The increased revenue for Emergency Management is due to the expected cost recoveries from government for the welfare costs incurred, ICM obtained un-budgeted external funding for two projects (SkyTEM, LiDAR) that had been included in the operating budget, and the under budget revenue of Consents and Compliance was comparable to prior year. The Consents and Compliance result is an expected outcome based on the LTP cost recovery expectations for S36 charges.

	Actual	Budget	Variance	
			\$	%
Strategic Planning	25,000	-	25,000	
Asset Management	1,264,614	1,596,360	(331,746)	-21%
Integrated Catchment Management	6,477,694	5,053,740	1,423,954	28%
Consents and Compliance	1,936,117	3,026,243	(1,090,126)	-36%
Emergency Management	1,357,155	118,500	1,238,655	1045%
Transport	104,656	230,000	(125,344)	-54%
Governance & Community Engagement	83,439	124,939	(41,500)	-33%
	11,248,675	10,149,782	1,098,893	11%

26. Operating expenditure across all activities for each group of activities was within 10% of budget except for Emergency Management which was 100% over budget due to the pandemic response costs.

	Actual	Budget	Variance	
			\$	%
Strategic Planning	4,583,680	4,870,638	286,958	-6%
Asset Management	10,932,325	11,492,519	560,194	-5%
Integrated Catchment Management	22,377,787	22,492,035	114,248	-1%
Consents and Compliance	5,411,496	5,013,354	(398,142)	8%
Emergency Management	4,784,535	2,396,215	(2,388,320)	100%
Transport	5,646,227	5,359,967	(286,260)	5%
Governance & Community Engagement	3,259,237	3,170,617	(88,620)	3%
	56,995,287	54,795,345	(2,199,942)	4%

27. Strategic Planning underspent operating expenditure over the year by \$287k (6%) due to delays in projects 191 Regional Coastal Plan and 192 Strategy and Planning offset by an overspend in 196 Statutory Advocacy.
  - 27.1. Regional Coastal Plan work was delayed due to the team being under-staffed and staff being prioritised to other resource management planning projects.
  - 27.2. Strategy and Planning work was delayed due to TANK notification and an extended submission period resulted in the budget being off-track and associated costs (communications, IT, staff input etc) will be pushed into 2020/21. Hearings have also been delayed in TANK (RPC decision making and Covid-19) and OWB (6-month consultation) resulting in significant costs rollover to 2020/21 (est. \$800,000). A new submissions database was purchased to support accurate management of public submissions on plans. The Senior planner vacancy was not filled until April. The Covid-19 pandemic response delayed this workstream as all members of the Planning Team were deployed to assist for some time in the CDEM Group Covid-19/drought response event.
  - 27.3. Statutory Advocacy work was overspent due to additional external expenses that are primarily due to the commissioning of evidence from HBRC's experts on Environment Court proceedings for the Ngaruroro/Clive Rivers Water Conservation Order (WCO), plus associated legal services in same proceedings. Environment Court WCO proceedings have encountered delays due to Covid-19. Legal expenses were also incurred for the unbudgeted work to prepare evidence for first tranche of High Court proceedings on Marine & Coastal Area (Takutai Moana) Act applications.
28. Governance and Community Engagement was 3% overspent in operating expenditure where a \$300k underspend in Community Partnerships was offset by a \$400k overspend in 840 Community Representation. The overspend was mainly attributed to additional Executive, Governance and Project Management resources required to support meetings and Long Term/Annual plan development processes.
29. Asset Management had a \$600k (5%) underspend in operating expenditure and \$2.7m (67%) underspend on capital works. The capital expenditure shortfall included:
  - 29.1. \$800k underspend on the planned Clive River dredging due to delays in land purchase.
  - 29.2. \$700k on HPFCS Flood and River Control as work has been focused on hydrological modelling, planning and communication (internal staff or consultant). No physical work or land acquisition has been progressed any further.
30. Works Group returned a surplus of \$65k from external contracts.
31. ICM was close to budget overall (1% overspend) in operating expenditure but had a \$3.9m overspend on capital expenditure.
32. There were variances across the ICM operating projects but this reflected work carried out under complementary projects with costs attributed to one project but budgeted under the alternative project (e.g. 312 Regional Surface Water Ecology underspent and 315 Surface Water Quality being overspent by a similar margin).
33. The ICM capital expenditure did not include the SkyTEM and LiDAR work which had been classified as operating expenditure in the LTP and annual plan. The SkyTEM and LiDAR capital costs have effectively been offset by external funding.
34. The Sustainable homes programme has been very successful leading to a \$2.4m overspend compared to budget. The cost of installation (and the debt repayments by the rate payers) is classified as capital expenditure due to the loan asset created as a result. The additional expenditure will be recouped over the next 10 years through the voluntary targeted rate applied in each case.
35. Overall Consents and Compliance was overspent by \$400k (8%) on expenditure and income was \$1.1m below budget due to an under recovery in fees and charges of \$300k for 402 Resource Consent Processing and \$800k in 450 Compliance programmes.

