Meeting of the Hawke's Bay Regional Council

Date: Wednesday 31 January 2018

Time: 2.00pm

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 13 December 2017	
4.	Follow-up Items from Previous Regional Council Meetings	3
5.	Call for Items of Business Not on the Agenda	11
Decision Items		
6.	Regional Pest Management Plan Adoption for Public Consultation	13
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Information or Performance Monitoring		
9.	Report from the 12 December 2017 Maori Committee Meeting	27
10.	Chairmans Monthly Report - to be tabled	
11.	Discussion of Items Not on the Agenda	29
Decision Items (Public Excluded)		
12.	Confirmation of Public Excluded Meeting held on 13 December 2017	31

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 31 January 2018

Subject: FOLLOW-UP ITEMS FROM PREVIOUS REGIONAL COUNCIL MEETINGS

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 the last Council meeting.

Decision Making Process

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

Recommendation

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

Authored by:

Leeanne Hooper
GOVERNANCE MANAGER

Approved by:

Liz Lambert
GROUP MANAGER
EXTERNAL RELATIONS

Attachment/s

⇩**1** Follow-ups from Previous Regional Council Meetings

Follow-ups from previous Regional Council Meetings

Meeting held 13 December 2017

	Agenda Item	Action	Responsible	Status Comment
1	Recommendations from Corporate & Strategic Committee	Water Management internal audit scope to be refined and finalised	J Ellerm/ J Palmer	Item on 31 January Council agenda
2	PE Recommendations from the Corporate & Strategic Committee	Confirmation of PONL Board of Directors management of Board members' potential Conflicts of Interest	J Palmer	CE emailed Confirmation provided by PONL Chairman to councillors 4.38pm, 13 December 2017.

Meeting held 29 November 2017

	Agenda Item	Action	Responsible	Status Comment
3	Follow-ups from Previous meetings	Investigate options for LGOIMA request responses to be available on the HBRC website and/or provided to councillors	L Hooper/ E Lambert	Communications & IT teams investigating how this could be done.
4	Minor Items not on the Agenda	NCC wastewater outfall – advise when relative consent and its conditions are due for review	E Lambert /M Miller	Yet to be advised

Meeting held 15 November 2017

	Agenda Item	Action	Responsible	Status Comment
5	Māori Representation	Seek feedback from Māori committee and community on whether or not they support Council resolving to hold a poll at the next (2019) election	L Hooper/ E Lambert	Feedback from 12 December Māori Committee meeting to be reported to 31 January 2018 meeting

LGOIMA Requests Received between 24 November 2017 and 24 January 2018

Request Date	Request ID	Request Status	Request Subject	Request Summary	Requested By
23/01/2018	OIR-18-007	Active	Basis for Ngatapa Station s36 charges	All information that is the basis for Freshwater Management Research/Investigations and Monitoring (RMA section 36) charges invoiced to Ngatapa Station for 2016-17, including reports, investigations, correspondence and calculations as detailed.	Bridget Bailey, Holland Beckett Law
22/01/2018	OIR-18-006	Active	Waipatu Area wastewater consents	1. Number of current HBRC consented wastewater systems and permitted wastewater systems HBRC is aware of in the Waipatu Area (Bennett, Apatu & Panapa roads 2. Provide relevant RRMP wastewater rules/policies	Marei Apatu
19/01/2018	OIR-18-005	Active	entertainment gifts and catering expenses	1. For the period 1January-31December 2017 and broken down by category, a list of all HBRC's entertainment, gift & catering expenses - including date of transaction, vendor, quantity entertained/ catered for, and description of purchase 2. number of purchase cards as at December 2017	Tabitha Lorck, NZ Taxpayers Union
18/01/2018	OIR-18-004	Active	irrigation consents and compliance	1. For 2015, 2016 & 2017, broken down by crop type: - number of irrigation consents granted a) from groundwater & b) from surface water 2. For 2015, 2016 & 2017, separated into ground & surface takes for irrigation: a) number of breaches of consent conditions including type/level & if repeat offense - sort largest to least significant b) number & type of any resulting enforcement actions taken against consent holders	Nita Blake-Persen, Radio NZ Journalist

