



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

- Date:** Wednesday 28 April 2021
- Time:** 10.30am
- Venue:** Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER
- Present:** Cr R Graham, Chair
Cr R Barker
Cr W Foley
Cr C Foss
Cr N Kirton
Cr C Lambert
M McIlroy (Māori Committee Co-Chair)
Cr H Ormsby
M Paku (Māori Committee Co-Chair)
A Tapine (RPC Rep)
Cr J van Beek
Cr M Williams
- In Attendance:** J Palmer – Chief Executive
P Munro – Te Pou Whakarae Māori Partnerships
K Brunton – Group Manager Policy and Regulation
C Dolley – Group Manager Asset Management
J Ellerm – Group Manager Corporate Services
I Maxwell – Group Manager Integrated Catchment Management
L Hooper – Team Leader Governance
I Macdonald – CDEM Group Controller

1. Welcome/Karakia/Apologies/Notices

The Chair welcomed everyone and Pieri Munro led the group in opening the meeting with a karakia.

Resolution

RC28/21 That the apologies from Mike Paku and Councillor Rick Barker for lateness and from Apiata Tapine for early departure at 1pm.

Ormsby/van Beek
CARRIED

Mike Paku arrived at 10.36am

2. Conflict of Interest Declarations

Michelle McIlroy declared that she is now officially a member of Matangirau Reserves Board representing Tatau Tatau o Te Wairoa.

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Regional Council meeting held on 24 March 2021

RC29/21 Resolution

Minutes of the Regional Council Meeting held on Wednesday, 24 March 2021, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

Foss/Lambert
CARRIED

4. Follow-ups from Previous Regional Council meetings

The item was taken as read, noting the use of aerial photography may be extended to other projects involving survey or assessment of remote sites that are difficult to access, particularly.

RC30/21 Resolution

That Hawke's Bay Regional Council receives and notes the "Follow-up Items from Previous Regional Council Meetings".

Ormsby/Williams
CARRIED

5. Significant Organisational Activities looking forward through May 2021

The item was taken as read.

Councillor Rick Barker arrived at 10.40am

- HBRC consents and compliance teams will be working with TLAs on upcoming infrastructure and resource consent renewals as well as improvements to stormwater networks including treatment wetlands to filter out contaminants. Staff will also be reviewing TLA budget provisions in their LTPs in relation to meeting obligations in accordance with the TANK plan change and improving water quality across the region.
- Waikare River Catchment meeting was really good, and query as to a date for the Wairoa field day
- Advice that Te Reinga Marae interested in opportunities to collaborate on projects along the Hangaroa River

- Flood scheme priority sites set as assessed against risk of failure and the consequence of failure, and staff are working to understand climate change methodologies in order to determine the best method of modelling the effects on HB flood protection schemes
- National Science Challenge work scaling down UK climate change model at global scale
- Māori Committee raised gravel extraction concerns and have made a request for a report to be prepared for the next Committee meeting
- Tukituki Trails extension project and associated job creation in CHB was visited by the Prime Minister last week.

RC31/21

Resolution

That the Hawke's Bay Regional Council receives and notes the ***Significant Organisational Activities Looking Forward through May 2021*** staff report.

**Barker/Ormsby
CARRIED**

6. Call for Minor Items not on the Agenda

Recommendation

That Hawke's Bay Regional Council accepts the following "Minor Items Not on the Agenda" for discussion as Item 13:

Topic	Raised by
Te Wai o te Wairoa	M McIlroy
Strategic Planning	Cr M Williams

8. Affixing of the Common Seal

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

		Seal No.	Date
1.1	Leasehold Land Sales		
	1.1.1 Lot 67 DP 1422 CT G1/6 - Agreement for Sale and Purchase	4445	1 April 2021
	1.1.2 Lot 25 DP 10556 CT E2/377 - Agreement for Sale and Purchase	4446	1 April 2021
1.2	Staff Warrants		
	1.2.1 K. Thompson L. Foulds <i>(Delegations under the Civil Defence Emergency Management Act 2002 (s.86-92 inclusive)).</i>	4444 4448	30 March 2021 20 April 2021
1.3	Application to have interest in Easement TE106910 registered against Records of Title 70400, 972595 and 972596 (Under Section 90 Land Transfer Act 2017 this is an application to have the easement updated to the name of	4447	14 April 2021

	Hawke's Bay Regional Council (from Hawke's Bay Catchment Board).		
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RC32/21

Resolutions

That Hawke's Bay Regional Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.
2. Confirms the action to affix the Common Seal.

