



Meeting of the Hawke's Bay Regional Council

Date: Wednesday 24 March 2021
Time: 11.00am
Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Agenda

ITEM	SUBJECT	PAGE
1.	Welcome/Apologies/Notices	
2.	Conflict of Interest Declarations	
3.	Confirmation of Minutes of the Regional Council Meeting held on 24 February 2021	
4.	Follow-ups from Previous Regional Council Meetings	3
5.	Significant Organisational Activities Looking Forward through April 2021	9
6.	Call for Minor Items not on the Agenda	17
Decision Items		
7.	Adoption of the Policies and Supporting Information for the 2021-31 Long Term Plan Consultation Document	19
8.	Time to Act - Kia Rite! 2021-31 Long Term Plan Consultation Document for Adoption	29
9.	Report and Recommendations from 3 March 2021 Corporate and Strategic meeting	35
10.	Report and Recommendations from 10 March 2021 Regional Planning Committee meeting	39
11.	Affixing of the Common Seal	43
Information or Performance Monitoring		
12.	Councillor's Reports from February - March 2021 Meetings of Outside Bodies	45
13.	Discussion of Minor Items not on the Agenda	47

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 24 March 2021

Subject: FOLLOW-UPS FROM PREVIOUS REGIONAL COUNCIL MEETINGS

Item 4

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.
2. Also attached is a list of LGOIMA requests that have been received since 1 February 2021.

Decision Making Process

3. 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 "Follow-up Items from Previous Regional Council Meetings".

Authored by:

Leeanne Hooper
TEAM LEADER GOVERNANCE

Approved by:

Desiree Cull
STRATEGY AND GOVERNANCE
MANAGER

Attachment/s

- 1 [↓](#) Follow-ups from Previous Meetings

Follow-ups from previous Regional Council Meetings

Meeting held 24 February 2021

	Agenda Item	Action	Responsible	Status Comment
1	Significant Organisational Activities Looking Forward Through March 2021	Provide additional information about where planting is planned to take place over the next two years with the funding from the Billion Trees fund	I Maxwell	Update on the "Planting over Winter" programme including locations will be provided to future EICC meeting.
2	Significant Organisational Activities Looking Forward Through March 2021	The Key Ecological Areas of the Hawke's Bay Coastal Marine Area report – distribution to councillors	I Maxwell	To be the subject of an update to a future EICC meeting.
3	Discussion of Minor Items not on the Agenda	investigate a 'fast gate' (streamlined) type of resource consent application process with quick turn around and low cost for activities that will benefit the environment	K Brunton	Staff will investigate options to incorporate a fast track consenting process where the activity will benefit and enhance the environment, through inclusion in Kotahi, through the RMA reform process, and through consents processing.

Meeting held 16 December 2020

	Agenda Item	Action	Responsible	Status Comment
4	Pettigrew Green Arena Car Park	Regional Indoor Sport and Events Centre Trust provides a robust indemnity and assumption of full liability and risk relative to any private property exposure generated ...	C Dolley	Pettigrew Arena have advised that the scope of the expansion project has changed and they are no longer looking to locate a carpark within the river berm. There are a number of minor matters to attend to with regards to HBRC as an affected party and a minor land/boundary adjustment.
5	Pettigrew Green Arena Car Park	Submission to NCC PGA expansion resource consent process prepared and submitted, requesting conditions of consent to include: 1. certification by an independent engineer that the selected carpark development will not affect the integrity of the stop bank ... 2. minimum number of carparks ... 3. flood response management plan including flood warnings and signs warning carpark users ... 4. environmental off-setting and mitigation ... 5. Archaeological and cultural impact assessments ...	C Dolley	

LGOIMA Requests Received

The following LGOIMA requests were received between 1 February and 18 March 2021

Request Date	Request ID	Request Status	Request Subject	Request Summary	Requested By
16/03/2021	OIR-21-016	Active	NES for Plantation Forestry Regulations 2017	1. the process of the alignment and implementation of stringency in HBRC plans and policies 2. describe SoE monitoring (RMA s35) for sedimentation rates & environmental effects in freshwater & coastal environments, in relation to activities undertaken under the NES-PF	Lincoln University
16/03/2021	OIR-21-015	Active	NZ Coastal Policy Statement Implementation	Actions being taken or planned to implement the NZ Coastal Policy Statement 2010 (NZCPS) in light of the 'Motiti' Court of Appeal decision	Hamish Rennie, Associate Professor Lincoln University
26/02/2021	OIR-21-014	Active	RLTP alignment to Land Transport Management Act	1. what steps being taken to meet LTMA s14(a)(ii) 2. how will ensure RLTP consistent with all 4 Government Policy Statement on Transport (GPS21) priorities & on track to meet GPS21 section 2 results requirements 3. How does HBRC RTC handle conflicting advice on specific examples of: a - emissions - NZTA vs GPS21 s2.5 b - will projects be assessed against GPS21 s2.6 progress indicators c - will HBRC exclude travel time savings from NZTA Cost-Benefit Appraisal to be consistent with GPS21 s52, 53, 76 & 89	MOVEMENT
5/03/2021	OIR-21-013	Active	agricultural spray drift regulation	1. What, if any, weight is given to permitting activities known to endanger health adjacent to vulnerable populations? 2. How does Council monitor changing practices on orchards that by their nature endanger the health of both their workers and others living adjacent to such changed activity? 3. What information is disseminated informing people of the health risks associated with agricultural sprays? 4. What signage is required as notification of these health risks? 5. What weight, if any, is given to OHS principles?	Individual
2/03/2021	OIR-21-012	Refused	abatement notice	a copy of the abatement notice issued to <an individual>	Stuff Journalist

Request Date	Request ID	Request Status	Request Subject	Request Summary	Requested By
26/02/2021	OIR-21-011	Active	Ngaruroro Water Conservation Order proceedings	A summary of HBRC's costs of involvement in the Ngaruroro River Water Conservation Order (WCO) proceedings from the time of notification (Monday, 24 July 2017) until now, incl lodging submissions, preparing evidence & appearing at Hearings	Forest and Bird
22/02/2021	OIR-21-010	Completed	Affco and Talleys resource consents	1. Copies of Affco/Talleys resource consents in HB 2. Has either company ever disputed waste/consent charges, and if so, detail each dispute & whether the charges were paid 3. how much these companies owe HBRC in unpaid charges 4. list of abatement notices issued to these companies	RadioNZ Journalist
17/02/2021	OIR-21-009	Completed	external consultants engaged by HBRC	Details of all external consultancies engaged over the last 3 financial years (1 July 2017 to 30 June 2020) costing in excess of \$1k	Otago Business School
15/02/2021	OIR-21-008	Active	offshore disposal consent breaches	a list of companies that have breached their consents for offshore dumping / waste disposal in the Coastal Marine Area in the past five years, incl details of each breach	Newshub Journalist
11/02/2021	OIR-21-007	Completed	Rocket Lab resource consents	consent & supporting documents HBRC issued to Rocket Lab	North & South Journalist
1/02/2021	OIR-21-006	Completed	Jobs 4 Nature Landowner Funding	1. Who has received funding incl who & location? 2. How is funding distributed & process/policy being followed 3. How will funds be accounted for? 4. How is it proven the funding is being used for the purposes of the programme?	Stuff Journalist
2/02/2021	OIR-21-005	Completed	Opoutama Community Wastewater Scheme submissions	copies of all submissions received on DP090687L	Deborah Kissick, Traverse Environmental
28/01/2021	OIR-21-004	Active	Puketapu Road property	Full copy of all official info relating to Puketapu Tractors' Puketapu Road property, incl all correspondence to/from Dr Bull, Mr Parsons & his representatives & agents, internal HBRC memoranda & reports	Matthew Lawson, Lawson Robinson

Request Date	Request ID	Request Status	Request Subject	Request Summary	Requested By
1/02/2021	OIR-21-003	Completed	Whakaki freshwater project engagement and development	All comms re engagement through the Whakaki freshwater project & development process between HBRC & Richard Brooking (& any company he owns, is a director or employee of) & The Whakaki Lake Trust, the B2L2 Hereheretau Trust & the Whakaki Lake 2n Trust, incl details of any funding &/or proposed funding.	Individual

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 24 March 2021

Subject: SIGNIFICANT ORGANISATIONAL ACTIVITIES LOOKING FORWARD THROUGH APRIL 2021

Item 5

Reason for Report

- The commentary following is for Councillors' information, to highlight significant areas of Council activity. Significant Council resources are being directed toward various initiatives, which reflect the Council's evolving agenda and it is considered important that Council is consistently informed on progress in areas that have or may create a high external profile.

Whole of Region		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
Land Science	1. High resolution aerial imagery for 230 riparian sites due to be flown in the next few weeks weather permitting. This will form the basis of the region riparian monitoring programme.	Integrated Catchment Management Land Science
Land Science	2. Land science field trip as part of the HBRC youth climate camp	Integrated Catchment Management Land Science
East Coast Ballance Farm Environment Awards field day	3. After having been postponed twice due to Covid-19 alert levels, BFEA winners Evan and Linda Potter will be hosting a field day at their Elsthorpe property on 30 March	ICM Catchment Delivery
2021-31 Long Term Plan development	4. All supporting documentation and Consultation Document finalised for Council adoption on 24 March 2021 for consultation beginning 1 April.	All Groups
People & Capability (including Health & Safety)	5. Since January 2021 we have employed 26 new staff – 14 permanent and 12 fixed term. Therefore, recruitment and selection processes have continued to be a priority for the team. 6. Health and Safety Codes of Practice are under review 7. Ongoing HR/H&S induction training delivery for all new staff 8. Health and Safety Management Plan approved by Executive and signed by CE. 9. First Aid, Dealing with Aggressive People and 4WD training being coordinated	People & Capability
Outstanding Water Bodies Plan Change (PC7)	10. Hearings were held in the first week of December 2020. The Panel are currently drafting the decision which is expected prior to Easter 2021, but no confirmation of expected date has been received.	Strategic Planning Policy & Planning
Regional Land Transport Plan	11. The Regional Transport Committee has received 64 submissions on the Regional Land Transport Plan with around 30 submitters indicating they want to be heard. The RTC commenced hearing them on 12 March. A further hearing will be held on the 26 March to hear the remainder.	Strategic Planning Transport

Whole of Region		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
Catchment Services	<p>12. Myrtle rust has been identified in Hastings. DOC and Landcare Research are investigating. Myrtle rust is present in most regions in New Zealand. A New Zealand Myrtle Rust Strategy (2019-2023) has been developed in response to myrtle rust establishing in New Zealand.</p> <p>13. A Possum Control Area (PCA) survey will be conducted in March/April by Manaaki Whenua Landcare Research to get feedback from the community on possum management. Approximately 500 land occupiers will be called alongside sending 5,500 letters promoting an online survey. Feedback will be used to help guide the current PCA programme review.</p> <p>14. TB update - there are currently 15 infected herds with a further 12 being investigated.</p>	Integrated Catchment Management Biosecurity/ Biodiversity
Predator Free Hawke's Bay	<p>15. Possum eradication work in the Mahia Scenic Reserve undertaken by an external contractor continues.</p> <p>16. The PFHB team will continue to lay and refill baitstations, manage the monitoring network of wireless legholds and prepare for the barrier system to protect the peninsula long term.</p> <p>17. Education and research initiatives will continue in our project partnership with EIT and the Ōtātara Outdoor Learning Centre.</p>	ICM - Biosecurity/ Biodiversity

Northern Catchment		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
Mohaka Plan Change	<p>18. Staff are currently re-designing the project brief and programme of work with tāngata whenua and their project team. Critical tāngata whenua-led workstreams are being supported and resourced by HBRC. These workstreams are fundamental to the success of the plan by enabling tāngata whenua to be actively involved in the plan development process.</p>	Policy & Planning
Area Manager Activity	<p>19. Busy month in Wairoa with several issues raised and hui held.</p> <p>20. Engagement has been had with Tātau Tātau o Te Wairoa, Wairoa Taiwhenua, Rongomaiwahine Iwi Trust, Community Partnerships Group, TPK, Ngāti Rakaipaaka, Waikaremoana Tribal Authority.</p> <p>21. The final report for the Whakaki Catchment Pilot Case Study has been received and will be presented at the next EICC Meeting.</p> <p>22. A Whakaki FIF Governance hui has been planned this month.</p> <p>23. Significant local response to the Tsunami warning last week with several community meetings held to discuss options and community resilience plans for dealing with this in the future. Staff have also met locally to keep informed on our role in supporting the Wairoa EOC.</p>	Māori Partnerships
WDC Wairoa Wastewater discharge consents	<p>24. Hearing of the application by WDC to continue the discharge of wastewater to the Wairoa River was held 30 November & 1 December 2020. The panel has adjourned the hearing and has asked for experts to conference on specific matters. Expert conferencing has been scheduled for 7-9 April 2021</p>	Consents

Central Catchments		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
TANK plan change (PC9)	<p>25. Environmental science is preparing technical responses to many submissions received on the TANK plan change</p> <p>26. Staff are preparing the S42a reports in preparation of the hearings which are scheduled for May-June 2021</p>	Policy & Planning
Ngaruroro and Clive Rivers Water Conservation Order	<p>27. The Environment Court hearing on the Water Conservation Order began on 9 February 2021. Court proceedings were scheduled to adjourn on 19 February 2021. However, due to COVID level 3 restrictions in Auckland the second week of Environment Court hearing did not proceed.</p> <p>28. No date for rescheduled the hearing has been provided at the time of writing this update.</p> <p>29. Since 2017 HBRC has spent more than \$1 million on its involvement in the WCO Special Tribunal and Environment Court proceedings.</p> <p>30. HBRC staff will provide an update when the Courts decision on the WCO is made available.</p>	Policy & Planning
Heretaunga Plains Urban Development Strategy (HPUDS)	<p>31. Three councils (HBRC, NCC, and HDC) have commenced technical work on housing assessment – a broad-scale supply and demand typology of housing types and locations within the Napier Hastings urban area. The 2020 National Policy Statement for Urban Development directs the three councils to prepare the housing assessment by July 2021.</p>	Policy & Planning
Heretaunga Plains Scheme review	<p>32. Modelling of the Tūtaekurī and Ngaruroro Rivers complete. There are no significant issues to report on with regards to containing a 1 in 500-year event, however this excludes the effects of climate change. Climate change effects will be assessed at a later date, allowing for additional data to minimise the risk of over design.</p> <p>33. Modelling of the Lower Tukituki river has now commenced, this will be completed March 2021.</p>	Asset Management Regional Projects
Flood Control Schemes	<p>34. Resilience Funding PDU projects: Taradale stopbank geotechnical testing has been completed; analysis of results will dictate scope for engineered strengthening required.</p> <p>35. Moteo stopbank geotechnical assessments will follow on from the Taradale site, results from these assessments will form the basis of scope of works for engineered strengthening works at both sites.</p> <p>36. Site prioritisation for HPFCS has been developed based on river modelling outputs, condition assessments and consequence of failure of assets. There are twelve proposed site which have been programmed into IRG project plan for years 2 and 3.</p>	Asset Management Engineering Regional Projects
Lake Tūtira	<p>37. Kahikanui stream bridge is due to be constructed this month, contractor starts on site early March 2021.</p> <p>38. Logging to make room for forest roads and processing sites will be complete by April 2021, road construction complete by May 2021</p>	Asset Management Regional Projects ICM - Freshwater quality and ecology
Gravel Management	<p>39. All contractors and industries have been updated on upcoming changes with global consent implementation. Asset Management team is working with consent authority to find a suitable solution for rivers which are not part of the global consent.</p>	Asset Management Consents, Schemes

Central Catchments																										
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section																								
Heretaunga Plains water take renewals	40. Takes from the Heretaunga Plains unconfined aquifer (approx. 200 lodged) expired 31 May 2018 and are being exercised under s124. These are being processed as a group and are being kept on hold while the TANK Plan Change advances.	Regulation Consents																								
NCC / HBRC Westshore tidal gates and NCC Lagoon Farm stormwater discharge consents	41. Draft consents conditions have been circulated to the applicants and Consents are waiting for final feedback. 42. HBRC (AMG) meeting with NCC during the week of 22 February to finalise process. 43. The Planning consultant for NCC is currently preparing feedback to the draft consent conditions.	Regulation Consents																								
Incidents and Enforcement	44. Pollution Response and Enforcement received 592 incidents (Air 377, Land 96, Surface water 93, Coastal 23, Ground Water 3) logged through our hotline for the period 1 July 2020- 20 January 2021. 45. Total infringements for year to date 1/7/20 – 18/02/21 = 52 <table border="1" data-bbox="395 824 1161 1218"> <thead> <tr> <th>Infringement no.</th> <th>RMA section breached</th> <th>Discharge of contaminants to:</th> </tr> </thead> <tbody> <tr> <td>12</td> <td>15(1)(a)</td> <td>Water</td> </tr> <tr> <td>10</td> <td>15(1)(b)</td> <td>Land where may enter water</td> </tr> <tr> <td>6</td> <td>15 (1)(c)</td> <td>Industrial or trade premises to air</td> </tr> <tr> <td>5</td> <td>15(1)(d)</td> <td>Industrial or trade premises to land</td> </tr> <tr> <td>21</td> <td>15(2A)</td> <td>Air or land where breaches our RRMP</td> </tr> <tr> <td>1</td> <td>22(2)</td> <td>Failure to supply information (name and address) to an enforcement officer</td> </tr> <tr> <td>2</td> <td>338(1) (c)</td> <td>Breach of Abatement Notice</td> </tr> </tbody> </table> 46. Ten active prosecutions-initiated year to date (18/02/21) at various stages, which we are unable to comment publicly on.	Infringement no.	RMA section breached	Discharge of contaminants to:	12	15(1)(a)	Water	10	15(1)(b)	Land where may enter water	6	15 (1)(c)	Industrial or trade premises to air	5	15(1)(d)	Industrial or trade premises to land	21	15(2A)	Air or land where breaches our RRMP	1	22(2)	Failure to supply information (name and address) to an enforcement officer	2	338(1) (c)	Breach of Abatement Notice	Regulation Compliance & Enforcement
Infringement no.	RMA section breached	Discharge of contaminants to:																								
12	15(1)(a)	Water																								
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2	338(1) (c)	Breach of Abatement Notice																								
Hawea Historical Park / Karamu Stream Diversion	47. Hawea Park Draft Management plan is drafted and under review with HBRC. Awaiting cultural information from committee. 48. Stage 3 of the development is underway with detailed design for the widening of the confluence completed and waterway enhancement design completed and shared with the management committee.	Asset Management Open Spaces Regional Assets																								
Waitangi Regional Park	49. Stage 3 of the development including vehicle access to the river, finalising marquee area underway for completion in June 2021. Extensive invasive tree removal completed on the Railway wetland in advance of the winter planting by HBRC, Fish & Game and Napier Forest & Bird.	Asset Management Regional Projects																								
NCC Municipal Wastewater	50. NCC operating in accordance with consent. Abatement notices for repair works have been cancelled.	Regulation Compliance & Enforcement																								
Omaranui Landfill expansion	51. The resource consent applications for the Omaranui Landfill expansion were notified on Tuesday 19 January 2021. Submissions closed Wednesday 17 February 2021. 52. HDC are currently meeting with all submitters individually and have asked for a time extension while they undertake this consultation. 53. The hearings Committee will be convened in April to appoint a hearing panel.	Regulation Consents																								

Central Catchments		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
Clive River Dredging and discharge of dredge materials	54. Asset Management is planning to dredge the lower reaches of the Clive River and resource consent applications have been lodged for the dredging and the discharge of dredged material. The application has been assessed by external consultants. Further information has been requested for this application by the Consents section. This information will be submitted by end of March.	Asset Management Regulation Consents
Bayview/ Whirinaki Cycleway	55. Confirmation of route selection based on property easement agreements. Liaison with TLAs, NZTA and affected landowners regarding preferred route and associated costs. Recommendation on preferred route, associated risks, and costs due March 2021.	Asset Management Regulation Regional Projects

Southern Catchments		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
CHBDC Wastewater discharge consents	56. CHBDC completed the removal of ineffective wetland treatment systems at Waipawa/Waipukurau WWTP as part of required upgrades under the enforcement order. An improvement in treatment quality has been noticed in sampling to date. 57. The upgrades will be completed in 9 phases across 5 projects, more information can be found here . 58. Porangahau and Te Paerahi replacement applications for the municipal wastewater systems have been lodged and formally accepted.	Regulation Consents & Compliance
Production land use consents - Tukituki catchment	59. To date 42 complete production land use activity consents have been lodged. A further 90 landowners have responded to letters sent asking them for an update and explanation. 60. Compliance staff issued two abatement notices to two landowners for not providing a farm environmental management plan (FEMP).	Regulation Consents & Compliance
Upper Tukituki Flood Control Scheme	61. Waipawa river erosion above SH50. Concrete akmons have been installed on the left bank, rope and rail groynes are being fabricated. Significant earthworks have commenced on site. 62. Upper Tukituki gravel extraction. UAV survey post processing to determine gravel availability and confirm design grades. Material testing of all rivers due to commence March. Three new accesses formed to assist with gravel extraction. Collaborative framework agreement partially drafted. 63. CHBDC Tukituki Trails PGF project – CHB MOU being drafted.	Asset Management Regional Projects, Schemes
Porangahau Catchment Freshwater Improvement Fund (FIF) application	64. On the back of a successful FIF application, the Porangahau Catchment Group are working with staff to finalise a 'project work programme' (due at the end of this month). Once approved, the project will secure up to \$2.15 million over 3 years for catchment works; including waterway protection/enhancement, pest and weed control and farm planning. Note that this funding is leveraged from existing work programmes and resource, so does not require additional council investment.	ICM Catchment Delivery
Aramoana (Te Ikatiere) fencing	65. Fencing materials and equipment are on site with fencing due to start this month. Approximately 2.4km of deer fencing with be used to retire the 43ha block. A small amount of planting is planned for this winter.	ICM Catchment Delivery

Southern Catchments		
Project / Activity Description	Significant Upcoming Milestone(s)	Group /Team or Section
Silver Fern Farms Takapau consents	66. Consents for Silver Fern Farms to discharge process water from the Takapau Meat Processing Plant are in process. The applications were notified on 23 Jan 2021 and submissions closed 22 Feb. It is anticipated matters raised can be resolved without a hearing.	Consents
Tranche 2 consents	67. Applicants seeking Tranche 2 water have submitted modelling results for taking and offsetting effects on the environment. HBRC has provided feedback on these. Report to be finalised by the applicant and submitted with an updated AEE by March.	Consents
Te Mata Mushroom Company, Waipukurau site,	68. Te Mata Mushroom Company proposed compost production operation at a new site on Mt Herbert Road, Waipukurau. An updated application has been submitted. Further information has been requested. The application remains on hold until the further information has been received. The time for this has been extended.	Consents

Decision Making Process

- 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 ***Significant Organisational Activities Looking Forward through April 2021*** staff report.

Authored by:

Mike Alebardi
ACTING MANAGER COMPLIANCE

Mary-Anne Baker
ACTING TRANSPORT MANAGER

Sarah Bell
TEAM LEADER STRATEGY AND PERFORMANCE

Natasha Blunden
EMERGENCY MANAGEMENT ADVISOR PLANNING

Drew Broadley
MARKETING & COMMUNICATIONS MANAGER

Vicki Butterworth
CYCLE NETWORK COORDINATOR

Desiree Cull
STRATEGY AND GOVERNANCE MANAGER

Peter Davis
MANAGER ENVIRONMENTAL INFORMATION

Tania Diack
TEAM LEADER CONSENTS

Ben Douglas
FOREST MANAGEMENT ADVISOR

Ceri Edmonds
MANAGER POLICY AND PLANNING

Russell Engelke
TEAM LEADER OPEN SPACES

Dean Evans
MANAGER CATCHMENTS DELIVERY

Olivia Giraud-Burrell
BUSINESS ANALYST

Craig Goodier
TEAM LEADER ENGINEERING

Martina Groves
MANAGER REGIONAL ASSETS

Belinda Harper
SENIOR PLANNER

Keiko Hashiba
TERRESTRIAL ECOLOGIST

Nathan Heath
AREA MANAGER NORTHERN HAWKE'S
BAY

Dr Andy Hicks
TEAM LEADER/PRINCIPAL SCIENTIST
WATER QUALITY AND ECOLOGY

Gavin Ide
PRINCIPAL ADVISOR STRATEGIC
PLANNING

David Keracher
ACTING MANAGER REGIONAL
PROJECTS

Dr Kathleen Kozyniak
PRINCIPAL SCIENTIST (AIR)

Campbell Leckie
RTRP AFFORESTATION LEAD

Dr Barry Lynch
TEAM LEADER/PRINCIPAL SCIENTIST
(LAND SCIENCE)

Anna Madarasz-Smith
TEAM LEADER/PRINCIPAL SCIENTIST
MARINE & COAST

Kirsty McInnes
SENIOR ADVISOR HEALTH AND SAFETY

Alice McNatty
TEAM LEADER PEST PLANTS & MARINE
BIODIVERSITY

Malcolm Miller
MANAGER CONSENTS

Mark Mitchell
ACTING MANAGER CATCHMENT
SERVICES

Liana Monteith
MANAGER PEOPLE AND CAPABILITY

Nichola Nicholson
POLICY PLANNER

Thomas Petrie
PROGRAMME MANAGER PROTECTION &
ENHANCEMENT PROJECTS

Dr Jeff Smith
MANAGER SCIENCE

Jolene Townshend
SENIOR ADVISOR INTEGRATED
CATCHMENT MANAGEMENT

Mona Wells
TEAM LEADER
HYDROLOGY/HYDROGEOLOGY

Approved by:

Katrina Brunton
GROUP MANAGER
POLICY & REGULATION

Chris Dolley
GROUP MANAGER
ASSET MANAGEMENT

Iain Maxwell
GROUP MANAGER INTEGRATED
CATCHMENT MANAGEMENT

Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 24 March 2021

Subject: CALL FOR MINOR ITEMS NOT ON THE AGENDA

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."

Decision Making Process

3. 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 accepts the following "Minor Items Not on the Agenda" for discussion as Item 13:

Topic	Raised by

Authored by:

**Leeanne Hooper
TEAM LEADER GOVERNANCE**

Approved by:

**Desiree Cull
STRATEGY AND GOVERNANCE
MANAGER**

Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 24 March 2021

Subject: ADOPTION OF THE POLICIES AND SUPPORTING INFORMATION FOR THE 2021-31 LONG TERM PLAN CONSULTATION DOCUMENT

Item 7

Reason for Report

1. This item provides the Draft Policies and Supporting Information for the 2021-31 Long Term Plan (LTP) consultation, as required by the Local Government Act 2002 (LG Act), for the Hawke's Bay Regional Council to adopt.

Officers' Recommendations

2. Council officers recommend that the Council adopts the Draft Policies and Supporting Information as provided, for consultation on the 2021-31 Long Term Plan.

Background

3. This report should be read in conjunction with the Council report entitled "Time to Act, Kai Rite! 2021-2031" presenting the Consultation Document for the 2021-2031 LTP for adoption. It describes the process followed to develop the proposals and content in both the Consultation Document (CD) as well as the supporting information attached to this report.
4. During the LTP development process, the need to review and consult on changes to two LTP related policies arose. The Draft Significance and Engagement Policy and Draft Revenue and Financing Policy are attached to this report for Council to adopt for consultation concurrently with the CD.
5. Other Supporting Information, on which the CD relies is attached to this report for Council to adopt. This report summarises the changes made since the previous 2018-28 LTP.

Draft Significance and Engagement Policy for adoption for consultation

6. Under section 76AA of the LG Act, the Council must adopt a Significance and Engagement Policy. Under Schedule 10 (11) of the LG Act, the Council must include a summary (or other description) of its Significance and Engagement Policy in its LTP.
7. When amending a Significance and Engagement Policy the Council must consult in accordance with section 82 unless it considers on reasonable grounds that it has sufficient information about community interests and preferences to enable the purpose of the policy to be achieved.
8. According to our own Policy, it must be reviewed every five years and involve community engagement. The Regional Council is therefore using the LTP consultation process to concurrently consult on this Policy and to seek feedback on minor changes.
9. These changes are outlined in the attached Statement of Proposal (SOP) and in a marked up copy of the revised Draft Policy attached to the SOP.

Draft Revenue and Financing Policy for adoption for consultation

10. Under section 102 of the LG Act, Council must, in order to provide predictability and certainty about sources and levels of funding, adopt the funding and financial policies;
 - 10.1. a revenue and financing policy; and
 - 10.2. a liability management policy; and
 - 10.3. an investment policy; and
 - 10.4. a policy on development contributions or financial contributions; and

- 10.5. a policy on the remission and postponement of rates on Māori freehold land; and
11. A local authority may adopt either or both of the following policies:
 - 11.1. a rates remission policy
 - 11.2. a rates postponement policy.
12. Of these seven policies, the Regional Council is amending its Revenue and Financing Policy, so must consult on the proposed amendments in a manner that gives effect to the requirements of section 82 of the LG Act.
13. A Revenue and Financing Policy identifies the funding sources and mechanisms that will be used to finance the Council's operating and capital expenditure for the 10 years beginning 1 July 2021.
14. The Revenue and Financing Policy was workshopped with Council on 26 August and 21 October 2020 and amended based on changes to the Groups of Activities structure and funding changes for new or revised activities. The revised Draft Policy and the Statement of Proposal were presented at a Council workshop on 17 March 2021.
15. The Revenue and Financing Policy will be finalised after consideration of community feedback arising from the consultation process and adopted as part of the LTP on 30 June 2021.
16. Under Schedule 10 (10) of the LG Act, an LTP must include the already adopted Revenue and Financing Policy.

Supporting Information

17. Under section 93G of the LG Act, before adopting a consultation document, the Council must prepare and adopt the supporting information on which the content of the CD relies on and on which the LTP is prepared. These documents must be available to the public during the consultation process.
18. It is proposed to adopt the following documents as supporting information.
 - 18.1. Community Outcomes for the 2021-31 Long Term Plan
 - 18.2. Groups of Activities Section for the 2021-31 Long Term Plan
 - 18.3. Statement on Council Controlled Organisations for the 2021-31 Long Term Plan
 - 18.4. Statement on Fostering Contributions to Decision-making by Māori for the 2021-31 Long Term Plan
 - 18.5. Financial Strategy 2021-31
 - 18.6. 30 Year Infrastructure Strategy
 - 18.7. Executive Summaries of Heretaunga Plains Flood Control Scheme, Upper Tukituki Flood Control Scheme and Small Schemes Asset Management Plans
 - 18.8. Financial Statements 2021-31
 - 18.9. Significant Forecasting Assumptions 2021-31
 - 18.10. Fees and Charges Schedule 2021-21
 - 18.11. Policies on Rates Remission and Postponement
 - 18.12. 2021-2024 Our Corporate Plan

Community Outcomes

19. Under Schedule 10 (1) of the LG Act an LTP must, to the extent determined appropriate by the Council, describe the community outcomes for the region.
20. Community outcomes are defined as “the outcomes that a local authority aims to achieve in order to promote the social, economic, environmental, and cultural well-being of its region in the present and for the future”.

21. As in the previous 2018-28 LTP, the Regional Council's outcomes match the vision statement from its Strategic Plan. This was revised in the new *2020-25 Strategic Plan* to:



22. These icons are used in the Groups of Activities section to show when activities primarily contribute to a community outcome.



23. Like the community outcomes, the outcome measures come from the Strategic Plan and have been updated to reflect the current Strategic Plan. The measures are time bound and wherever possible, align with national targets or an existing Hawke's Bay strategy or plan.
24. The outcome measures are separate to the activity (or output) measures in the Group of Activities section. Their achievement is attributable to a range of Council's interventions as well as factors outside Council's control.

Groups of Activities Section

25. Under Schedule 10 (2) of the LG Act, an LTP must present its financial and non-financial information in groups of activities (GOA). The GOA structure is the backbone of an LTP. The GOA section includes information on what we do, why and what it costs as well as level of service statements, performance measures and targets. These measures must enable the public to assess whether Council has done what it said it would do.
26. The number of GOAs has changed from the 2018-28 LTP to reflect the current organisational structure. There are now six (rather than seven) GOAs. The number of activities that sit under the GOAs has remained similar at 21. The six GOAs are:
- 26.1. Governance and Partnerships
 - 26.2. Policy and Regulation
 - 26.3. Integrated Catchment Management
 - 26.4. Asset Management
 - 26.5. Emergency Management
 - 26.6. Transport.
27. The first draft of the level of service statements, targets and measures was presented to Council on 15 December 2020. The final set of 58 (reduced from 60 in the 2018-28 LTP) incorporating Council's feedback was agreed by Council at its workshop on 17 February 2021 subject to Audit NZ sign-off. Feedback was sought from the Māori Committee and Regional Planning Committee Tangata Whenua Representatives on the new performance measures for the Tāngata Whenua Partnerships activity and has been incorporated.

Statement on Council Controlled Organisations

28. Under Schedule 10 (7) of the LG Act an LTP must, in relation to each council-controlled organisation in which Council is a shareholder, name the council-controlled organisation and identify:
 - 28.1. the significant policies and objectives in relation to ownership and control of the organisation; and
 - 28.2. the nature and scope of the activities to be provided by the council-controlled organisation; and
 - 28.3. the key performance targets and other measures by which performance is to be judged.
29. This statement has been updated from the Amended 2018-28 LTP to reflect Hawke's Bay Regional Investment Company's (HBRIC Ltd) latest Statement of Intent.

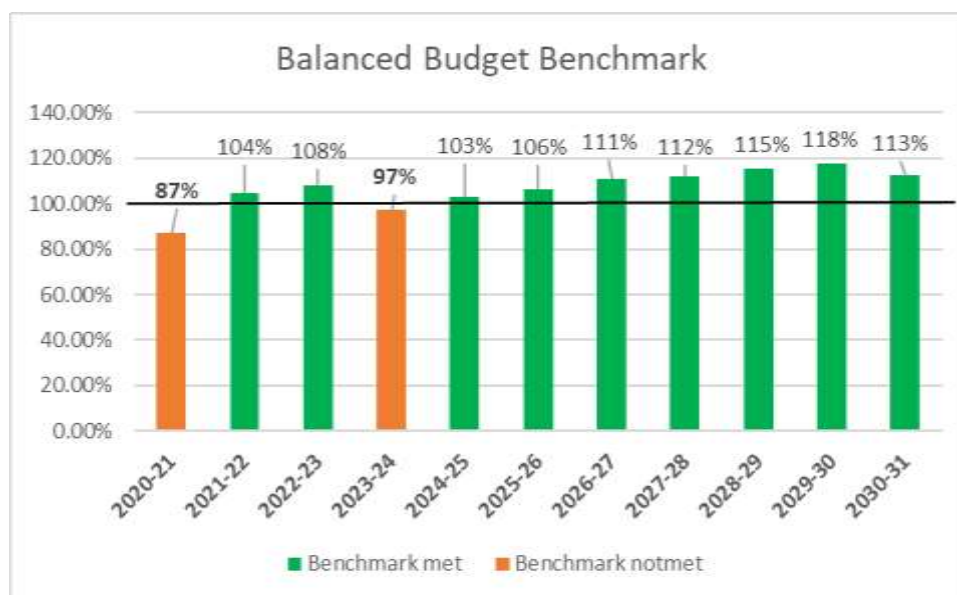
Statement on Fostering Contributions to Decision-making by Māori

30. Under Schedule 10 (8) of the LG Act, an LTP must set out any steps that the local authority intends to take to foster the development of Māori capacity to contribute to its decision-making processes over the period covered by that plan.
31. Staff have made minor changes to the statement from the 2018-28 LTP to bring it up-to-date with current arrangements and have changed the title from "Statement on the Development of Māori Capacity to Contribute to Decision Making Processes" to put the onus on council's role in this space.

Financial Strategy

32. Under section 101A of the LG Act, council must prepare and adopt a financial strategy for all of the consecutive financial years covered by the LTP. Under Schedule 10 (9) this must be included in a LTP. The major matters from the Financial Strategy must be presented in the Consultation Document for the LTP.
33. The financial strategy sets the limits on rates increases and debt, illustrates the overall financial implications of the decisions made in the LTP, and is key in demonstrating prudent financial management.
34. The objective of the Financial Strategy is to:
 - 34.1. manage the collection, investment and expenditure of rate-sourced, grant-sourced and user-pays-sourced funds.
 - 34.2. set guidelines and limits so that the community has assurance that HBRC's revenue and expenditure remains within known and agreed limits and provides for the investment in infrastructure and the achievement of goals that the community is aware of and has agreed to.
35. The Financial Strategy forms part of the full LTP document, and the key matters are summarised in the Consultation Document.
36. Key Changes to the 2021-31 Financial Strategy include:
 - 36.1. Increase in debt limit from Net Debt / Total Revenue 150% to 175% in line with LGFA policy covenants
 - 36.2. Increase in Rates as a % of Revenue from 50% to 60% to reduce reliance on investment income
 - 36.3. Building an investment equalization reserve of \$10m by the end of the plan
 - 36.4. Borrowing to fund operational costs in years 1 through 4, to balance the rating impact in order to fund an accelerated work programme
 - 36.5. Mandating the Hawke's Bay Regional Investment Company to grow its investment portfolio.

37. Council notes that a consequence of the funding strategy for the LTP, which includes smoothing of rating increases over the first 4 years, Council has an unbalanced budget in year 3 of the plan.



30 Year Infrastructure Strategy (2021-51)

38. Under section 101B of the LG Act, council must prepare and adopt an infrastructure strategy for a period of at least 30 consecutive financial years. Under Schedule 10 (9) this must be included in an LTP. Any (or all) major matters from a infrastructure strategy must be presented in the Consultation Document for the LTP.
39. The purpose of an infrastructure strategy is to identify significant infrastructure issues, plus options and implications for managing those issues. HBRC must include assets related to flood protection and control works in its Infrastructure Strategy as well as any other assets it wishes to include. The Infrastructure Strategy is informed by Asset Management Plans.

Executive Summaries of the Heretaunga Plains Flood Control Scheme, Upper Tukituki Flood Control Scheme and Small Schemes Asset Management Plans.

40. Executive Summaries of the Asset Management Plans for HBRC's three flood protection and drainage schemes have been included in the supporting information to give context to the Infrastructure Strategy.

Financial Statements

41. Under Schedule 10 (12) and (13) of the LG Act, an LTP must include forecast financial statements and financial statements for the previous year.
42. The Financial Statements set out the 10-year forecast are based on the various assumptions and levels of service consulted on in the Consultation Document. Included are the following statements:
- 42.1. Prospective Statement of Comprehensive Revenue and Expense
 - 42.2. Prospective Statement of Changes In Net Assets / Equity
 - 42.3. Prospective Statement of Financial Position
 - 42.4. Prospective Cash Flow Statement
 - 42.5. Funding Impact Statement for the Whole of Council

Significant Forecasting Assumptions

43. Under Schedule 10 (17) of the LG Act, an LTP must clearly identify all the significant forecasting assumptions and risks underlying the financial estimates including (but not limited to) the assumptions concerning the life cycle and sources of funds for the future replacement of significant assets. Council must identify where significant forecasting assumptions involve a high level of uncertainty and estimate the potential effects of that uncertainty on the financial estimates.
44. The Assumptions have been updated from the 2018-28 LTP to reflect current information. Notable changes include population projections, COVID-19 impacts, increased expectations for better environmental outcomes (freshwater reform for example), climate change impacts, cost adjustors and interest rates.

Fees and Charges Schedule

45. Fees and charges provide around 15% of Council's annual funding requirement. As part of the financial information provided in an LTP, the Council must list a schedule of fees and charges that relate to:
 - 45.1. resource management
 - 45.2. Building Act
 - 45.3. maritime Transport and Navigation
 - 45.4. preparation of, or change to a Regional Plan
 - 45.5. provision of Information; and
 - 45.6. other charges.
46. At the Council workshops on 26 August and 11 November 2020, Council considered changes to the methodology of charging consent holders for the recovery of science charges under Section 36 of the Resource Management Act 1991 (RMA). It was agreed to:
 - 46.1. more directly charge the users of services
 - 46.2. change how we recover our science charges through changes to a region wide approach; and
 - 46.3. charge based on budgeted water science and information activities rather than actual costs to give consent holders certainty of charges; and
 - 46.4. take a scaled approach for discharge consents with different fees for small, medium, large or extra-large activities, to introduce proportionality to the annual charges to consent holders.
47. Council will be directly consulting with the consent holders by way of a letter with the changes detailed and a fact sheet included.
48. Council further reviewed in workshop all other fees and charges and is proposing to include fees and charges for the following:
 - 48.1. annual consent administration fee
 - 48.2. issuing an abatement notice
 - 48.3. late submission of data and information returns; and
 - 48.4. separate gravel extraction charges for independent consent holders and those that extract gravel under Council's global consent.
49. Increases to some fixed fee deposits for consent applications and applications for regional plan changes have also been included to better reflect the actual costs and to give consent applicants a more realistic idea of the costs of a consent application.

Policies on Rates Remission and Postponement

50. Council's Policies on Rates Remission and Postponement have been included in the supporting information for reference. Council has not proposed any changes to the policies from the 2018-28 LTP.

2021-2024 Our Corporate Plan

51. The Corporate Plan details new resource and investment required to enable corporate functions to support the delivery of the proposed LTP work programme.
52. Corporate and governance functions represent a significant investment and account for 24% of total organisational operational spend. These functions are essential as they support the organisation to deliver on its strategic outcomes as well as providing the foundations for efficient and effective decision making, and ensuring legislative requirements are met.
53. The Corporate Plan comprises:
- 53.1. Corporate Support
 - 53.2. Finance and Procurement
 - 53.3. Governance and Strategy
 - 53.4. Information and Communication Technology (ICT)
 - 53.5. Marketing and Communications
 - 53.6. People and Capability
 - 53.7. Risk and Assurance.
54. The plan itself presents a balance between competing priorities, a need to consolidate rapid growth over the past three years and move toward a more mature operating model, while managing the pace and cost of change for our people and our community. The plan:
- 54.1. Has a key focus on the customer. Significant investment is accounted for in the current FY20-21 financial year for the creation of a Contact Centre. Further, it acknowledges community engagement is increasingly driven by demand for virtual access to information and services.
 - 54.2. Includes significant capital investment to deliver a revised and comprehensive technology approach that strives to get the right information to the right people at the right time. This revised approach relies on being adequately resourced, with a focus on being appropriately ambitious and fit for the future.
 - 54.3. Will ensure the business is agile and responsive to an increasing pace of internal and externally led change, by focusing on change management with strong links to a people strategy and supporting a more agile culture.
 - 54.4. Moves from a focus on outputs to a stronger outcome focus, with clearly defined measures for performance and success for the Corporate team.
 - 54.5. Seeks to adopt a risk, quality and assurance framework to drive continuous improvement and deliver operational excellence.
55. The Council's internal operating priorities, key focus areas and investment decisions are guided by its Corporate Plan. The strategic outcomes and actions identified in the Corporate Plan will link directly to key performance indicators in the Strategic Plan and LTP.

Decision Making Process

56. Council is required to make every decision in accordance with the requirements of the Local Government Act 2002 (the LG Act). Staff have assessed the requirements in relation to this item and have concluded:

- 56.1. The use of the special consultative procedure in relation to the adoption of a Long Term Plan is required under section 93.
57. LG Act Section 93(G) requires that:
 - 57.1. Before adopting a consultation document under section 93A, the local authority must prepare and adopt the information that:
 - 57.1.1. is relied on by the content of the consultation document adopted under section 93A; and
 - 57.1.2. is necessary to enable the Auditor-General to give the reports required by sections 93C(4) and 93D(4); and
 - 57.1.3. provides the basis for the preparation or amendment of the long-term plan.

Recommendations

That the Hawke's Bay Regional Council:

1. Receives and considers the "Adoption of the Policies and Supporting Information for the 2021-31 Long Term Plan Consultation Document" staff report.
2. Adopts the Statement of Proposal and Draft Significance and Engagement Policy for consultation under the provisions of section 82 of the Local Government Act 2002
3. Adopts the Statement of Proposal and Draft Revenue and Financing Policy for consultation under the provisions of section 82 of the Local Government Act 2002.
4. Adopts the following as supporting information for the Consultation Document for the 2021-31 Long Term Plan as required by section 93G of the Local Government Act 2002 including minor amendments agreed today or requested by Audit NZ, being:
 - 4.1. Community outcomes for the 2021-31 Long Term Plan
 - 4.2. Groups of Activities Section for the 2021-31 Long Term Plan
 - 4.3. Statement on Council Controlled Organisations for the 2021-31 Long Term Plan
 - 4.4. Statement on Fostering Contributions to Decision-making by Māori for the 2021-31 Long Term Plan
 - 4.5. Financial Strategy 2021-31
 - 4.6. 30 Year Infrastructure Strategy
 - 4.7. Executive Summaries for Heretaunga Plains Flood Control Scheme, Upper Tukituki Flood Control Scheme and Small Schemes Asset Management Plans
 - 4.8. Financial Statements 2021-31
 - 4.9. Significant Forecasting Assumptions 2021-31
 - 4.10. Fees and Charges Schedule 2021-22
 - 4.11. Policies on Rates Remission and Postponement
 - 4.12. 2021-2024 Our Corporate Plan.

Authored by:

Desiree Cull
STRATEGY AND GOVERNANCE MANAGER

Bronda Smith
CHIEF FINANCIAL OFFICER

Approved by:

Jessica Ellerm
GROUP MANAGER CORPORATE SERVICES

James Palmer
CHIEF EXECUTIVE

Attachment/s

1	⇒ Statement of Proposal and Draft Significance and Engagement Policy	Under Separate Cover
2	⇒ Statement of Proposal on Draft Revenue and Financing Policy 2021-31	Under Separate Cover
3	⇒ Community outcomes for 2021 Long Term Plan	Under Separate Cover
4	⇒ Group of Activities Section	Under Separate Cover
5	⇒ Statement on Council Controlled Organisations for 2021 Long Term Plan	Under Separate Cover
6	⇒ Statement on Fostering contributions to decision-making by Maori	Under Separate Cover
7	⇒ Financial Strategy 2021-31	Under Separate Cover
8	⇒ 30 Year Infrastructure Strategy (2021-51)	Under Separate Cover
9	⇒ Executive Summaries for HPFCS, UTTFCS and Small Schemes AMPs	Under Separate Cover
10	⇒ Financial Statements 2021-31	Under Separate Cover
11	⇒ Significant Forecasting Assumptions 21-31	Under Separate Cover
12	⇒ Fees and Charges Schedule 2021-31	Under Separate Cover
13	⇒ Rates Remission and Postponement Policy 2021-31	Under Separate Cover
14	⇒ 2021-24 Our Corporate Plan	Under Separate Cover

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 24 March 2021

Subject: TIME TO ACT - KIA RITE! 2021-31 LONG TERM PLAN CONSULTATION DOCUMENT FOR ADOPTION

Item 8

Reason for Report

1. This report presents the Consultation Document for the 2021-2031 Long Term Plan, entitled "Time to Act – Kia Rite! 2021-2031" and the Summary document for adoption.

Officers' Recommendations

2. Council officers recommend that having adopted the supporting information for the 2021-31 Long Term Plan, Councillors review the content and adopt the "*Time to Act - Kia Rite! 2021-2031*" Consultation Document and Summary document to initiate consultation.

Background

3. The proposals in the Consultation Document (or CD) are the culmination of many months of work by Councillors and staff to review levels of service, develop the 10-year budgets (30 years in the case of assets) and prior to that, in the refresh of the Council's 2020-25 Strategic Plan.
4. The Council has provided iterative feedback on the content of the CD at LTP workshops held on 15 December 2020, 17 February and 3 March 2021. The Council agreed which topics to include as specific consultation topics at the workshop in December. This version of the CD incorporates all of Council's feedback plus changes required by Audit NZ to ensure the document is legally compliant.
5. The CD is currently undergoing a "hot-review" by the Office of the Auditor General. Any material changes to the CD, Summary or any of the supporting information as a result of the hot review will be identified and tabled on the day of the Council meeting.
6. Following adoption, the CD will be made available online and at Council offices. The CD Summary will be sent to all ratepayers. Public consultation officially starts on 1 April and closes at 8pm on 2 May 2021.

Consultation Document

7. All councils are required by legislation to have a Long Term Plan (or LTP) at all times and must use the special consultation procedure to adopt it every three years. An LTP describes the activities of a local authority, the outcomes it intends to achieve and how it will fund those activities over a period of not less than 10 years.
8. As part of the special consultative procedure, a council must prepare a consultation document to facilitate public consultation on its LTP. The CD must provide a fair representation of the matters proposed for inclusion in the LTP and present these in a way that explains the overall objectives of the proposals, and how rates, debt, and levels of service might be affected; and can be readily understood. It must identify and explain significant and other important issues and choices facing the council and region, and the consequences of those choices. In other words, the Consultation Document must engage the community in the right debate.
9. The Consultation Document must contain a report from the Auditor-General on whether it gives effect to its purpose (i.e. is legally compliant); and the quality of the information and assumptions underlying the information provided in the consultation document.

Consultation Document Summary

10. The 4-page Summary document features extracts from the full CD in a condensed form and directs readers to the full CD and supporting information. It includes a submission form inserted as a loose page.
11. The Summary must be consistent with the Consultation Document which remains the primary tool for public participation in decision-making related to the Long Term Plan.

Draft Policies and Supporting Information

12. There are also two draft policies related to the LTP that require consultation under the LGA and other supporting information that Council has relied upon in preparing the Consultation Document that must be made public. These policies and other supporting documents are attached to a separate report and must be adopted by Council prior to the Consultation Document being adopted.

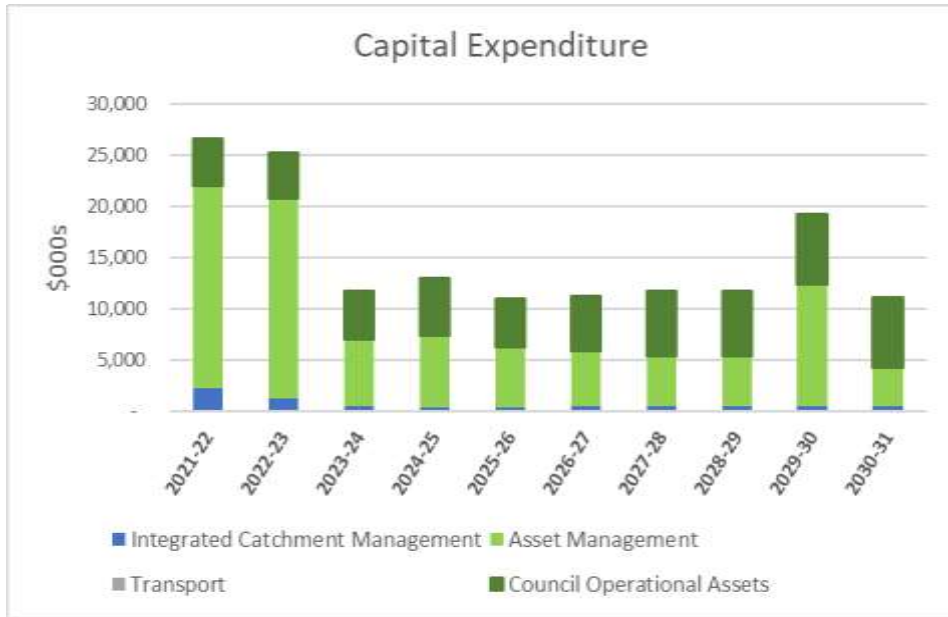
Building the Budget

13. The Levels of Service (LOS) Review workshops held with Council in September and October 2020 were an essential building block in the development of the 2021-31 Long Term Plan. This iterative process started with staff putting forward change proposals to existing funding levels that align with Council's strategic direction. LOS change proposals were changes to the base (the current 2020-21 financial year) that represent more than a change to the cost of delivering the same activity and typically respond to either an increased standard, or in some cases failure to meet the current standard.
14. The change proposals were then prioritised by the Executive team using a multi-criteria assessment. This involved using Climate. Smart. Recovery criteria to score and thereby create a "package" of prioritised change proposals with cost implications to present to Council to enable trade-off decisions. Council was then asked to consider:
 - 14.1. the relative priority of LOS proposals in order to help decide what to progress (or not)
 - 14.2. phase the proposals (changing the year the initiative is undertaken)
 - 14.3. scale up or back (changing the dollars)
 - 14.4. smooth the rating impact by borrowing
 - 14.5. doing more, less or stopping altogether other levels of service.
15. Only LOS changes that were agreed by Council were progressed through to detailed budgeting.

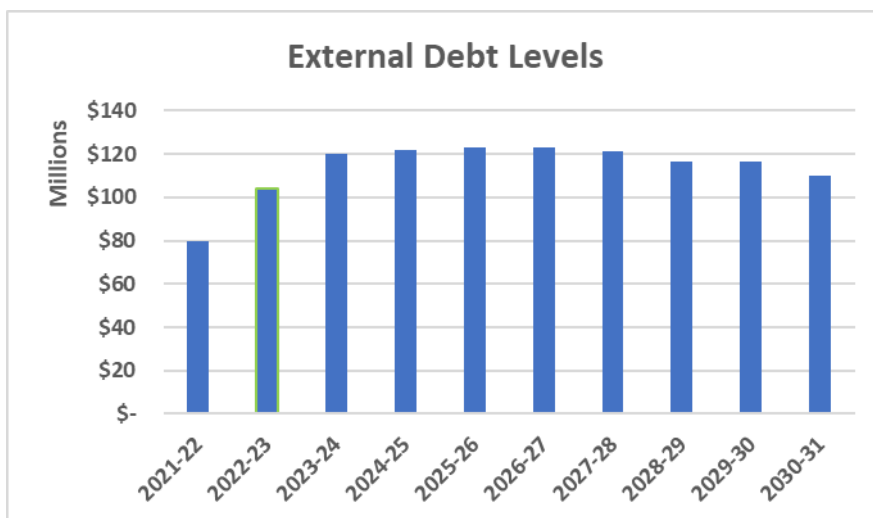
Resulting Financial Impact

16. As outlined in the CD, additional expenditure compared to the current 2020-21 financial year is:
 - 16.1. \$10.5M increase in operational spend in Year 1
 - 16.2. \$14.7M increase in capital spend in Year 1.
17. This significant increase in both operating and capital programmes consolidates the growth in activity initiated in the 2018-28 Long Term Plan and continues to push on multiple fronts, particularly implementation of freshwater reform, increasing biodiversity restoration and increasing the climate resilience of our flood control infrastructure, all to achieve faster results on-the-ground at scale.
18. To fund this step change in activity requires a significant rates increase and borrowing to fund operational costs to spread the rates impact across multiple years.

19. The first two years of the Plan include a significant increase in capital to meet timeframes for co-funded projects with Central Government such as improvements to Heretaunga Plains Flood Protection Scheme and gravel extraction in Upper Tukituki, the latter of which is a consultation topic. Capital spend returns to normal levels from Year 3. Year 9 of the plan includes expenditure for Clive River Dredging which is also included as a consultation topic within the CD.



20. The Council currently has a debt limit of 150% of net debt to revenue and is increasing this to 175% to align with the Local Government Funding Agency and allow for additional headroom over the length of this Long Term Plan. In Year 3 we reach a peak of 159% of debt to revenue including the borrowing for rates smoothing. Debt is at its highest, in dollar terms, in Year 5 at \$123m, which is 140% of debt to revenue in 2025-26.



Funding and Rates Increases

21. Council recognises that the increases in operational and capital programmes would put too much pressure on ratepayers in the first years of the Long Term Plan. To make it more affordable Council have taken a longer-term view and propose to borrow to spread the rates impact across multiple years. This approach takes advantage of low interest rates and headroom on our balance sheet and is included in the borrowing above.

22. By 2025-26, rates revenue is at a level where borrowing to offset rates is not required. By 2030-31 this borrowing from the first four years is repaid. Borrowing for operational costs is likely to be a common funding approach across local government in this 10-year planning cycle.
23. Funding is also impacted by the Council's decision to defer last year's rates increase of 7.3% due to COVID-19.
24. This equates to an overall proposed rates increase in Year 1 (2021-22) of 19.5%, 15% for Year 2 (2022-23) and 14.5% for Year 3 (2023-24). The 10-year rate increases are as follows.

21-22	22-23	23-24	24-25	25-26	26-27	27-28	28-29	29-30	30-31
19.5%	15.0%	14.5%	10.0%	11.4%	7.2%	6.9%	4.9%	3.9%	3.4%

Consultation Topics

25. The consultation topics are:
 - 25.1. Right Tree Right Place pilot – to plant more of the region's erodible farmland.
 - 25.2. Future water use – to work with water users to drive more efficient and effective use, complementing the Council's focus on water storage.
 - 25.3. Upper Tukituki gravel – to remove the gravel build-up from the upper Tukituki River to keep the community safe from floods.
 - 25.4. Clive River dredging in 2030 – to deepen Clive River as far as Kohupātiki Marae, for recreation and environmental benefits, and deposit the silt to land instead of the sea.
 - 25.5. On-demand public transport – to pilot a virtual bus-stop, technology-enabled service, starting with Hastings and followed by Napier.
 - 25.6. Ahuriri Regional Park – to kick-start improvements to the environment around Ahuriri Estuary, in partnership with Napier City Council.
26. The options (including Council's preferred option) to address each of these issues and the implications in terms of impact on rates, debt and levels of services are set out in detail in the Consultation Document.
27. Additional matters being consulted on, noted in the Consultation Document are the:
 - 27.1. Draft Significance and Engagement Policy
 - 27.2. Draft Revenue and Financing Policy
 - 27.3. Freshwater science and monitoring costs recovery charges (section 36 charges under the RMA)
 - 27.4. Fees and Charges Schedule.
28. A number of other changes to the base (FY 2020-21) are included in the CD as "must-dos" but all aspects of the Plan are open to feedback during consultation.

Consultation Process

29. The Local Government Act 2002 (LGA) recognises the importance of the Long Term Plan and therefore, requires that the Special Consultative Procedure, as set out in section 83 and 93A, must be used prior to adopting the final Long Term Plan.
30. Staff are confident that the processes for consultation being used will meet LGA requirements. These include:

- 30.1. posting a 4-page CD Summary and submission form to all ratepayers via the rates database
- 30.2. making the 40-page Consultation Document, policies and supporting information (including a submission form and information on how to submit and be heard) available to the public online and at Regional Council offices on or before 1 April 2021.
31. This will be supported and promoted by a programme of communications including media releases, emails, a public notice, 4-5 newspaper Talking Points by councillors, a public survey of 800 ratepayers, print/ radio and digital advertising, town hall and Facebook Live public meetings, support videos and a strong presence on the Council's social media platforms – Facebook and LinkedIn.
32. Hearing of submissions will be held on 17-18 May 2021.
33. Deliberations will be part of the Council meeting on 26 May 2021 and final adoption of the Long Term Plan on 30 June 2021.

Considerations of Tangata Whenua

34. Regular feedback from Tangata Whenua has been sought throughout the Long Term Plan development. Based on lessons learnt from last Long Term Plan, the intent was to engage early, mirror the process and material presented to Council, utilise existing fora of the Maori Committee and Tangata Whenua Representatives on the Regional Planning Committee and provide opportunities for regular involvement with feedback loops.
35. In summary the processes used to capture Tangata Whenua feedback included:
 - 35.1. A “Bus-stop” exercise held on 4 March 2020 with Māori Committee members to refresh the Strategic Plan.
 - 35.2. A consultant conducted interviews with Māori Committee and RPC Tangata Whenua Representatives between 24 August 2020 to 3 September 2020, with 17 participants taking part. The information captured from these interviews and the scoring of change proposals was provided to Councillors to inform Council's prioritisation at workshops in September and October.
 - 35.3. At a Māori Committee workshop held on 18 November, staff provided Māori Committee members with the results of the independent research. Further feedback was also sought on the major change proposals and the proposed branding of the Consultation Document.
 - 35.4. A similar workshop was held with the RPC Tāngata Whenua representatives on 9 December.
 - 35.5. The key messages from the Māori Committee and RPC Tangata Whenua representatives were presented to the Council in an information item at the Council workshop on 15 December.
 - 35.6. Long Term Plan development updates were presented to the Māori Committee and RPC on 10 February and 10 March respectively.

Audit Opinion

36. Audit NZ has reviewed the Consultation Document and has not identified any areas of concern. At the time of writing, the Office of the Auditor General (OAG) had not completed its “hot review”. The OAG review all 78 council's consultation documents to encourage consistency across the sector. Audit NZ will issue its audit opinion following the outcome of “hot review”. This will be circulated to Councillors as soon as it is received.

Decision Making Process

- 37. Council is required to make every decision in accordance with the requirements of the Local Government Act 2002. Staff have assessed the requirements in relation to this item and have concluded:
 - 37.1. The use of the special consultative procedure in relation to the adoption of a Long Term Plan is required under section 93.
 - 37.2. LGA Section 93A requires the use of a Consultation Document the purposes of that LTP special consultative procedure.

Recommendations

That the Hawke’s Bay Regional Council:

- 1. Receives and considers the “*Time to Act - Kia Rite! 2021-31 Long Term Plan Consultation Document for Adoption*” staff report.
- 2. Adopts “*Time to Act – Kia Rite! 2021 -2031*”, the Consultation Document for the 2021-2031 Long Term Plan and Summary document, subject to any changes required by Audit NZ and the insertion of the audit opinion.
- 3. Agrees that the Chief Executive will have final approval of any further minor editorial amendments in the Consultation Document and Summary document prior to it being made available for public consultation.

Authored by:

**Drew Broadley
MARKETING & COMMUNICATIONS
MANAGER**

**Desiree Cull
STRATEGY AND GOVERNANCE
MANAGER**

**Bronda Smith
CHIEF FINANCIAL OFFICER**

Approved by:

**Jessica Ellerm
GROUP MANAGER
CORPORATE SERVICES**

**James Palmer
CHIEF EXECUTIVE**

Attachment/s

- [1⇒](#) Time to Act - Kia Rite ! Under Separate Cover
- [2⇒](#) CD Summary Under Separate Cover

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 24 March 2021

Subject: REPORT AND RECOMMENDATIONS FROM 3 MARCH 2021 CORPORATE AND STRATEGIC MEETING

Item 9

Reason for Report

1. The following matters were considered by the Corporate and Strategic Committee (C&S) meeting on 3 March 2021 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 **Recovery Fund Projects** agenda item sought the Corporate & Strategic Committee's recommendation to Council to commit \$400,000, of the remaining \$700,000 Recovery Fund, established through the 2020-21 Annual Plan, towards two projects; a Jobs for Nature Private Land Biodiversity Fund application and the development of a constructed wetland in the Tukipo catchment.
3. The **Report from the 17 February 2021 Finance Audit and Risk Sub-committee (FARS)** item reported to the Corporate and Strategic Committee (C&S) on the meeting's proceedings including:
 - 3.1. The **Six Monthly Risk Report and Risk Maturity Update** and introduction of Karen Walters, Information Management Advisor, who presented about the risks associated with information and the project plan to mitigate those risks.
 - 3.2. The **Internal Audit Work Programme Update** with discussions also covering the potential for an audit of Third party contractual agreements and MoUs; how those are negotiated, managed and monitored as well as assessed for risk.
 - 3.3. The **Assurance Framework Relevant to S17a Reviews** item provided an update on the development of Council's Assurance Framework and where s17a reviews will fit within it.
 - 3.4. The **Quarterly Treasury Report for 1 October - 31 December 2020** item provided an update on the performance of Council's investment portfolio for the second quarter of the 2020-21 financial year, highlighting some upside in returns against Annual Plan budgets resulting in reduced requirement for Council to borrow.
 - 3.5. The **2019-20 Annual Report Adoption Delay** provided an update on progress toward adoption of the Annual Report by Council on 24 February.
4. As well, representatives of Jarden spoke to the Committee meeting about the state of investment markets and Council's investment returns.
5. The **Organisational Performance and Financial reports for Period 1 October to 31 December 2020** provided second quarter results for the 2020-21 financial year, with highlights including introduction and demonstration of a new dashboard that provides Councillors with the ability to drill down to underlying detail and filter by area of interest.
6. 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.
7. Also in Public Excluded session, the **HBRIC Ltd Draft 2021-22 Statement of Intent (Sol)** agenda item sought the Committee's feedback on the draft Sol to enable finalising the document for adoption by the 30 June 2021 statutory deadline.

8. The Committee provided the following feedback to be incorporated into the final HBRIC 2022 Sol.
 - 8.1. **Section 4 – Nature and Scope of Activities to be Undertaken** - Add Commentary to highlight that HBRIC borrowings will align with Council's risk appetite and take into consideration that the Napier Port and the IPO funds held in managed funds are strategic assets for the Council.
 - 8.2. **Section 6 – Ratio of Shareholders' Funds to Total Assets** - Add Commentary – to indicate how the Shareholder funds to total assets ratio targets will be managed when asset values change due to revaluations.
 - 8.3. **Page 7 - Distributions to Shareholder** - Dividend Distribution – change dividend distribution from \$8-10mil to \$8-11mil.
9. And finally, in Public Excluded session, the **Wellington Leasehold Property Offer** agenda item sought the Committee's recommendation on whether to accept an offer to purchase part of Council's leasehold land portfolio in Wellington.

Decision Making Process

10. 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 3 March 2021 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.

Recovery Fund Projects

3. Approves funding (\$400,000) for the following projects from the Council's \$1M Hawke's Bay Regional Recovery Fund
 - 3.1. Tukipo Constructed Wetland - \$100,000 (leveraged with Fonterra funding)
 - 3.2. Ecosystem Prioritisation program acceleration \$300,000 (leveraged with Jobs for Nature Private Land Biodiversity Fund funding).

HBRIC Ltd Draft 2021-22 Statement of Intent

4. Further considers the HBRIC Ltd 2021-22 draft Statement of Intent (Sol) and undertakes to provide any additional feedback on the Draft Sol to HBRIC Ltd by 1 May 2021 (LGA Sch8 cl3) to enable delivery of the completed Statement of Intent to Council on or before 30 June 2021 for adoption.

Wellington Leasehold Property Offer

5. Declines the offer to purchase 123-125 Molesworth Street, Wellington based on the current market rental returns and the possible future capital growth of the investment.

Reports Received

6. Notes that the following reports were provided to the Corporate and Strategic Committee
 - 6.1. Report from the 17 February 2021 Finance, Audit and Risk Sub-committee
 - 6.2. Organisational Performance Report for Period 1 October to 31 December 2020
 - 6.3. Financial Report for Period 1 October to 31 December 2020

6.4. HBRIC Ltd Quarterly Update for Period 1 October to 31 December 2020 (Public Excluded).

Authored by:

**Leeanne Hooper
TEAM LEADER GOVERNANCE**

**Kishan Premadasa
MANAGEMENT ACCOUNTANT**

**Bronda Smith
CHIEF FINANCIAL OFFICER**

Approved by:

**Jessica Ellerm
GROUP MANAGER CORPORATE
SERVICES**

Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 24 March 2021

Subject: REPORT AND RECOMMENDATIONS FROM 10 MARCH 2021 REGIONAL PLANNING COMMITTEE MEETING

Item 10

Reason for Report

1. The following matters were considered by the Regional Planning Committee (C&S) meeting on 10 March 2021 and the recommendations agreed are now presented for Council's consideration alongside any additional commentary the Co-chair, Councillor Rex Graham, wishes to offer.

Agenda items

2. The **Regional Planning Committee Tangata Whenua Representation on Council's Committees** item provided the means for the Regional Planning Committee to nominate tangata whenua representatives to Council and its standing Committees for Council's formal appointment.
3. The **Kotahi Project Principles** decision item presented the proposed Project Principles that will govern how the Kotahi Plan will be progressed, the purpose being to ensure that a clear foundation is developed from the outset to guide both staff and decision makers in the Plan development. The Project Principles are intended to endure for the lifetime of the project and will be a benchmark for those involved in the project to which they will be held to account.
4. The **Resource Management Reform Announcements by Government** information item provided an overview of the Government's proposals for resource management reform and repeal of the Resource Management Act (RMA), including:
 - 4.1. The Government plans to repeal the RMA and replace it with three new pieces of legislation. The three new Acts will be the:
 - 4.1.1. **Natural and Built Environments Act (NBA)** to provide for land use and environmental regulation (this would be the primary replacement for the RMA)
 - 4.1.2. **Strategic Planning Act (SPA)** to integrate with other legislation relevant to development, and require long-term regional spatial strategies
 - 4.1.3. **Climate Change Adaptation Act (CAA)** to address complex issues associated with managed retreat and funding and financing adaptation.
 - 4.2. The Government's intention is to complete this reform within the current term of government, i.e. by 2023.
 - 4.3. Additional materials and resources are available at the following web links:
 - 4.3.1. [RMA to be repealed and replaced](#) – Media release from Environment Minister Hon David Parker
 - 4.3.2. [Reforming the Resource Management System](#) – Ministry for the Environment webpage
 - 4.3.3. [Resource Management System reform: Supporting information](#) – MFE webpage
 - 4.3.4. [Example of letter](#) (dated 10 Feb 2021) from Hon David Parker to iwi entities
 - 4.3.5. [Recommendations and report of the independent Resource Management Review Panel](#) (July 2020).

5. The **Resource Management Policy Projects March 2021 Update** item provided an outline and update of the Council’s various resource management plan change projects currently underway.
6. The **March 2021 Statutory Advocacy Update** reported on proposals forwarded to the Regional Council and assessed by staff acting under delegated authority as part of the Council’s Statutory Advocacy project.
7. The **Long Term Plan 2021-31 Development Update** item was discussed in a Public Excluded session and provided the revised branding for consultation and proposed performance measures for the Tangata Whenua Partnerships activity.

Decision Making Process

8. These items were specifically considered by the Regional Planning Committee and are now the subject of the following recommendations to Council.

Recommendations

The Regional Planning Committee recommends that the Hawke’s Bay Regional Council:

1. Receives and notes the *“Report and Recommendations from the 10 March 2021 Regional Planning Committee”*.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council’s adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on these items without conferring directly with the community or persons likely to have an interest in them.

Regional Planning Committee Tangata Whenua Representation on Council’s Committees

3. Formally confirms the appointment of the Regional Planning Committee Tāngata Whenua Representatives on the following Council Committees:
 - 3.1. Peter Paku as a member of the Environment and Integrated Catchments Committee
 - 3.2. Apiata Tapine as a member of the Corporate and Strategic Committee
 - 3.3. Mike Mohi as a member of the Hearings Committee in addition to Tania Huata as previously appointed
 - 3.4. Apiata Tapine as a representative on the Hawke’s Bay Regional Council, with speaking rights only.

Kotahi Project Principles

4. Adopts **Option C** (following) as the Kotahi Project Principles to ensure a common understanding of how the Kotahi Plan will be progressed providing a foundation/code of practice for both staff and decision-makers.

<p>Option C Kotahi Project Principles</p>
<p>Communication</p> <ul style="list-style-type: none"> • Timely • Consistent information • Fit for purpose • Tailored to the audience
<p>Relationship Management</p> <ul style="list-style-type: none"> • Partnership • Active involvement • Respect of values • Recognition of differences • Retention of identity • Tangata whenua led components • Recognition of mana whenua status

Option C Kotahi Project Principles
Outcome/results focused <ul style="list-style-type: none"> • Decision making on key matters • Realistic expectations (timeframes and resources) • Agile
Operational Awareness <ul style="list-style-type: none"> • Priorities • Progress focused • Work programme • Resourcing for both HBRC and tangata whenua • Maturanga Māori • Policy direction & change • Limitations & constraints
Core competencies of Māori engagement <ul style="list-style-type: none"> • Commitment to build capacity and capability • Understanding of values, interests and priorities • Knowledge of Treaty of Waitangi

Reports Received

5. Notes that the following reports for information were provided to the Regional Planning Committee:
 - 5.1. Resource Management Reform Announcements by Government
 - 5.2. Resource Management Policy Projects March 2021 Update
 - 5.3. March 2021 Statutory Advocacy Update
 - 5.4. Long Term Plan 2021-31 Development Update item was discussed in Public Excluded session.

Authored by:

Annelie Roets
GOVERNANCE ADVISOR

Ceri Edmonds
MANAGER POLICY AND PLANNING

Pieri Munro
TE POU WHAKARAE

Approved by:

Katrina Brunton
**GROUP MANAGER POLICY &
REGULATION**

Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 24 March 2021

Subject: AFFIXING OF THE COMMON SEAL

Reason for Report

1. The Common Seal of the Council has been affixed to the following documents and signed by the Chairman or Deputy Chairman and Chief Executive or a Group Manager.

		Seal No.	Date
1.1	Leasehold Land Sales		
1.1.1	Lot 7 DP 11626 CT C2/601 - Agreement for Sale and Purchase	4441	11 March 2021
1.1.2	Lot 195 DP 6598 CT C2/390 - Agreement for Sale and Purchase	4442	11 March 2021
1.2	Staff Warrants		
1.2.1			
1.2.2	A. Magdic P Karanjai <i>(Delegations under Soil Conservation and Rivers Control Act 1941; Land Drainage Act 1908; Civil Defence Act 1983 (s.60-64); Civil Defence Emergency Management Act 2002 (s.86-91) and Local Government Act 2002 (s.174))</i>	4440 4443	4 March 2021 17 March 2021

2. The Common Seal is used during a Leasehold Land Sale on the Sale and Purchase Agreement.
3. As a result of sales, the current numbers of Leasehold properties owned by Council are:
1 cross lease properties were sold, with 67 remaining on Council's books
0 single leasehold property was sold, with 82 remaining on Council's books.

Decision Making Process

4. 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:
 - 4.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
 - 4.2. The use of the special consultative procedure is not prescribed by legislation.
 - 4.3. The decision is not significant under the criteria contained in Council's adopted Significance and Engagement Policy.
 - 4.4. The persons affected by this decision are
 - 4.5. Given the nature and significance of the issue to be considered and 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. 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 under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision.
2. Confirms the action to affix the Common Seal.

Authored by:

**Diane Wisely
EXECUTIVE ASSISTANT**

**Geoff Howes
TREASURY & FUNDING ACCOUNTANT**

Approved by:

**James Palmer
CHIEF EXECUTIVE**

Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 24 March 2021

**Subject: COUNCILLOR'S REPORTS FROM FEBRUARY - MARCH 2021
MEETINGS OF OUTSIDE BODIES**

Item 12

Reason for Report

1. This item provides the means and opportunity for councillors appointed to Outside Bodies to bring issues of significant interest from recent meetings to the attention of Council.

Background

2. Each Triennium, Council appoints Councillor representatives on the following Outside Bodies. Appointees for this Triennium are noted beside each body.
 - 2.1. Local Government New Zealand (LGNZ) Zone 3 (Hinewai Ormsby and Martin Williams)
 - 2.2. HB TB Free Committee (Will Foley)
 - 2.3. Future Farming Trust (Will Foley)
 - 2.4. Tukituki Leaders Forum (Will Foley and Jerf van Beek)
 - 2.5. HB Drought Committee (Will Foley and Jerf van Beek, Rex Graham ex officio)
 - 2.6. HPUDS Implementation Working Group (Jerf van Beek and Martin Williams)
 - 2.7. HB Cycling Governance Group (Jerf van Beek)
 - 2.8. Te Komiti Muriwai o Te Whanga (Neil Kirton)
 - 2.9. HB Tourism Board of Directors (Craig Foss)
 - 2.10. HBRIC Ltd (Rick Barker, Craig Foss, Neil Kirton).

Decision Making Process

3. 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 "*Councillors' Reports from February – March 2021 Meetings of Outside Bodies*".

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 24 March 2021

Subject: DISCUSSION OF MINOR ITEMS NOT ON THE AGENDA

Item 13

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.

Topic	Raised by