Request Date	Request ID	Request Status	Request Subject	Request Summary	Requested By
9/01/2018	OIR-18-003	Completed	Info for NZ Taxpayers' Union 2017 Ratepayers' Report	1. For the 2016-17 financial year - average residential costs of rates including a list of the types of rates, user charges & levies used to calculate the figures 2. for 2015-16 & 2016-17- total ratepayers served by HBRC & number of Urban ratepayers 3. as at 31Dec17 FTE number of core council staff; FTE number of "group" staff (i.e. incl CCO staff) employed; number of staff dismissed due to poor performance in the last 12 months; total number of staff (incl CCOs) remunerated in excess of $100,000 - and $200,000 4.is there an election year protocol requiring staff to act in a politically neutral manner, if yes provide; is there a code of conduct requiring Council staff to act in a politically neutral manner at all times, and if yes provide 5. For 2016-17 - number of staff employed by & total personnel costs of Chair's Office including a list of position titles (declare which are vacant & which are currently filled) 6. for 2016-17 total remuneration of CE including base salary, mileage payments, KiwiSaver contributions, & any other benefits 7. for 2016-17 - total remuneration paid to Chair & average remuneration of Councillors (since the election of the new Council) plus total number of HBRC elected officials 8. for 2016-17 - total amount spent by HBRC on Chamber of Commerce membership 9. for 2016-17 - number of Council housing tenants & stats relating to Housing NZ & methamphetamine contamination 10. at 1 January 2018 - number of members on HBRC's Audit & Risk Committee (or equivalent) including number of independent members, number of lawyers, number of chartered accountants, & whether the Chair is an independent member.	Garrick Wright-McNaughton, NZ Taxpayers Union

Item 4
Attachment 1

Attachment 1

Item 4

Request Date	Request ID	Request Status	Request Subject	Request Summary	Requested By
9/01/2018	OIR-18-002	Active	Pest control operations	1. Pest control operations between 01/01/1987-July 2018 that HBRC has signed off on, including: Location (preferable GPS co-ordinate with map) Pesticide used Trade name Toxic loading Method of application (aerial, bait stations, handlaying, trapping etc) Application date Agency Area (ha) Time to warning sign removal 2. Plus above data for other environmental groups that were or are allowed to use pesticides on council/public land for this time period.	Helen Black
9/01/2018	OIR-18-001	Completed	stock in waterways complaints	For each of 2015, 2016 & 2017: list of complaints of stock in waterways made to HBRC including type of stock, location, action taken & if repeated complaints received against particular location	Nita Blake-Persen, Radio NZ Journalist
21/12/2017	OIR-17-106	Completed	resource consents datasets	a dataset of all the consents in 1) Electronic spatial file format, and 2) Electronic Spreadsheet file format with all associated fields	Jack Tolley

Request Date	Request ID	Request Status	Request Subject	Request Summary	Requested By
21/12/2017	OIR-17-105	Completed	mileage allowance payments to staff	Mileage allowance payments made to staff including: 1. totals for 2015/16 & 2016/17 financial years 2. Total km mileage allowance payments made towards 3. rate paid per km up to first 5000 km 4. rate paid per km after the first 5000 km 5. total FTE staff in 2015/16 & 2016/17 financial years 6. number of FTE staff paid mileage allowance in 2015/16 & 2016/17 financial years 7. total paid to staff designated to travel as part of role 8. total paid to staff not designated to travel as part of role. Provide figures for core council & group (incl CCOs) separately for each question.	Lionel Grainger
13/12/2017	OIR-17-104	Completed	Correspondence with Nanaia Mahuta	copies of any/all correspondence between HBRC & Minister for Local Government, Nanaia Mahuta, since she became a minister	Tabitha Lorck, NZ Taxpayers Union
11/12/2017	OIR-17-103	Completed	elected reps interests register	1. confirmation is HBRC aware of the Office of the Auditor-General, "Guidance for members of local authorities about the Local Authorities (Members' Interests) Act 1968", and 2. does HBRC publish a register of members' pecuniary interests	Garrick Wright-McNaughton, NZ Taxpayers' Union
10/12/2017	OIR-17-102	Transferred	Freedom Camping Bylaws	complete survey about Freedom Camping bylaws	Responsible Campers Association
8/12/2017	OIR-17-101	Completed	HB Regional Prison site	for Hawkes Bay Regional Prison: - A copy of any information contained in the HAIL Register; and - A list of active resource consents and consent numbers	Andrew Guerin, Boffa Miskell obo Department of Corrections
5/12/2017	OIR-17-100	Completed	Complaints received about Te Mata Mushrooms	Request from a resident of Arataki community for a print out of our incident database info relating to complaints received for Te Mata Mushrooms	Alan Heaney

Attachment 1

Item 4

Request Date	Request ID	Request Status	Request Subject	Request Summary	Requested By
4/12/2017	OIR-17-099	Completed	consented water takes and use volumes	1) list of consented water takes for which volumes are not measured, as an Excel spreadsheet: including address of consent owner; Nature of business/activity (eg dairy farm, vineyard, water bottler, etc); Volume of take allowed + water source 2) list of the water takes required to return wateruse, as an Excel spreadsheet, including Address of consent owner; Nature of business/activity (eg dairy farm, vineyard, etc); volume of 2016-17 water used + water source	Nikki Macdonald, Dominion Post
3/12/2017	OIR-17-098	Completed	HBRC Employees	list of all HBRC job titles and salaries	Andre Chumko, Fairfax Media
28/11/2017	OIR-17-097	Withdrawn	Lake Te Rotokare	info re W Tait works undertaken in the bed of Lake Te Rotokare in 2013 in relation to RMA and HBRC prosecution considerations	Trevor Robinson, Barrister

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 31 January 2018

Subject: CALL FOR ITEMS OF BUSINESS NOT ON THE AGENDA

Reason for Report

1. Standing order 9.12 states:

   "*A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with that item and the Chairperson provides the following information during the public part of the meeting:*

   (a) the reason the item is not on the agenda; and

   (b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

   Items not on the agenda may be brought before the meeting through a report from either the Chief Executive or the Chairperson.

   Please note that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision making."

2. In addition, standing order 9.13 allows "*A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.*"

Recommendations

1. That Council accepts the following "Items of Business Not on the Agenda" for discussion as Item 11:

   1.1. ***Urgent*** items of Business *(supported by tabled CE or Chairpersons's report)*

	Item Name	Reason not on Agenda	Reason discussion cannot be delayed
1.			
2.			

   1.2. ***Minor*** items for discussion ***only***

Item	Topic	Councillor / Staff
1.		
2.		
3.		

Leeanne Hooper
GOVERNANCE MANAGER

Liz Lambert
GROUP MANAGER
EXTERNAL RELATIONS

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 31 January 2018

Subject: REGIONAL PEST MANAGEMENT PLAN ADOPTION FOR PUBLIC CONSULTATION

Reason for Report

1. To present the Regional Pest Management Plan (RPMP) for Council's adoption for public consultation; having updated the Plan to include amendments recommended by the 15 November 2017 Environment and Services Committee meeting.

Options Assessment

2. The Hawke's Bay Regional Pest Management Plan is the main statutory document implementing the Biosecurity Act 1993 in the region; providing a framework for the management of plant, animal and horticultural pests in Hawke's Bay. In September 2014 the Biosecurity Act 1993 (the Act) was amended with the National Policy Direction (NPD) becoming active on 17 August 2015. HBRC's Pest Management Plan 2013 (RPMP) is inconsistent with the NPD and HBRC is therefore required to undertake a full review of its RPMP, releasing a Proposed Plan for public consultation by March 2018.

Strategic Fit

3. Once operative, the RPMP will empower the Hawke's Bay Regional Council to exercise the relevant advisory, service delivery, regulatory and funding provisions available under the Act to deliver the specific objectives identified in the Plan. Regional pest management sits within a biosecurity framework for the Hawke's Bay region, which includes this Plan, the Hawke's Bay Biodiversity Strategy and the HBRC Strategic Plan. Neighbouring Regional Pest Management Plans and national legislation, policy and initiatives have also influenced this Plan.

4. All programmes sitting within an RPMP are required to have clear measurable outcomes, which are specified within the Monitoring section. This Monitoring section is integrated into the Biosecurity Annual Operational Plan, which goes to Council for approval prior to each financial year. The Operational Plan sets out the operational delivery for each programme and the monitoring and reporting requirements. Staff report to council annually (November) on the progress of the Operational Plan. The operational plan is required to be updated to reflect changes made to the plan within three months of the Plan being approved.

Considerations of Tangata Whenua

5. One specific purpose of an RPMP under the Act is to provide for the protection of the relationship between Māori and their ancestral lands, waters, sites, wāhi tapu, and taonga, and to protect those aspects from the adverse effects of pests. Tangata whenua as kaitiaki are a key strategic partner in regional biosecurity delivering a range of social, cultural, economic and environmental outcomes for our region. Tangata whenua carry out significant pest management through their primary sector economic interests and as land owners and/or occupiers. The HBRC Biosecurity team are currently working alongside tangata whenua through the Poutiri Ao ō Tāne, Cape to City and Whangawehi projects.

6. A Biosecurity Working Party (BWP) was formed, which consisted of three appointed Councillors and three appointed members of the Regional Planning Committee. The BWP is responsible for:

    6.1. Considering and recommending advice on the Regional Pest Management Plan review process and key issues;

    6.2. Considering reports on the Regional Pest Management Plan and giving guidance on recommended approach and reviewing and giving guidance on the discussion document;

6.3. Reviewing and giving guidance on the proposal and to providing guidance on the alignment of the Regional Pest Management Plan and the objectives of the Hawke's Bay Biodiversity Strategy;

6.4. Reviewing and giving guidance on received submissions.

7. The Biosecurity team has also presented to the Regional Planning Committee and the Maori Committee on the Regional Pest Management Plan review, consultation process and key changes to the plan.

Inclusion of Statement Outlining Biodiversity Benefits from RPMP

8. As recommended at the 15 November 2017 Environment and Services Committee meeting, an additional statement has been included at the start of the Proposed RPMP under the Proposer section, outlining biodiversity gains from largely primary production focussed Biosecurity programmes.

Financial and Resource Implications

9. The consultation process has resulted in key changes to the Regional Pest Management Plan, which this paper outlines. This RPMP Proposal will be publicly notified for public submissions to confirm community expectations and policy directions to be incorporated into the final plan in February 2018.

10. As the programmes set out in the proposed plan have financial implications, the budget for implementing the plan will need to be confirmed through the Long-term Plan process.

11. The budget required to support the key changes included within the proposed plan is:

11.1. $145,000 in contractor budget and one FTE for the possum control area, pest plant, marine biosecurity and feral goat management programmes;

11.2. $200,000 in contractor budget and two FTEs for wide-scale predator control.

12. As the final level of funding available to implement the plan will not be known until the Long-term Plan has been adopted, the proposed plan may be subject to change as a result of receipt of public submissions and the amount of funding that is allocated to the proposed plan through the Long-term Plan process.

Proposed Regional Pest Management Plan Timeline

13. A timeline of the proposed RPMP review is outlined below.

Date	***Responsible***	***Event***
31 January 2018	Council	Council adopts the Proposed Regional Pest Management Plan (RPMP) for public notification and consultation, subject to any changes agreed at the meeting
2 February 2018	HBRC Communications Team	Proposed RPMP publicly notified
7 & 13 February 2018	HBRC Staff	Update Regional Planning and Maori Committees on RPMP process and public notification/ consultation
16 March 2018	Submitters	Submissions close
April 2018	Biosecurity Working Party (BWP)	Public submissions considered and recommendations to Council agreed by the BWP
27 June 2018	Council	Final RPMP, amended as recommended by the BWP, adopted by Council
July 2018	HBRC staff	Council Decision issued to all submitters who then have 15 days to appeal to the Environment Court

14. Council is required to notify the Proposal by March 2018, in order to ensure that the current strategy does not expire on that date. If the current strategy were to expire, council would lose its enforcement powers under the Biosecurity Act until such time as a replacement plan became operative.

Decision Making Process

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

    15.1. The decision does not significantly alter the service provision or affect a strategic asset.

    15.2. A special consultative procedure on the Regional Pest Management Plan is being undertaken.

    15.3. The decision does not fall within the definition of Council's policy on significance.

    15.4. The persons affected by this decision are all persons with an interest in the management of pests for the protection of primary production or biodiversity values, or any person with a pest listed in the Proposed RPMP on their property.

    15.5. The decision is not inconsistent with an existing policy or plan.

    15.6. 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 Council:

1. Receives and notes the "Regional Pest Management Plan for Adoption for Public Consultation" staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision.
3. Approves the initiation of a proposal to revoke and replace the Hawke's Bay Regional Pest Management Strategy 2013-2018.
4. Adopts the Regional Pest Management Plan as proposed, for public notification and consultation over the period February to March 2018.

Authored by:

Mark Mitchell
PRINCIPAL BIOSECURITY OFFICER

Campbell Leckie
MANAGER LAND SERVICES

Approved by:

Graeme Hansen
GROUP MANAGER
ASSET MANAGEMENT

Attachment/s

⇨**1**	Proposed Hawke's Bay Regional Pest Management Plan 2018 - 2038	Under Separate Cover
⇨**2**	Proposed Hawke's Bay Regional Pest Management Plan 2018 - 2038 Cost Benefit Analysis and Cost allocation report	Under Separate Cover
⇨**3**	Hawkes Bay Regional Possum Control Technical Protocol (PN4969)	Under Separate Cover
⇨**4**	Hawkes Bay Regional Predator Control Technical Protocol (PN4970)	Under Separate Cover

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 31 January 2018

Subject: WATER MANAGEMENT INTERNAL AUDIT

Reason for Report

1. To provide the amended scope (attached) for the proposed Water Management internal audit for Council's agreement.

Changes Made

2. Changes made include an amendment from the original scope to have a narrower focus on Local Authorities who hold consents monitored by HBRC. An emphasis has also been placed on water bodies that supply drinking water to the public, specifically with regard to ensuring the health and safety of the community.
3. These changes are also in line with government expectations including the DIA and OAG.

Decision Making Process

4. Council is required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
   - 4.1. The decision does not significantly alter the service provision or affect a strategic asset.
   - 4.2. The use of the special consultative procedure is not prescribed by legislation.
   - 4.3. The decision does not fall within the definition of Council's policy on significance.
   - 4.4. The decision is not inconsistent with an existing policy or plan.
   - 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 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. Agrees to the Water Management Internal Audit scope as provided, and confirm approval for the audit to commence immediately.

Authored by:	**Approved by:**
Melissa des Landes **MANAGEMENT ACCOUNTANT**	**Jessica Ellerm** **GROUP MANAGER** **CORPORATE SERVICES**

Attachment/s

⇩**1** Water Management Audit - Planning Memo - January 2018

Crowe Horwath

Hawke's Bay Regional Council
Water Management Audit Planning Memorandum

24 January 2018

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Audit | Tax | Advisory

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1 Objectives

The objective of this audit is to review and assess the policies, procedures and controls in place over key water management to meet the objectives of the Hawke's Bay Regional Resource Management Plan and the requirements of section 5(2) of the Resource Management Act.

The audit will cover the three waters services delivered to communities as recognised in the OAG Water Management Work Programme dated October 2017 and will focus on the monitoring and enforcement of consents held by local authorities in the region (Hastings District Council, Napier City Council, Wairoa District Council and Central Hawke's Bay District Council) that authorise:

- The taking of water to supply the community with drinking water.
- The discharging of waste (including human and industrial trade waste).
- The discharge of storm water.

2 Scope

The detailed steps to be taken under each of the three areas of review are provided below.

- **Testing and Monitoring** – Assessing whether:
  - The testing regimes in place and volume and quality of information collected to determine whether the objectives of the Regional Resource Management Plan are being achieved.
  - The testing covers specific water take zones bodies in the region that supply water to the public including high risk aquifers and bores.
  - The testing is specific to ensuring the health and safety of the community.
  - The testing measures a comprehensive set of physical, chemical, bacterial and biological variables at a suitable frequency, and these variables have been appropriately defined.
  - Testing of compliance with discharge permits is undertaken to an appropriate level.
  - Testing of compliance with storm water discharge consents is undertaken to an appropriate level.
  - Testing of compliance with water permits and allocation limits is undertaken to an appropriate level.
- **Testing Results –** Assessing whether
  - Drinking water and waste water quality monitoring results are available for analysis in a timely manner.
  - Significant changes in monitoring results or monitoring results that could affect the health and safety of the community are escalated to relevant staff members on a timely basis.
  - Responses to results are undertaken on a timely basis (cause of the problem identified, steps taken to prevent ongoing freshwater quality degradation etc.)

- **Compliance and enforcement** – Assessing whether
  - The Council is able to monitor compliance with regional rules and resource consents effectively to reduce unnecessary risk to communities, support health and safety and avoid adverse effects on the environment.
  - The Council is working effectively with specific industry and agricultural sectors to achieve greater levels of compliance.
  - The Council is working effectively with local authority consent holders to resolve issues of non-compliance.
  - Complaints received and pollution incidents are responded to in a reasonable timeframe and repeat incidents are identified and monitored.
  - The Council is using enforcement tools strategically and consistently to bring about greater rates of non-compliance and to encourage better resource management practices.
  - The Council has appropriate reporting systems for identifying repeat non-compliance and tracking resolution of compliance issues.
- **Reporting** – Assessing whether
  - Testing, compliance and enforcement actions are reported accurately and on a timely basis.
  - Reporting provides information on the current state and trends in water quality in a manner that can be clearly understood.
  - Reports identify actions required to respond to issues identified and tracking of the completion of those actions.

3 Approach

We will perform the following for each of the control objectives listed above:

The review will be conducted primarily by applying discussion, observation and review techniques, with limited testing being undertaken, focusing on:

- Understanding through discussion and observation the management processes in place.
- Documenting and evaluating the methods associated with monitoring, control and management.
- Assessing areas of risk in Council's processes.

4 Deliverable

We will provide you with a detailed report of our findings and recommendations we consider appropriate to mitigate any further risks identified.

5 Estimated hours

We estimate that 60 hours will be required to complete this audit.

6 Acknowledgement and Acceptance

The details of the above scoping document have been read and understood and I am authorised to accept them for and on behalf of the Hawke's Bay Regional Council.

Signed: _____

Name: _____

Position: _____

Date: _____

PO No: _____

Crowe Horwath

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HAWKE'S BAY REGIONAL COUNCIL

Wednesday 31 January 2018

Subject: AFFIXING OF 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 175 DP 12548 CT D4/1523 - Transfer	4182	7 December 2017
	1.1.2 Lot 277 DP 11194 CT B3/91 - Transfer	4184	15 December 2017
	1.1.3 Lot 55 DP 12227 CT D2/184 - Transfer	4185	15 December 2017
	1.1.4 Lot 1 DP 4404 CT C2/276 - Transfer	4187	20 December 2017
	1.1.5 Lot 212 DP 6598 CT C2/334 - Transfer	4190	8 January 2018
	1.1.6 Lot 114 DP 12692 CT E1/71 - Transfer	4191	8 January 2018
	1.1.7 Lot 2 DP 6391 CT D4/1413 - Transfer	4192	8 January 2018
	1.1.8 Lot 94 DP 10121 CT C3/1182 - Agreement for Sale and Purchase	4193	15 January 2018
	1.1.9 Lot 51 DP 11103 CT B2/127 - Transfer	4194	24 January 2018
1.2	1.2.1 C. Gibson (*Delegations under Biosecurity Act 1993; Civil Defence Act 1983 (s.60-64); Civil Defence Emergency Management Act 2002 (s.86-91)and Local Government Act 2002 (s.174))*	4183	11 December 2017

	1.2.2 (*Delegations under the Civil Defence Emergency Management Act 2002 (s.86-92 inclusive) and Clause 32B Schedule 7 of the Local Government Act 2002)* 1.2.3 E. Wykes E. Wykes *(Delegations under the Maritime Transport Amendment Act 2013 (Sections 33G(a))*	 4188 4189	 4 January 2018 4 January 2018
1.3	Port of Napier Limited Subvention Agreement	4186	15 December 2017

2. As a result of sales, the current numbers of Leasehold properties owned by Council are:
   2.1. 0 cross lease properties were sold, with 84 remaining on Council's books
   2.2. 1 single leasehold property was sold, with 127 remaining on Council's books.

Decision Making Process

3. Council is required to make every decision in accordance with the provisions of Sections 77, 78, 80, 81 and 82 of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within these sections of the Act in relation to this item and have concluded the following:
   3.1 Sections 97 and 88 of the Act do not apply
   3.2 Council can exercise its discretion under Section 79(1)(a) and 82(3) of the Act and make a decision on this issue without conferring directly with the community or others due to the nature and significance of the issue to be considered and decided
   3.3 That the decision to apply the Common Seal reflects previous policy or other decisions of Council which (where applicable) will have been subject to the Act's required decision making process.

Recommendations

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy 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:

Trudy Kilkolly
FINANCIAL ACCOUNTANT

Diane Wisely
EXECUTIVE ASSISTANT

Approved by:

Jessica Ellerm
GROUP MANAGER CORPORATE SERVICES

James Palmer
CHIEF EXECUTIVE

Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 31 January 2018

SUBJECT: REPORT FROM THE 12 DECEMBER 2017 MAORI COMMITTEE MEETING

Reason for Report

1. To provide the opportunity for the Māori Committee Chairman to provide detailed context and feedback in relation to the discussions that took place at the Māori Committee meeting on 12 December 2017.
2. Agenda items included:
   - 2.1. Verbal updates on the HBRC 2018-28 Long Term Plan Process and current issues
   - 2.2. Next Steps for the Maori Committee in relation to Māori Representation on HBRC
   - 2.3. Updates on the work programmes for the Outstanding Water Bodies and Oil & Gas plan change processes
   - 2.4. An update on Council's Statutory Advocacy activities.

Decision Making Process

3. These items have been specifically considered at the Committee level.

Recommendations

That Council receives and notes the report from the 12 December 2017 Maori Committee meeting.

Authored by:

Joyce-Anne Raihania
SENIOR PLANNER GOVERNANCE
AND IWI LIAISON

Approved by:

Liz Lambert
GROUP MANAGER
EXTERNAL RELATIONS

Attachment/s

There are no attachments for this report.

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 31 January 2018

Subject: DISCUSSION OF ITEMS NOT ON THE AGENDA

Reason for Report

1. This document has been prepared to assist Councillors note the Items of Business Not on the Agenda to be discussed as determined earlier in Agenda Item 5.

1.1. ***Urgent*** items of Business *(supported by tabled CE or Chairpersons's report)*

	Item Name	Reason not on Agenda	Reason discussion cannot be delayed
1.			
2.			

1.2. ***Minor*** items *(for discussion only)*

Item	Topic	Councillor / Staff
1.		
2.		
3.		

HAWKE'S BAY REGIONAL COUNCIL

Wednesday 31 January 2018

SUBJECT: CONFIRMATION OF PUBLIC EXCLUDED MINUTES

That the Council excludes the public from this section of the meeting being Confirmation of Public Excluded Minutes Agenda Item 12 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
Confirmation of Public Excluded Minutes of the Regional Council Meeting held on 13 December 2018	7(2)(a) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to protect the privacy of natural persons. 7(2)(b)(ii) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of that information is necessary to protect information which otherwise would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. 7(2)(i) 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 enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). 7(2)(j) 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 prevent the disclosure or use of official information for improper gain or improper advantage.	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

Authored by:

Leeanne Hooper
GOVERNANCE MANAGER

Approved by:

Liz Lambert
GROUP MANAGER
EXTERNAL RELATIONS