**Barker/van Beek
CARRIED**

10.

Report from the 29 March 2021 Hawke's Bay Drinking Water Governance Joint Committee meeting

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

Cr Williams advised the Terms of Reference and scope of the Joint Committee was discussed with potential to expand to include three waters and sought clarification as to whether Terms of Reference is the appropriate pathway. There's a need for regional coordination around the 3 waters reform.

Cr Ormsby noted that the Joint Working Group has achieved the purpose of its remit set by the Board of Inquiry.

In relation to the NCC chlorine free presentation, Apiata Tapine advised NCC still on the journey to chlorine free water, with two thirds of the costs committed in the LTP being for network upgrade. Further, in response to a query, Mr Tapine advised consideration is being given to water recycling and systems to alleviate pressure on the city's networks.

RC33/21

Resolution

That Hawke's Bay Regional Council receives and notes the "*Report from the 29 March 2021 Hawke's Bay Drinking Water Governance Joint Committee Meeting*".

**Ormsby/Barker
CARRIED**

11.

Report from the 7 April 2021 Māori Committee meeting

Mike Paku and Michelle McIlroy, as Co-chairs of the Committee, spoke to the item highlighting discussions about Māori Constituencies consultation and submissions, the Whakatū Inland Port presentation on the approach being taken to engage with mana whenua, and the eDNA presentation.

Further discussion noted that the Port's Marine Cultural Health Programme launch at Te Ara o Tāwhaki Marae on 14 April went well, and that it has been recognised that engagement needs to happen even if parties don't agree.

Suggested that Napier Port and mana whenua be invited to present their Mauri Cultural Monitoring at a future Environment and Integrated Catchments Committee meeting.

A question was also raised in relation to the Opoutama wastewater treatment plant upgrade and resource consent.

Concerns expressed at the meeting around gravel extraction activity and the HBRC global consent.

Civil Defence session with the Committee discussed ways of engaging and partnering with tangata whenua to provide greater recognition, understanding and integration of iwi/Māori perspectives and tikanga in emergency management.

RC34/21

Recommendation

That the Hawke's Bay Regional Council receives and notes the *"Report from the 7 April 2021 Māori Committee Meeting"*

**Paku/Barker
CARRIED**

12. Councillor's Reports from April 2021 meetings of Outside Bodies

Cr Jerf van Beek provided an update on the Cycle trails as a member of the Cycling Governance Group, noting the trails are in good heart, and that investments continue to be made in improvements focused on safety.

13. Discussion of Minor Items not on the Agenda

Topic	Raised by
Strategic Planning <ul style="list-style-type: none">• HPUDS basically on hold pending review.• Need a regional vision to proactively plan for and align with the Strategic Planning Act in train, and the advent of spatial planning.• Potential for a Strategic Planning Joint Committee, including representation of mana whenua• James Palmer advised that discussions between councils have started; need to think about the role and evolution of the Regional Planning Committee with RMA reforms; and there is interest from Central Government in regions starting to 'pilot' reforms	Cr M Williams

7. Establishment of two new Council Controlled Trading Organisations (CCTOs) to Operate FoodEast

Paul Bailey spoke to his submission, highlighting that several submitters cited a lack of information about the actual investment itself including expected returns which made it difficult to declare a position of support.

Councillor Barker provided an overview of the purpose of the FoodEast hub as being promoted by Central Government.

Councillor Kirton advised that the proposal meets the investment criteria of HBRIC.

Subsequent to the detail provided by councillors Barker and Kirton, Mr Bailey advised his support for the establishment of the two Council Controlled Trading Organisations.