36. Emergency Management was overspent by \$2.4m (100%) due to the pandemic and drought responses. This was partially offset by an extra \$1.5m in revenue being mainly cost recovered from the government.
37. Transport overall was overspent by \$240k (4%) predominantly on 790 Subsidised Transport where the cost of the bus contract has increased substantially due to increased indexation rates and payment of drivers for a ten-minute break every 2 hours worsened by lower revenues through declining patronage.
38. The systems integration projects were underspent by \$1.9m. This was due to a lack of organisational readiness (vacancies in Finance and People & Capability delaying the start of the Finance and HR implementations), a focus on using existing capabilities to deliver solutions to ICM and other teams, and re-prioritising the work programme based on risk resulting in the work on FUSE, Telephony and customer experience solutions being prioritised.

### Decision Making Process

39. Council and its committees are required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
40. Staff have assessed requirements of the Act in relation to this item and have concluded that as the Annual Report is a statutory report required to be adopted by Council under Section 98 of the Act, the other decision making provisions do not apply..

### Recommendations

That the Hawke's Bay Regional Council:

1. receives and notes the "2019-20 Annual Report for Adoption" staff report and recommendation from the Finance, Audit and Risk Sub-Committee
2. Adopts the 2019-20 Annual Report for publication.

### Authored by:

**Tim Chaplin**  
**SENIOR GROUP ACCOUNTANT**

**Ross Franklin**  
**CONTRACTOR, FINANCE**

**Geoff Howes**  
**TREASURY & FUNDING ACCOUNTANT**

**Bronda Smith**  
**CHIEF FINANCIAL OFFICER**

### Approved by:

**Jessica Ellerm**  
**GROUP MANAGER CORPORATE SERVICES**

### Attachment/s

- ➡1 Draft 2019-20 Annual Report Under Separate Cover



# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 16 December 2020

## Subject: AFFIXING OF COMMON SEAL

Item 12

### 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	<b>Leasehold Land Sales</b>		
1.1.1	Lot 77 DP 10912 CT J2/491 - Agreement for Sale and Purchase	4431	2 December 2020
1.1.2	Lot 86 DP 13039 CT E2/1237 - Agreement for Sale and Purchase	4432	9 December 2020

2. The Common Seal is used twice during a Leasehold Land Sale, once on the Sale and Purchase Agreement and once on the Land Transfer document. More often than not, there is a delay between the second issue (Land Transfer document) of the Common Seal per property. This delay could result in the second issue of the Seal not appearing until the following month.
3. As a result of sales, the current numbers of Leasehold properties owned by Council are:
  - 3.1. 0 cross lease properties were sold, with 69 remaining on Council's books
  - 3.2. 0 single leasehold property was sold, with 85 remaining on Council's books.

### Decision Making Process

4. Council is required to make every decision in accordance with the provisions of Sections 77, 78, 80, 81 and 82 of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within these sections of the Act in relation to this item and have concluded:
  - 4.1 Council can exercise its discretion and make a decision on this issue without conferring directly with the community
  - 4.2 That the decision to apply the Common Seal reflects previous policy or other decisions of Council which (where applicable) will have been subject to the Act's required decision making process.

### Recommendations

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.

**Authored by:**

**Diane Wisely  
EXECUTIVE ASSISTANT**

**Geoff Howes  
TREASURY & FUNDING ACCOUNTANT**

**Approved by:**

**Jessica Ellerm  
GROUP MANAGER CORPORATE  
SERVICES**

**James Palmer  
CHIEF EXECUTIVE**

**Attachment/s**

There are no attachments for this report.

# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 16 December 2020

## Subject: REPORT FROM THE 18 NOVEMBER 2020 MĀORI COMMITTEE MEETING

Item 13

### Reason for Report

1. This item provides a summary of discussions at the 18 November 2020 Māori Committee along with the opportunity for the Co-chairs to provide additional context to Council as they wish.

### Agenda Items

2. The regular **Take Ripoata Ā Takiwā – Taiwhenua Representatives' Updates** covered:
  - 2.1. Tangata whenua submitters working together as a roopu in collaboration with NKII for the Wairoa District Council wastewater discharge resource consent Environment Court hearing on 30 November
  - 2.2. Stock in the awa, on the banks – just total disregard for the health of the awa, and a request that a Cultural Impact Assessment is made on mahinga kai practices of tangata whenua in relation to unfenced waterways – in line with Objectives 1, 2 and 3 of Te Mana o Te Wai
  - 2.3. A request for a cultural impact assessment to acknowledge mahinga kai practices and the possible negative effects of 1080 use for possum control, e.g. food poverty for tangata whenua
  - 2.4. Request for Mauri Compass to be resourced and run over LAWA swimming reporting months in Te Wairoa – in line with Objective 1 of Te Mana o Te Wai.
  - 2.5. Katarina Kawana has accepted nomination to participate on the National Eel Forum Working Group as the representative for Mai Paritu tae atu ki Turakirae Fisheries Forum
  - 2.6. Tangata whenua heavily involved in the further submissions process for the TANK plan change and preparing for the Outstanding Water Bodies plan change hearings that begin on 30 November
  - 2.7. Te Taiwhenua o Te Whanganui ā Orotu played a huge role in the welfare response to the 9 November Napier floods, including organising a Food Hub based in Greenmeadows and working with FENZ to coordinate the 14 November community clean-up.
3. The **Verbal Updates on Current Issues** and activities covered:
  - 3.1. The significance of the Napier rainfall event as evidence of Climate Change
  - 3.2. Increasing partnerships with hapu, similar to the Hawea Park model, including potential initiatives with Rongomaiwahine and Te Rongo Park
  - 3.3. Regional economic impacts of Covid-19 and recovery initiatives with focus on local businesses and Māori employment, leveraged with Central Government funding including Jobs4Nature which has been granted \$11M regionally
  - 3.4. increasing demands on Council from the community and Central Government like giving effect to Te Mana o Te Wai, biodiversity restoration, development of and engagement on the Kotahi co-design process, and implementation of new Finance and Telephone systems.
4. The **Kotahi** item presented the work programme to deliver 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.

5. The **HBRC Response to Climate Change** item covered:
  - 5.1. a summary of the recently commissioned report from NIWA on climate change projections and impacts for Tairāwhiti and Hawke's Bay and key findings of:
    - 5.1.1. New Zealand's climate is warming. The mean annual temperature has increased, on average, 1.02°C (±0.25°C) per century since 1909. The recently released "Our Atmosphere and Climate 2020" report by the Ministry for the Environment presented a national picture of climate trends between 1972 and 2019. It showed that Napier's seasonal daily temperatures were likely or very likely increasing and the annual number of warm days (maximum temperature above 25°C) was very likely increasing. Trends in annual rainfall were not discernible, but the proportion of total rainfall falling in very wet days was very likely increasing and the number of very wet days was very likely increasing. The intensity and frequency of short-term drought were likely increasing.
  - 5.2. a summary of the Regional Council's climate action campaign, the four objectives of which are:
    - 5.2.1. To explain the local impact of the climate crisis on Hawke's Bay using targeted storytelling, strong imagery, fact-based, relatable information and clear language
    - 5.2.2. To package up the comprehensive body of work the Regional Council does to mitigate and adapt to the impact of the climate crisis
    - 5.2.3. To connect with individuals, whānau, organisations and farmers, and provide guides and suggestions about what they can do to mitigate the impact of the climate crisis
    - 5.2.4. To start engagement with the general public about the climate crisis, gain insight into public perceptions and awareness of the climate crisis, and what the public think the Regional Council should do about it.
6. The **Hawke's Bay Coastal Bird Survey** item provided an overview of the upcoming HB Coastal Bird survey which is planned to be undertaken mid-December 2020 to January 2021.
7. The **2021 Schedule of Meetings** item advised the schedule of Council and Committee meetings for 2021 as adopted by the Regional Council on 28 October 2020.
8. The **Reports from Regional Council and Committee Meetings** provided an update from recent meetings attended by the Committee Co-chairs and representatives on Council committees, highlighting:
  - 8.1. (from Regional Transport Committee) iwi are asking for improved rural roads, regular maintenance, street lighting and appropriate signage around marae, especially now, with the increasing developments of papakāinga housing on Māori land. Some law changes around marae road accessibility and responsibility are required by local Councils.
9. The **Significant Organisational Activities Through November 2020** item highlighted significant areas of Council activity, as provided to the 28 October 2020 Regional Council meeting.
10. The **October 2020 Statutory Advocacy Update** item provided a regular update from the Policy team and reported on proposals forwarded to the Regional Council.
11. The **Māori Representation on Hawke's Bay Regional Council** item provided the opportunity for tangata whenua to provide input into Council's consideration of whether to establish Māori Constituencies for the region for the 2022 election. Each tangata whenua member of the Committee spoke in turn, of their unambiguous desire and support for the establishment of Māori constituencies as a means of establishing a 'real' partnership for Māori, stating:

- 11.1. Māori are mindful that Māori elected in general constituencies don't have the mandate of tangata whenua which they would have if they were elected by Māori constituencies
- 11.2. All Taiwhenua AGMs that considered this were unwavering in their desire for Māori seats to be established by a resolution of Council despite the risk that a poll might be demanded if 5% of HBRC voters disagreed
- 11.3. Māori have waited long enough and tangata whenua are ready so "bring it on"
- 11.4. a referendum is a waste of time and Council should advocate to central government to change the law
- 11.5. korero has been going on for a long time and tangata whenua were extremely disappointed with the previous Council's decision not to establish Māori constituencies, by a slim majority, the last time it was considered in 2017
- 11.6. The Treaty promised rangitiritanga and kaitiaki of the environment and tangata whenua want to have a real partnership with equal rights and a vote at the Council table
- 11.7. Despite fears and apprehension associated with a potential poll all tangata whenua consulted with say to Council "show leadership, show strength, and vote in favour of Māori constituencies".
12. Finally, after listening to the korero unanimously expressing the desire for Council to establish Maori constituencies, the Committee unanimously resolved:
  - 12.1. Puts forward an agreed view in support of Council resolving to establish Māori Constituencies for Hawke's Bay.

### **Decision Making Process**

13. Staff have assessed the requirements of the Local Government Act 2002 in relation to this item and have concluded that, as this report is for information only, the decision making provisions do not apply.

### **Recommendation**

That the Hawke's Bay Regional Council receives and notes the *"Report from the 18 November 2020 Māori Committee Meeting"*.

#### **Authored by:**

**Leeanne Hooper**  
**TEAM LEADER GOVERNANCE**

#### **Approved by:**

**James Palmer**  
**CHIEF EXECUTIVE**

### **Attachment/s**

There are no attachments for this report.



## HAWKE'S BAY REGIONAL COUNCIL

Wednesday 16 December 2020

### Subject: SUMMARY REPORT FROM THE CLIFTON TO TANGOIO COASTAL HAZARDS STRATEGY JOINT COMMITTEE

Item 14

#### Reason for Report

1. This item provides a summary of discussions (attached) that took place at the 27 November 2020 Clifton to Tangoio Coastal Hazards Strategy Joint Committee meeting for the Council's consideration alongside any additional commentary the Chair, Jerf van Beek, may wish to provide.

#### Decision Making Process

2. Staff have assessed the requirements of the Local Government Act 2002 in relation to this item and have concluded that, as this report is for information only, the decision making provisions do not apply.

#### Recommendations

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

#### Authored by:

**Simon Bendall**  
**PROJECT MANAGER**

#### Approved by:

**Chris Dolley**  
**GROUP MANAGER ASSET MANAGEMENT**

#### Attachment/s

- [!\[\]\(6b2ce2ef0aa0acafe24dd5ed94556dce\_img.jpg\) 1](#) Clifton to Tangoio Coastal Hazards Strategy Joint Committee 27 November 2020 Meeting Summary







## Clifton to Tangoio Coastal Hazards Strategy

### Summary Notes of Meeting held 27 November 2020

#### 1. PURPOSE

This briefing note has been prepared to communicate the activity of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee to the Partner Councils, as the Committee progresses with Stage 4 of the Strategy. More information on the Strategy can be found on the project website at [www.hbcoast.co.nz](http://www.hbcoast.co.nz).

#### 2. JOINT COMMITTEE MEETING SUMMARY: 27 NOVEMBER 2020

Key points from the Joint Committee meeting held 27 November 2020 are highlighted below. The full minutes of the meeting will be provided to each Partner Council in due course.

##### Terms of Reference Amendment

- The Joint Committee adopted an amendment to its Terms of Reference to allow for the appointment of an independent facilitator to assist with debate on a case by case basis. The amendment will be taken to each Partner Council for formal adoption.

##### Project Managers Update

- The project remains on track at this stage for the proposed October 2021 public consultation process. Key risks to achieving this project milestone relate to resolving funding arrangements for implementation, and successful pre-consultation engagement, particularly ensuring that engagement with tāngata whenua is comprehensive, early and effective.

##### Workstream: Regulatory

- Two reports developed by consultants Mitchell Daysh Limited under the Regulatory Workstream were presented for Joint Committee consideration and adoption.
- The Regulatory workstream focused on two principal tasks:
  - Summarising key planning and regulatory documents that could impede or support implementation of the preferred pathways; and
  - summarising actions to ensure short-term adaptation responses can be implemented, including use of several case studies.
- The reports were accepted as final, and TAG were directed to prepare a project plan for the next phase of the regulatory workstream, which will seek to respond to the recommendations made by Mitchell Daysh.

##### Communications Update

- A community engagement workshop series is well underway, with two workshops held to date. There will be eight workshops in total, focusing on design, managed retreat, and signals, triggers, and thresholds. The purpose of the workshops is to refine work completed to date under these workstreams with community input, ahead of wider public consultation in 2021.

**Funding Review**

- A public excluded session was held to consider final candidates to lead a proposed funding review process, being initiated to seek a resolution to funding arrangements between the Councils for Strategy implementation.
- The Joint Committee confirmed an appointment, to be made public following notification to the appointee.
- It can now be confirmed that Mr Raynor Asher QC has been appointed to lead the funding review.
- Mr Asher was appointed to the High Court Bench in 2005 and to the Court of Appeal in 2016. He retired from the Court of Appeal in 2019, and is now practicing as a barrister and arbitrator / mediator.
- Mr Asher is now being briefed and will commence work on the Review in the New Year.

**Next Meeting**

- The next meeting of the Joint Committee will be a workshop held on 12 February 2021.

## HAWKE'S BAY REGIONAL COUNCIL

Wednesday 16 December 2020

### Subject: REPORT FROM THE HB CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE

Item 15

#### Reason for Report

1. This item provides a summary of discussions at the 23 November 2020 HB Civil Defence Emergency Management Group Joint Committee (HB CDEMG JC) meeting along with the opportunity for the Chairman to provide additional context to Council as he wishes.

#### Agenda Items

2. **Hawke's Bay CDEM Group Annual Report 2019-20** sought confirmation and approval of the Hawke's Bay CDEM Group Annual Report for 2019-20. The Committee adopted the 2019-20 Hawke's Bay CDEM Group Annual Report as proposed and also requested that the 2021-31 Long Term Plan Civil Defence budget forecast be presented to the next Joint Committee meeting in March 2021
3. The **Regional Drought Relief Fund** item sought the Committee's support for a proposal to spend the remaining funds in the Relief Fund on the development of a Regional Drought Resilience Strategy. The Joint Committee agreed to support the proposal dependent on agreement by all contributing parties.
4. The **COVID-19 Resurgence Planning and Napier Flood Response and Recovery** the Group Manager/Controller provided a verbal update on COVID-19 Resurgence planning and The Response and transition into recovery for the November Napier flood event.

#### Decision Making Process

5. Staff have assessed the requirements of the Local Government Act 2002 in relation to this item and have concluded that, as this report is for information only, the decision making provisions do not apply.

#### Recommendation

That Hawke's Bay Regional Council receives and notes the "*Report from the HB Civil Defence Emergency Management Group Joint Committee*".

#### Authored by:

Annelie Roets  
GOVERNANCE ADMINISTRATION  
ASSISTANT

#### Approved by:

Ian Macdonald  
GROUP MANAGER/CONTROLLER

#### Attachment/s

There are no attachments for this report.



## HAWKE'S BAY REGIONAL COUNCIL

Wednesday 16 December 2020

**Subject: DISCUSSION OF MINOR MATTERS NOT ON THE AGENDA**

### Reason for Report

1. This document has been prepared to assist Councillors note the Minor Items Not on the Agenda to be discussed as determined earlier in Agenda Item 6.

Item	Topic	Raised by
1.		
2.		
3.		

**Item 16**