Jessica Ellerm spoke to the item, advising that the decision to legally establish the CCTOs will be made by HBRIC on advice of Council's endorsement and completion of due diligence.

RC35/21

Resolutions

That Hawke's Bay Regional Council:

1. Receives and considers the "Establishment of Two New Council Controlled Trading Organisations (CCTOs) to Operate FoodEast" staff report.

2. Receives and considers the verbal and written submissions on the proposal to Establish Two New Council Controlled Trading Organisations (CCTOs) to Operate FoodEast.
3. Agrees that the decisions to be made are informed by the written and verbal submissions made in accordance with Local Government Act and that these decisions can be made without further conferring directly with the community or persons likely to have an interest in the decision.
4. Agrees to establish two new Council Controlled Trading Organisations (CCTOs) to Operate FoodEast.

Foss/Williams
CARRIED

9. Report from the 22 March 2021 HB Civil Defence Emergency Management Group Joint Committee meeting

Ian Macdonald, Group Controller, provided a presentation about the key learnings from the 5 March 2021 “trifecta of earthquakes” highlighting:

- Tsunami assessment and warnings are national responsibility of GNS and NEMA, however evacuations are the responsibility of the regional CDEM groups
- Text alert warnings are sent from NEMA
- Team has been in response mode for over a year now, starting with drought and Covid-19, and remember that CDEM staff are not first responders like Police and Fire and don’t operate in shifts but instead are on call 24/7
- 5 March ‘trifecta’ was a series of events starting with two East Cape earthquakes a few seconds apart (near source tsunami) followed by two Kermadec earthquakes 4 and 6 hours later. Staff activated and were in the Hastings office within ½ hour of the 2.27am East Cape earthquake. GNS issued the tsunami warning at 3.30am but NEMA didn’t send it out until 4.07am.
- Key learning around need to give certainty to the public balanced with making sure it’s accurate.
- Have started a ‘know your zone’ information campaign and “if it’s long and strong get gone”
- Response thresholds are set and a person makes the judgement to issue the Emergency Mobile Alert
- Suggestion that Council reception staff are briefed about what to tell people if they ring in an emergency
- People need to know what to do and be prepared
- Two key related initiatives in the LTP out for consultation are a dedicated Civil Defence Lifelines Advisor and an HBRC contact/call centre.

RC36/21

Resolution

That Hawke’s Bay Regional Council receives and notes the “*Report from the 22 March 2021 HB Civil Defence Emergency Management Group Joint Committee meeting*”.

Barker/Williams
CARRIED

The meeting adjourned at 12.30pm and reconvened at 1pm with Apiata Tapine absent.

13. Discussion of Minor Items not on the Agenda

Topic	Raised by
Te Wai o te Wairoa Facebook post re Māori Constituencies has had 60k views Presentation about environmental mahi of hapu and iwi in Wairoa area including wetland restoration and planting projects	M McIlroy

14. Confirmation of Public Excluded Minutes of meeting held on 24 March 2021

RC37/21

Resolution

That Hawke’s Bay Regional Council excludes the public from this section of the meeting being Confirmation of Public Excluded Minutes Agenda Item 14 with the general subject of the item to be considered while the public is excluded; the reasons for passing the resolution and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution being:

GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION	GROUNDS UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
Chief Executive's Performance and Remuneration Review	7(2)(f)(ii) The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees, and persons from improper pressure or harassment s7(2)(a) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to protect the privacy of natural persons	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**van Beek/Lambert
CARRIED**

14. Confirmation of Public Excluded Minutes of the Regional Council meeting held on 24 March 2021

RC38/21

Public Excluded Minutes of the Regional Council meeting held on Wednesday, 24 March 2021, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Ormsby/van Beek
CARRIED**

Resolution

RC39/21

That the meeting moves out of Public Excluded session.

**van Beek/Ormsby
CARRIED**

The meeting went into public excluded session at 1.10pm and out of public excluded session at 1.11pm

Closure:

There being no further business the Chairman declared the meeting closed at 1.11pm on Wednesday, 28 April 2021.

Signed as a true and correct record.

DATE:

CHAIRMAN: